

Chapter 11: Implementation
 Appendix



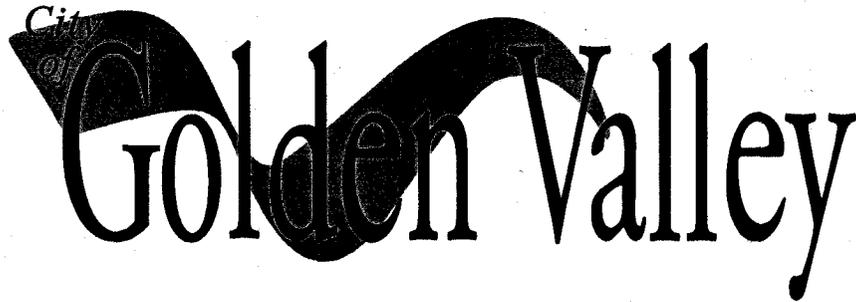
Appendix 11-A: Capital Improvement Plan (CIP)

Golden Valley Capital Improvement Plan

Golden Valley, Minnesota

December 15, 2008

150 pages



**Adopted
2009-2013 Capital Improvement Program
December 16, 2008**

Reviewed by Council
November 10, 2008
December 9, 2008

Reviewed by Planning Commission
November 24, 2008

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CITY OF GOLDEN VALLEY, MINNESOTA
2009 - 2013 CAPITAL IMPROVEMENT PROGRAM

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November 3, 2008

The Honorable Linda L Loomis, Mayor
Members of the City Council

Dear Mayor Loomis and City Council Members:

The Proposed Capital Improvement Program (CIP) for years FY 2009-2013 is presented with this transmittal.

The Capital Improvement Program is a five-year fiscal planning instrument that is used to identify needed capital projects and to delineate the financing and timing of the associated projects. Generally these projects exceed \$10,000 in cost and require long-term financing. An annual capital improvement budget, encompassing the projects outlined for the first year of the CIP, is presented to the Council with the City budget. The capital improvement also identifies bond issues necessary to fund the year's improvements. Each project is brought forth in the upcoming year for final approval by Council.

The adoption of a CIP is a requirement for each city in the metropolitan area. As part of the Metropolitan Land Planning Act passed by the State legislature in 1976, each city is required to adopt a Comprehensive Plan. This plan is currently being updated for approval in 2009. Implementation of the Comprehensive Plan is accomplished through the adoption of:

- Updated zoning and subdivision codes;
- Housing implementation programs;
- Capital Improvement Program related to transportation, sewers, parks and open space facilities

Because of its relationship to the Comprehensive Plan, the CIP is reviewed by the Planning Commission.

The CIP should be viewed as a vehicle to accomplish the goals outlined in the City's Comprehensive Plan adopted in 1999. The goals in the plan cover housing, sanitary and storm sewers, public facilities, transportation and parks and open spaces. An orderly expenditure of funds on capital items is a means of accomplishing the Plan.

A complete CIP is an indispensable tool for the City Council and the City staff as they manage and control the timing and financing of capital improvements needed to maintain the current high level of City services. A CIP is also used by the bond rating agencies to not only evaluate the current and future financial condition of a city, but also to evaluate the quality of a city's management. Adoption of this comprehensive CIP for 2009-2013 will enhance the City's ability to maintain its current Aa1 bond rating.

Finally, a CIP is a valuable document for commission members and individual citizens to use to gain an understanding of how their City works and the means to accomplish its overall plan.

The process for completing the 2009-2013 CIP was much the same as the process for the 2009 Budget. Project requests were submitted by all the divisions and reviewed by the Management

Team and appropriate supervisors to establish the feasibility and priority of the projects, and match with available financing.

The CIP is a planning document or guide for the future capital improvements in the City which in no way constitutes formal approval of the various projects. All of the projects will be formally approved through the City's purchasing or public improvement process.

Each section lists the upcoming projects, project overview, and an estimated cost of the project. Staff has tried to include maps to aid understanding the projects. The Financing section includes a narrative analysis of financing sources involved in the program along with exhibits analyzing some of these sources, with special emphasis on the City's Capital Project Funds. Also included is an exhibit which provides an analysis of the estimated future tax levies needed to finance the City's current general obligation debt and the future general obligation debt identified in the program. There are also two exhibits which summarize projects by year, source of financing by year and the category for each project. The sections are:

- Financing
- Vehicles and Equipment
- Buildings
- Parks
- Golf Course
- Streets
- Storm Sewers
- Water & Sanitary Sewer Utility

I look forward to completing these important projects in the coming fiscal year. As we move forward with this FY 2009-2013, I hope that this CIP meets your approval and provides a useful tool for the Council as it makes decisions regarding these projects.

Thomas D. Burt
City Manager

**CITY OF GOLDEN VALLEY, MINNESOTA
2009 - 2013 CAPITAL IMPROVEMENT PROGRAM**

FINANCING

The 2009-2013 Capital Improvement Program (CIP), which is detailed on the following pages, is financed from a variety of sources. The purpose of this section is to describe and analyze these sources, in as much detail as possible, so that the users of this CIP can be certain that the program as outlined can be financed from available financing sources.

General Fund

The General Fund is the main operating fund of the City, and as such contains most of the City's operating divisions. The main revenue source for this fund is real estate taxes. Large, non-recurring capital outlay expenditures are usually made from one of the City's capital project funds. Level annual transfers from the General Fund to these funds help to even out the annual budgeting process. The General Fund fund balance as of December 31, 2008 is estimated to be \$8,698,380. The 2008 revenue of the General Fund is estimated to be \$14,933,295 and 2008 expenditures are estimated to be \$15,042,045. Exhibit I lists the General Fund transfers to Funds for projects in the CIP.

Water & Sewer Utility Fund

The Water & Sewer Utility Fund is an enterprise fund, which is involved in the operation and renewal & replacement of the City's water and sanitary sewer systems. The main sources of revenue for this fund are the user charges to those residential and commercial/industrial customers connected to the systems. Per City policy, new lateral water and sewer system projects are assessed at 100% of cost unless there are unusual circumstances involved, in which case the City would pay for the difference from the reserve account. Since the City is essentially fully developed, there should be fewer and fewer of these projects in future years. These lateral water and sewer system projects are usually requested by property owners, so it is very hard to project when they might occur and the total cost.

The trunk water system is owned and operated under a joint powers agreement with the cities of Golden Valley, New Hope and Crystal. This organization is known as the Joint Water Commission. The operating and capital improvement expenditures of the trunk water system are shared by the three cities. The trunk sanitary sewer system is owned by Metropolitan Council Environmental Services to which the City makes monthly payments for the operation of and the capital improvements to the trunk system. Exhibit II is a list of projects in the program financed by the Water & Sewer Utility Fund.

The retained earnings or net assets of the fund at 12/31/07 was \$6,525,042. This amount is down significantly from prior years primarily because of the improvements to the system with the pavement management program. The financial position of this fund is extremely important because the City is facing large expenditures in future years for the renewal and replacement of aging water and sewer lines and the additional costs with Inflow and Infiltration (I/I).

Brookview Golf Course Fund

The Brookview Golf Course Fund is an enterprise fund, which is involved in the operation and improvement of the City's golf course. The main revenue source is green fees paid by the golfers. The golf course consists of an 18 hole regulation course, a 9 hole par 3 course and a driving range. Many of the improvements to the course are part of regular course maintenance, but where specific projects can be defined and costs estimated, they are included in the program. Major pieces of equipment used by the golf course are also included in the program. The working capital in this fund as of December 31, 2007 was \$840,157. Exhibit III is a list of the major course improvements and equipment included in the program and the projected working capital balances of this fund.

Storm Sewer Utility Fund

The Storm Sewer Utility Fund is an enterprise fund, which is involved in the maintenance and improvement of the City's storm water system including storm sewers and holding ponds. The fund is financed from charges to all the property in the City based on the level of estimated storm water runoff from a given class of property. Initially, these charges financed only maintenance activities, but beginning in 2000 major capital expenditures for storm sewer projects have been financed from this fund. These projects are those related to the Pavement Management Program, the City's recently adopted Storm Water Management Plan and projects constructed in conjunction with the other cities that are members of the Bassett Creek Water Management Commission. Exhibit IX is an analysis of the projected revenue, expenditures and cash balances in this fund. Projected expenditures include the annual debt service payments on the storm water revenue bonds that were sold in 2004 and in 2006. The proceeds of this issue were used to finance the storm water costs of the T.H. 55 & Boone Ave. project.

Equipment Replacement Fund

This capital project fund is used to finance major vehicle and equipment purchases for General Fund divisions. One of the revenue sources of this fund is the proceeds of the sale of Certificates of Indebtedness. These are short-term general obligation debt instruments issued for a term of four years and repaid from annual tax levies. Exhibit IV is an analysis of the projected revenue, expenditures and cash balances in this fund. The estimated future annual tax levies that will be needed to repay the debt service on current and future certificates of indebtedness issues are detailed in Exhibit X. Current legislation has allowed cities to extend the term of these certificates up to ten years if the life of the asset is that in length. We may extend the term for those certificates that will finance fire pumper replacements.

Building Fund

This capital project fund is used to finance major improvements to buildings used by the General Fund divisions. Wold Architects completed a city facility analysis in 2006. This plan has been incorporated into the Building Fund and the 2009 General Fund Buildings Budget as funding permits. A major source of financing in this fund is transfers from the General Fund. Exhibit V is an analysis of the projected revenue, expenditures and cash balances of this fund.

Park Improvement Fund

This capital project fund is used to finance major park and open space improvements. One of the revenue sources in this fund is an annual transfer from the General Fund. Exhibit VI is an analysis of the projected revenue, expenditures and cash balances of this fund.

Municipal State Aid (MSA) Fund

This fund is used to account for moneys held in account both by the City and the State of Minnesota for use in the maintenance and improvement of municipal state aid streets located in the City. Streets are designated as municipal state aid based on criteria established by the State. Each city is allowed a maximum number of miles of these designated streets. Every improvement project involving these streets must first be approved by the State. If approved, a certain portion of the projected cost is advanced to the City from its MSA account at the State, with the balance being paid upon completion. The monies that finance the City's MSA account at the State come from the State gasoline tax.

The City's MSA account at the State is essentially the City's money, and the amount in the account at any one time is included as an asset of this fund. The State also participates directly in various street and storm sewer improvement projects with the City, when the particular project benefits or involves State highways and rights of way. On the worksheets for street and storm sewer projects, the designation under the

financing analysis of MSA refers to the City's MSA account at the State, and State of Minnesota refers to direct State participation. Exhibit VII is an analysis of the projected revenue, expenditures and cash balances of the Municipal State Aid Fund.

Capital Improvement Fund

This fund is the old Debt Redemption Fund that was previously used to finance the special assessment debt of the City, that was sold to finance the initial infrastructure improvements in the City. Now that the debt has been entirely paid off, the assets of this fund can be used for any purposes designated by the City Council. It has become unwritten City policy to use these monies only for public works' purposes. Exhibit VIII is an analysis of the projected revenue, expenditures and cash balances of this fund.

The scheduled transfers from the General Fund to the various capital project funds, as detailed in the program, are as follows:

General Fund Transfers

<u>Capital Project Fund</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Building	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
Park Improvement	<u>300,000</u>	<u>350,000</u>	<u>375,000</u>	<u>400,000</u>	<u>400,000</u>
TOTALS	<u>\$875,000</u>	<u>\$800,000</u>	<u>\$850,000</u>	<u>\$875,000</u>	<u>\$900,000</u>

General Obligation Bonds

To finance certain projects the City must borrow funds externally by issuing general obligation municipal bonds. The method(s) of financing the repayment of these bonds differentiates the various types of bonds used in the program.

Tax Increment Bonds

The proceeds of these bond issues are used to pay for public improvements in specially designated tax increment districts. The debt service on the bonds is repaid from property taxes on the increased value in the district over a base year's value. The property taxes on the increased value (increment) are not distributed to the various taxing jurisdictions, but are retained by the City to pay off the debt service on the bonds. The increased value in the district comes from the increased commercial/industrial development made possible by the public improvements financed by the bonds. The City currently has two tax increment districts with the following bonded indebtedness as of December 31, 2008.

<u>District</u>	<u>Bonds/Interest Payable as Of 12/31/08</u>
Valley Square	\$ 2,415,575
Golden Hills	22,995,060

The CIP does not include the land acquisition, building demolition and relocation expenditures projected for these districts. It includes just the basic municipal improvements such as streets, utilities, etc. A pay-go note was used to finance the North Wirth District No. 3.

Special Assessment Bonds

Per State Statute, if at least 20% of the bond principal for a public improvement is financed by special assessments against benefited properties, the balance can be financed from tax levies against all the property in the City without the need of a bond referendum. On the project worksheets, if special

assessment bond financing is involved, we have indicated the amount of bonds to be repaid from special assessments and tax levies.

A special situation is the pavement management program. These street projects will extend over a longer period than is included in the 2009 - 2013 CIP and will be financed by annual special assessment bond issues. On the project worksheet for the pavement management program, the method of financing is indicated as just Special Assessment Bonds.

Municipal State Aid (MSA) Revenue Bonds

MSA bonds were sold for the first time for the City of Golden Valley. The project was Golden Valley Road and Bridge replacement. The debt service payments will be repaid over twenty years with State Aid Allotments used to improve and maintain Municipal State Aid roads.

Tax Abatement Bonds

These bonds will be repaid from the abated City taxes on the General Mills' headquarters expansion, which has been completed. The abatement agreement was signed between the City and General Mills in 2001 and the bonds were sold in 2004. The City taxes generated by the expansion will not be used to finance general City operations, but will be used to pay the debt service on the bonds. The term of the abatement agreement is fifteen (15) years. On the project worksheets, if tax abatement bond financing is involved, we have indicated the amount of bonds to be repaid from the annual tax abatement.

Exhibit X is an analysis of the projected tax levies needed to finance the current and projected general obligation bonded debt of the City of Golden Valley.

CITY OF GOLDEN VALLEY
 2009 - 2013 CIP
 GENERAL FUND (FUND 1000)
 EXHIBIT I

PROJECT (1)	EXPENDITURES				
	2009	2010	2011	2012	2013
Transfer to Building Fund	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
Transfer to Park Improvement Fund	300,000	350,000	375,000	400,000	400,000
Totals	\$800,000	\$850,000	\$875,000	\$900,000	\$900,000

Notes:

(1) The individual building and park projects funded by these transfers are included in the Building and Parks Sections of the CIP.

**CITY OF GOLDEN VALLEY
2009 - 2013 CIP
BROOKVIEW GOLF COURSE FUND (FUND 7150)
EXHIBIT III**

	2009	2010	2011	2012	2013
Working Capital @ 1/1	\$791,792	\$759,942	\$538,092	\$457,852	\$424,652
Revenue:					
Working Capital Provided By Operations	50,000	50,000	50,000	50,000	50,000
Sale of Carts		50,000			
Total Available	841,792	809,942	588,092	507,852	474,652
Expenses:					
Special Assessment - Street (GC #1)	(20,350)	(19,350)	(18,240)	(17,200)	(16,200)
Green \ Tee Mowers (GC #3)	(29,000)	(27,500)			(37,000)
Golf Carts (GC #9)		(165,000)			
Rough Mowers (GC #10)		(50,000)	(50,000)		
Sand Trap Rake (GC #13)			(15,000)		
Five Plex Fairway Mower (GC #14)				(41,000)	
Driving Range Nets (GC #15)			(15,000)	(15,000)	
Utility Carts (GC #5)	(14,500)				
Cart Paths (GC #18)	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)
Used Truck 7152.6960	(8,000)				
Topdresser (GC #19)			(22,000)		
	(81,850)	(271,850)	(130,240)	(83,200)	(63,200)
Working Capital @ 12/31	\$759,942	\$538,092	\$457,852	\$424,652	\$411,452

**CITY OF GOLDEN VALLEY
2009-2013 CIP
EQUIPMENT REPLACEMENT FUND (FUND 5700)
EXHIBIT IV**

	2009	2010	2011	2012	2013
Cash Balance @ 1/1	438,483	390,908	361,453	573,526	568,202
Revenue:					
Proceeds - Certificates of Indebtedness	850,000	965,000	750,000	725,000	800,000
Proceeds - Certificates of Indebtedness				575,000	
Transfer From General Fund					
Sale of Assets:					
Auction Proceeds	35,000	35,000	35,000	35,000	35,000
Interest Earnings (Beginning Balance)	21,924	19,545	18,073	28,676	28,410
Total Available	<u>1,345,408</u>	<u>1,410,453</u>	<u>1,164,526</u>	<u>1,937,202</u>	<u>1,431,612</u>
Expenditures:					
Bond Costs	8,000	8,000	8,000	8,000	8,000
2007					
2008					
2009	946,500				
2010		1,041,000			
2011			583,000		
2012				1,361,000	871,000
	<u>954,500</u>	<u>1,049,000</u>	<u>591,000</u>	<u>1,369,000</u>	<u>879,000</u>
Unreserved Cash Balance	<u><u>390,908</u></u>	<u><u>361,453</u></u>	<u><u>573,526</u></u>	<u><u>568,202</u></u>	<u><u>552,612</u></u>

**CITY OF GOLDEN VALLEY
2009-2013 CIP
BUILDING FUND (FUND 5200)
EXHIBIT V**

	2009	2010	2011	2012	2013
Cash Balance @ 1/1	\$1,064,550	\$872,841	\$662,298	\$742,544	\$689,395
Revenue:					
Transfer From General Fund	500,000	500,000	500,000	500,000	500,000
Cable Capital Grant	22,000	22,000	22,000	22,000	22,000
Interest Earnings	21,291	17,457	13,246	14,851	13,788
Total Available	1,607,841	1,412,298	1,197,544	1,279,395	1,225,183
Expenditures:					
Carpet/Chair Replacement - City Buildings	(50,000)	(50,000)	(80,000)	(25,000)	
Generators	(125,000)	(65,000)			
Street Dept Office Improvements		(50,000)			
Facility Analysis Expenditures:	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)
Mill and Overlay City Hall Campus Parking Lot				(315,000)	
Public Works Office Space Remodeling		(85,000)			
Workspace Addition - Fire Station #1	(10,000)				
Audio System: Chambers Control Room-Conf Room	(65,000)				
AV Display and Presentation System: Council Room	(65,000)				
Facility Analysis Assessment Update	(10,000)				
Community Center Facility Needs Assessment	(100,000)				
Transfer to Community Center Building Fund	(60,000)	(250,000)	(125,000)		
Total Expenditures	(735,000)	(750,000)	(455,000)	(590,000)	(250,000)
Unreserved Cash Balance @ 12/31	\$872,841	\$662,298	\$742,544	\$689,395	\$975,183

**CITY OF GOLDEN VALLEY
2009-2013 CIP
PARK IMPROVEMENT FUND (FUND 5600)
EXHIBIT VI**

	2009	2010	2011	2012	2013
Cash Balance @ 1/1	\$54,160	\$74,885	\$25,545	\$122,965	\$98,115
Revenue:					
Transfer From General Fund	300,000	350,000	375,000	400,000	400,000
Park Dedication Fee	5,000	5,000	5,000	5,000	5,000
Performance Area Donation		200,000			
Interest Earnings	1,625	2,660	1,845	5,050	5,050
Total Available	360,785	632,545	407,390	533,015	508,165
Expenditures:					
Resurface Tennis Courts and Hard Surface Areas	(22,000)	(25,000)	(25,000)	(25,000)	(25,000)
Asphalt Overlays - Park Walkways, Tennis Courts & Parking	(15,000)	(125,000)	(15,000)	(20,000)	(20,000)
New Playground Equipment and Area Curbing - City Parks	(100,000)	(100,000)	(100,000)	(100,000)	(100,000)
Special Assessments -Park Property (ends 2025)	(93,900)	(102,000)	(89,425)	(84,900)	(78,100)
Park Shelter Building Improvements	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)
Performance Area Improvements		(200,000)			
Chain Link Fence	(15,000)	(15,000)	(15,000)	(15,000)	(15,000)
Parking Lot \ Landscaping - Scheid Park				(150,000)	
ADA Upgrades for City Parks	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)
Total Expenditures	(285,900)	(607,000)	(284,425)	(434,900)	(278,100)
Unreserved Cash Balance @ 12/31	\$74,885	\$25,545	\$122,965	\$98,115	\$230,065

**CITY OF GOLDEN VALLEY
2009-2013 CIP
MUNICIPAL STATE AID STREET (MSA) FUND (FUND 5100)
EXHIBIT VII**

	2009	2010	2011	2012	2013
Cash Balance @ 1/1/07	\$2,987,179	\$3,371,804	\$3,367,968	\$3,362,017	\$2,057,888
Revenue:					
Annual Construction Allotment From State	466,117	466,117	466,117	466,117	466,117
Annual Maintenance Allotment From State	155,373	155,373	155,373	155,373	155,373
Special Assessments - State-Aid Bonds; Golden Valley Rd. - Douglas Dr. to T.H. 100	12,520	12,520	12,520	12,520	12,520
Federal Highway Administration State of Minnesota - Bridge Fund					
Interest Earnings (3% of Beg. Bal.)	89,615	101,154	101,039	100,861	61,737
Total Available	3,710,804	4,106,968	4,103,017	4,096,888	2,753,634
Expenditures:					
Maintenance of State-Aid Streets	(100,000)	(100,000)	(100,000)	(100,000)	(100,000)
Evaluation and Rehabilitation of Winnetka Ave	(50,000)	(250,000)	(250,000)	(250,000)	
Railroad Crossing Signals		(200,000)	(200,000)		
Duluth Street Reconstruction				(1,500,000)	
Debt Service on State-Aid Bonds ends 2028	(189,000)	(189,000)	(191,000)	(189,000)	(189,000)
Total Expenditures	(339,000)	(739,000)	(741,000)	(2,039,000)	(289,000)
Unreserved Cash Balance @ 12/31	\$3,371,804	\$3,367,968	\$3,362,017	\$2,057,888	\$2,464,634

**CITY OF GOLDEN VALLEY
2009 - 2013 CIP
CAPITAL IMPROVEMENT FUND (FUND 6100)
EXHIBIT VIII**

	2009	2010	2011	2012	2013
Cash Balance @ 1/1	\$681,393	\$415,335	\$307,795	\$197,029	\$227,940
Revenue:					
Charge to Street Reconstruction Projects to Finance CAD & Pavement Management System	25,000	25,000	25,000	25,000	25,000
Xcel Energy - Payment on Conduit Agreement City of Minneapolis	423,500				
City of Crystal Joint Project Interest Earnings (3% of Beg. Bal.)	20,442	12,460	9,234	5,911	
Total Available	1,150,335	452,795	342,029	227,940	252,940
Expenditures:					
Sidewalks Xerxes Overlay	(605,000)				
Count Down Pedestrian Signals	(45,000)	(45,000)	(45,000)		
Street Signs		(100,000)	(100,000)		
City Hall Campus Sidewalk Renovation	(85,000)				
Total Expenditures	(735,000)	(145,000)	(145,000)	0	0
Unreserved Cash Balance @ 12/31	\$415,335	\$307,795	\$197,029	\$227,940	\$252,940

CITY OF GOLDEN VALLEY
2009 - 2013 CIP
STORM SEWER UTILITY FUND (FUND 7300)
EXHIBIT IX

	2009	2010	2011	2012	2013
Cash Balance @ 1/1	\$2,786,050	\$2,477,507	\$2,054,686	\$1,633,937	\$853,670
Revenue:					
Storm Sewer Charges	2,212,150	2,212,150	2,212,150	2,212,150	2,212,150
Bassett Creek Watershed Management Commission		450,000		550,000	
Union Pacific Railroad		(185,000)			
Transfer From Recycling Fund	7,000	7,000	7,000	7,000	7,000
Interest Earnings	83,582	74,325	61,641	49,018	25,610
Total Available	5,088,782	5,035,982	4,335,477	4,452,105	3,098,430
Expenditures:					
Operating Expenditures:					
Storm Sewer Maintenance	(309,135)	(318,409)	(327,961)	(337,800)	(347,934)
Street Cleaning	(117,530)	(121,056)	(124,688)	(128,428)	(132,281)
Environmental Services	(277,020)	(285,331)	(293,891)	(302,707)	(311,788)
Debt Service - Revenue Bonds (2019; 2021)	(432,590)	(500,000)	(500,000)	(500,000)	(500,000)
Sub-Total of Operations	(1,136,275)	(1,224,796)	(1,246,539)	(1,268,936)	(1,292,004)
Capital Outlay:					
2009	(1,475,000)				
2010		(1,756,500)			
2011			(1,455,000)		
2012				(2,329,500)	
2013					(1,370,000)
Sub-Total of Capital Expenditures	(1,475,000)	(1,756,500)	(1,455,000)	(2,329,500)	(1,370,000)
Total Expenditures	(2,611,275)	(2,981,296)	(2,701,539)	(3,598,436)	(2,662,004)
Unreserved Cash Balance @ 12/31	\$2,477,507	\$2,054,686	\$1,633,937	\$853,670	\$436,426

CITY OF GOLDEN VALLEY
2009 - 2013 CIP
GENERAL OBLIGATION DEBT TAX LEVY PROJECTIONS
EXHIBIT X

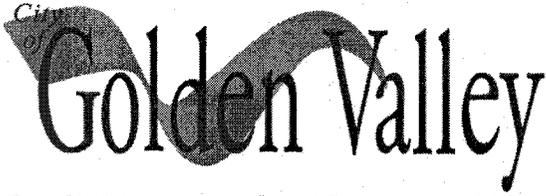
	Principal Balance 12/31/08	Maturity										
			2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Current Pavement Management General Obligation Special Assessment Debt												
1998A Street Improvement Bonds	355,000	2009	\$362,277									
1999B Street Improvement Bonds	850,000	2010	461,230	451,070								
2000A Street Improvement Bonds	6,910,000	2016	1,327,442	1,303,692	\$1,278,692	\$902,442	\$917,442	\$904,192	\$913,892	\$905,580		
2002A Street Improvement Bonds	7,275,000	2018	922,661	908,261	888,461	878,461	862,861	935,561	938,311	943,771	946,646	946,856
2003C Street Improvement Bonds	8,125,000	2019	1,067,390	1,049,140	1,045,740	1,019,740	1,002,540	968,380	842,855	715,875	721,475	730,875
2005C Street Improvement Bonds	5,990,000	2025	254,575	254,575	299,575	302,662	305,537	308,200	310,650	402,887	401,087	399,075
2006B Street Improvement Bonds	7,320,000	2026	306,165	306,165	306,165	371,165	373,500	375,630	377,555	379,275	500,790	497,180
2007C Street Improvement Bonds	4,105,000	2027	185,255	185,255	185,255	185,255	220,255	218,855	227,455	230,655	233,655	281,455
2008A Street Improvement Bonds	6,680,000	2028	175,307	279,250	279,250	279,250	279,250	334,250	342,325	345,050	342,600	344,975
Total	47,610,000		\$5,062,302	\$4,737,408	\$4,283,138	\$3,938,975	\$3,961,385	\$4,045,068	\$3,953,043	\$3,923,093	\$3,146,253	\$3,200,416
Current Certificates of Indebtedness General Obligation Debt												
Certificates of Indebtedness-2005D	240,000	2009	248,400									
Certificates of Indebtedness-2006D	475,000	2010	254,000	249,600								
Certificates of Indebtedness-2007B	730,000	2011	262,375	263,562	259,375							
Certificates of Indebtedness-2008B	750,000	2012	14,125	267,500	265,150	262,650						
Total	2,195,000											
Current Tax Abatement Bonds												
2004B Tax Abatement Bonds	3,725,000	2019	476,875	469,875	461,875	448,675	440,062	430,825	416,375	406,925	397,262	386,950
General Obligation Revenue Bonds												
2004C Utility Revenue Bonds	2,305,000	2019	267,531	266,156	269,156	266,756	268,918	265,418	266,706	267,568	268,006	267,725
2006C Utility Revenue Bonds	1,715,000	2021	170,242	171,242	172,042	172,642	172,928	173,007	172,882	172,552	172,018	176,227
	4,020,000											
Current State Aid Street Bonds												
2007A State Aid Bonds	2,475,000	2027	190,231	191,631	192,831	188,831	189,831	190,631	191,231	161,631	186,631	187,032
General Obligation Tax Increment Bonds												
1999C Golden Hills TI Bonds	2,415,000	2011	888,245	889,995	888,940							
2004A Golden Hills TI Bonds	650,000	2011	226,267	226,267	231,187							
2005A Golden Hills TI Bonds	1,410,000	2015	107,871	116,071	123,971	126,571	128,915	546,877	533,282			
2005B Golden Hills TI Bonds	4,360,000	2015	420,641	411,841	412,766	407,991	402,710	1,756,910	1,686,475			
2006A Golden Hills TI Bonds	10,305,000	2015	1,330,250	1,294,500	1,258,500	1,242,250	2,294,750	2,492,500	2,950,500			
2003A Valley Square TI Bonds	1,590,000	2011	593,600	572,400	551,200							
2003B Valley Square TI Bonds	680,000	2011	262,850	247,500	236,250							
	21,410,000											
Total Government Wide Principal	81,435,000											
			10,775,805	10,375,568	9,606,381	7,055,341	7,859,499	9,901,236	10,170,494	4,931,769	4,170,170	4,218,350

**CITY OF GOLDEN VALLEY
2009 - 2013 CIP
CAPITAL IMPROVEMENT EXPENDITURES BY CATEGORY BY YEAR
EXHIBIT XI**

Category	2009	2010	2011	2012	2013	Total	%
Vehicles & Equipment	\$946,500	\$1,091,000	\$583,000	\$1,361,000	\$871,000	\$4,852,500	6.8%
Buildings	735,000	750,000	455,000	590,000	250,000	2,780,000	3.9%
Parks	285,900	607,000	284,425	434,900	278,100	1,890,325	2.7%
Golf Course	73,850	271,850	130,240	83,200	63,200	622,340	0.9%
Streets	8,449,000	7,128,000	9,374,000	10,089,000	8,339,000	43,379,000	61.0%
Storm Sewers	1,475,000	1,756,500	1,455,000	2,329,500	1,370,000	8,386,000	11.8%
Water & Sewer Systems	1,536,000	3,305,000	1,600,000	1,389,500	1,324,000	9,154,500	12.9%
Totals	\$13,501,250	\$14,909,350	\$13,881,665	\$16,277,100	\$12,495,300	\$71,064,665	100.0%

**CITY OF GOLDEN VALLEY
2009-2013 CIP
FINANCING SUMMARY BY SOURCE BY YEAR
EXHIBIT XII**

Source	2009	2010	2011	2012	2013	Total	%
External Sources:							
Bassett Creek Water Mgmt Comm	0	440,000	0	550,000	0	990,000	1.4%
Union Pacific Railroad	0	185,000	0	0	0	185,000	0.3%
City of Minneapolis	423,500	0	0	0	0	423,500	0.6%
Community Contributions	0	200,000	0	0	0	200,000	0.3%
Total External Sources	423,500	825,000	0	550,000	0	1,798,500	2.5%
Internal Sources:							
Vehicle Maintenance Fund	0	50,000	0	0	0	50,000	0.1%
Equipment Replacement Fund	946,500	1,041,000	583,000	1,361,000	871,000	4,802,500	6.8%
Brookview Golf Course Fund	73,850	271,850	130,240	83,200	63,200	622,340	0.9%
Water & Sewer Utility Fund	1,536,000	3,305,000	1,600,000	1,389,500	1,324,000	9,154,500	12.9%
Building Fund	735,000	750,000	455,000	590,000	250,000	2,780,000	3.9%
Park Improvement Fund	285,900	407,000	284,425	434,900	278,100	1,690,325	2.4%
Capital Improvement Fund	386,500	145,000	145,000	0	0	676,500	1.0%
Municipal State-Aid (MSA) Fund	339,000	739,000	741,000	2,039,000	289,000	4,147,000	5.8%
Storm Sewer Utility Fund	1,475,000	1,131,500	1,455,000	1,779,500	1,370,000	7,211,000	10.1%
Special Assessment Bonds	7,300,000	6,244,000	8,488,000	8,050,000	8,050,000	38,132,000	53.7%
Total Internal Sources	13,077,750	14,084,350	13,881,665	15,727,100	12,495,300	69,266,165	97.5%
Totals All Sources	\$13,501,250	\$14,909,350	\$13,881,665	\$16,277,100	\$12,495,300	\$71,064,665	100.0%



Capital Improvement Program 2009-2013

Equipment Replacement Section

This section includes all capital equipment and vehicles that help employees have the tools to fulfill their job requirements. The Vehicle Maintenance department maintains all equipment and vehicles except for the Golf Course Fund. The City's Information Technology Coordinator maintains the computers, printers and phone system. Each year each piece of equipment is reviewed before replacement. This schedule allows the City to finance upcoming purchases for the next five years.

Financing for this fund comes from selling Equipment Certificates. Most certificates are paid back in four years by a debt levy. Blended certificates will be issued in 2012 and will extend the life of the certificate to 10 years. This will allow the debt levy to be less of an impact on the taxpayer.

Golden Valley

City of Golden Valley, Minnesota

Capital Improvement Plan

2009 thru 2013

PROJECTS & FUNDING SOURCES BY DEPARTMENT

Department	Project#	Priority	2009	2010	2011	2012	2013	Total
Vehicles and Equipment								
Marked Squad Cars (Police)	V&E-001	n/a	90,000	90,000	90,000	90,000	110,000	470,000
Computers and Printers (Finance)	V&E-002	n/a	90,000	90,000	90,000	90,000	90,000	450,000
Imaging System (Finance)	V&E-003	n/a	15,000	26,000	15,000	15,000	26,000	97,000
List Server (Finance)	V&E-007	n/a		15,000				15,000
Pickup Truck (Engineering)	V&E-008	n/a	20,000					20,000
Photo Imaging System (Police)	V&E-017	n/a				30,000		30,000
Radio Control Replacement (Fire)	V&E-018	n/a		42,000				42,000
Computer Server (Finance)	V&E-019	n/a		35,000			35,000	70,000
Portable Computers (Police)	V&E-020	n/a				50,000		50,000
Vibratory Asphalt Roller (Street)	V&E-021	n/a	45,000					45,000
Dump Truck (Park)	V&E-026	n/a	118,000					118,000
Dump Truck (Park)	V&E-029	n/a			72,000			72,000
Dump Truck (Street)	V&E-032	n/a		68,000				68,000
Asphalt Melter (Street)	V&E-033	n/a	40,000					40,000
Live-Scan Fingerprint System (Police)	V&E-035	n/a					30,000	30,000
Refurbish Aerial Ladder Truck (Fire)	V&E-037	n/a	150,000					150,000
Streetscape Banners (Street)	V&E-038	n/a				50,000		50,000
Unmarked Police Vehicle (Police)	V&E-041	n/a	30,000					30,000
Van (Park and Recreation)	V&E-042	n/a		25,000				25,000
Pickup Truck (Engineering)	V&E-044	n/a		25,000				25,000
Rescue Vehicle (Fire)	V&E-045	n/a		90,000				90,000
Refurbish Fire Pumper (Fire)	V&E-046	n/a		110,000				110,000
Pickup Truck (Park)	V&E-047	n/a		40,000				40,000
Rotary Mower (Park)	V&E-048	n/a		90,000				90,000
Bobcat T-190 Skid Loader (Street)	V&E-050	n/a	45,000					45,000
Sidewalk/Maintenance Tractor (Street)	V&E-051	n/a		55,000				55,000
Asphalt Cold Planer (Street)	V&E-052	n/a	20,000					20,000
Dump Truck (Street)	V&E-053	n/a		190,000				190,000
Pickup Truck (Vehicle Maintenance)	V&E-054	n/a		50,000				50,000
Pickup Truck (Park)	V&E-055	n/a			40,000			40,000
Pickup Truck (Park)	V&E-056	n/a				40,000		40,000
Pickup Truck (Park)	V&E-057	n/a					40,000	40,000
Extrication Tools (Fire)	V&E-061	n/a		50,000				50,000
Pickup Truck (Street)	V&E-063	n/a				26,000		26,000
Sidewalk/Maintenance Tractor (Street)	V&E-064	n/a				95,000		95,000
Tandem Axle Dump Truck (Street)	V&E-065	n/a	210,000					210,000

Department	Project#	Priority	2009	2010	2011	2012	2013	Total
Single Axle Dump Truck (Street)	V&E-066	n/a				195,000		195,000
3-4 Yard Front End Loader (Street)	V&E-067	n/a		250,000				250,000
Utility Tractor Mower	V&E-069	n/a					15,000	15,000
Sport Utility Vehicle (Police)	V&E-081	n/a				35,000		35,000
Fire Pumper (Fire)	V&E-082	n/a				575,000		575,000
Sedan (Fire)	V&E-083	n/a				40,000		40,000
Self-Contained Breathing Apparatus (Fire)	V&E-084	n/a					300,000	300,000
Single Axle Dump Truck (Street)	V&E-088	n/a					195,000	195,000
Passenger Van (Park)	V&E-093	n/a			26,000			26,000
Unmarked Police Vehicle (Police)	V&E-095	n/a				30,000		30,000
Asphalt Hot Box (Street)	V&E-099	n/a	60,000					60,000
Pickup Truck (Park)	V&E-100	n/a	13,500					13,500
Unmarked Police Vehicle (Police)	V&E-101	n/a					30,000	30,000
Vehicles and Equipment Total			946,500	1,091,000	583,000	1,361,000	871,000	4,852,500

<i>Возможные корректировки по годам</i>								
<i>Vehicle Adjustments by Year</i>								
<i>Vehicles and Equipment Total</i>			<i>946,500</i>	<i>1,091,000</i>	<i>583,000</i>	<i>1,361,000</i>	<i>871,000</i>	<i>4,852,500</i>

Grand Total	946,500	1,091,000	583,000	1,361,000	871,000	4,852,500
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Project # **V&E-001**
 Project Name **Marked Squad Cars (Police)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

Marked squad cars for the Police Department per replacement schedule for the City's nine squads.

Justification

Each year all nine squads are looked at based on the number of miles, accidents and overall safety. The number replaced may vary based on these factors.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	90,000	90,000	90,000	90,000	110,000	470,000
Total	90,000	90,000	90,000	90,000	110,000	470,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	90,000	90,000	90,000	90,000	110,000	470,000
Total	90,000	90,000	90,000	90,000	110,000	470,000

Project # **V&E-002**
 Project Name **Computers and Printers (Finance)**

Type Equipment
 Useful Life
 Category Equipment: Computers
 Priority
 Contact
 Department Vehicles and Equipment

Description

Replacement of computers and printers in the City. Most computers are scheduled to be replaced every four years and printers every eight. The City has a total of 130 computers and printers. Also includes upgrades to the City's computer network system, which includes switches, hubs and fiber connection hardware.

Justification

Technology changes make personal computers obsolete after five years for business purposes. The computers will be replaced on the basis of need.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	90,000	90,000	90,000	90,000	90,000	450,000
Total	90,000	90,000	90,000	90,000	90,000	450,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	90,000	90,000	90,000	90,000	90,000	450,000
Total	90,000	90,000	90,000	90,000	90,000	450,000

Project # **V&E-003**
 Project Name **Imaging System (Finance)**

Type Equipment
 Useful Life
 Category Equipment: Computers
 Priority
 Contact
 Department Vehicles and Equipment

Description

The purpose is to scan records digitally to reduce paper copies and reduce the need for additional storage space for records. The current system was replaced in 2007 to enhance the use for public records and availability.

Justification

Permanent records take up space in City Hall. There is no additional space for filing cabinets, etc. in the City Offices. By imaging documents, all information can be gathered on the computer instead of digging through cabinets, etc and will be stored in one location. This server is scheduled to be replaced every three years.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	15,000	26,000	15,000	15,000	26,000	97,000
Total	15,000	26,000	15,000	15,000	26,000	97,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	15,000	26,000	15,000	15,000	26,000	97,000
Total	15,000	26,000	15,000	15,000	26,000	97,000

Project # **V&E-007**
 Project Name **List Server (Finance)**

Type Equipment
 Useful Life
 Category Equipment: Computers
 Priority
 Contact
 Department Vehicles and Equipment

Description

Replacement of list server. List server maintains e-mail addresses that can be categorized to receive certain types of City information such as agendas, project updates and other pertinent information. This server was replaced in 2007.

Justification

Servers have to be replaced periodically to remain compatible with new software.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		15,000				15,000
Total		15,000				15,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund		15,000				15,000
Total		15,000				15,000

Project # **V&E-008**
 Project Name **Pickup Truck (Engineering)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

Ford Ranger for the Engineering Department to replace Unit #228 (1995 Chevrolet Suburban) used for survey and data collection.

Justification

Increased repair and maintenance expenditures on Unit #228, which will be fourteen years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	20,000					20,000
Total	20,000					20,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	20,000					20,000
Total	20,000					20,000

Project # **V&E-017**
 Project Name **Photo Imaging System (Police)**

Type Equipment
 Useful Life
 Category Equipment: Computers
 Priority
 Contact
 Department Vehicles and Equipment

Description

Replacement of hardware and software for the photo imaging system in the Police Department. This system is a part of a network computer system that takes digital mug shots, saves them, and provides for digital transmission of them to departments on the network.

Justification

System gives us immediate, on-line access to booking photos of previously arrested persons, so that an officer can identify a subject who is in custody. Upgraded technology will require that the current system be replaced.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				30,000		30,000
Total				30,000		30,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund				30,000		30,000
Total				30,000		30,000

Project # **V&E-018**
 Project Name **Radio Control Replacement (Fire)**

Type Equipment
 Useful Life
 Category Equipment: Electronics
 Priority
 Contact
 Department Vehicles and Equipment

Description

Replace radio controls on all outdoor warning sirens. Each siren would cost \$6,000.

Justification

Current controls are approaching the end of their useful life. Electronic control boards are experiencing a failure rate of 10%. Hennepin County will be putting the new system up for bids.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		42,000				42,000
Total		42,000				42,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund		42,000				42,000
Total		42,000				42,000

Project # **V&E-019**
 Project Name **Computer Server (Finance)**

Type Equipment
 Useful Life
 Category Equipment: Computers
 Priority
 Contact
 Department Vehicles and Equipment

Description

Replacement of the City's server for the city-wide network computer system. The server runs all City applications and needs to be replaced every three years. It was last replaced in 2007.

Justification

Additional disk space will be needed and current technology will be needed for speed.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		35,000			35,000	70,000
Total		35,000			35,000	70,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund		35,000			35,000	70,000
Total		35,000			35,000	70,000

Project # **V&E-020**
 Project Name **Portable Computers (Police)**

Type Equipment
 Useful Life
 Category Equipment: Computers
 Priority
 Contact
 Department Vehicles and Equipment

Description

Replacement of portable computers in squad cars. There are currently ten Toughbook PCs with docking stations.

Justification

The current machines were aquired in 2008. Increased repair and maintenance occurs as machines age. In addition, new technology requires current hardware.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				50,000		50,000
Total				50,000		50,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund				50,000		50,000
Total				50,000		50,000

Project # **V&E-021**
 Project Name **Vibratory Asphalt Roller (Street)**

Type Equipment
 Useful Life
 Category Equipment: Heavy Equip.
 Priority
 Contact
 Department Vehicles and Equipment

Description

New 2.5 ton dual-drum drive asphalt roller for the Street Department to replace Unit #728 (1992 Ingersoll Rand roller). This piece of equipment is used for compacting asphalt and granular materials.

Justification

Increased repair and maintenance expenditures on Unit #728, which will be 17 years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	45,000					45,000
Total	45,000					45,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	45,000					45,000
Total	45,000					45,000

Project # **V&E-026**
 Project Name **Dump Truck (Park)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

F550 Ford, 4 X 4 dump truck for the Park Department to replace Unit #444 (1999 Ford F-350 Dump Truck). The new dump truck will be outfitted with a swaploader hook system, trash compactor and dump body.

Justification

Increased repair and maintenance expenditures on Unit #444, which will be ten years old. This expenditure was originally in 2007 but delayed. This truck will be used throughout the city to facilitate the pickup of trash bins.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	118,000					118,000
Total	118,000					118,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	118,000					118,000
Total	118,000					118,000

Project # **V&E-029**
 Project Name **Dump Truck (Park)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

One ton, 4x4 dump truck with swaploader hook system and snow plow for Park Department to replace Unit #453 (2000 Ford F-350).

Justification

Increased repair and maintenance expenditures on Unit #453, which will be 10 years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings			72,000			72,000
Total			72,000			72,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund			72,000			72,000
Total			72,000			72,000

Project # **V&E-032**
 Project Name **Dump Truck (Street)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

One F550 Dump truck with swaploader hook system for the Street Department to replace Unit #757 (2001 Ford F-550).

Justification

Increased repair and maintenance expenditures on Unit #757, which will be nine years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		68,000				68,000
Total		68,000				68,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund		68,000				68,000
Total		68,000				68,000

Project # **V&E-033**
 Project Name **Asphalt Melter (Street)**

Type Equipment
 Useful Life
 Category Equipment: Heavy Equip.
 Priority
 Contact
 Department Vehicles and Equipment

Description

Asphalt melter for Street Department to replace Unit #741 (a 1998 Stepp Asphalt Melter).

Justification

Increased repair and maintenance expenditures on Unit #741, which will be eleven years old. This piece of equipment fills in cracks on streets.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	40,000					40,000
Total	40,000					40,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	40,000					40,000
Total	40,000					40,000

Project # **V&E-035**
 Project Name **Live-Scan Fingerprint System (Police)**

Type Equipment
 Useful Life
 Category Equipment: Computers
 Priority
 Contact
 Department Vehicles and Equipment

Description

Replacement of live-scan fingerprint capture station in the Police Department. This system is part of a state-wide network designed to digitally capture the fingerprints of arrestees and immediately transmit the information to the Minnesota Bureau of Criminal Apprehension and the FBI. The system allows for the timely identification of subjects permitting police officers to make appropriate decisions on the disposition of arrestees. The system was originally purchased for the City by the State of Minnesota in 2002.

Justification

The system is expected to reach the end of its life cycle and will require replacement.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings					30,000	30,000
Total					30,000	30,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund					30,000	30,000
Total					30,000	30,000

Project # **V&E-037**
 Project Name **Refurbish Aerial Ladder Truck (Fire)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

Refurbish aerial ladder fire pumper Unit #334 that was originally purchased in 1993.

Justification

The pumper will need to be refurbished to extend the life of the vehicle.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	150,000					150,000
Total	150,000					150,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	150,000					150,000
Total	150,000					150,000

Project # **V&E-038**
 Project Name **Streetscape Banners (Street)**

Type Equipment
 Useful Life
 Category Equipment: Miscellaneous
 Priority
 Contact
 Department Vehicles and Equipment

Description

Replacement of banners for streetscape along Winnetka Avenue and Golden Valley Road. There are two different sets of banners with 216 banners in each set. The two sets (summer and winter) were purchased in 2007.

Justification

Fabric deteriorates and colors fade after weathered conditions..

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				50,000		50,000
Total				50,000		50,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund				50,000		50,000
Total				50,000		50,000

Project # **V&E-041**
 Project Name **Unmarked Police Vehicle (Police)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

New unmarked police vehicle to replace Unit #881 (2001 Ford Crown Victoria).

Justification

Increased repair and maintenance expenditures on Unit #881, which will be eight years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	30,000					30,000
Total	30,000					30,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	30,000					30,000
Total	30,000					30,000

Project # **V&E-042**
 Project Name **Van (Park and Recreation)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

New van to replace Unit #152 (1999 Ford Windstar). This van is used to haul supplies and staff to playgrounds for various park and recreation programs.

Justification

Increased repair and maintenance expenditures on Unit #152, which will be eleven years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		25,000				25,000
Total		25,000				25,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund		25,000				25,000
Total		25,000				25,000

Project # **V&E-044**
 Project Name **Pickup Truck (Engineering)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

New pickup truck for the Engineering Department to replace Unit #229 (a 1999 Ford F-150 pickup).

Justification

Increased repair and maintenance expenditures on Unit #229, which will be 11 years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		25,000				25,000
Total		25,000				25,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund		25,000				25,000
Total		25,000				25,000

Project # **V&E-045**
 Project Name **Rescue Vehicle (Fire)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

Rescue vehicle for the Fire Department to replace Unit #335 (1994 Chevrolet).

Justification

Current vehicle is not constructed to safely carry the increased weight of the required rescue equipment.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		90,000				90,000
Total		90,000				90,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund		90,000				90,000
Total		90,000				90,000

Project # **V&E-046**
 Project Name **Refurbish Fire Pumper (Fire)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

Refurbish Fire Pumper #338 (1999 International/Toyne).

Justification

The truck will need to be refurbished, including the repair of rust and corrosion.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		110,000				110,000
Total		110,000				110,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund		110,000				110,000
Total		110,000				110,000

Project # **V&E-047**
 Project Name **Pickup Truck (Park)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

Pickup truck for the Park Department to replace Unit #452 (2000 Ford F-150).

Justification

Increased repair and maintenance expenditures on Unit #452, which will be ten years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		40,000				40,000
Total		40,000				40,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund		40,000				40,000
Total		40,000				40,000

Project # **V&E-048**
 Project Name **Rotary Mower (Park)**

Type Equipment
 Useful Life
 Category Equipment: Heavy Equip.
 Priority
 Contact
 Department Vehicles and Equipment

Description

16' hydrostatic tractor rotary mower for the Park Department to replace Unit #460 (2002 Toro Groundsmaster 580D).

Justification

Increased repair and maintenance expenditures on Unit #460, which will be eight years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		90,000				90,000
Total		90,000				90,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund		90,000				90,000
Total		90,000				90,000

Project # **V&E-050**
 Project Name **Bobcat T-190 Skid Loader (Street)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

Utility tractor with front mount sweeper for the Street Department to replace Unit #733 (1995 John Deere Tractor). The Bobcat will be used to attach the new cold planer for milling asphalt in preparation for paving operations. The Bobcat will be also utilized for many maintenance activities in the Public Works Department.

Justification

Increased repair and maintenance expenditures on Unit #733 (which will be 15 years old).

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	45,000					45,000
Total	45,000					45,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	45,000					45,000
Total	45,000					45,000

Project # **V&E-051**
 Project Name **Sidewalk/Maintenance Tractor (Street)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

Sidewalk/maintenance Bobcat Tool Carrier with attachments for the Street Department to replace Unit #747 (1999 Trackless MT).

Justification

Increased repair and maintenance expenditures on Unit #747, which will be eleven years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		55,000				55,000
Total		55,000				55,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund		55,000				55,000
Total		55,000				55,000

Project # **V&E-052**
 Project Name **Asphalt Cold Planer (Street)**

Type Equipment
 Useful Life
 Category Equipment: Heavy Equip.
 Priority
 Contact
 Department Vehicles and Equipment

Description

Cold planer attachment for Bobcat T-190 skid steer loader for Street Department to replace Unit #748 (MT trackless implement).

Justification

Increased repair and maintenance expenditures on Unit #748, which will be eleven years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	20,000					20,000
Total	20,000					20,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	20,000					20,000
Total	20,000					20,000

Project # **V&E-053**
 Project Name **Dump Truck (Street)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

Single axle dump truck for the Street Department to replace Unit #749 (1998 Sterling dump truck). New single axle dump truck will be equipped with swaploader hook system, plows, wing and controls.

Justification

Increased repair and maintenance expenditures on Unit #749, which will be twelve years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		190,000				190,000
Total		190,000				190,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund		190,000				190,000
Total		190,000				190,000

Project # **V&E-054**
 Project Name **Pickup Truck (Vehicle Maintenance)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

One three-quarter ton pickup truck for the Vehicle Maintenance Department to replace Unit #901, a 2001 Ford F-250.

Justification

Increased repair and maintenance expenditures on Unit #901, which will be nine years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		50,000				50,000
Total		50,000				50,000

Funding Sources	2009	2010	2011	2012	2013	Total
Vehicle Maintenance Fund		50,000				50,000
Total		50,000				50,000

Project # **V&E-055**
 Project Name **Pickup Truck (Park)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

One half ton pickup truck for the Park Department to replace Unit #454, a 2001 Ford F-150.

Justification

Increased repair and maintenance expenditures on Unit #454, which will be ten years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings			40,000			40,000
Total			40,000			40,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund			40,000			40,000
Total			40,000			40,000

Project # **V&E-056**
 Project Name **Pickup Truck (Park)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

One half ton pickup truck for the Park Department to replace Unit #455, a 2001 Ford F-150.

Justification

Increased repair and maintenance expenditures on Unit #455, which will be eleven years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				40,000		40,000
Total				40,000		40,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund				40,000		40,000
Total				40,000		40,000

Project # **V&E-057**
 Project Name **Pickup Truck (Park)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

One half ton pickup truck for the Park Department to replace Unit #456 (2001 Ford F-150).

Justification

Increased repair and maintenance expenditures on Unit #456, which will be twelve years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings					40,000	40,000
Total					40,000	40,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund					40,000	40,000
Total					40,000	40,000

Project # **V&E-061**
 Project Name **Extrication Tools (Fire)**

Type Equipment
 Useful Life
 Category Equipment: Miscellaneous
 Priority
 Contact
 Department Vehicles and Equipment

Description

(3) hydraulic extrication tools.

Justification

Replace three hydraulic extrication tools currently in service, approximately 25 years old. Difficulty obtaining parts for repair.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		50,000				50,000
Total		50,000				50,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund		50,000				50,000
Total		50,000				50,000

Project # **V&E-063**
 Project Name **Pickup Truck (Street)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

One half ton pickup truck for the street department to replace unit #764, a 2002 Ford F-150 pickup.

Justification

Increased repair and maintenance expenditures which will be ten years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				26,000		26,000
Total				26,000		26,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund				26,000		26,000
Total				26,000		26,000

Project # **V&E-064**
 Project Name **Sidewalk/Maintenance Tractor (Street)**

Type Equipment
 Useful Life
 Category Equipment: Heavy Equip.
 Priority
 Contact
 Department Vehicles and Equipment

Description

Sidewalk maintenance tractor for the Street Department to replace Unit #753, a 2000 Trackless MT.

Justification

Increased repair and maintenance expenditures which will be twelve years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				95,000		95,000
Total				95,000		95,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund				95,000		95,000
Total				95,000		95,000

Project # **V&E-065**
 Project Name **Tandem Axle Dump Truck (Street)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

Tandem Axle dump truck for the Street Department to replace unit #752, a 2000 Sterling dump truck.

Justification

Increased repair and maintenance expenditures on which will be nine years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	210,000					210,000
Total	210,000					210,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	210,000					210,000
Total	210,000					210,000

Project # **V&E-066**
 Project Name **Single Axle Dump Truck (Street)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

Single axle dump truck for the Street Department to replace unit #751 (2000 Sterling L-750 dump truck).

Justification

Increased repair and maintenance expenditures which will be twelve years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				195,000		195,000
Total				195,000		195,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund				195,000		195,000
Total				195,000		195,000

Project # **V&E-067**
 Project Name **3-4 Yard Front End Loader (Street)**

Type Equipment
 Useful Life
 Category Equipment: Heavy Equip.
 Priority
 Contact
 Department Vehicles and Equipment

Description

3-4 cubic yard front end loader for the Street Department to replace Unit #746 (1998 Caterpillar Front End Loader).

Justification

Increased repair and maintenance expenditures on Unit #746, which will be thirteen years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings			250,000			250,000
Total			250,000			250,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund			250,000			250,000
Total			250,000			250,000

Project # **V&E-069**
 Project Name **Utility Tractor Mower**

Type Equipment
 Useful Life
 Category Equipment: Heavy Equip.
 Priority
 Contact
 Department Vehicles and Equipment

Description

Utility Tractor Mower for the Park Department to replace Unit #463 (2003 John Deere Tractor Mower).

Justification

Increased repair and maintenance expenditures on which will be ten years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings					15,000	15,000
Total					15,000	15,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund					15,000	15,000
Total					15,000	15,000

Project # **V&E-081**
 Project Name **Sport Utility Vehicle (Police)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

Sport utility vehicle for the Police Department Community Service Officers, to replace Unit 896, a 2006 Ford Expedition.

Justification

Increased repair and maintenance expenditures on Unit 896, which will be six years old. This vehicle is used to pick up stray and dead animals

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				35,000		35,000
Total				35,000		35,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund				35,000		35,000
Total				35,000		35,000

Project # **V&E-082**
 Project Name **Fire Pumper (Fire)**

Type Equipment
 Useful Life
 Category Equipment: Heavy Equip.
 Priority
 Contact
 Department Vehicles and Equipment

Description
 New fire pumper to replace Unit 331, a 1990 Peterbilt.

Justification
 Increased repair and maintenance on Unit 331, which will be twelve years old. Comply with NFPA standards.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				575,000		575,000
Total				575,000		575,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund				575,000		575,000
Total				575,000		575,000

Project # **V&E-083**
 Project Name **Sedan (Fire)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description
 New Sedan to replace Unit 342, a 2002 Ford Crown Victoria.

Justification
 Increased repair and maintenance on Unit 342, which will be ten years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				40,000		40,000
Total				40,000		40,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund				40,000		40,000
Total				40,000		40,000

Project # **V&E-084**
 Project Name **Self-Contained Breathing Apparatus (Fire)**

Type Equipment
 Useful Life
 Category Equipment: Miscellaneous
 Priority
 Contact
 Department Vehicles and Equipment

Description

Replace (40) self-contained breathing apparatus (S.C.B.A)

Justification

Current Self-Contained Breathing Apparatus was purchased in 2003. New S.C.B.A will meet NFPA standard.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings					300,000	300,000
Total					300,000	300,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund					300,000	300,000
Total					300,000	300,000

Project # **V&E-088**
 Project Name **Single Axle Dump Truck (Street)**

Type Equipment
 Useful Life
 Category Equipment: Heavy Equip.
 Priority
 Contact
 Department Vehicles and Equipment

Description

Single axle dump truck for street department to replace unit #755 (2001 Sterling L-750 Dump Truck).

Justification

Increased repair and maintenance expenditures on which that will be twelve years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings					195,000	195,000
Total					195,000	195,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund					195,000	195,000
Total					195,000	195,000

Project # **V&E-093**
 Project Name **Passenger Van (Park)**

Type Equipment
 Useful Life
 Category Equipment: Miscellaneous
 Priority
 Contact
 Department Vehicles and Equipment

Description

Replace Unit 154 that is a 2001 Chevrolet Van, This van is used for Park Maintenance department,

Justification

Increased maintenance and repairs on Unit 154, which will be ten years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings			26,000			26,000
Total			26,000			26,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund			26,000			26,000
Total			26,000			26,000

Project # **V&E-095**
 Project Name **Unmarked Police Vehicle (Police)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

New unmarked police vehicle to replace Unit 888 (2004 Ford Crown Victoria).

Justification

Increased repair and maintenance expenditures on Unit 888, which will be eight years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				30,000		30,000
Total				30,000		30,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund				30,000		30,000
Total				30,000		30,000

Project # **V&E-099**
 Project Name **Asphalt Hot Box (Street)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Vehicles and Equipment

Description

Asphalt hot box for the Street Department to replace Unit #710 (Lahass Equipment Hot Box). New hot box swaploader hook frame will be utilized on single axle Sterling dump truck . Asphalt hot box is used to keep asphalt hot during patching operations.

Justification

Expected life cycle of a hot box is 10 to 15 years. Unit 710 is a 1988 hot box which is 24 years old. The hot box has exceeded its expected life cycle and is no longer dependable.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	60,000					60,000
Total	60,000					60,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	60,000					60,000
Total	60,000					60,000

Project # **V&E-100**
 Project Name **Pickup Truck (Park)**

Type Equipment
 Useful Life
 Category Park Equipment
 Priority
 Contact
 Department Vehicles and Equipment

Description

Pickup Truck for the Park Department to replace Unit #438 (1994 Ford F150). It will be replaced with a Ford Ranger 4 cylinder, EPA estimated fuel economy of 19 city compared to existing F150, EPA fuel economy of 11 city miles per gallon..

Justification

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	13,500					13,500
Total	13,500					13,500

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund	13,500					13,500
Total	13,500					13,500

Project # **V&E-101**
 Project Name **Unmarked Police Vehicle (Police)**

Type **Equipment**
 Useful Life
 Category **Vehicles**
 Priority
 Contact
 Department **Vehicles and Equipment**

Description

New unmarked police vehicle to replace Unit 893 (2005 Ford Crown Victoria)

Justification

Increased repair and maintenance expenditures on Unit 893, which will be eight years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings					30,000	30,000
Total					30,000	30,000

Funding Sources	2009	2010	2011	2012	2013	Total
Equipment Replacement Fund					30,000	30,000
Total					30,000	30,000

^{City}
Golden Valley



Capital Improvement Program 2009-2013

Building Improvement Section

The City owns and or/maintains the following facilities for the purpose of carrying out its mission of providing needed services to the community and bringing people together by fostering inviting public spaces where people work and play, encounter their fellow citizens and discover common interests. This has incorporated the Wold Architects and Engineers city-wide comprehensive facility assessment building analysis that was completed late 2006.

Golden Valley Buildings

	Total Square Feet
City Hall	26,350
Public Safety (Police and Fire Station #1)	28,000
Streets and Park Maintenance	29,100
Utilities Maintenance	12,950
Vehicles Maintenance	12,500
Warehouse & Animal Impound	11,490
Golf Maintenance	12,050
Fire Station No. 2	5,785
Fire Station No. 3	6,030
Community Center/Golf Operations	17,900

A transfer from the General Fund is the main source of revenue.


Golden Valley

City of Golden Valley, Minnesota

Capital Improvement Plan

2009 thru 2013

PROJECTS & FUNDING SOURCES BY DEPARTMENT

Department	Project#	Priority	2009	2010	2011	2012	2013	Total
Buildings								
Carpet Replacement: City Buildings	B-011	n/a	50,000	50,000	80,000	25,000		205,000
Generators	B-012	n/a	125,000	65,000				190,000
Public Works Office Space Remodeling	B-022	n/a		85,000				85,000
Maintenance to Street Department Office Areas	B-023	n/a		50,000				50,000
General Building Repairs and Maintenance	B-025	n/a	250,000	250,000	250,000	250,000	250,000	1,250,000
Replace City Hall Campus Parking Lot	B-026	n/a				315,000		315,000
Workspace Addition (Fire Station #1)	B-028	n/a	10,000					10,000
Audio System: Chambers-Control Room-Conf Room	B-029	n/a	65,000					65,000
AV Display and Presentation System: Council Room	B-030	n/a	65,000					65,000
Community Center Facility Needs Assessment	B-031	n/a	100,000					100,000
Community Center Building Fund	B-032	n/a	60,000	250,000	125,000			435,000
Facility Analysis Assessment Update	B-033	n/a	10,000					10,000
Buildings Total			735,000	750,000	455,000	590,000	250,000	2,780,000
<i>Building Fund (\$200)</i>			735,000	750,000	455,000	590,000	250,000	2,780,000
Buildings Total			735,000	750,000	455,000	590,000	250,000	2,780,000
Grand Total			735,000	750,000	455,000	590,000	250,000	2,780,000

Project # B-011
Project Name Carpet Replacement: City Buildings

Type Improvement
Useful Life
Category Buildings
Priority
Contact
Department Buildings

Description

On-going program to replace worn out carpet in City buildings. Decision as to which carpet to replace in a given year will be based on an annual inspection of the condition of the carpets in the various buildings.

- 2009 General Services/ Finance/ Motor Vehicle/ Manager's Office - Individual offices only (has been delayed since 2006)
- 2010 City Hall Lunch Room/ Council Conference/ Council Chambers/ Hallway
- 2011 City Hall Lower Level Plan Review Room/ Lower Level East Wing Office will include chairs, drapes and carpet in the City Hall Conference Room (\$30,000).
- 2012 Golf Maintenance Offices and Public Safety Detective Offices & Lower level

Justification

Carpet wears out over time, and an on-going program to replace it is a better alternative than a large expenditure in a given year when a number of carpets have to be replaced.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	50,000	50,000	80,000	25,000		205,000
Total	50,000	50,000	80,000	25,000		205,000

Funding Sources	2009	2010	2011	2012	2013	Total
Building Fund (5200)	50,000	50,000	80,000	25,000		205,000
Total	50,000	50,000	80,000	25,000		205,000

Project # B-012
Project Name Generators

Type Improvement
Useful Life
Category Buildings
Priority
Contact
Department Buildings

Description

Generators are scheduled for 2009 (City Hall) and 2010 (Fire Station #2). In addition, the 2009 amount includes an automatic switch box for the Public Safety building generator. Staff is also investigating the Xcel Energy Peak Energy Savings Program.

Justification

Current generator at City Hall is not sized to meet building demands and is under powered for current city needs. Fire Station #3 needs to be operational 24 hours, 7 days a week.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	125,000	65,000				190,000
Total	125,000	65,000				190,000

Funding Sources	2009	2010	2011	2012	2013	Total
Building Fund (5200)	125,000	65,000				190,000
Total	125,000	65,000				190,000

Project # **B-022**
 Project Name **Public Works Office Space Remodeling**

Type Improvement
 Useful Life
 Category Buildings
 Priority
 Contact
 Department Buildings

Description

Remodel Public Works Administration and Engineering area to address efficiency, customer service and ADA issues. This area was not remodeled when City Hall was remodeled in 1989.

Justification

The expanded counter will allow for more effective customer service for citizens and contractors and improve the office area for code compliance..

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		85,000				85,000
Total		85,000				85,000

Funding Sources	2009	2010	2011	2012	2013	Total
Building Fund (5200)		85,000				85,000
Total		85,000				85,000

Project # **B-023**
 Project Name **Maintenance to Street Department Office Areas**

Type Maintenance
 Useful Life
 Category Buildings
 Priority
 Contact
 Department Buildings

Description

Complete maintenance to Interior Doors, kitchen, restroom and flooring in the Street Department building.

Justification

Facility showing significant signs of wear.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		50,000				50,000
Total		50,000				50,000

Funding Sources	2009	2010	2011	2012	2013	Total
Building Fund (5200)		50,000				50,000
Total		50,000				50,000

Project # **B-025**
 Project Name **General Building Repairs and Maintenance**

Type Improvement
 Useful Life
 Category Buildings
 Priority
 Contact
 Department Buildings

Description

General Maintenance (\$50,000):
 Caulking, flashing repair and seal windows at Station #2
 Remove and replace caulk as necessary, tuckpoint windows sills at Fire Station #3
 Tuck pointing and paint doors at Public Safety Building

Building Security System Upgrades (\$85,000)
 Install building security systems to protect buildings property and improve employee safety.

Customer Service Counters- City Hall (\$115,000)
 Revise Customer Service Counters in City Hall to improve customer relations and meet ADA requirements.

Justification

Maintenance and repairs were identified with a priority 1 that needed immediate attention. As funding is provided those repairs will be made throughout the year. This includes roofs, windows leaks, tuck pointing and control joints.

Expenditures	2009	2010	2011	2012	2013	Total
Other	250,000	250,000	250,000	250,000	250,000	1,250,000
Total	250,000	250,000	250,000	250,000	250,000	1,250,000

Funding Sources	2009	2010	2011	2012	2013	Total
Building Fund (5200)	250,000	250,000	250,000	250,000	250,000	1,250,000
Total	250,000	250,000	250,000	250,000	250,000	1,250,000

Project # **B-026**
 Project Name **Replace City Hall Campus Parking Lot**

Type Improvement
 Useful Life
 Category Unassigned
 Priority
 Contact
 Department Buildings

Description

A Mill and Overlay is needed at the City Hall Campus Parking Lot.

Justification

This will maintain and preserve the existing parking lot pavements.

Expenditures	2009	2010	2011	2012	2013	Total
Infrastructure Improvements				315,000		315,000
Total				315,000		315,000

Funding Sources	2009	2010	2011	2012	2013	Total
Building Fund (5200)				315,000		315,000
Total				315,000		315,000

Project # **B-028**
 Project Name **Workspace Addition (Fire Station #1)**

Type Improvement
 Useful Life
 Category Buildings
 Priority
 Contact
 Department Buildings

Description

The dayroom space needs to be converted to an area that would allow another office.

Justification

With the addition of property maintenance ordinances and rental licenses a more usable workspace is needed and will be added to the dayroom area in Fire Station #1.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	10,000					10,000
Total	10,000					10,000

Funding Sources	2009	2010	2011	2012	2013	Total
Building Fund (5200)	10,000					10,000
Total	10,000					10,000

Project # **B-029**
 Project Name **Audio System: Chambers-Control Room-Conf Room**

Type Unassigned
 Useful Life
 Category Unassigned
 Priority
 Contact
 Department Buildings

Description

Replace entire audio system in City Council Chambers and Cable Control Room and add audio features to Council Conference Room. The Council Chambers system would include nine new dias microphones and a podium microphone with toggle mute buttons and three wireless microphone systems (one handheld/lapel and two table base), improved amplifier systems to process audio and serve speaker systems, and improved speaker system, with multiple speakers located throughout the room. The Council Chambers speaker system will be set up in two zones that will be controlled separately so sound levels can be boosted in one part of the room (eg, back of room) without causing feedback. Speakers will be installed in the hall ceiling (for overflow audiences) and controlled separately. The Council Conference Room system would include ceiling speakers, microphones, and an audio CD recorder, all of which will also be controlled separately. All audio mixers, consoles, patch bays, compressors, amplifiers, and switches would also be replaced with state-of-the-art digital processing technology.

Justification

Audio equipment is 19 years old except for the microphones and sound cards (replaced in 1994). It is outdated and needs service on a regular basis. If replacement parts were needed they would be unavailable. In many cases the sound system performs poorly, and staff has had several complaints from the public about the sound quality during meetings. Additional speakers in hallway, and new mics, speakers, and audio recording capabilities in the Council Conference Room will better serve the public during meetings and will allow greater use of the Conference Room by elected officials and staff.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	65,000					65,000
Total	65,000					65,000

Funding Sources	2009	2010	2011	2012	2013	Total
Building Fund (5200)	65,000					65,000
Total	65,000					65,000

Project # B-030
Project Name AV Display and Presentation System: Council Room

Type Unassigned
Useful Life
Category Buildings
Priority
Contact
Department Buildings

Description

Replace aged and poorly functioning large TV displays in Council Chambers with 65" wall-mounted, high-definition plasma displays. Also replace smaller TV displays facing Council dias with small flat screens. For presentations, add dedicated PC and DVD/VHS player to podium and replace overhead document camera with digital technology, all to be controlled by a wireless switcher in Council Chambers with redundant controls in Control Room.

Justification

Current TV displays are 19 years old and not configured to interact with today's digital technology. The result is very poor resolution during presentations. The Council Chambers is increasingly used for public meetings and seminars, but the size and quality of the City's aged equipment makes it difficult or impossible for the audience to read the presentations, in most cases. The presentation equipment in the podium and updated overhead camera will provide crisp images to the new screens. Making the switcher controls accessible in the Council Chambers will enable staff and Council to more effectively use the room for meetings, training, and presentations.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	65,000					65,000
Total	65,000					65,000

Funding Sources	2009	2010	2011	2012	2013	Total
Building Fund (5200)	65,000					65,000
Total	65,000					65,000

Project # B-031
Project Name Community Center Facility Needs Assessment

Type Unassigned
Useful Life
Category Unassigned
Priority
Contact
Department Buildings

Description

Currently Brookview houses the City's Park & Recreation Department offices and its Senior Center, conference and community/banquet rooms, a catering kitchen, and a deck and patio for outdoor events. It also houses the Brookview Golf Course operations offices, grill, locker rooms, and pro shop. In 2009, the original portion will be 90 years old.

Justification

The current needs of the building need to be evaluated before plans are drawn for possible construction of a new building. This amount involves hiring a consultant to work with possible groups on the space needs of the building.

Expenditures	2009	2010	2011	2012	2013	Total
Planning/Design	100,000					100,000
Total	100,000					100,000

Funding Sources	2009	2010	2011	2012	2013	Total
Building Fund (5200)	100,000					100,000
Total	100,000					100,000

Project # **B-032**
 Project Name **Community Center Building Fund**

Type Improvement
 Useful Life
 Category Buildings
 Priority
 Contact
 Department Buildings

Description

Projects have been delayed for the potential development of Brookview Community Center. These project costs will be set aside for future development. In 2009, the amount was for a air conditioner. In 2010, the amount is for a generator. In 2011, the amount is for improvements to a retaining wall and patio.

Justification

Transfers will be made to be set aside for future development of Brookview Community Center.

Expenditures	2009	2010	2011	2012	2013	Total
Infrastructure Improvements	60,000	250,000	125,000			435,000
Total	60,000	250,000	125,000			435,000

Funding Sources	2009	2010	2011	2012	2013	Total
Building Fund (5200)	60,000	250,000	125,000			435,000
Total	60,000	250,000	125,000			435,000

Project # **B-033**
 Project Name **Facility Analysis Assessment Update**

Type Improvement
 Useful Life
 Category Unassigned
 Priority
 Contact
 Department Buildings

Description

Update the current facility assessment priority report to reflect Council direction regarding City facilities.

Justification

The assessment update will provide better cost estimates and staff guidance for building repairs and maintenance.

Expenditures	2009	2010	2011	2012	2013	Total
Planning/Design	10,000					10,000
Total	10,000					10,000

Funding Sources	2009	2010	2011	2012	2013	Total
Building Fund (5200)	10,000					10,000
Total	10,000					10,000

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Golden Valley



Capital Improvement Program 2009-2013

Park Improvement Section

The City Council reviews the submissions from the Open Space and Recreation Commission, Park & Recreation, and Public Works staff for the development and improvement of the City's park system. The commission consists of nine members that are appointed by the City Council and serve as an advisory board to the City Council.

In 2006, as part of the City's parks planning initiative on park facilities, the City Council focused this year on developing a vision for Golden Valley parks and recreation facilities. The City solicited citizen input via information meetings in parks, a survey of youth athletic association leaders and a citizen survey was created with the help of the Open Space and Recreation Commission. All information will be gathered to help plan the future of the park improvements for the next five years. The City will also use the results from the building survey and ADA consultant.

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Golden Valley

Golden Valley
Parks Activity Areas

Parks/Facility	Acres	Asst. Game Squares	Horseshoe Pit	Play Equipment	Walkways/Trails	Baseball Field	Basketball Court	Softball Field	Soccer Field	Tennis Court	General Skating	Hockey Rink	Sliding Hill	Canoe Launch	Grills	Recreation Building*	Picnic Shelter	Sun Shelter
Brookview Park	33	•	•	•	L		•	1		2/4L					•		2	
Brookview Golf Course	147														•	•		
Gearty Park	4.7	L		•	•		•	1	1F	1L	L	L				•		
Glenview Terrace Park	5	•		•	•					2L								
Golden Oaks Park	2	L		•			•	1										
Hampshire Park	11	L		•	L		•	2			L	L				•		
Honeywell Little League Field	11					1L												
Lakeview Park	5	L		•	L		•	1			L					•		
Lions Park	20	L		•	L		•	2	1/1F	2	L	L			•	•		
Medley Park	11	L		•	L		•	2		3L	L	L				•		
Perpich Center for Arts Field	1.5								1									
Natchez Park	6	L		•	L		•	1										
North Tyrol Park	9.4	•		•			•	1			•							
Sandburg Ballfields	20					2		3										
St Croix Park	1			•	•													
Schaper Park	14			•	•			2L								•		
Scheid Park	11.4	•		•	L	1	•	1	1F	2L	L	L	•			•		
Seeman Park	4.6	L		•	•	1	•			2								
South Tyrol Park	2.9	L		•	•		•	1			L							
Stockman Park	1.3	L		•			•	1										
Sweeney Lake Park	0.5													•				
Wesley Park	19	L		•	L	1	•	2	1/1F	3L	L	L	•			•		
Wildwood Park	5	•		•	•		•	2		2								
Wirth Park (Mpls Park Board)	517	•		•	•					2			•	•	•	•	•	
Yosemite Park	1.2	L		•	•		•	1			L							
Nature Areas																		
Bassett Creek Nature Area	7.6				•													
Briarwood Bird Sanctuary	19				•													
General Mills Headquarters	29				•													
General Mills Nature Preserve																		
General Mills Research Nature	57				•													
Laurel Avenue Greenbelt	34.5				•													
Mary Hills Nature Area	14.2				•													
Pennsylvania Woods	22.6				•													
Rice Lake Nature Area	9.3				•													
Western Avenue Marsh	21				•													

F=Full

L=Lighted

* Recreation building restrooms are open seasonally during program hours

Golden Valley Open Space System

Parks

1. Gearty
2. Glenview Terrace
3. Golden Oaks
4. Hampshire
5. Lakewood
6. Lions
7. Medley
8. Natchez
9. North Tyrol
10. St. Croix
11. Schaper
12. Scheld
13. Seaman
14. South Tyrol
15. Swannan
16. Sweeney Lake
17. Wilkwood
18. Yosemite
19. Honeywell Little League Ball Fields
20. Brookview Community Ch., Golf Course & Park

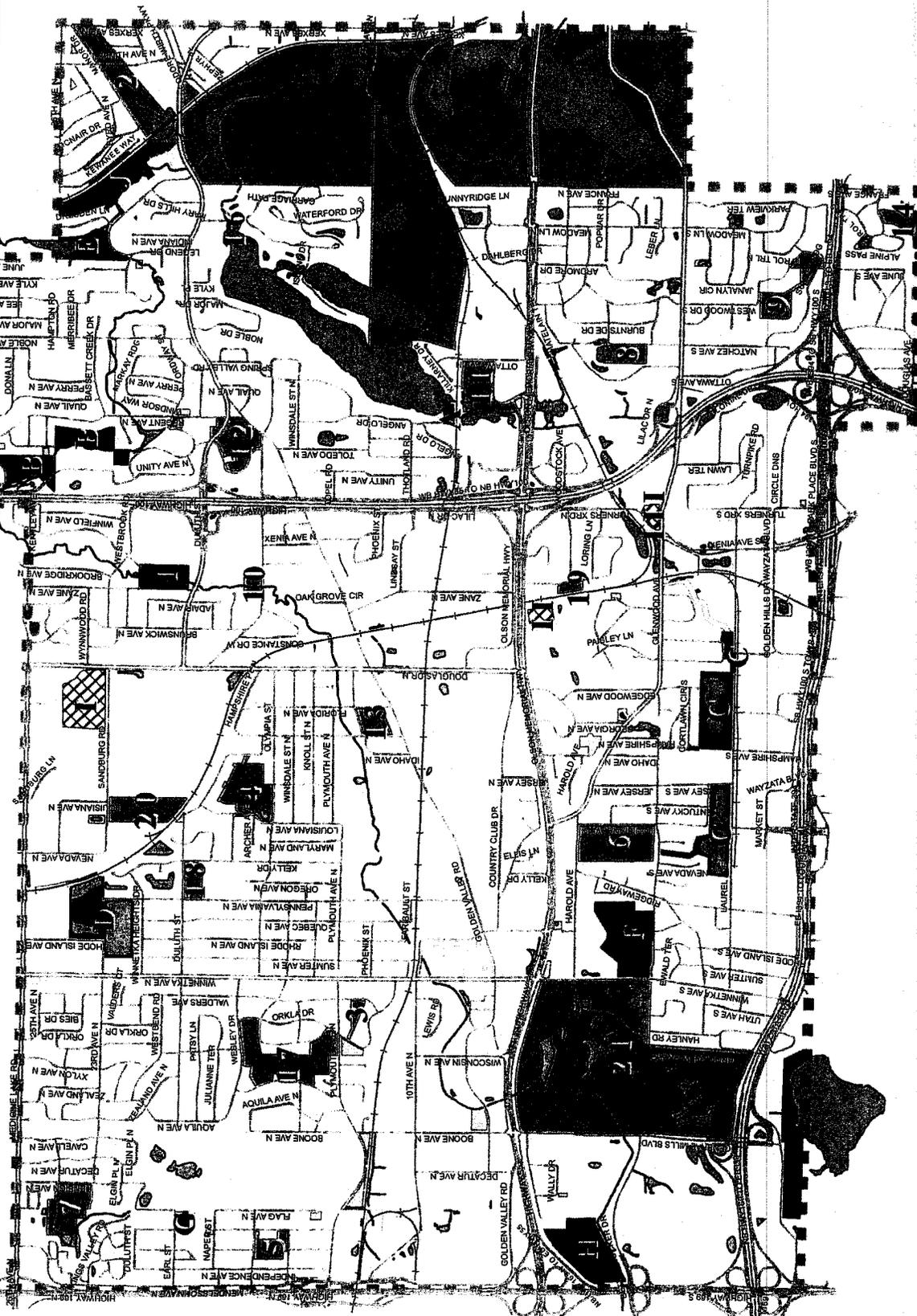
Nature Areas

- A. Adeline Lane
- B. Briarwood Bird Sanctuary
- C. Laune/Avenue Greenbelt
- D. Pennsylvania Woods
- E. Rice Lake
- F. Western Avenue Marsh
- G. Golden Ridge
- H. General Mills Nature Preserve
- I. Bassett Creek
- J. Mary Hills

Joint-Use Facilities

- I. Sandburg Ball Fields
- II. MN Center for Arts Education Field
- III. Ron B. Davis Community Center

Other Public Properties



EB 804 TO 56 HWY

City of Golden Valley, Minnesota

Capital Improvement Plan

2009 thru 2013

PROJECTS BY DEPARTMENT

Department	Project#	Priority	2009	2010	2011	2012	2013	Total
Parks								
Resurface Courts and Hard Surface Areas	P-001	n/a	22,000	25,000	25,000	25,000	25,000	122,000
Asphalt Overlays: Parks, Walkways, Courts, Lots	P-002	n/a	15,000	125,000	15,000	20,000	20,000	195,000
New Playground Equipment & Area Curbing	P-003	n/a	100,000	100,000	100,000	100,000	100,000	500,000
Special Assessments: City Parks	P-004	n/a	93,900	102,000	89,425	84,900	78,100	448,325
Park Shelter Building Improvements	P-005	n/a	20,000	20,000	20,000	20,000	20,000	100,000
Performance Area - Brookview Park	P-006	n/a		200,000				200,000
Chain Link Fence Repair/Replace	P-007	n/a	15,000	15,000	15,000	15,000	15,000	75,000
Parking Lot/Landscaping:in Scheid Park	P-009	n/a				150,000		150,000
ADA Upgrades for City Parks	P-010	n/a	20,000	20,000	20,000	20,000	20,000	100,000
Parks Total			285,900	607,000	284,425	434,900	278,100	1,890,325
GRAND TOTAL			285,900	607,000	284,425	434,900	278,100	1,890,325

Project # **P-001**
 Project Name **Resurface Courts and Hard Surface Areas**

Type Improvement
 Useful Life
 Category Park Improvements
 Priority
 Contact
 Department Parks

Description

Resurfacing of City's 23 tennis courts and 17 hard surface areas in City parks on an "as-needed" basis.

Justification

To maintain quality, safety, and usability of City parks.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance	22,000	25,000	25,000	25,000	25,000	122,000
Total	22,000	25,000	25,000	25,000	25,000	122,000

Funding Sources	2009	2010	2011	2012	2013	Total
Park Improvement Fund (5600)	22,000	25,000	25,000	25,000	25,000	122,000
Total	22,000	25,000	25,000	25,000	25,000	122,000

Project # **P-002**
 Project Name **Asphalt Overlays: Parks, Walkways, Courts, Lots**

Type Improvement
 Useful Life
 Category Park Improvements
 Priority
 Contact
 Department Parks

Description

Asphalt overlay or reconstruction of tennis courts, hard surface areas and parking lots on an "as-needed" basis in the City's parks. Also includes the rehabilitation of trails in certain parks and open space areas.

Justification

Maintain quality, safety and usability of City parks for a lifetime active sport. Unpaved trails are deteriorating, with certain segments subject to serious erosion. Also, certain walking trails are being used year round and paved trails are easier to clear of snow.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance	15,000	125,000	15,000	20,000	20,000	195,000
Total	15,000	125,000	15,000	20,000	20,000	195,000

Funding Sources	2009	2010	2011	2012	2013	Total
Park Improvement Fund (5600)	15,000	125,000	15,000	20,000	20,000	195,000
Total	15,000	125,000	15,000	20,000	20,000	195,000

Project # **P-003**
 Project Name **New Playground Equipment & Area Curbing**

Type Improvement
 Useful Life
 Category Park Equipment
 Priority
 Contact
 Department Parks

Description

New playground equipment and area curbing on an "as-needed" basis in the City's parks.

Justification

Old playground equipment is wearing out and will eventually become unsafe. The City is required to meet Consumer Product Safety Commission (CPSC) guidelines, as well as the requirements of the Americans With Disabilities Act (ADA).

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	100,000	100,000	100,000	100,000	100,000	500,000
Total	100,000	100,000	100,000	100,000	100,000	500,000

Funding Sources	2009	2010	2011	2012	2013	Total
Park Improvement Fund (5600)	100,000	100,000	100,000	100,000	100,000	500,000
Total	100,000	100,000	100,000	100,000	100,000	500,000

Project # **P-004**
 Project Name **Special Assessments: City Parks**

Type Improvement
 Useful Life
 Category Park Improvements
 Priority
 Contact
 Department Parks

Description

Payment of special assessment installations, levied annually to finance improvements to City streets adjacent to the various City parks. Each special assessment has a term of ten years. In 2003, Brookview Parkway, which is adjacent to Brookview Park, was reconstructed, with the first installment of the special assessment was paid in 2004.

Justification

Special assessments are levied against property benefiting from the street improvements, including City park property.

Expenditures	2009	2010	2011	2012	2013	Total
Other	93,900	102,000	89,425	84,900	78,100	448,325
Total	93,900	102,000	89,425	84,900	78,100	448,325

Funding Sources	2009	2010	2011	2012	2013	Total
Park Improvement Fund (5600)	93,900	102,000	89,425	84,900	78,100	448,325
Total	93,900	102,000	89,425	84,900	78,100	448,325

Project # P-005
Project Name Park Shelter Building Improvements

Type Improvement
Useful Life
Category Park Improvements
Priority
Contact
Department Parks

Description

New interior and exterior doors and frames for the City's nine park shelter buildings, and accessibility improvements at the Lions Park building were completed in 2002. This on-going program includes various repairs needed, including repairs to interior door frames, sky light replacement and/or repair, exterior wood replacement and/or repair and time clock upgrades for lighting systems.

Justification

Repairs need to be made to keep current buildings usable and accessible.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance	20,000	20,000	20,000	20,000	20,000	100,000
Total	20,000	20,000	20,000	20,000	20,000	100,000

Funding Sources	2009	2010	2011	2012	2013	Total
Park Improvement Fund (5600)	20,000	20,000	20,000	20,000	20,000	100,000
Total	20,000	20,000	20,000	20,000	20,000	100,000

Project # P-006
Project Name Performance Area - Brookview Park

Type Improvement
Useful Life
Category Park Improvements
Priority
Contact
Department Parks

Description

Construction of performance area in Brookview Park.

Justification

To create an appropriate area for both performers and families to enjoy summer concerts.

Expenditures	2009	2010	2011	2012	2013	Total
Other		200,000				200,000
Total		200,000				200,000

Funding Sources	2009	2010	2011	2012	2013	Total
Park Improvement Fund (5600)		200,000				200,000
Total		200,000				200,000

Project # **P-007**
 Project Name **Chain Link Fence Repair/Replace**

Type Improvement
 Useful Life
 Category Park Improvements
 Priority
 Contact
 Department Parks

Description

Repair and Replacement of chain-link fencing at various softball fields, baseball fields and tennis courts.

Justification

To maintain safety and functionality of fencing in City parks.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	15,000	15,000	15,000	15,000	15,000	75,000
Total	15,000	15,000	15,000	15,000	15,000	75,000

Funding Sources	2009	2010	2011	2012	2013	Total
Park Improvement Fund (5600)	15,000	15,000	15,000	15,000	15,000	75,000
Total	15,000	15,000	15,000	15,000	15,000	75,000

Project # **P-009**
 Project Name **Parking Lot/Landscaping:in Scheid Park**

Type Improvement
 Useful Life
 Category Park Equipment
 Priority
 Contact
 Department Parks

Description

Construction of parking lot and landscaping on property purchased in 1995, which is now part of Scheid Park.

Justification

To provide much needed additional off street parking. Current parking is inadequate, with the majority of cars parking on the grass and adjoining city streets. With the addition of a second little league field and more parents attending games, inadequate parking is creating an unsafe condition in the park. Little League, soccer, hockey, skating, sliding, basketball and summer park programs are events that are currently being scheduled in this park. It is planned to construct this lot in conjunction with street reconstruction in the area.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance				150,000		150,000
Total				150,000		150,000

Funding Sources	2009	2010	2011	2012	2013	Total
Park Improvement Fund (5600)				150,000		150,000
Total				150,000		150,000

Project # **P-010**
 Project Name **ADA Upgrades for City Parks**

Type Improvement
 Useful Life
 Category Park Improvements
 Priority
 Contact
 Department Parks

Description

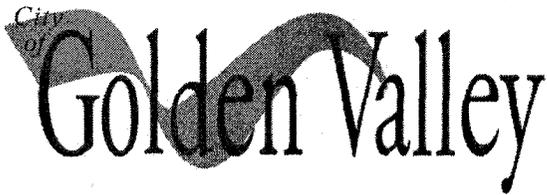
Improvements to city parks based on recommendations contained in this report prepared by ADA consultants.

Justification

Complies with requirements of the American's with Disabilities Act (ADA).

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance	20,000	20,000	20,000	20,000	20,000	100,000
Total	20,000	20,000	20,000	20,000	20,000	100,000

Funding Sources	2009	2010	2011	2012	2013	Total
Park Improvement Fund (5600)	20,000	20,000	20,000	20,000	20,000	100,000
Total	20,000	20,000	20,000	20,000	20,000	100,000



Capital Improvement Program 2009-2013

Brookview Golf Course Section

Brookview Golf Course is owned and operated by the City of Golden Valley under the auspices of the Park and Recreation Department. The Brookview golf facility consists of an 18 –Hole Regulation Course and a 9-Hole Par 3, a Driving Range and teaching area, and a Golf Shop and Grill. Brookview's Regulation Course is a challenging, mature course with some tree-lined fairways, 28 moderate bunkers, fairly small greens, and an abundance of water hazards. A maintenance building at 100 Brookview Parkway and Clubhouse are rented from the City.

Green fees are the main source of revenue.

History:

Brookview Golf Course was a private country club until the late 1960s, when the City of Golden Valley purchased the facility to operate as a municipal golf course. In 1976-77, the course underwent major renovations with the addition of the Par 3 nine-hole course and Driving Range. In 1984-85, extensive work was done to bridge the fairways and enlarge the ponds to alleviate flooding. The Regulation Course was closed in 1990 to redesign and rebuild the greens. That same year, the clubhouse was enlarged and remodeled.

^{City}
Golden Valley

City of Golden Valley, Minnesota

Capital Improvement Plan

2009 thru 2013

PROJECTS BY DEPARTMENT

Department	Project#	Priority	2009	2010	2011	2012	2013	Total
Golf Course								
Special Assessment - Street	GC-001	n/a	20,350	19,350	18,240	17,200	16,200	91,340
Green/Tee Mowers	GC-003	n/a	29,000	27,500			37,000	93,500
Utility Carts (2)	GC-005	n/a	14,500					14,500
Golf Carts	GC-009	n/a		165,000				165,000
Rough Mowers	GC-010	n/a		50,000	50,000			100,000
Sand Trap Rake	GC-013	n/a			15,000			15,000
Five Plex Fairway Mower	GC-014	n/a				41,000		41,000
Driving Range Nets	GC-015	n/a			15,000	15,000		30,000
Cart Paths	GC-018	n/a	10,000	10,000	10,000	10,000	10,000	50,000
Topdresser	GC-019	n/a			22,000			22,000
Golf Course Total			73,850	271,850	130,240	83,200	63,200	622,340
GRAND TOTAL			73,850	271,850	130,240	83,200	63,200	622,340

Project # **GC-001**
 Project Name **Special Assessment - Street**

Type Improvement
 Useful Life
 Category Street Construction
 Priority
 Contact
 Department Golf Course

Description

Special assessment for the reconstruction of Brookview Parkway from Western Avenue south to the driving range, including the parking area. The special assessment will have a term of ten years at an interest rate of seven percent. The project was completed in 2003.

Justification

Street was reconstructed as part of the City's pavement management program. This street provides parking for the golf course in the area adjacent to the Community Center.

Expenditures	2009	2010	2011	2012	2013	Total
Other	20,350	19,350	18,240	17,200	16,200	91,340
Total	20,350	19,350	18,240	17,200	16,200	91,340

Funding Sources	2009	2010	2011	2012	2013	Total
Brookview Golf Course Fund	20,350	19,350	18,240	17,200	16,200	91,340
Total	20,350	19,350	18,240	17,200	16,200	91,340

Project # **GC-003**
 Project Name **Green/Tee Mowers**

Type Equipment
 Useful Life
 Category Equipment: Heavy Equip.
 Priority
 Contact
 Department Golf Course

Description

Green/ Tee mowers to replace current units. One unit to be replaced in each year shown.

Justification

Increased repair and maintenance expenditures on current units.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	29,000	27,500			37,000	93,500
Total	29,000	27,500			37,000	93,500

Funding Sources	2009	2010	2011	2012	2013	Total
Brookview Golf Course Fund	29,000	27,500			37,000	93,500
Total	29,000	27,500			37,000	93,500

Project # **GC-005**
 Project Name **Utility Carts (2)**

Type **Equipment**
 Useful Life
 Category **Equipment: Heavy Equip.**
 Priority
 Contact
 Department **Golf Course**

Description

Two utility carts to replace current units.

Justification

Increased repair and maintenance expenditures on current units.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	14,500					14,500
Total	14,500					14,500

Funding Sources	2009	2010	2011	2012	2013	Total
Brookview Golf Course Fund	14,500					14,500
Total	14,500					14,500

Project # **GC-009**
 Project Name **Golf Carts**

Type **Equipment**
 Useful Life
 Category **Equipment: Heavy Equip.**
 Priority
 Contact
 Department **Golf Course**

Description

Brookview Golf will purchase 60 golf carts for rental on the course and trade in 50 carts purchased in 2002.

Justification

Golf carts will have been in operation for eight seasons. Past experience shows that at this point we will start having major problems with engines and transmissions. Ownership of golf carts has turned out to be much more profitable than renting. An estimated trade in will be \$1,000 per cart. This is not in the above price.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		165,000				165,000
Total		165,000				165,000

Funding Sources	2009	2010	2011	2012	2013	Total
Brookview Golf Course Fund		165,000				165,000
Total		165,000				165,000

Project # **GC-010**
 Project Name **Rough Mowers**

Type Equipment
 Useful Life
 Category Equipment: Heavy Equip.
 Priority
 Contact
 Department Golf Course

Description

Two rotary mowers to replace current units.

Justification

Increased repair and maintenance expenditures on current units.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		50,000	50,000			100,000
Total		50,000	50,000			100,000

Funding Sources	2009	2010	2011	2012	2013	Total
Brookview Golf Course Fund		50,000	50,000			100,000
Total		50,000	50,000			100,000

Project # **GC-013**
 Project Name **Sand Trap Rake**

Type Unassigned
 Useful Life
 Category Equipment: Electronics
 Priority
 Contact
 Department Golf Course

Description

Three wheel machine that rakes thirty-two sand traps every day of the golfing season.

Justification

Replacement vehicle that is nine years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings			15,000			15,000
Total			15,000			15,000

Funding Sources	2009	2010	2011	2012	2013	Total
Brookview Golf Course Fund			15,000			15,000
Total			15,000			15,000

Project # **GC-014**
 Project Name **Five Plex Fairway Mower**

Type Unassigned
 Useful Life
 Category Equipment: Miscellaneous
 Priority
 Contact
 Department Golf Course

Description

Mows the Golf Course Fairways five times a week during the golf season.

Justification

Replace mower after 10 years of service.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				41,000		41,000
Total				41,000		41,000

Funding Sources	2009	2010	2011	2012	2013	Total
Brookview Golf Course Fund				41,000		41,000
Total				41,000		41,000

Project # **GC-015**
 Project Name **Driving Range Nets**

Type Equipment
 Useful Life
 Category Unassigned
 Priority
 Contact
 Department Golf Course

Description

Eight 105' x 50' Driving Range Nets that keep golf balls from entering the highway.

Justification

Life span of net with weather patterns is about 10 years. For complete protection, these will need to be replaced. There is a total of 16 nets.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings			15,000	15,000		30,000
Total			15,000	15,000		30,000

Funding Sources	2009	2010	2011	2012	2013	Total
Brookview Golf Course Fund			15,000	15,000		30,000
Total			15,000	15,000		30,000

Project # **GC-018**
 Project Name **Cart Paths**

Type Unassigned
 Useful Life
 Category Unassigned
 Priority
 Contact
 Department Golf Course

Description

The cart paths will be replaced over a period of years. The Street Maintenance Department will supply the labor and the materials will be paid by the Golf Course.

Justification

Cart paths wear over time due to usage and weather. By replacing the cart paths, it will save on course improvements needed on the turf and make the carts last longer.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance	10,000	10,000	10,000	10,000	10,000	50,000
Total	10,000	10,000	10,000	10,000	10,000	50,000

Funding Sources	2009	2010	2011	2012	2013	Total
Brookview Golf Course Fund	10,000	10,000	10,000	10,000	10,000	50,000
Total	10,000	10,000	10,000	10,000	10,000	50,000

Project # **GC-019**
 Project Name **Topdresser**

Type Unassigned
 Useful Life
 Category Unassigned
 Priority
 Contact
 Department Golf Course

Description

This unit adds sand to greens for a smoother putting surface.

Justification

The current unit needs to be replaced. Smoother greens allow better putting ability.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings			22,000			22,000
Total			22,000			22,000

Funding Sources	2009	2010	2011	2012	2013	Total
Brookview Golf Course Fund			22,000			22,000
Total			22,000			22,000



Capital Improvement Program 2009-2013

Streets Section

The City of Golden Valley has over 120 miles of streets. The city is responsible for 90 miles of local streets. Municipal State Aid streets account for the remainder or 30 miles. As streets deteriorate, roads need to be reconstructed or repaired.

The City's Pavement Management Program has outlined all roads to be reconstructed by the year 2014. The bond payments on the debt will go until 2035. This plan has been included in the five year program.

The revenue sources are city-wide street reconstruction debt levy, state aid debt, benefiting property owner assessments and Municipal State Aid Allotments.

^{City}
Golden Valley

City of Golden Valley, Minnesota

Capital Improvement Plan

2009 thru 2013

PROJECTS & FUNDING SOURCES BY DEPARTMENT

Department	Project#	Priority	2009	2010	2011	2012	2013	Total
Streets								
Pavement Management Program	S-001	n/a	6,700,000	5,544,000	7,938,000	7,500,000	7,500,000	35,182,000
Overlay Program	S-013	n/a	600,000	700,000	550,000	550,000	550,000	2,950,000
Count Down Pedestrian Signals	S-016	n/a	45,000	45,000	45,000			135,000
Municipal State Aid (MSA) Street Maintenance	S-017	n/a	100,000	100,000	100,000	100,000	100,000	500,000
City Hall Campus Sidewalk Renovation	S-018	n/a	85,000					85,000
MSA Debt Service	S-019	n/a	189,000	189,000	191,000	189,000	189,000	947,000
Benchmark Re-establishment	S-020	n/a	75,000					75,000
Duluth Street Reconstruction	S-022	n/a				1,500,000		1,500,000
Reconstruct New Railroad Crossings	S-023	n/a		200,000	200,000			400,000
Replacement of Street Signs	S-024	n/a		100,000	100,000			200,000
Evaluation and Rehabilitation of Winnetka Ave	S-025	n/a	50,000	250,000	250,000	250,000		800,000
Xerxes Overlay	S-026	n/a	605,000					605,000
Streets Total			8,449,000	7,128,000	9,374,000	10,089,000	8,339,000	43,379,000
<i>Capital Improvement Fund (6100)</i>			896,500	115,000	145,000			1,156,500
<i>City of Minneapolis</i>			423,500					423,500
<i>Municipal State Aid (MSA - 5100)</i>			339,000	739,000	741,000	2,039,000	289,000	4,147,000
<i>Street Reconstruction Bonds</i>			7,300,000	6,244,000	8,488,000	8,050,000	8,050,000	38,132,000
<i>Streets Total</i>			8,449,000	7,128,000	9,374,000	10,089,000	8,339,000	43,379,000
Grand Total			8,449,000	7,128,000	9,374,000	10,089,000	8,339,000	43,379,000

Capital Improvement Plan
City of Golden Valley, Minnesota

2009 *thru* 2013

Contact
Department Streets
Type Unassigned
Useful Life
Category Street Construction
Priority

Project # S-001
Project Name Pavement Management Program

Description

On-going program to upgrade the quality of all of the City's non-MSA residential streets to City standards with adequate drainage. Rehabilitation will involve either reconstruction or overlays. The method selected will depend on the quality of the individual street surfaces, the sub grade and the utility work required.

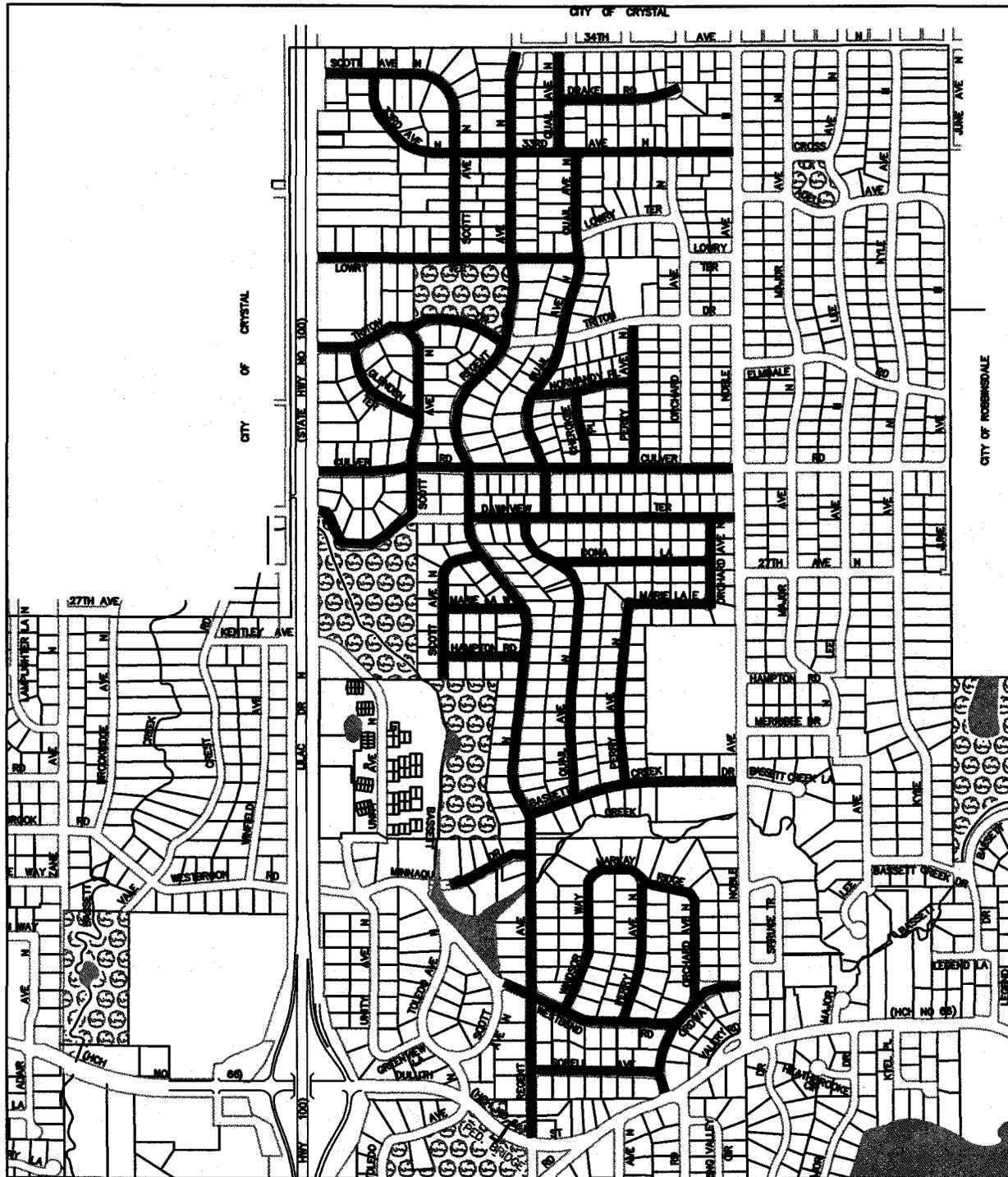
Justification

Program will provide for a high quality street system at the lowest total cost over time.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance	6,700,000	5,544,000	7,938,000	7,500,000	7,500,000	35,182,000
Total	6,700,000	5,544,000	7,938,000	7,500,000	7,500,000	35,182,000

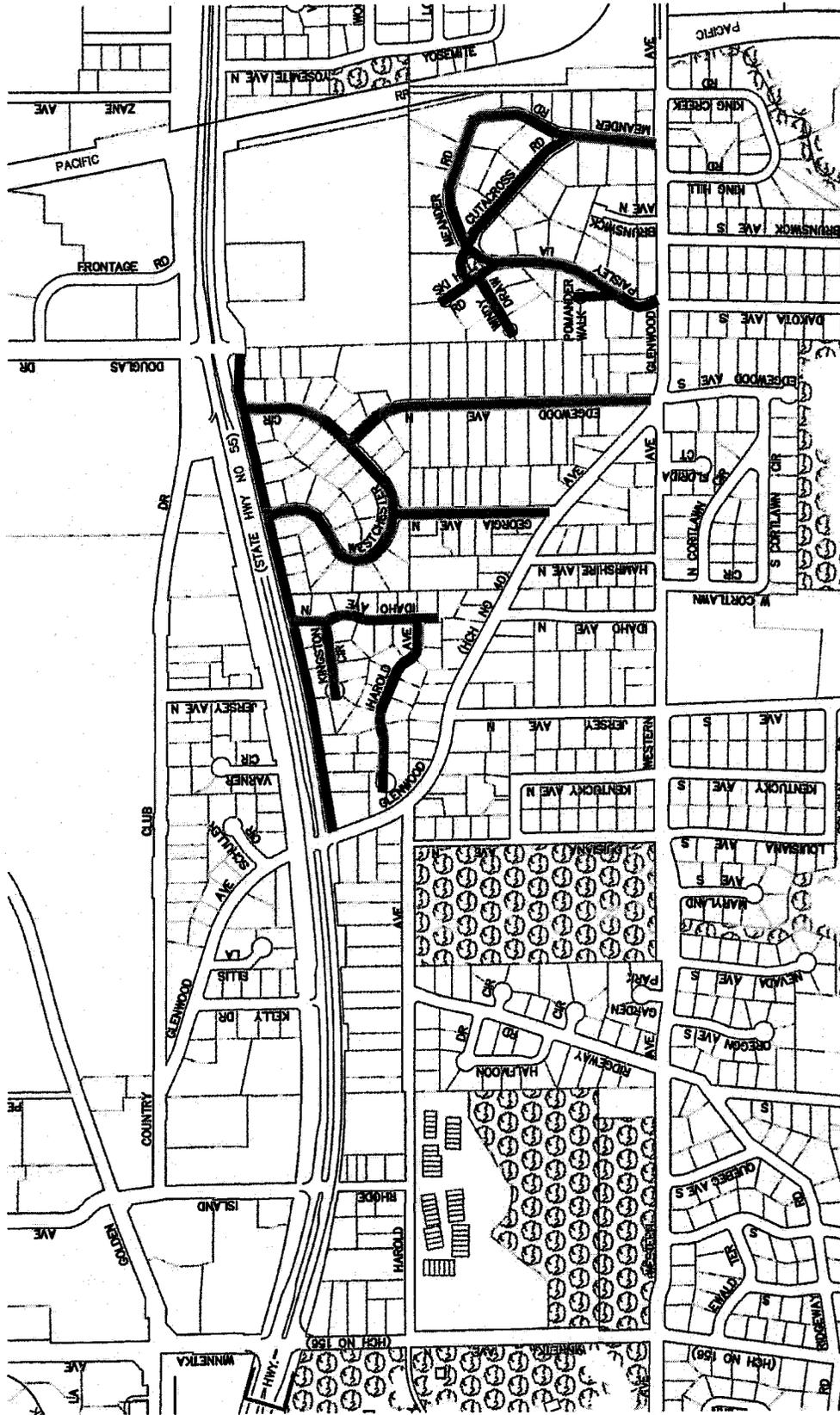
Funding Sources	2009	2010	2011	2012	2013	Total
Street Reconstruction Bonds	6,700,000	5,544,000	7,938,000	7,500,000	7,500,000	35,182,000
Total	6,700,000	5,544,000	7,938,000	7,500,000	7,500,000	35,182,000

2008-2009 PAVEMENT MANAGEMENT PROGRAM



PROJECT LOCATION MAP
CITY OF GOLDEN VALLEY
CAPITAL IMPROVEMENT PROGRAM

2010 PAVEMENT MANAGEMENT PROGRAM (PMP)



CITY OF GOLDEN VALLEY LOCATION MAP

EXHIBIT

2011 PAVEMENT MANAGEMENT PROGRAM



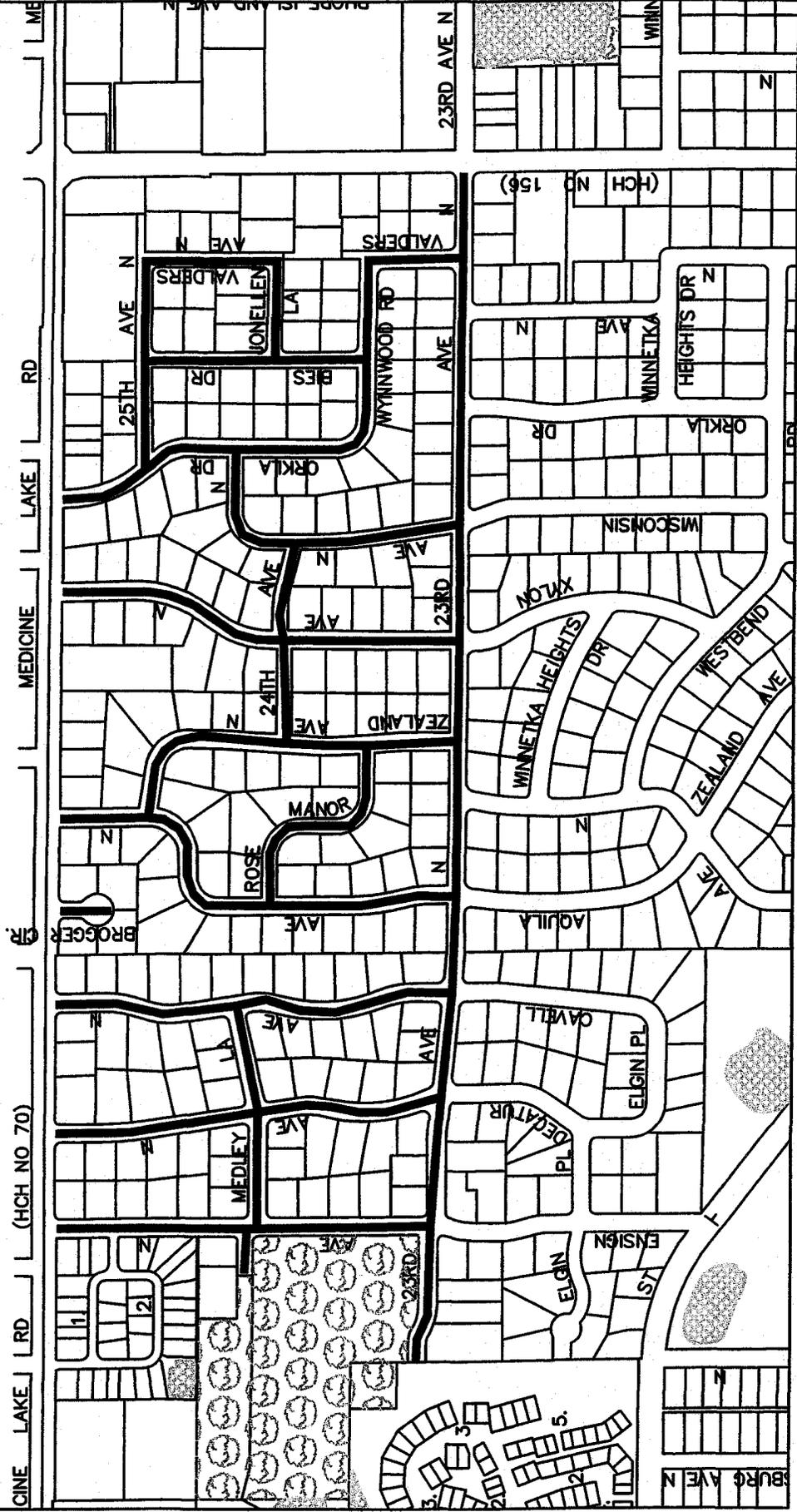
PROJECT LOCATION MAP
CITY OF GOLDEN VALLEY
CAPITAL IMPROVEMENT PROGRAM

2013 PAVEMENT MANAGEMENT PROGRAM

MEDLEY HILLS TOWNHOMES

1. MEDLEY ROAD
2. MEDLEY CIRCLE

CITY OF NEW HOPE



PROJECT LOCATION MAP
CITY OF GOLDEN VALLEY
CAPITAL IMPROVEMENT PROGRAM

Capital Improvement Plan
City of Golden Valley, Minnesota

2009 thru 2013

Contact
 Department Streets
 Type Unassigned
 Useful Life
 Category Street Construction
 Priority

Project # **S-013**
 Project Name **Overlay Program**

Description

Includes mill and overlays of local and State Aid streets that are constructed to City standards to maintain streets to their projected life-spans. The projects include localized replacement of curb and gutter as needed.
 2009: South I-394 Frontage: France Avenue to City Limits (Douglas Ave and Wayzata Blvd under TH100, General Mills Blvd to Winnetka Ave; includes right turn at General Mills Blvd
 2010: Sandburg Road: Douglas to Nevada Ave
 Nevada Ave: Sandburg Road to Medicine Lake Road
 Madison Avenue: Louisiana Ave to Nevada Ave
 Louisiana Avenue: Sandburg Road to Madison Avenue
 2011: To be determined
 2012: To be determined

Justification

Provides high quality street system at lowest long term cost.

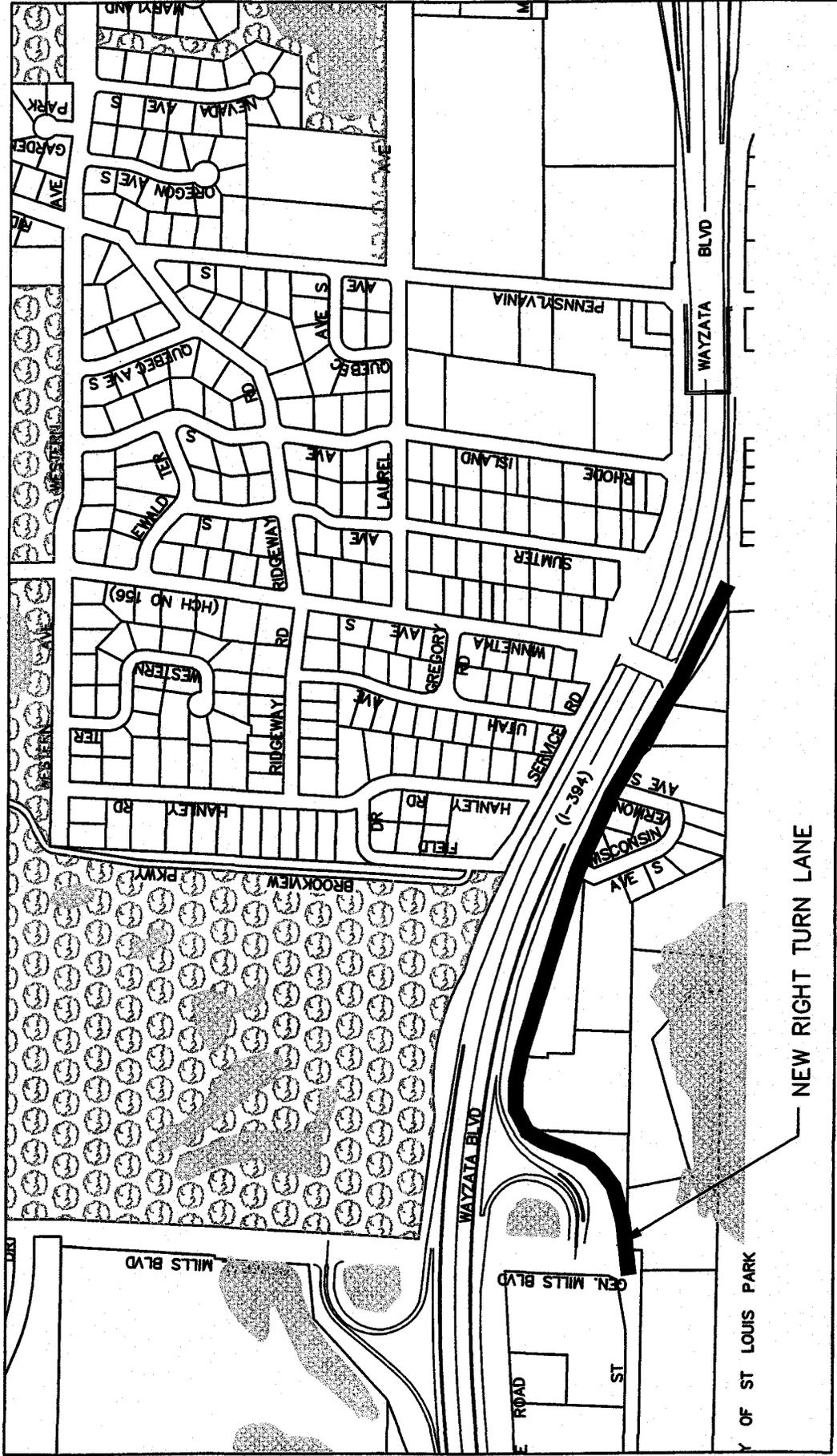
Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance	600,000	700,000	550,000	550,000	550,000	2,950,000
Total	600,000	700,000	550,000	550,000	550,000	2,950,000

Funding Sources	2009	2010	2011	2012	2013	Total
Street Reconstruction Bonds	600,000	700,000	550,000	550,000	550,000	2,950,000
Total	600,000	700,000	550,000	550,000	550,000	2,950,000

Golden Valley

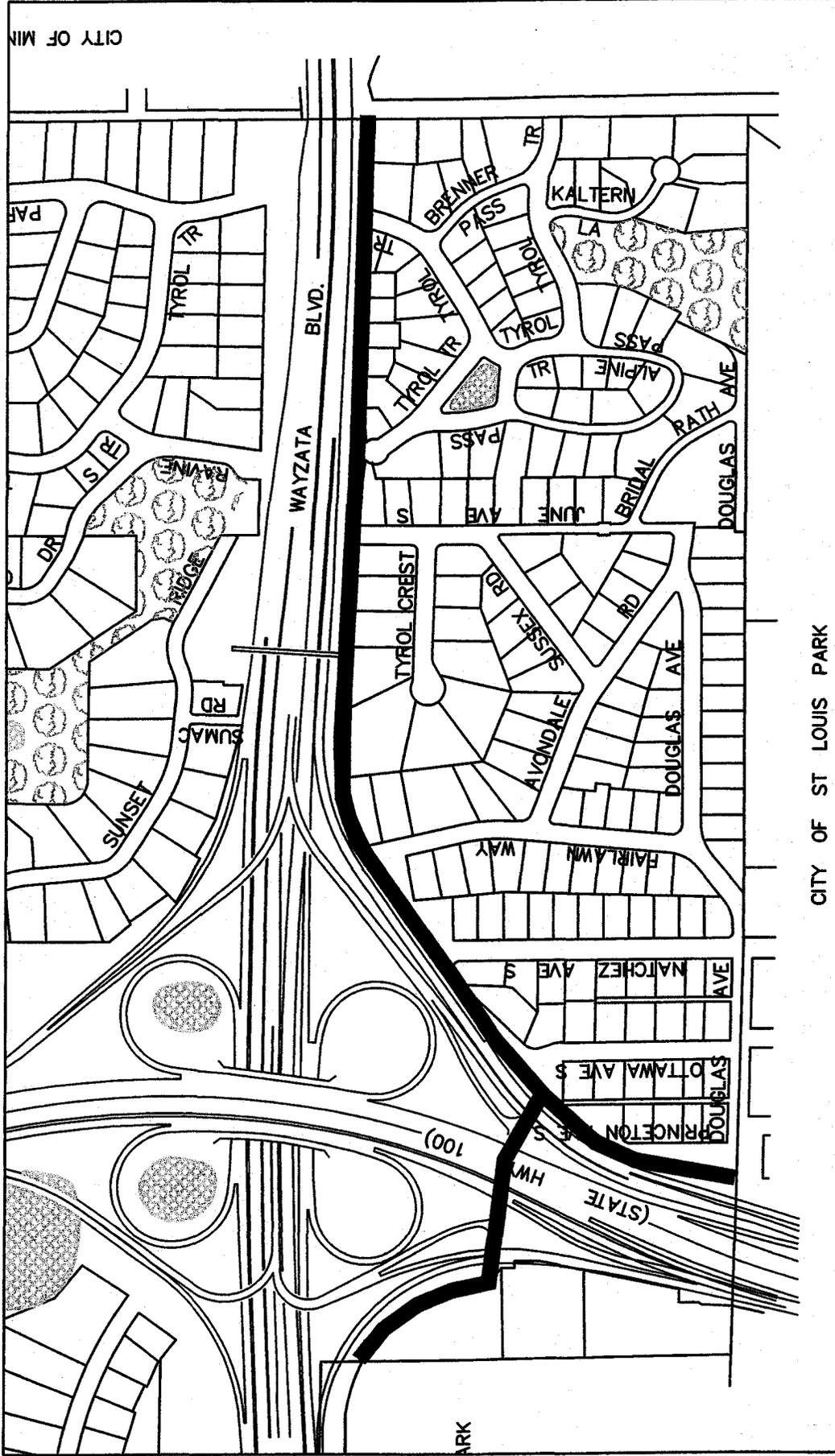
MILL & OVERLAY: WAYZATA BLVD. SOUTH FRONTAGE ROAD
FROM GENERAL MILLS BLVD. TO TEXAS AVE. SO.

(INCLUDING NEW RIGHT TURN LANE AT GENERAL MILLS BLVD.)



PROJECT LOCATION MAP
CITY OF GOLDEN VALLEY
2009 CAPITAL IMPROVEMENT PROGRAM

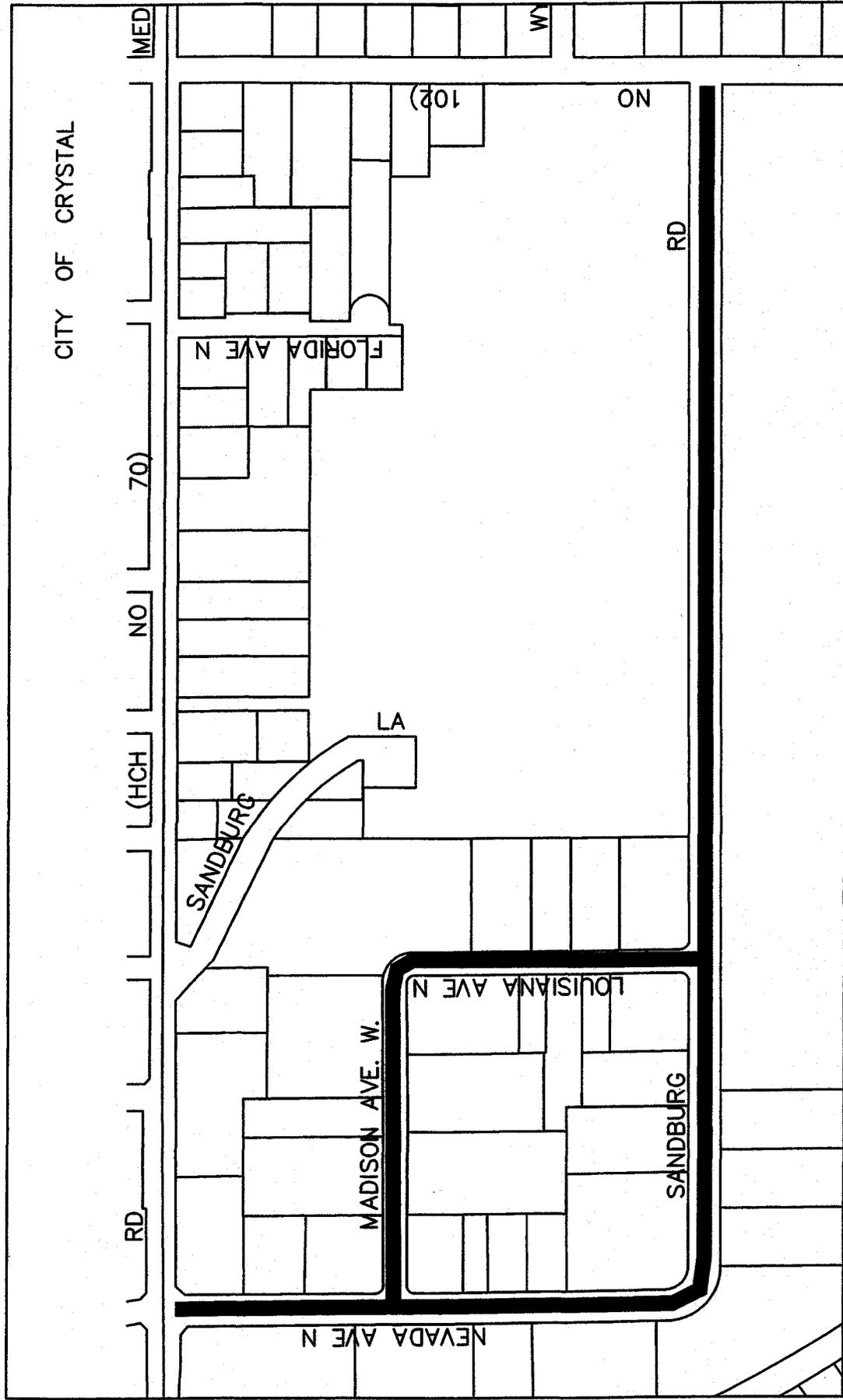
MILL & OVERLAY: WAYZATA BLVD. SOUTH FRONTAGE ROAD FROM DOUGLAS AVE. TO FRANCE AVE. SO. INCLUDING UNDER T.H. 100 FROM CITY LIMITS TO SOUTH FRONTAGE ROAD.



CITY OF ST LOUIS PARK

PROJECT LOCATION MAP
 CITY OF GOLDEN VALLEY
 2009 CAPITAL IMPROVEMENT PROGRAM

MILL & OVERLAY: LOUISIANA AVE., MADISON AVE.,
NEVADA AVE. AND SANDBURG ROAD



PROJECT LOCATION MAP
CITY OF GOLDEN VALLEY
2010 CAPITAL IMPROVEMENT PROGRAM

Capital Improvement Plan
City of Golden Valley, Minnesota

2009 *thru* 2013

Contact
 Department Streets
 Type Unassigned
 Useful Life
 Category Street Construction
 Priority

Project # **S-016**
 Project Name **Count Down Pedestrian Signals**

Description

Installation of count-down pedestrian signals at all traffic signals in the City. This is a five year program beginning with the eight signals in the downtown area.

Justification

Count down signals have been shown to be safer and more understandable method of providing pedestrians information about the time available to cross signalized intersections.

Expenditures	2009	2010	2011	2012	2013	Total
Infrastructure Improvements	45,000	45,000	45,000			135,000
Total	45,000	45,000	45,000			135,000

Funding Sources	2009	2010	2011	2012	2013	Total
Capital Improvement Fund (61)	45,000	45,000	45,000			135,000
Total	45,000	45,000	45,000			135,000

Capital Improvement Plan
City of Golden Valley, Minnesota

2009 *thru* 2013

Contact
Department Streets
Type Unassigned
Useful Life
Category Unassigned
Priority

Project # S-017
Project Name Municipal State Aid (MSA) Street Maintenance

Description

State Aid distributes monies for maintenance of State Aid Roads. Salaries, traffic marking and materials are charged to Municipal State Aid maintenance.

Justification

Expenditures	2009	2010	2011	2012	2013	Total
Other	100,000	100,000	100,000	100,000	100,000	500,000
Total	100,000	100,000	100,000	100,000	100,000	500,000

Funding Sources	2009	2010	2011	2012	2013	Total
Municipal State Aid (MSA - 51)	100,000	100,000	100,000	100,000	100,000	500,000
Total	100,000	100,000	100,000	100,000	100,000	500,000

Capital Improvement Plan
City of Golden Valley, Minnesota

2009 *thru* 2013

Contact
Department Streets
Type Unassigned
Useful Life
Category Street Construction
Priority

Project # S-018
Project Name City Hall Campus Sidewalk Renovation

Description
 Concrete rehabilitation within City Campus to replace deteriorated pavement.

Justification
 Maintenance of safe pedestrian facilities is needed.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance	85,000					85,000
Total	85,000					85,000

Funding Sources	2009	2010	2011	2012	2013	Total
Capital Improvement Fund (61)	85,000					85,000
Total	85,000					85,000

Capital Improvement Plan
City of Golden Valley, Minnesota

2009 *thru* 2013

Contact
Department Streets
Type Unassigned
Useful Life
Category Unassigned
Priority

Project # S-019
Project Name MSA Debt Service

Description

Debt Service payment on Municipal State Aid Bonds ending in 2028.

Justification

Necessary funding for State Aid roads to construct projects needed for safety.

Expenditures	2009	2010	2011	2012	2013	Total
Other	189,000	189,000	191,000	189,000	189,000	947,000
Total	189,000	189,000	191,000	189,000	189,000	947,000

Funding Sources	2009	2010	2011	2012	2013	Total
Municipal State Aid (MSA - 51)	189,000	189,000	191,000	189,000	189,000	947,000
Total	189,000	189,000	191,000	189,000	189,000	947,000

Capital Improvement Plan
City of Golden Valley, Minnesota

2009 *thru* 2013

Contact
 Department Streets
 Type Improvement
 Useful Life
 Category Street Construction
 Priority

Project # **S-022**
 Project Name **Duluth Street Reconstruction**

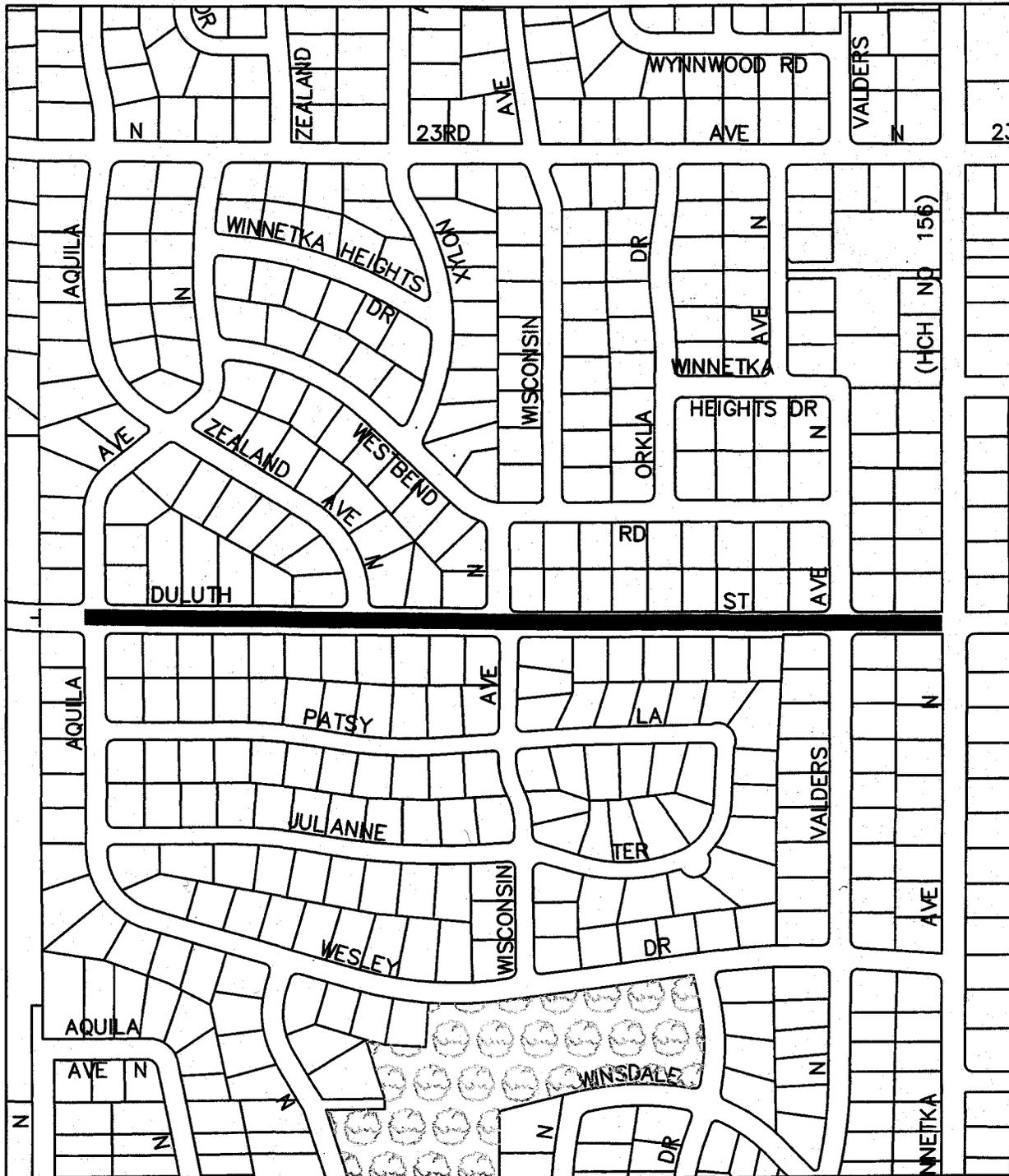
Description
 Reconstruct Duluth Street between Aquila Avenue and Winnetka Avenue in conjunction with 2012 Pavement Management Program.

Justification
 Upgrade deficient roadway to Municipal State Aid (MSA) standards.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance				1,500,000		1,500,000
Total				1,500,000		1,500,000

Funding Sources	2009	2010	2011	2012	2013	Total
Municipal State Aid (MSA - 51)				1,500,000		1,500,000
Total				1,500,000		1,500,000

PAVEMENT MANAGEMENT PROGRAM
DULUTH STREET RECONSTRUCTION (MSAS)
AQUILA AVE. TO WINNETKA AVE.



PROJECT LOCATION MAP
CITY OF GOLDEN VALLEY
CAPITAL IMPROVEMENT PROGRAM

Capital Improvement Plan
City of Golden Valley, Minnesota

2009 *thru* 2013

Contact
Department Streets
Type Improvement
Useful Life
Category Street Construction
Priority

Project # S-023
Project Name Reconstruct New Railroad Crossings

Description

Remove existing timber railroad crossings and install concrete crossings.

Justification

Existing timber crossings are in very poor condition and cannot be patched with asphalt to provide smooth crossings. This work will be constructed by the railroad.

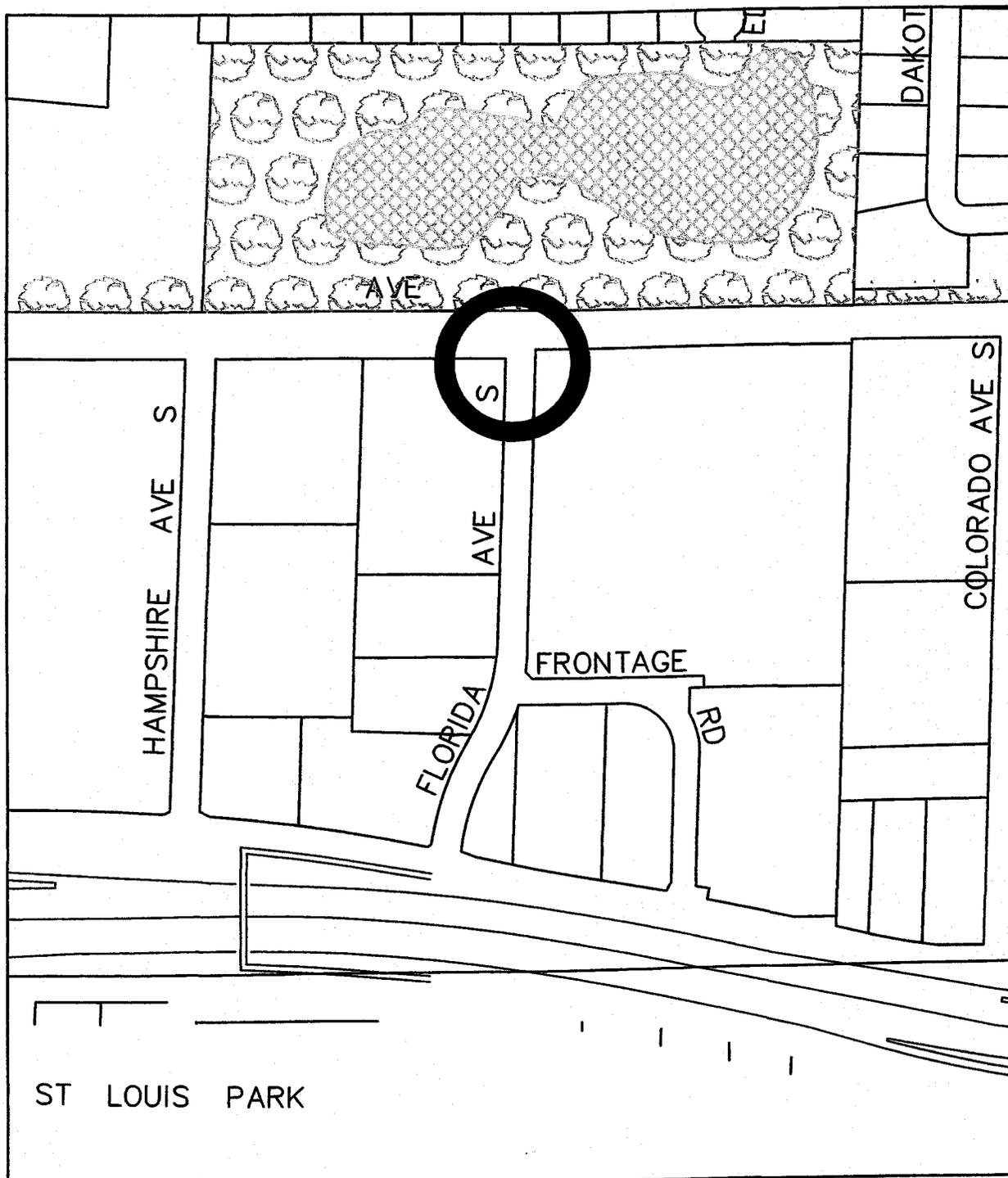
2010-Florida Ave So, south of Laurel Avenue (\$200,000)
 2011-Pennsylvania Ave No, South of Faribault Street (\$200,000)

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance		200,000	200,000			400,000
Total		200,000	200,000			400,000

Funding Sources	2009	2010	2011	2012	2013	Total
Municipal State Aid (MSA - 51)		200,000	200,000			400,000
Total		200,000	200,000			400,000

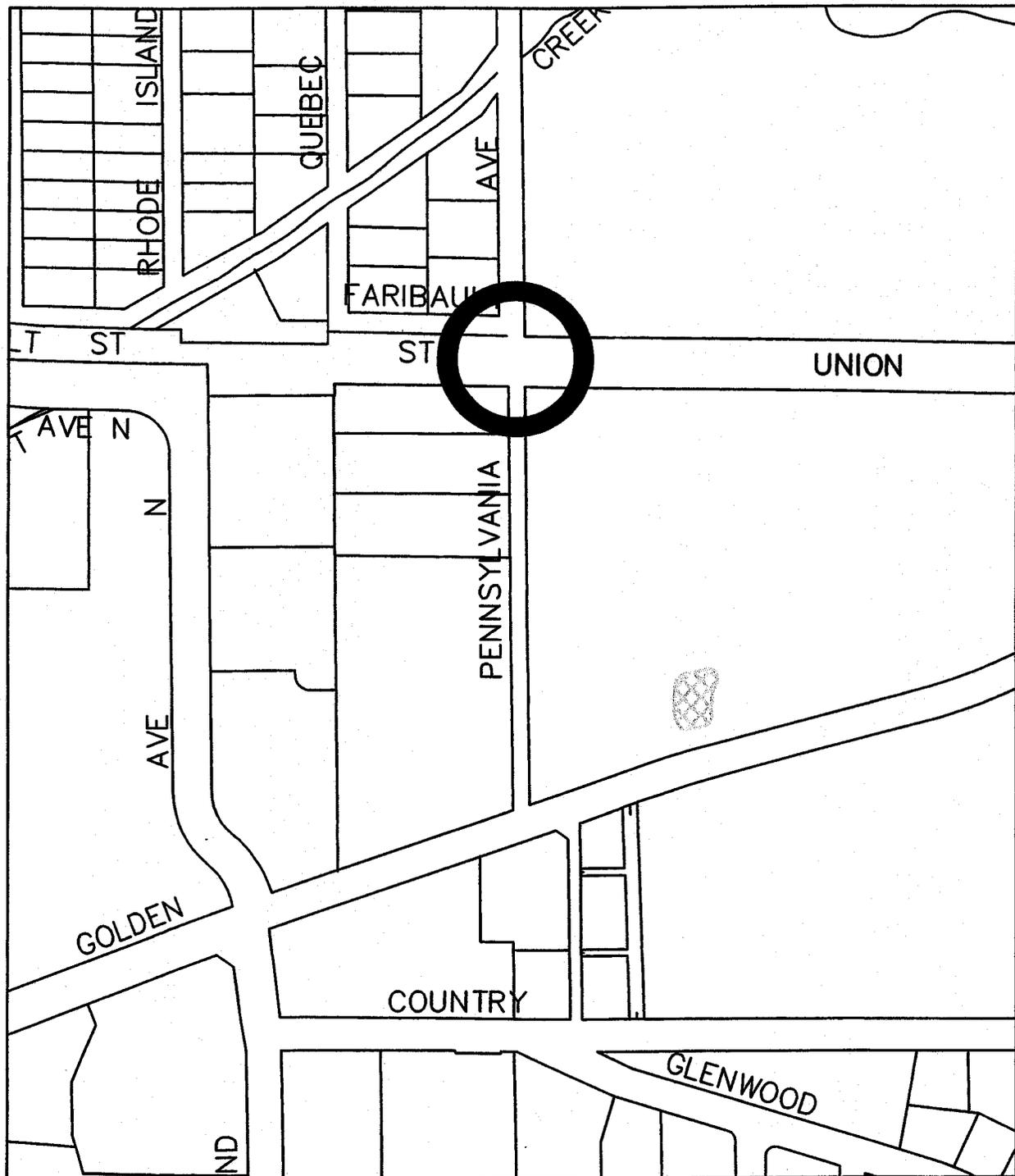
^{Cit}
Golden Valley

FLORIDA AVENUE SOUTH RAILROAD CROSSING REHABILITATION



PROJECT LOCATION MAP
CITY OF GOLDEN VALLEY
2010 CAPITAL IMPROVEMENT PROGRAM

PENNSYLVANIA AVENUE NORTH RAILROAD CROSSING REHABILITATION



PROJECT LOCATION MAP
CITY OF GOLDEN VALLEY
2011 CAPITAL IMPROVEMENT PROGRAM

Capital Improvement Plan
City of Golden Valley, Minnesota

2009 *thru* 2013

Contact
Department Streets
Type Unassigned
Useful Life
Category Unassigned
Priority

Project # S-024
Project Name Replacement of Street Signs

Description

ADA requirements for public rights-of-way require that street name signs meet new visibility requirements by 2012. Street name signs have been replaced with PMP projects since 2006 to meet this requirement. This project includes replacement of street name signs throughout the city that have not/will not be updated with the Pavement Management Program.

Justification

Compliance with Federal ADA requirements.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		100,000	100,000			200,000
Total		100,000	100,000			200,000

Funding Sources	2009	2010	2011	2012	2013	Total
Capital Improvement Fund (61)		200,000				200,000
Total		200,000				200,000

Capital Improvement Plan
City of Golden Valley, Minnesota

2009 thru 2013

Contact
Department Streets
Type Unassigned
Useful Life
Category Unassigned
Priority

Project # S-025
Project Name Evaluation and Rehabilitation of Winnetka Ave

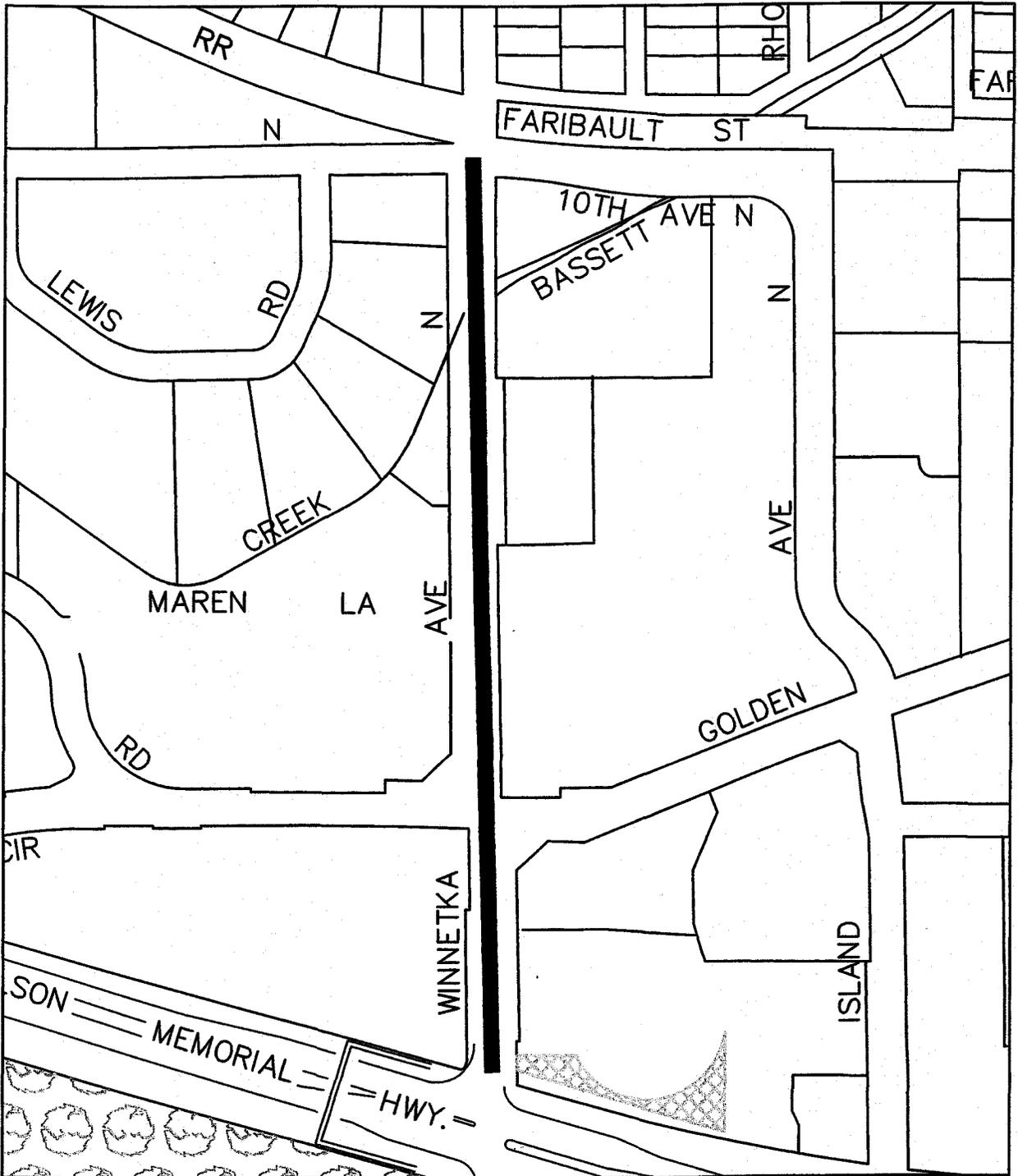
Description
 2009: Evaluate existing streetscape and sidewalk conditions, determine alternatives, maintenance recommendations, and cost estimates.
 2010-2012: Implement maintenance and replacement recommendations, may be subject to change based on study estimates.

Justification
 The Winnetka Avenue/Downtown streetscape is 15 years old and showing advanced deterioration of pavers, bollards, lighting and planters. These issues, and the deterioration of the civic center sidewalks, create a significant liability for the city in addition to aesthetic concerns.

Expenditures	2009	2010	2011	2012	2013	Total
Planning/Design	50,000					50,000
Construction/Maintenance		250,000	250,000	250,000		750,000
Total	50,000	250,000	250,000	250,000		800,000

Funding Sources	2009	2010	2011	2012	2013	Total
Municipal State Aid (MSA - 51)	50,000	250,000	250,000	250,000		800,000
Total	50,000	250,000	250,000	250,000		800,000

WINNETKA AVENUE STREETScape T.H. 55 TO 10TH AVENUE NO.



PROJECT LOCATION MAP
CITY OF GOLDEN VALLEY
2010 CAPITAL IMPROVEMENT PROGRAM

Capital Improvement Plan
City of Golden Valley, Minnesota

2009 thru 2013

Contact
 Department Streets
 Type Unassigned
 Useful Life
 Category Unassigned
 Priority

Project # S-026
 Project Name Xerxes Overlay

Description

A cooperative agreement with the City of Minneapolis for an overlay project on Xerxes Avenue.

Justification

The City of Minneapolis will pay for 70 percent of the project.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance	605,000					605,000
Total	605,000					605,000

Funding Sources	2009	2010	2011	2012	2013	Total
Capital Improvement Fund (61)	181,500					181,500
City of Minneapolis	423,500					423,500
Total	605,000					605,000

^{City}
Golden Valley



Capital Improvement Program 2009-2013

Storm Sewer Section

This section includes the storm water infrastructure improvements and the flood damage reduction program for the next five years. Most of these improvements, which include both rate control and water quality projects, coincide with the Pavement Management Program (see section on Streets).

Improvements will be funded either through the use of current reserves or the issuance of revenue bonds. The goal is to have enough reserves to account for 50% of the current revenues.

City
Golden Valley

City of Golden Valley, Minnesota

Capital Improvement Plan

2009 thru 2013

PROJECTS & FUNDING SOURCES BY DEPARTMENT

Department	Project#	Priority	2009	2010	2011	2012	2013	Total
Storm Sewers								
Residential Storm Sewer Improvements	SS-1	n/a	900,000	1,100,000	1,100,000	1,200,000	1,200,000	5,500,000
Lakeview Park Wetland Restoration	SS-10	n/a				150,000		150,000
Storm Water Improvement and Wetland Restoration	SS-11	n/a			20,000	280,000		300,000
Brookview Golf Course - Buffer Zone Study	SS-12	n/a				30,000		30,000
Western Ave Marsh Restoration	SS-13	n/a				55,000		55,000
Vacumn Street Sweeper	SS-16	n/a			230,000			230,000
Storm Water Ponds	SS-18	n/a	500,000					500,000
Bassett Creek Stream Bank Stabilization	SS-20	n/a		471,500		588,500		1,060,000
Pickup Truck (Storm Water Utility)	SS-22	n/a				26,000		26,000
Storm Water Pond Dredging	SS-23	n/a	75,000		105,000		170,000	350,000
10th Avenue North Culvert Repairs	SS-24	n/a		185,000				185,000
Storm Sewers Total			1,475,000	1,756,500	1,455,000	2,329,500	1,370,000	8,386,000
Grand Total								
Grand Total			1,475,000	1,756,500	1,455,000	2,329,500	1,370,000	8,386,000

Project # SS-1
Project Name Residential Storm Sewer Improvements

Type Improvement
Useful Life
Category Storm Sewer
Priority
Contact
Department Storm Sewers

Description

Construction and/or repair of residential storm sewer system, which may include water quality ponds, in conjunction with the annual rehabilitation of various City streets, as part of the on-going Pavement Management Program (see S #1).

Justification

Improve storm water drainage system in the City at the same time the streets are under construction thereby minimizing the disruption of the area. Improve drainage to maximize life of pavement.

Expenditures	2009	2010	2011	2012	2013	Total
Infrastructure Improvements	900,000	1,100,000	1,100,000	1,200,000	1,200,000	5,500,000
Total	900,000	1,100,000	1,100,000	1,200,000	1,200,000	5,500,000

Funding Sources	2009	2010	2011	2012	2013	Total
Storm Sewer Utility Fund (7300)	900,000	1,100,000	1,100,000	1,200,000	1,200,000	5,500,000
Total	900,000	1,100,000	1,100,000	1,200,000	1,200,000	5,500,000

Project # SS-10
Project Name Lakeview Park Wetland Restoration

Type Improvement
Useful Life
Category Storm Sewer
Priority
Contact
Department Storm Sewers

Description

Wetland restoration of existing low areas in Lakeview Park. The project consists of native vegetation planting and storm water management associated with the 2014 pavement management program. This project is no longer included in the Bassett Creek Water Management Commission's Capital Improvement Plan.

Justification

Water quality improvements.

Expenditures	2009	2010	2011	2012	2013	Total
Infrastructure Improvements				150,000		150,000
Total				150,000		150,000

Funding Sources	2009	2010	2011	2012	2013	Total
Storm Sewer Utility Fund (7300)				150,000		150,000
Total				150,000		150,000

Project # **SS-11**
 Project Name **Storm Water Improvement and Wetland Restoration**

Type Improvement
 Useful Life
 Category Storm Sewer
 Priority
 Contact
 Department Storm Sewers

Description

Restore degraded wetlands and improve storm water conveyance system in and near General Mills JFB Research Center concurrent with 2012/2013 Pavement Management Program. In 2011, the plan will be reviewed. In 2012, construction will take place.

Justification

Improved water quality benefits and restoration of degraded wetlands.

Expenditures	2009	2010	2011	2012	2013	Total
Infrastructure Improvements			20,000	280,000		300,000
Total			20,000	280,000		300,000

Funding Sources	2009	2010	2011	2012	2013	Total
Storm Sewer Utility Fund (7300)			20,000	280,000		300,000
Total			20,000	280,000		300,000

Project # **SS-12**
 Project Name **Brookview Golf Course - Buffer Zone Study**

Type Improvement
 Useful Life
 Category Storm Sewer
 Priority
 Contact
 Department Storm Sewers

Description

2012 complete study to identify potential locations for minimum landscape management and native buffer zone locations. Implementation/Installation of buffers in 2014.

Justification

Improve water quality per City's Surface Water Management Plan and NPDES Phase II requirements.

Expenditures	2009	2010	2011	2012	2013	Total
Infrastructure Improvements				30,000		30,000
Total				30,000		30,000

Funding Sources	2009	2010	2011	2012	2013	Total
Storm Sewer Utility Fund (7300)				30,000		30,000
Total				30,000		30,000

Project # **SS-13**
 Project Name **Western Ave Marsh Restoration**

Type Improvement
 Useful Life
 Category Storm Sewer
 Priority
 Contact
 Department Storm Sewers

Description

Re-establish portions of the Western Ave marsh natural area with native buffers around the ponds and wetland areas adjacent to Winnetka Ave S.

Justification

Highly visible site has a significant amount of noxious plants that require seasonal mowings as per ordinance-requirements.

Expenditures	2009	2010	2011	2012	2013	Total
Infrastructure Improvements				55,000		55,000
Total				55,000		55,000

Funding Sources	2009	2010	2011	2012	2013	Total
Storm Sewer Utility Fund (7300)				55,000		55,000
Total				55,000		55,000

Project # **SS-16**
 Project Name **Vacumn Street Sweeper**

Type Equipment
 Useful Life
 Category Storm Sewer
 Priority
 Contact
 Department Storm Sewers

Description

Additional street sweeper. Adding a vacumn street sweeper to existing fleet.

Justification

Vacumn sweepers remove more fine sediment from the city streets than traditional street sweepers. The addition of a vacumn street sweeper will help the city meet NPDES Phase II goals.

Expenditures	2009	2010	2011	2012	2013	Total
Infrastructure Improvements			230,000			230,000
Total			230,000			230,000

Funding Sources	2009	2010	2011	2012	2013	Total
Storm Sewer Utility Fund (7300)			230,000			230,000
Total			230,000			230,000

Project # **SS-18**
 Project Name **Storm Water Ponds**

Type Improvement
 Useful Life
 Category Storm Sewer
 Priority
 Contact
 Department Storm Sewers

Description

Construction of water quality pond at Regent and Westbend Avenue and Scott Avenue and Hampton Road conjunction with the Pavement Management Program.

Justification

Improve water at Bassett Creek.

Expenditures	2009	2010	2011	2012	2013	Total
Infrastructure Improvements	500,000					500,000
Total	500,000					500,000

Funding Sources	2009	2010	2011	2012	2013	Total
Storm Sewer Utility Fund (7300)	500,000					500,000
Total	500,000					500,000

Project # **SS-20**
 Project Name **Bassett Creek Stream Bank Stabilization**

Type Improvement
 Useful Life
 Category Storm Sewer
 Priority
 Contact
 Department Storm Sewers

Description

Stabilization of bank conditions along various sections of Bassett Creek were inventoried in 2001. The project areas are outlined by year below:
 2010-Briarwood Area
 2012-Duluth Street (Between Duluth Street and Westbrook Road)

Justification

Reduce stream bank erosion and protect or improve the water quality of Bassett Creek and area lakes.

Expenditures	2009	2010	2011	2012	2013	Total
Infrastructure Improvements		471,500		588,500		1,060,000
Total		471,500		588,500		1,060,000

Funding Sources	2009	2010	2011	2012	2013	Total
Bassett Creek Watershed Mg		440,000		550,000		990,000
Storm Sewer Utility Fund (7300)		31,500		38,500		70,000
Total		471,500		588,500		1,060,000

Project # **SS-22**
 Project Name **Pickup Truck (Storm Water Utility)**

Type Equipment
 Useful Life
 Category Vehicles
 Priority
 Contact
 Department Storm Sewers

Description

One half ton pickup truck for the Public Works Environmental Coordinator to replace Unit #501 (2000 Ford F-150).

Justification

Increased repair and maintenance expenditures on Unit #501, which will be twelve years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				26,000		26,000
Total				26,000		26,000

Funding Sources	2009	2010	2011	2012	2013	Total
Storm Sewer Utility Fund (7300)				26,000		26,000
Total				26,000		26,000

Project # **SS-23**
 Project Name **Storm Water Pond Dredging**

Type Maintenance
 Useful Life
 Category Unassigned
 Priority
 Contact
 Department Storm Sewers

Description

Dredging Public Water Quality Ponds per NPDES Phase II requirements. City completed a sedimentation pond survey and analysis in 2008.
 2009-Hidden Lakes Pond #2
 2011-201 General Mills
 2013-Hidden Lakes Pond #3

Justification

Federal NPDES Phase II permit requirement.

Expenditures	2009	2010	2011	2012	2013	Total
Other	75,000		105,000		170,000	350,000
Total	75,000		105,000		170,000	350,000

Funding Sources	2009	2010	2011	2012	2013	Total
Storm Sewer Utility Fund (7300)	75,000		105,000		170,000	350,000
Total	75,000		105,000		170,000	350,000

Project # **SS-24**
 Project Name **10th Avenue North Culvert Repairs**

Type Unassigned
 Useful Life
 Category Storm Sewer
 Priority
 Contact
 Department Storm Sewers

Description

Repair Culverts that convey Bassett Creek under 10th Avenue North and the Union Pacific Railroad.

Justification

These culverts are technically classified as a bridge by the Minnesota Department of Transportation and are inspected regularly. The last inspection identified high level corrosion of the culverts at the north base flow level. Although not a high risk for collapse, the corrosion needs to be addressed soon. These culverts are owned by the railroad.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance		185,000				185,000
Total		185,000				185,000

Funding Sources	2009	2010	2011	2012	2013	Total
Union Pacific Railroad		185,000				185,000
Total		185,000				185,000

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Capital Improvement Program 2009-2013

Water and Sanitary Sewer Utility Section

A five-year projection of the Water and Sanitary Sewer Fund reveals some potential financial challenges the City may have to address. The contract pricing with the City of Minneapolis and Golden Valley-Crystal-New Hope Joint Water Commission is up for renewal in 2013. The Metropolitan Council Environmental Services (MCES) surcharge program related to inflow and infiltration will have a direct affect on rates as it requires the City to make improvements to the sanitary system that will reduce the rate of inflow and infiltration into the system. The surcharge is scheduled to become a demand charge in 2011.

Fees from the City's utility bill are the main source of revenue. In 2008, the sanitary sewer flat rate per residential unit was changed to a two tier flat rate based on usage. In 2009, the sanitary sewer flat rate per residential unit will be changed to four flat rates based on winter consumption.

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Capital Improvement Plan

2009 thru 2013

PROJECTS & FUNDING SOURCES BY DEPARTMENT

Department	Project#	Priority	2009	2010	2011	2012	2013	Total
Water & Sewer Systems								
Sanitary Sewer & Water Line Repair/Recon.	W&SS-001	n/a	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	5,500,000
Inflow/Infiltration Study & Improvements	W&SS-003	n/a	200,000	200,000	200,000	200,000	200,000	1,000,000
185 CFM Air Compressor	W&SS-010	n/a	29,000					29,000
Dump Truck	W&SS-017	n/a		68,000				68,000
Pickup Truck	W&SS-019	n/a		27,000				27,000
Pickup Truck	W&SS-020	n/a	27,000					27,000
Water Main Replacement: Boone Ave.	W&SS-021	n/a		1,722,000				1,722,000
Utilities Tractor Backhoe	W&SS-031	n/a	105,000					105,000
Utility Building Flooring Upgrade/Replacement	W&SS-032	n/a		50,000				50,000
Vactor Truck	W&SS-033	n/a			300,000			300,000
Sidewalk Sweeper	W&SS-034	n/a		15,000				15,000
Pickup/Utility Truck	W&SS-035	n/a				29,000		29,000
Crissafulli Hydraulic Centrifugal Pump	W&SS-036	n/a					15,000	15,000
Portable Generator-Trailer Mounted	W&SS-041	n/a	50,000					50,000
Pickup Truck	W&SS-042	n/a				38,000		38,000
Skid Steel Sidewalk/Landscape Machine	W&SS-043	n/a				22,500		22,500
Sidewalk Sweeper	W&SS-044	n/a					9,000	9,000
Utility Building Repairs	W&SS-045	n/a	25,000	23,000				48,000
Mill and Overlay Utilities Outdoor Storage Area	W&SS-046	n/a		100,000				100,000
Water & Sewer Systems Total			1,536,000	3,305,000	1,600,000	1,389,500	1,324,000	9,154,500
Grand Total								
Grand Total			1,536,000	3,305,000	1,600,000	1,389,500	1,324,000	9,154,500

Project # **W&SS-001**
 Project Name **Sanitary Sewer & Water Line Repair/Recon.**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact

Description

Department Water & Sewer Systems

Major repairs and reconstruction on the City's sanitary sewer and water systems as needed. Repairs will be done in conjunction with the City's Pavement Management Program (See S #1).

Justification

To maintain City's water mains and sanitary sewer lines.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	5,500,000
Total	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	5,500,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility - Reserv					1,100,000	1,100,000
Water & Sewer Utility Fund	1,100,000	1,100,000	1,100,000	1,100,000		4,400,000
Total	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	5,500,000

Project # **W&SS-003**
 Project Name **Inflow/Infiltration Study & Improvements**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact

Description

Department Water & Sewer Systems

Results of an engineering study in 2005 and 2006 identified the sources of clear water inflow and infiltration (I&I) into the City's and the Metropolitan Council Environmental Services' (MCES) sanitary sewer systems. Beginning in 2006, the sources identified in the study will be addressed.

Justification

Consistent with MCES requirements that the City's I&I problems must be addressed and avoid the surcharge and pending demand charge from MCES.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance	200,000	200,000	200,000	200,000	200,000	1,000,000
Total	200,000	200,000	200,000	200,000	200,000	1,000,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund	200,000	200,000	200,000	200,000	200,000	1,000,000
Total	200,000	200,000	200,000	200,000	200,000	1,000,000

Project # **W&SS-010**
 Project Name **185 CFM Air Compressor**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact
 Department Water & Sewer Systems

Description

Air compressor on trailer to replace Unit 637, 1985 Ingersol Rand.

Justification

Increased repair and maintenance expenditures on Unit 637, which will be twenty four (24) years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	29,000					29,000
Total	29,000					29,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund	29,000					29,000
Total	29,000					29,000

Project # **W&SS-017**
 Project Name **Dump Truck**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact
 Department Water & Sewer Systems

Description

One ton 4x4 dump truck with snow plow to replace Unit 666, a 1990 Ford F-450 Dump Truck.

Justification

Increased repair and maintenance expenditures on Unit 666, which will be ten years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		68,000				68,000
Total		68,000				68,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund		68,000				68,000
Total		68,000				68,000

Project # **W&SS-019**
 Project Name **Pickup Truck**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact
 Department Water & Sewer Systems

Description

Pickup/Utility truck for the Utility Department to replace Unit 669, a 2000 Ford F-150 pickup. Replace with a new F-250 extended cab 4 X 4 Diesel and new utility box.

Justification

Increased repair and maintenance expenditures on Unit 669, which will be nine (9) years old. This truck is utilized for meter reading throughout the city and will be in excess of 100,000 city miles by 2009.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings		27,000				27,000
Total		27,000				27,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund		27,000				27,000
Total		27,000				27,000

Project # **W&SS-020**
 Project Name **Pickup Truck**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact
 Department Water & Sewer Systems

Description

Pickup truck for the Utility Department to replace Unit 668, a 2000 Ford F-150 pickup. Replace with a new F-150 extended cab 4 X 4.

Justification

Increased repair and maintenance expenditures on Unit 668, which will be ten (10) years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	27,000					27,000
Total	27,000					27,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund	27,000					27,000
Total	27,000					27,000

Project # **W&SS-021**

Project Name **Water Main Replacement: Boone Ave.**

Type Unassigned

Useful Life

Category Water and Sewer

Priority

Contact

Department Water & Sewer Systems

Description

Replace water main on Boone Avenue from approximately Golden Valley Road north to the railroad tracks south of Plymouth Avenue. Also includes the replacement of 140 feet of Helical piling. To maintain water main distribution system.

Justification

Water main on Boone Ave. has pits developing on the existing ductile iron pipe reducing the life cycle of the pipe.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance		1,722,000				1,722,000
Total		1,722,000				1,722,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund		1,722,000				1,722,000
Total		1,722,000				1,722,000

Project # **W&SS-031**

Project Name **Utilities Tractor Backhoe**

Type Unassigned

Useful Life

Category Water and Sewer

Priority

Contact

Department Water & Sewer Systems

Description

New tractor backhoe for the Utility Department to replace Unit #655, a 1992 Ford tractor backhoe with new articulated tool carrier loader.

Justification

Increased repair and maintenance on Unit #655, which will be eighteen years old.

Expenditures	2009	2010	2011	2012	2013	Total
Other	105,000					105,000
Total	105,000					105,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund	105,000					105,000
Total	105,000					105,000

Project # **W&SS-032**
 Project Name **Utility Building Flooring Upgrade/Replacement**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact
 Department Water & Sewer Systems

Description

Utility Building tile flooring in the main roll call room, restroom, offices, kitchen, steps and entry.

Justification

Utility Building flooring withstands heavy abuse from employee tracking and has exceeded its life cycle.

Expenditures	2009	2010	2011	2012	2013	Total
Other		50,000				50,000
Total		50,000				50,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund		50,000				50,000
Total		50,000				50,000

Project # **W&SS-033**
 Project Name **Vactor Truck**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact
 Department Water & Sewer Systems

Description

New Vactor (Jet/Vac) for Utility Department to replace Unit #670, a 2001 Sterling/Vactor truck.

Justification

Increased repair and maintenance expenditures on Unit #670, which will be ten years old. Increased cleaning for NPDES storm sewer cleaning, reduce down time during the months when NPDES storm sewer cleaning is a top priority.

Expenditures	2009	2010	2011	2012	2013	Total
Other			300,000			300,000
Total			300,000			300,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund			300,000			300,000
Total			300,000			300,000

Project # **W&SS-034**
 Project Name **Sidewalk Sweeper**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact
 Department Water & Sewer Systems

Description

Gravelly sidewalk sweeper for complex snow removal and various sweeping duties.

Justification

Increased repair and maintenance expenditures on 1998 Gravelly sidewalk machine.

Expenditures	2009	2010	2011	2012	2013	Total
Other		15,000				15,000
Total		15,000				15,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund		15,000				15,000
Total		15,000				15,000

Project # **W&SS-035**
 Project Name **Pickup/Utility Truck**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact
 Department Water & Sewer Systems

Description

Pickup/Utility truck for the Utility Department to replace Unit #673, a 2002 Ford F-150 pickup.

Justification

Increased repair and maintenance on Unit #673, which will be ten years old.

Expenditures	2009	2010	2011	2012	2013	Total
Other				29,000		29,000
Total				29,000		29,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund				29,000		29,000
Total				29,000		29,000

Project # **W&SS-036**
 Project Name **Crissafulli Hydraulic Centrifugal Pump**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact
 Department Water & Sewer Systems

Description

Crissafulli Hydraulic Centrifugal Pump Unit #625, is a 1976 dewatering pump. This pump is used for emergency dewatering for water main breaks, flooding caused by spring run off and summer storms. The pump has diesel engine power plant that runs the hydraulics for pumping.

Justification

Increased repair and maintenance on Unit #625, which will be thirty seven years old.

Expenditures	2009	2010	2011	2012	2013	Total
Other					15,000	15,000
Total					15,000	15,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund					15,000	15,000
Total					15,000	15,000

Project # **W&SS-041**
 Project Name **Portable Generator-Trailer Mounted**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact
 Department Water & Sewer Systems

Description

A trailer mounted portable generator to replace Unit #630, a 1964 Military surplus generator.

Justification

Current portable generator will be 45 years old and is no longer reliable.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings	50,000					50,000
Total	50,000					50,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund	50,000					50,000
Total	50,000					50,000

Project # **W&SS-042**
 Project Name **Pickup Truck**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact

Description

Department Water & Sewer Systems

Pickup Truck for the Utility Department to replace Unit 673, a 2002 Ford-150. Replace with a new F-250 extended cab 4 X 4 with new utility box.

Justification

Increased maintenance and repair on Unit 673, which will be ten years old.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				38,000		38,000
Total				38,000		38,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund				38,000		38,000
Total				38,000		38,000

Project # **W&SS-043**
 Project Name **Skid Steel Sidewalk/Landscape Machine**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact

Description

Department Water & Sewer Systems

Multiple use articulating machine to maintain sidewalks during the winter and used for small landscaping projects.

Justification

Existing walk behind sweeper does not provide multiple uses. The current sweeper is 12 years old and is at the end of its useful life.

Expenditures	2009	2010	2011	2012	2013	Total
Equip/Vehicles/Furnishings				22,500		22,500
Total				22,500		22,500

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund				22,500		22,500
Total				22,500		22,500

Project # **W&SS-044**
 Project Name **Sidewalk Sweeper**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact
 Department Water & Sewer Systems

Description

Gravelly sidewalk sweeper for complex snow removal and various sweeping duties.

Justification

Increased repair and maintenance expenditures on 1998 Gravelly sidewalk machine.

Expenditures	2009	2010	2011	2012	2013	Total
Other					9,000	9,000
Total					9,000	9,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund					9,000	9,000
Total					9,000	9,000

Project # **W&SS-045**
 Project Name **Utility Building Repairs**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact
 Department Water & Sewer Systems

Description

In 2009, miscellaneous exterior building repairs/window replacement per Wold report. In 2010, the miscellaneous interior building repairs to windows, wall doors and ceilings.

Justification

Maintenance to building per Wold report.

Expenditures	2009	2010	2011	2012	2013	Total
Infrastructure Improvements	25,000	23,000				48,000
Total	25,000	23,000				48,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund	25,000	23,000				48,000
Total	25,000	23,000				48,000

Project # **W&SS-046**
 Project Name **Mill and Overlay Utilities Outdoor Storage Area**

Type Unassigned
 Useful Life
 Category Water and Sewer
 Priority
 Contact
 Department Water & Sewer Systems

Description

Mill and overlay the asphalt storage area that is located on the north end of the Utilities Building.

Justification

Asphalt storage area has deterioratd and requires mill and overlay to repave and correct damage.

Expenditures	2009	2010	2011	2012	2013	Total
Construction/Maintenance		100,000				100,000
Total		100,000				100,000

Funding Sources	2009	2010	2011	2012	2013	Total
Water & Sewer Utility Fund		100,000				100,000
Total		100,000				100,000

^{City}
Golden Valley

Exhibit A

Special Assessment Policy for The City of Golden Valley January 17, 1995

Amended February 21, 1995

Amended June 7, 2005

Amended July 18, 2006

General

Minnesota State Law, Chapters 429.010 to 429.11, provides municipalities the ability to make public improvements such as installation of sanitary sewer, water, storm sewer, sidewalks, and street improvements (including grading, curb and gutter, surfacing, and lighting). The procedures that Cities must follow, including reports, notices, and public hearings, are well defined within the laws.

The Statute allows municipalities to assess all or portions of the costs of any improvements to property owners based on the benefits received from the project. The Statute is not specific regarding the determination of benefits to a property, or how to apportion the costs to the benefiting properties. Rather, the law makes the municipality responsible for developing an equitable method of cost-sharing among the benefiting property owners.

The purpose of this special assessment policy is to provide a guide, to be used by City Staff, for preparing assessment rolls for approval by the City Council. This policy is meant to assure uniform and consistent treatment to all properties within the City as improvements occur.

The special assessment policy will not cover all possible assessment situations. Special cases and variations of standard cases that are not specifically discussed under this policy will be evaluated during preliminary project studies, and assessments will be determined that do not violate the benefit principles as required by Statute.

No special assessments will be levied against designated floodplains, municipal storm water ponds or wetland areas on private property as determined by criteria in the Wetland Conservation Act of 1991 and the Minnesota Department of Natural Resources. The limits of wetlands will be determined by the City on a case-by-case basis at the time of preliminary project design and feasibility report preparation.

No special assessments will be levied against railroad, county highway or state highway rights-of-way. Properties fronting County Roads and County Highways will be subject to special assessments for reconstruction projects based upon this policy.

Special assessment rates for properties with zoning classifications other than residential will be determined on a project-specific basis based on the surrounding zoning, land uses, and development potential.

Sanitary Sewer and Water Main Assessments

Reconstruction and Repairs

No special assessments will be levied for repair and reconstruction of existing sanitary sewer and water main systems, except for properties that have not been previously assessed for these utilities.

For properties not previously assessed that are adjacent to sanitary sewer or water main reconstruction projects, the amount of special assessments will be calculated on a case-by-case basis at the time of preliminary design and feasibility report preparation.

Property owners are responsible for maintenance, repair and replacement of sanitary sewer services from, and including the connection to the main, and the home building being served.

The City is responsible for maintenance, repair and replacement of water services from the connection to the water main up to and including the curb stop or valve on the service line. The property owner is responsible for maintenance, repair and replacement of the water service from the connection of the service pipe to the valve or curb stop, to the building being served.

New Construction

In certain instances where property is developing or redeveloping, public sanitary sewer and water main must be installed. The developer of such properties will be responsible for the entire cost of public utilities, whether construction is performed as a City Improvement Project or by the developer.

At the time such a development project is proposed, the City Engineer will determine if the project is to be constructed publicly or privately. If the utility installation is to be constructed privately, the developer will be responsible for preparing construction plans and specifications consistent with City standards. These construction plans and specifications must be reviewed and approved by the Engineering Department. The utility installation must also be inspected by the Engineering Department during construction. The developer will be responsible for 100% of the costs of City construction observation and plan review, which will be billed directly to the developer. Any unpaid costs incurred for these services will be assessed against the developing properties. An irrevocable letter of credit must be posted by the developer in an amount equal to 150% of the estimated construction costs to ensure timely completion of the project.

If a public sanitary sewer or water main project is to be installed as a City Improvement Project, the developer will be responsible for 100% of the direct and indirect costs incurred by the City. These costs may include, but are not limited to: feasibility report preparation, preliminary survey, preliminary design, final design, construction staking, construction observation, as-built surveying and drafting, and administrative and legal costs. The developer may elect to have these costs assessed against the property being developed or pay the costs directly to the City.

Storm Water Drainage

Street Storm Sewer

No special assessments will be levied for construction or reconstruction of storm sewer systems within the City right-of-way as part of the Pavement Management Program.

Rear Yard Storm Sewer

In certain instances, storm sewer is necessary in rear yard areas to correct existing drainage problems. City staff will visit such problem areas at the request of a homeowner to evaluate the situation and provide engineering assistance to encourage property owners to remedy the drainage problems without City involvement.

If a property owner or owners cannot remedy the rear yard drainage problems, they may petition the City for installation of storm sewer. Upon receiving a request for petition for rear yard storm sewer, engineering staff will determine the properties that contribute storm water runoff to the problem area. The petitioner must then circulate the petition to the contributing property owners for signatures. Each contributing property owner must be made aware that special assessments will be levied against their property for the corrective storm sewer work. A minimum of 35% of the contributing property owners must sign the petition for the City Council to consider the project. Upon receipt of the petition and after a public hearing, the City Council may either deny the request or order the storm sewer improvements. If the improvements are ordered, the contributing property owners will be assessed for 100% of the construction and indirect costs for the storm sewer installation. The method of assessment and the pro-ration of costs will be determined on a project-specific basis.

Affected property owners in rear yard drainage projects will also be required to dedicate all drainage and utility easements for the installation of the storm sewer at no cost to the City. If the City must purchase or condemn in order to obtain the easements, the entire acquisition costs will be included in the project costs for assessment or the City may decline to undertake the project.

Street Improvements

Development/Redevelopment Projects

When property is developed or redeveloped that has street frontage on roadways that are scheduled for construction or reconstruction, the development will be required to pay an escrow for the future street rehabilitation. The escrow shall be based upon the assessment methods and land uses contained in this policy, and shall be based on the assessment rates in effect at the time the development is approved. The property or properties within the development will not be specially assessed at the time street rehabilitation occurs.

Sidewalks

No special assessments will be levied for sidewalk construction that is in accordance with the goals and recommendations of the City of Golden Valley Sidewalk Committee. For sidewalk construction petitioned by residents on a local residential street, special assessments will be for 100% of the project costs. Special assessments for petitioned sidewalks will be determined on a project specific basis.

Street Lighting

Street lighting is available to the residents of Golden Valley on a petition basis according to the Street Lighting Policy.

New Street Construction

As property within the City develops or redevelops, it may be necessary to install public streets. The City Engineer will determine if the project is to be installed publicly or privately. The procedures, policies, and requirements for street construction will be the same as discussed for new sanitary sewer installations.

Sealcoating

No special assessments will be levied for street sealcoating.

Bituminous Milling and Overlays

No special assessments will be levied for bituminous milling and overlays.

Reconstruction

Local Streets

1. Properties with residential and duplex residential land use, parks and other City-owned properties subject to reconstruction will be assessed on a per-unit basis, with one unit assessed to each property unless the property has the potential to be further subdivided into two or more lots that each meets City subdivision ordinance requirements. Such lots that may be so subdivided shall be assessed for the number of units that equals the number of such lots that the property may be subdivided into. However, residential properties that are subject to multiple unit assessments will have all but one of such unit assessments deferred at the time of the initial assessment. Such deferral will be made each year until such time as the property is subdivided. At that time, the deferred unit assessments shall be due.

2. Special assessments against properties with Multiple Dwelling land use will be on a front-foot basis, with 100% of the frontage being improved subject to assessment. The per foot assessment rate for Multiple Dwelling represents approximately 37% of the project costs.
3. Properties with church, school and other tax exempt land uses will be assessed on a front-foot basis, with 100% of the frontage being improved subject to assessment. The per-foot assessment rate for these zoning classifications will be approximately 45% of the project costs.
4. All other land uses, including commercial, industrial, business and offices will be assessed on a front-foot basis, with 100% of the frontage being improved subject to assessment. The per foot assessment rate for these zoning classifications will be approximately 45% of the project costs.
5. Properties adjacent to existing concrete streets subject to reconstruction will be given the option of having the street reconstructed as a concrete roadway or as a bituminous roadway as discussed in the Pavement Management Policy. If a concrete roadway is selected, the special assessment rate will be a standard residential unit assessment plus 100% of the cost difference between bituminous and concrete pavement. This cost difference will include construction and indirect costs.

To reconstruct an existing concrete street as a new concrete street, 100% of the abutting property owners must sign a petition requesting the concrete pavement, including the additional special assessment for the concrete pavement as outlined in the Pavement Management Policy. In addition, 100% of the property owners subject to the additional assessment must sign a Waiver of Special Assessment Appeal for the concrete street construction.

6. Residential properties adjacent to local streets being reconstructed will be given the option of having their driveways reconstructed at contract unit prices. Residents will be notified of this program at informational meetings for each street project. If a resident participates in this program, staff will coordinate construction with the contractor and will measure the quantities of pavement installed. The cost of driveway reconstruction will be added to the unit assessment for the subject property.
7. When a corner residential lot has frontage on two local streets, it will be assessed for one-half unit assessment for each street subject to reconstruction. No more than one total unit assessment will be charged against a parcel for street reconstruction. Corner properties adjacent to State Aid and local streets will be charged one-half of the appropriate unit assessment at the time of reconstruction of each street.
8. Corner residential properties adjacent to a local street and a state or county roadway will not be subject to special assessments by the City for state highway or county road reconstruction. However, these properties will be assessed the

appropriate number of unit assessments for the entire frontage along the local streets when reconstruction occurs on the local street.

9. Residential properties adjacent to frontage roads of state highways will be considered to be on local or Municipal State Aid streets and will be assessed consistent with this policy.
10. Special Assessments for properties not specifically covered in any of the above cases will be addressed on a parcel-specific basis at the time of the feasibility report.

State Aid Streets

1. Properties with residential and duplex residential land uses that have frontage on a Municipal State Aid Street will be assessed on a per-unit basis. The per-unit assessment rate will be approximately 25% of the standard residential rate for properties on local streets. Assessments for oversized parcels with the potential for subdivision are to be consistent with the previously discussed policy for local streets.
2. Properties with Multiple Dwelling land use that front on a Municipal State Aid Street will be assessed on a front-foot basis for the frontage being improved. The assessment rate represents 37% of the costs of constructing the State Aid Street.
3. Properties with church, school, and other tax-exempt land uses that front on a Municipal State Aid Street will be assessed on a front-foot basis for the frontage being improved. The assessment rate represents 45% of the costs of constructing the State Aid Street.
4. All other land uses, including commercial, industrial, business and offices that front on a Municipal State Aid Street will be assessed on a front-foot basis for the frontage being improved. The assessment rate represents 45% of the costs of constructing the State Aid Street.
5. Special assessments for properties not specifically covered in any of the above cases will be addressed on a parcel-specific basis at the time of the feasibility report.

Residential properties adjacent to State Aid streets being reconstructed will be given the option of having their driveways reconstructed under the same terms discussed in the local street reconstruction portion of this policy.

County Roads

1. Properties with residential and duplex residential land uses adjacent to county roads will be assessed according to the previously discussed methods for local streets, except for corner lots with local streets, which will be assessed in full at the time the intersecting local street is reconstructed. Special assessments to residential properties will be at State Aid street rates.

2. All other land uses, including commercial, industrial, business, and tax-exempt uses will be assessed on a front-foot basis, with 100% of the frontage being improved subject to assessment. The assessment rate shall be the rates used for State Aid streets as established by ordinance.

Low Income Senior Citizen and Disability Deferrals

As required by Minnesota Statute, the City has a special assessment deferral policy for low income senior citizens and disabled persons meeting all of the following criteria:

1. The property upon which the assessment is deferred must be homesteaded;
2. The property is owned by a person at least 65 years of age on January 1st of the year in which payment of the first installment of the subject assessment is due; or is owned by a person who is retired due to permanent and total disability.
3. The applicant must have a "financial hardship" defined as:
 - a) An annual income at or below a level established annually by ordinance and;
 - b) The aggregate total of all special assessments levies will exceed one and one-half percent (1-1/2%) of the applicant's annual income.

More information is available at General Services Office (763.593.8020).

Street Reconstruction Special Assessment Rates

Special assessment rates as discussed in this policy will be established yearly with the Annual Fee Resolution. The rates will be based on the percentages of construction and indirect costs as discussed above. Indirect costs are estimated to be 30% of the construction costs and include administration, engineering, construction observation, and legal fees. These rates will be subject to revision each year based on the actual construction costs in the City from the previous year and for inflation based upon the ENR Index for construction costs.

Appendix 11-B: Golden Valley City Code, Chapter 11

Golden Valley City Code, Chapter 11

Golden Valley, Minnesota

Estab. 11-11-83
Last Revised 2-16-10

211 pages

Chapter 11:

LAND USE REGULATION (ZONING)

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Chapter 11:

LAND USE REGULATION (ZONING)

Section 11.01: Purpose

It is the purpose of this Chapter to regulate land use within the City, including location, size, use and height of buildings, the arrangement of buildings on lots and the density of population within the City, and for the purpose of promoting the health, safety, order, convenience and general welfare for all citizens of the City.

*Source: Ordinance No. 609
Effective Date: 11-11-83*

Section 11.02: Interpretation

Subdivision 1

For the purposes of this Chapter, the following definitions shall be used in the interpretation of the provisions of this Chapter. Words used in the present tense shall include the future tense, the singular number shall include the plural, the plural the singular; the word "person" shall include a firm, association, organization, partnership, trust, company, or corporation; the words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied"; the word "shall" or "will" is mandatory; and the word "may" is permissive. Any other words used and not defined herein shall be construed as having the commonly accepted meaning as defined in a standard dictionary.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

Subdivision 2

In order to meet front yard, side yard and rear yard setbacks of five feet or greater required by this Chapter, landowners may compute the distance between their structure and the property line by rounding-up to the next whole foot, for example, fourteen (14.0) feet or greater may be rounded to fifteen (15.0) feet.

*Source: Ordinance 292, 2nd Series
Effective Date: 3-12-04*

Section 11.03: Definitions

1. **Accessory Use or Structure:** A use or structure subordinate to the principal use of the land or a building on the same lot and serving a purpose customarily incidental to the principal use or structure except as provided for Essential Services.

*Source: Ordinance No. 80, 2nd Series
Effective Date: 11-28-91*

2. **Adult Day Care Center:** A facility licensed by the State of Minnesota that provides adult day care to functionally impaired adults on a regular basis for periods of less than twenty-four (24) hours a day in a setting other than a participant's home or the residence of the facility operator. Functionally impaired adult means an adult having a condition that includes 1) having substantial difficulty in carrying out one (1) or more of the essential major activities of daily living, such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working; or 2) having a disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life; and 3) requiring support to maintain independence in the community.

*Source: Ordinance No. 264, 2nd Series
Effective Date: 12-13-01*

3. **Affected Persons:** Any or all persons who own property located within five hundred (500) feet of the subject premises under zoning review.
4. **Alley:** A public or private way affording only secondary means of access to abutting property.
5. **Apartment:** A room or suite of rooms in a multi-family or multi-use building arranged and intended as a place of residence for a single family or a group of individuals living together as a single housekeeping unit.
6. **Apartment Building:** Any building or portion thereof which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three (3) or more families living independently of each other and doing their own cooking in the said building, and shall include flats and apartments.
7. **Automobile Sales:** An open or enclosed area (building or structure), other than a street, used for the display, sale, or rental, of new and used motor vehicles in operable condition.

8. **Automobile Wrecking:** The dismantling or disassembling of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

- 8.5. **Average Grade:** The average ground elevation of a house or structure taken at three (3) points along a building line facing a street. If the house or structure faces more than one (1) street, the average grade shall be for all sides facing the street.

*Source: Ordinance No. 382, 2nd Series
Effective Date: 3-28-08*

9. **Basement:** That portion of a building with at least three (3) walls having at least one-half (1/2) or more of their floor-to ceiling height underground.

10. **Buildable Area:** That area of a lot which is exclusive of all yards and within which the principal building must be constructed.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

11. **Building:** Any structure for the shelter or enclosure of persons, animals or property of any kind and when separated by dividing walls without openings, each portion of such buildings, so separated, shall be deemed a separate building.

*Source: Ordinance No. 80, 2nd Series
Effective Date: 11-28-91*

12. **Building, Height:** The vertical distance or height of a structure shall be measured from the average grade at the front building line (street side) to the average height of the highest pitched roof or the highest point of a flat roof structure. The grade or average grade of a lot is established at the time of subdivision approval by the City. If the grade or average grade was not established at the time of subdivision approval by the City, the Director of Public Works shall establish the average grade prior to construction of the structure. In the case where a house or structure has been removed from a lot for the construction of a new house or structure, the average grade for the new house or structure shall be no more than one (1) foot higher than the grade or average grade that existed for the house or structure that was removed. In the case of a corner lot, the average grade is taken from all sides of the house or structure facing the street.

*Source: Ordinance No. 382, 2nd Series
Effective Date: 3-28-08*

13. **Business:** Any occupation, employment or enterprise wherein merchandise is exhibited or sold, or which occupies time, attention, labor and materials, or where services are offered for compensation.
14. **Car Wash:** A building and/or premises used principally for washing and cleaning automobiles, using either manual or automatic production line methods.
15. **Cemetery:** Land used or intended to be used for the burial of human dead and dedicated as a "cemetery" for such purposes.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

16. **Child Care Facilities:** A service provided to the public in which children of school or pre-school age are cared for during established business hours.

*Source: Ordinance No. 712
Effective Date: 6-23-88*

17. **Church or Synagogue:** The term includes the following: church, synagogue, rectory, parish house or similar building incidental to the principal use which is maintained and operated by an organized group for religious purposes.
18. **Clinic:** A place used for the care, diagnosis and treatment of sick, ailing, infirm and injured persons and those who are in need of medical or surgical attention, but who are not provided with board or room, nor kept overnight on the premises.
19. **Club:** A non-profit association of persons who are bona fide members, paying regular dues, and are organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.
20. **Congregate Housing:** Housing for the elderly and/or handicapped, providing at least one (1) prepared meal per day in a common dining room, and may also provide certain medical and social services over and above what might be in a standard elderly apartment complex.
21. **Condominium:** A form of individual ownership within a multi-family building, or office/business building, which entails joint responsibility for maintenance and repairs.
22. **Convalescent Home (Extended Care):** Any building or group of buildings providing personal assistance or nursing care for those dependent upon the services by reason of age or physical or mental impairment but not for the treatment of contagious diseases, addicts or mental illness, usually of a temporary duration.

- 23. **Convenience Food Establishment:** A place where food items (groceries, meats, etc.), beverages, and other retail items are sold along with hot or cold foods in or on disposable containers in individual servings for consumption on or off the premises. Such establishments do not include video games.
- 24. **Cooperative (Housing):** A multiple family dwelling owned and maintained by the residents. The entire structure and real property is under common ownership as contrasted to a condominium dwelling where individual units are under separate individual ownership.
- 25. **Court:** A space, open and unobstructed to the sky, located at, above or below grade level on a lot and bounded on three (3) or more sides by walls of a building.
- 26. **Day Care – Home:** A family dwelling in which foster care, supervision and/or training for children, out of their own home, who are of school or pre-school age is provided during part of a day (less than 24 hours) with no overnight accommodations or facilities, and children are delivered and removed daily. The number to be cared for in one (1) day care home shall not exceed ten (10) children, including the family's own children (in accordance with M.S. 245.812 and M.S. 462.357 and all acts amendatory thereof).

*Source: Ordinance No. 585
Effective Date: 1-14-83*

- 27. **Day Care – Nursery:** A service provided to the public in which more than ten (10) children of school or pre-school age are cared for during established business hours. No overnight facilities are provided. The children are delivered and removed daily.

*Source: Ordinance No. 609
Effective Date: 11-1-83*

- 27.3 **Deck:** An exterior floor system that exceeds twenty-five (25) square feet in floor area, has no roof structure, and is a minimum of eight (8) inches above grade at any point around its perimeter.

*Source: Ordinance No. 429, 2nd Series
Effective Date: 2-19-10*

- 27.5 **Display Window:** A window at street level, typically part of a storefront facade, used to display merchandise.

*Source: Ordinance No. 397, 2nd Series
Effective Date: 6-6-08*

- 28. **District:** Any section of the City as shown on the Official City Zoning Map of the City of Golden Valley, for which the regulations governing the use of buildings and premises and the height and area of buildings are uniform.

- 29. **Dwelling:** Any building, or part thereof, which is designed or used exclusively for residential purposes of one (1) or more human beings, either permanently or transiently.
- 30. **Dwelling, Single-Family:** A building designed for or occupied by one (1) family and containing one (1) dwelling unit.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

- 30.5. **Dwelling - Senior and Physical Disability Housing:** A multiple dwelling building with open occupancy limited to disabled or handicapped persons and/or persons over fifty five (55) years of age, except that no more than ten percent (10%) of the occupants (excluding disabled or handicapped persons), may be persons under fifty five (55) years of age (spouse of a person over fifty five (55) years of age or caretakers, etc.).

*Source: Ordinance No. 374, 2nd Series
Effective Date: 7-13-07*

- 31. **Dwelling, Two-Family:** A building designed for or occupied by two (2) families and containing two (2) dwelling units.
- 32. **Dwelling, Multiple:** A building or portion thereof designed for or occupied by three (3) or more families and containing three (3) or more dwelling units.
- 33. **Dwelling, Group:** A group of two (2) or more detached dwellings located on a parcel of land in one (1) ownership and having any yard or court in common.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

- 33.5. **Dwelling Units:** A single, secure dwelling space providing independent living facilities for one (1) or more persons, including permanent provisions for sleeping, eating, cooking, and sanitation.

*Source: Ordinance No. 374, 2nd Series
Effective Date: 7-13-07*

- 34. **Drive-In Restaurant:** Any eating establishment designed for the purchase of food or drink by persons in vehicles parked on the premises, including such facilities having a "drive-thru" window and/or limited seating capacity.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

- 35. **Elderly (Senior Citizen) and Handicapped Housing:** definition deleted.

*Source: Ordinance No. 374, 2nd Series
Effective Date: 7-13-07*

36. **Essential Services:** Structures or facilities owned by a government entity, a nonprofit organization, a corporation, or any other entity; and used in connection with the collection, delivery, generation, production, storage, or transmission of electricity, electronic signals, gas, oil, sewage, or water. Essential services shall be broken down into classes as follows:

- A. Class I: pipes or wires for cable television, electric power, gas, sewer, telephone lines or water services; together with supporting poles or structures and necessary related equipment; located within a public right-of-way or utility easement and in full conformance with any applicable local, state, or federal regulations.
- B. Class II: Public utility facilities completely enclosed within buildings not to exceed twelve (12) feet in height or six hundred (600) square feet in gross floor area.
- C. Class III: Peaking stations; substations; switching stations; and related equipment; and associated office or technical facilities for any of the preceding.

*Source: Ordinance No. 271, 2nd Series
Effective Date: 11-15-02*

37. **Family:** One (1) or more persons each related to the other by blood, marriage, or adoption, or a group of not more than five (5) persons not all so related, maintaining a common household and using common cooking and kitchen facilities.

38. **Floor Area, Gross:** The sum of the gross horizontal areas of the floor(s) of such building or buildings measured from the exterior faces and exterior eaves or from the center line of party walls separating two (2) buildings. Basements devoted to storage and space devoted to off-street parking shall not be included.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

39. **Foster Family Home:** Family home licensed by the State of Minnesota to care for up to seven (7) children under eighteen (18) years of age (including the family's own children under eighteen (18) years of age).

*Source: Ordinance No. 653
Effective Date: 4-12-85*

40. **Garage, Private:** An attached or detached accessory building designed or used for the storage of motor-driven vehicles not more than two (2) of which are owned by other than the occupants of the main building.

41. **Garage, Public:** Any building or portion of a building, except that herein defined as a private garage, used for the storage of motor vehicles, or where

any such vehicles are kept for remuneration or hire; including the sale of gasoline, oil and accessories.

- 42. **Garage, Repair:** Any facilities for the repair or maintenance of motor vehicles, but not including factory assembly of such vehicles, auto wrecking establishments or junk yards.
- 43. **Grade:** The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line. For the purposes of this Chapter, "grade" shall be measured from the street side of a property to within five (5) feet of the building.
- 44. **Green House:** A glass or similar transparent, or translucent, structure used for the cultivation and protection of plants which cannot be grown outside during all seasons.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

- 45. **Group Foster Family Home:** A family home licensed by the State of Minnesota to care for up to ten (10) children under eighteen (18) years of age (including the family's own children under eighteen (18) years of age).

*Source: Ordinance No. 653
Effective Date: 4-12-85*

- 46. **Heliport:** Any land and/or structure used or intended for use for the landing and take off of helicopters and any appurtenant land and/or structure used or intended for use for port buildings or other port structures or rights-of-way, which land and/or structures meet the requirements and regulations set forth by the Federal Aviation Administration and the Minnesota Department of Transportation as and for a helicopter facility.

*Source: Ordinance No. 643
Effective Date: 11-16-84*

- 47. **Home Occupation:** An accessory use of a dwelling, excluding an attached garage or other accessory building, which is conducted entirely within the dwelling by one (1) or more persons, all of whom must reside in the dwelling unit. (Day care facilities licensed by the State of Minnesota serving twelve (12) or fewer persons in accordance with Minnesota Statutes Annotated 245.812, Subdivision 3, are not considered a home occupation.)

*Source: Ordinance No. 669
Effective Date: 11-15-85*

- 48. **Hospital:** An institution providing health services primarily for inpatient medical or surgical care of the sick or injured and including related facilities such as laboratories, outpatient department, training facilities, central service facilities, and staff offices which are an integral part of the facility.

49. **Hotel:** A building in which lodging with or without meals is provided and offered to transient guests and which accommodates more than ten (10) persons.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

49.3. **Impervious Surface Area:** Any surface that cannot be effectively penetrated by water, thereby resulting in run-off. Examples are pavement (asphalt, concrete), buildings, structures, driveways and roadways, parking lots and sidewalks.

*Source: Ordinance No. 374, 2nd Series
Effective Date: 7-13-07*

50. **Institution:** A building occupied by a corporation or a non-profit establishment for public use.

51. **Junk Yard:** A place where waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled; including auto wrecking yards, house wrecking yards, and used material yards, but not including pawn shops, antique shops and places for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition or salvaged materials incidental to manufacturing operations.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

52. **Kenel:** Place where more than three (3) dogs are kept that are in excess of ninety (90) days of age.

*Source: Ordinance No. 669
Effective Date: 11-15-85*

52.3 **Kitchen:** A kitchen shall be any room containing cabinets, shelves, countertops, and any two of the following: a sink, a kitchen range, or refrigerator.

52.6 **Kitchenette:** A kitchenette shall be any room containing both an operable sink and a refrigerator measuring not more than six (6) cubic feet.

*Source: Ordinance No. 374, 2nd Series
Effective Date: 7-13-07*

52.8 **Live-Work Unit:** A dwelling unit in combination with a shop, office, studio, or other work space within the same building, where the resident occupant both lives and works.

*Source: Ordinance No. 397, 2nd Series
Effective Date: 6-6-08*

53. **Lot:** For zoning purposes a lot is a parcel of land intended for occupancy by one principal structure and any accessory structures and of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and

to provide such yards and other open spaces as are required by this Code. Such lot shall have frontage on an improved public street and consist of a single lot of record or a parcel of land that has been historically described by metes and bounds. No division or combination of lots shall be permitted that fails to result in all lots conforming to this Code. Where City approval was obtained before the effective date of this amendment (October 3, 1991) of a combination of more than one (1) lot or parcel, the combination shall be considered one (1) lot for purposes of this definition, except that:

- A. If a principal structure is situated on two (2) or more lots, but is located on and meets all zoning requirements for one (1) or more, but not all, of the lots, the lot or lots not required for the structure may be treated as separate lots if they met all other requirements of the City Code at the time of their creation.
- B. If a principal structure is situated on two (2) or more lots and additional land is acquired so that the structure may be expanded, all of the lots must be replatted to conform to this Code.
- C. If a principal structure is situated on two (2) or more lots and additional land is not necessary for a proposed expansion of the structure, replatting will not be required.

*Source: Ordinance No. 73, 2nd Series
Effective Date: 10-3-91*

54. **Lot Frontage:** The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under "Yards" in this Section.

55. **Lot Lines:** The lines bounding a lot.

56. **Lot Measurements:**

- A. Depth: The mean horizontal distance between the front (street) line and the rear lot line.
- B. Width: of a lot is its own mean width measured at right angles (90 degrees) to its mean depth.
- C. Area: of a lot shall be computed from the area contained in a horizontal plane defined by the lot lines.

57. **Lot of Record:** A lot which is part of a subdivision, the plat of which has been recorded in the office of the Register of Deeds of Hennepin County, Minnesota, or a lot described by metes and bounds, the description of which

has been recorded in the office of the Register of Deeds of Hennepin County, Minnesota.

58. **Lot, Corner:** A lot located at the intersection of two (2) or more streets.
59. **Lot, Interior:** A lot other than a corner lot with only one (1) frontage on a street other than an alley.
60. **Lot, Through:** A lot other than a corner lot with frontage on more than one (1) street other than an alley. Through lots with frontage on two (2) streets may be referred to as DOUBLE FRONTAGE lots.
61. **Lot Coverage:** That percentage of a lot which when viewed in its horizontal plane, would be covered by a structure or structures, or any part thereof.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

62. **Manufactured Home:** A structure, transportable in one (1) or more sections, which in the traveling mode is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, is built on a permanent chassis, is designed to be used as a dwelling unit with a permanent foundation in conformance with Chapter 29 of the State Uniform Building Code when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein, and which has a roof design in conformance with Section 3203(d) of the State Uniform Building Code; except that the term shall also include any structure which complies with the State Manufactured Home Building Code set forth in Minnesota Statutes 327.31 to 327.35, which complies with the "Rules for Manufactured Homes" set forth in 2MCAR 1.90100 through 1.90900, and which meets the standards of and is certified by the U.S. Department of Housing and Urban Development.

*Source: Ordinance No. 642
Effective Date: 11-16-84*

63. **Motel:** A series of sleeping or living units for the lodging of transient guests, offered to the public for compensation, and with convenient access to off-street parking spaces for the exclusive use of the guests or occupants.
64. **Non-Conforming Building or Structure:** Any building or structure lawfully occupied by a use, or lawfully established on the effective date of this Section, or amendments thereto, which does not conform with the regulations of this Chapter.

65. **Non-Conforming Use:** A land use or premises legally existing and/or in use on the effective date of this Section, or amendments thereto, which does not comply with the use provisions of this Chapter for the district in which the land use or premises is located.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

66. **Non-Public Areas:** Ancillary areas: back rooms, service areas, storage, kitchen, washrooms, etc.

*Source: Ordinance No. 615
Effective Date: 5-25-84*

67. **Nursing Home (Rest Home):** A building having accommodations where care is provided for two (2) or more invalid, infirmed, aged convalescent or physically disabled persons that are not of the immediate family; but not including hospitals, clinics, sanitariums, or similar institutions.

68. **Open Sales Lots:** Any land used or occupied for the purpose of buying and selling new or second-hand passenger cars and/or trucks, motor scooters, motorcycles, boats, trailers, aircraft and monuments and for the storing of same prior to sale.

69. **Out-Patient Surgical Facility:** A place, other than a hospital or clinic, where minor surgery is performed on humans by qualified surgeons on an out-patient basis, and not requiring a patient to stay overnight in such facility.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

69.5 **Park:** An open space with natural vegetation and landscaping, which may include recreational facilities, designed to serve the recreation needs of the residents of the community.

*Source: Ordinance No. 397, 2nd Series
Effective Date: 6-6-08*

70. **Parking Lot:** definition deleted.

71. **Parking Ramp:** definition deleted.

72. **Parking Space:** definition deleted.

72.5 **Permeable/Pervious Surface:** A surface that presents an opportunity for precipitation to infiltrate into the ground.

*Source: Ordinance No. 374, 2nd Series
Effective Date: 7-13-07*

73. **Personal Motorized Recreational Vehicle:** A vehicle used for recreational purposes, including but not limited to all-terrain vehicles, golf carts, personal watercraft, snowmobiles, or dirt bikes.

*Source: Ordinance No. 311, 2nd Series
Effective Date: 10-29-04*

74. **Plat:** A map, drawing or chart prepared by a Registered Land Surveyor indicating the layout of a subdivision of land approved by the City in accordance with provisions of the Subdivision Regulations and other applicable City Code provisions and recorded with Hennepin County.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

74.3 **Play Area:** A small park developed primarily for use by children, which typically contains play equipment, seating, and may include other facilities such as basketball or tennis courts.

74.7 **Plaza:** An open space that is generally open to the public and used for passive recreational activities and relaxation. Plazas are areas typically provided with amenities such as seating, paving, water features, public art, shade trees, grass and other landscaping.

*Source: Ordinance No. 397, 2nd Series
Effective Date: 6-6-08*

75. **Principal Use:** The purpose for which land or a building or structure thereon is designed, arranged, intended or maintained or for which it is or may be used or occupied.

76. **Principal Building:** A building in which is conducted the principal use of the lot on which it is situated.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

76.5. **Rain Garden:** a strategically located low area, with plants, that intercepts stormwater runoff. It slows the water down in order to prevent erosion and allow it to be absorbed into the ground. In many cases the plants are chosen for their ability to remove pollutants.

*Source: Ordinance No. 374, 2nd Series
Effective Date: 7-13-07*

77. **Public Areas:** Eating area, lobby, waiting areas, corridors, public toilet facilities.

*Source: Ordinance No. 615
Effective Date: 5-25-84*

78. **Recreational Camping Vehicle:** The words "recreational camping vehicle" as used in this Chapter shall mean any of the following:

- A. Travel trailer means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses, and permanently identified as a "Travel Trailer" by the manufacturer of the trailer.
- B. Pickup coach means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
- C. Motor home means a portable, temporary dwelling to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle.
- D. Camping trailer means a folding structure, mounted on wheels and designed for travel, recreation and vacation use.

79. **Recycling Center:** Any area or structure, whether privately or publicly owned and operated, that engages in recycling or reclamation of metals, paper, or other materials including crushing, shredding, baling or compacting materials such as auto bodies, scrap metal, etc.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

80. **Residential Facility:** Any facility licensed by the State of Minnesota (except for foster family homes) public or private, which for gain or otherwise, provides one (1) or more persons twenty-four (24) hour per day care including food, lodging, training, education, supervision, habilitation, rehabilitation and treatment they need. Residential facilities include but are not limited to State institutions under the control of the Commissioner of Public Welfare, residential treatment centers, maternity shelters, group homes, halfway houses, residential programs or schools for handicapped children.

*Source: Ordinance No. 653
Effective Date: 4-12-85*

81. **Restaurant, Class I:** Any traditional type restaurant where food is served to a customer and consumed while seated at a counter or table, including cafeterias where food is selected by a customer while going through a service line and taken to a table for consumption

82. **Restaurant, Class II:** Fast-food type restaurants where customers order and are served at a counter and take it to a table or counter, or off the premises where the food is consumed. A "Class II" restaurant also includes "drive-in" restaurants where some or all customers consume their food in an automobile regardless of how it is served, and further includes carry-out and

delivery restaurants where food is prepared for consumption off the premises only.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

83. **Restaurant, Class III:** Any type of night club, tavern, restaurant or other facility providing entertainment, food and/or beverage that provides sit-down service but may also provide standup bar service and standup tables within the premises.

*Source: Ordinance No. 615
Effective Date: 5-25-84*

84. **School, Primary, Secondary, College or University:** Any school having regular sessions with regularly employed instructors teaching subjects which are fundamental and essential for a general academic education, under the supervision of, and in accordance with, the applicable statutes of the State of Minnesota.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

84.5. **Seasonal Farm Produce Sales:** The sale, from an outdoor location which may include a temporary booth or truck bed, by vendors who are not a part of the normal business otherwise occurring on the site, of Christmas trees or other agricultural commodities harvested in season and hauled fresh to the site.

*Source: Ordinance No. 127, 2nd Series
Effective Date: 4-27-95*

85. **Service Station (Gasoline Station):** Any building or premises used principally for the dispensing, sale or offering for sale at retail of automobile fuels or oils or for the servicing of motor vehicles.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

86. **Story:** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused under-floor space is more than six (6) feet above grade as defined herein for more than fifty percent (50%) of the total perimeter or is more than twelve (12) feet above grade as defined herein at any point, such basement, cellar or unused under-floor space shall be considered as a story.

87. **Story, Half:** A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use. A half-story containing independent apartment or living quarters shall be counted as a full story.

88. **Street:** The entire width between property lines of a way or place dedicated, acquired, or intended for the purpose of public use for vehicular traffic or access other than an alley.
89. **Street Line:** A dividing line between a lot, tract, or parcel of land and a contiguous street.
90. **Structure:** Anything erected, the use of which requires more or less permanent location on the ground, or attached to something having a permanent location on the ground.
91. **Structural Alterations:** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.
92. **Substantial Improvement:** Any repair, reconstruction, or improvement of a structure, the cost of which exceeds fifty percent (50%) of the market value of the structure a) before the improvement or repair is started, or b) if the structure has been damaged, and is being restored, before the damage occurred. Substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not include either 1) any project for improvement of a structure to comply with existing State or local health sanitary or safety code specifications which are solely necessary to assure safe living conditions or 2) any alteration of a structure listed on the National Register of Historic Places or State Inventory of Historic Places.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

- 92.5 **Sustainable Development:** Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

*Source: Ordinance No. 397, 2nd Series
Effective Date: 6-6-08*

93. **Tower:** A structure whose function is to support and elevate an antenna, water tank, or other fixture as provided in this chapter. In all cases, the height of a tower shall be measured from the ground level regardless of whether the tower is mounted on another structure or building, and said height shall also include any portion of the antenna or other fixture which extends above the highest reach of the tower itself.

*Source: Ordinance No. 80, 2nd Series
Effective Date: 11-28-91*

94. **Townhouse:** Single family attached units in structures housing two (2) or more dwelling units, contiguous to each other, only by the share of one (1) common bearing wall, such structures to be of the town or row house types as contrasted to multiple dwelling apartment structures. No single structure shall contain in excess of eight (8) dwelling units and each dwelling unit shall have separate and individual front and rear entrances.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

95. **Trade School or Training Center:** A place where education or instruction is regularly provided to groups of persons aged sixteen (16) or older in areas including but not necessarily limited to the following types of occupations: assembly or production, business or clerical, computers, cosmetology or hair styling, electronics or mechanics, real estate, or skilled crafts. Training in adult literacy, employment skills, or personal improvement shall also be included.

*Source: Ordinance No. 53, 2nd Series
Effective Date: 1-24-91*

96. **Truck/Van Terminal:** A building used as a relay station for the transfer of a load from one (1) commercial hauling vehicle to another, or for the dispatching of service, delivery, or messenger vehicles. The terminal facility may include office/employee areas, or storage/repair areas for vehicles associated with the terminal.

*Source: Ordinance No. 50, 2nd Series
Effective Date: 1-14-83*

97. **Usable Open Space:** A required open ground area or terrace area on a lot which is graded, developed, landscaped and equipped, and intended and maintained for either active or passive recreation, which is available and/or accessible to, and usable by all persons using or occupying a building or premises. Roofs, driveways and parking areas shall not be regarded as usable open space.

98. **Use:** The purpose or activity for which the land or building thereon is designated, arranged, or intended, or for which it is occupied, utilized or maintained, and shall include the performance of such activity as defined by the performance standards of this Chapter.

99. **Warehouse:** A place where the storage of materials or equipment is carried on within an enclosed building as a principal use, including parking and crating of materials and/or products for later distribution.

100. **Yard:** A required open space unobstructed by any structure or portion of a structure from the ground upward; provided, however, that fences and walls may be permitted in any yard subject to height limitations as indicated herein.

101. **Yard, Front:** A yard extending between lot lines which intersect a street line, the depth of which is the horizontal distance between the street right-of-way line and a line on the lot which is at all points equal distance from the parallel to the street line.
102. **Yard, Rear:** An open space, unoccupied except for accessory buildings, on the same lot with a building between the rear lines of the buildings and the rear line of the lot for the full width of the lots.
103. **Yard, Side:** A yard extending from the rear line of the required front yard to the rear lot line.
104. **Veterinary Clinic:** A place for the care, diagnosis and treatment of sick, ailing or diseased animals which may include kennels for domestic pets, but does not include areas for the boarding of farm animals.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

105. **Video Game Arcade:** Any premises, building or structure containing more than eight (8) video games for use by the general public, customers, patrons, or employees of such premises, building or structure.

*Source: Ordinance No. 609
Effective Date: 11-11-83*

106. **Zoning Administrator:** The Zoning Administrator is the appropriately designated official appointed by the City Manager for the purpose of administrating and enforcing this Chapter.

*Source: Ordinance No. 585
Effective Date: 1-14-83*

**Renumbering Source (76-106):
Ordinance No. 311, 2nd Series
Effective Date: 10-29-04*

Sections 11.04 through 11.09, inclusive, reserved for future expansion.

Section 11.10: Zoning Districts

Subdivision 1

For the purpose of this Chapter, the City is divided into the following Zoning Districts:

- Single Family Zoning District (R-1)
- Moderate Density Zoning District (R-2)
- Medium Density Zoning District (R-3)
- High Density Zoning District (R-4)

- Commercial
- Light Industrial
- Industrial

- Business and Professional Offices

- Institutional

*Source: Ordinance No. 376, 2nd Series
Effective Date: 7-13-07*

Subdivision 2

The districts and their boundaries are hereby established. No building, premises, or land use shall be erected, established, or used for any purpose that does not comply with all applicable regulations of the district in which such building, premises or land use, is located.

*Source: Ordinance No. 99, 2nd Series
Effective Date: 5-20-93*

Section 11.11: Official Zoning Map

Subdivision 1

The Official Zoning Map together with all explanatory matter thereon is adopted hereby by reference and declared to be a part of the Zoning Chapter. The Official Zoning Map shall show the division of the City into zoning districts and shall be identified by the signature of the Mayor, attested to by the City Clerk and bear the seal of the City under the words: "This is to certify that this is the Official Zoning Map referred to in Section 11.11 of the Zoning Chapter of the City Code of the City of Golden Valley", together with the date of adoption of this Section.

*Source: Ordinance No. 244, 2nd Series
Effective Date: 4-26-01*

Subdivision 2

If changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be inscribed on the Official Zoning Map promptly after the amendment has been approved (or the permit has been issued) by the Council together with an entry on the Official Zoning Map reflecting the number and date of enactment of the amending ordinance or resolution which effected the change.

Subdivision 3

Any unauthorized change of the Official Zoning Map of whatever kind by a person or persons is unlawful.

Subdivision 4

Whenever any street, alley or other public way is vacated by official action of the Council, the zoning districts adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and heretofore be subject to all appropriate regulations of the extended districts; provided, however, that if in the judgment of the City Attorney the vacated street, alley or public way does not become property of the adjoining landowners, then such automatic extension does not take place.

*Source: Ordinance No. 609
Effective Date: 11-11-83*

Section 11.12: Principal Structure on One Lot

Except for properties within the I-394 Mixed Use Zoning District or regulated under the Planned Unit Development Regulations of this Chapter, every principal structure erected in the City after the effective date of this section (October 3, 1991) shall be located on a separate lot and in no case shall there be more than one (1) principal structure on a lot.

*Source: Ordinance No. 397, 2nd Series
Effective Date: 6-6-08*

Sections 11.13 through 11.20, inclusive, reserved for future expansion

Section 11.20: Open Development Zoning District

Repealed by Ordinance No. 271, 2nd Series, adopted 10-1-02.

Section 11.21: Single Family Zoning District (R-1)

Subdivision 1. Purpose

The purpose of the R-1 Zoning District is to provide for single-family, detached dwelling units at a low density along with directly related and complementary uses.

Subdivision 2. District Established

Properties shall be established within the R-1 Zoning District in the manner provided for in Section 11.90, Subdivision 3 of this Chapter, and when thus established shall be incorporated in this Section 11.21, Subdivision 2 by an ordinance which makes cross-reference to this section 11.21 and which shall become a part hereof and of Section 11.10, Subdivision 2 thereof, as fully as if set forth herein. In addition the R-1 Zoning Districts thus established and/or any subsequent changes to the same which shall be made and established in a similar manner, shall be reflected in the official zoning map of the City as provided in Section 11.11 of this Chapter.

Subdivision 3. Permitted Uses

The following uses and no other shall be permitted in the R-1 Zoning Districts:

- A. Single-family dwellings.
- B. When the property owner resides on the premises, rental of single sleeping rooms to not more than two (2) people for lodging purposes only.
- C. Residential facilities serving six (6) or fewer persons.
- D. Manufactured homes, as defined in this Chapter.
- E. Foster family homes.
- F. Essential Services - Class I

Subdivision 4. Accessory Uses

The following accessory uses and no other shall be permitted in the R-1 Zoning Districts:

- A. Accessory structures, including private garages, as defined in this Chapter.
 - 1. Accessory structures less than one hundred twenty (120) square feet in area require a Zoning Permit issued by the Director of Planning and Development. The fee for the Zoning Permit is established by the City Council. The purpose of the Zoning Permit is to insure that accessory

structures are located in a conforming location on the lot. (See Subdivision 11.)

- B. Home occupations, as regulated by this Section.
- C. Home day care facilities licensed by the State of Minnesota serving twelve (12) or fewer persons.

Subdivision 5. Conditional Uses

- A. Residential facilities serving from seven (7) to twenty-five (25) persons.
- B. Group foster family homes.

Subdivision 6. Buildable Lots

No dwelling or accessory structure shall be erected for use or occupancy as a residential dwelling on any tract of unplatted land which does not conform with the requirements of this Section, except on those lots located within an approved plat. In the R-1 zoning district a platted lot of a minimum area of ten thousand (10,000) square feet and a minimum width of eighty (80) feet shall be required for one (1) single family dwelling.

Subdivision 7. Corner Visibility

All structures in the R-1 Zoning District shall meet the requirements of the corner visibility requirements in Chapter 7 of the City Code.

Subdivision 8. Easements

No structures in the R-1 Zoning District shall be located in dedicated public easements.

Subdivision 9. Building Lot Coverage

No lot or parcel in the R-1 Zoning District shall have a lot coverage of more than thirty percent (30%) for a lot or parcel over ten thousand (10,000) square feet in area, thirty-five percent (35%) for a lot or parcel between five thousand (5,000) square feet and nine thousand nine hundred ninety nine (9,999) square feet in area and forty percent (40%) for a lot or parcel less than five thousand (5,000) square feet in area. This requirement excludes swimming pools.

*Source: Ordinance No. 292, 2nd Series
Effective Date: 3-12-04*

***Subdivision 10. Impervious Surface**

Total impervious surface on any lot or parcel shall not exceed fifty percent (50%) of the lot or parcel area.

*Source: Ordinance No. 382, 2nd Series
Effective Date: 3-28-08*

***Subdivision 11. Principal Structures**

Subject to the modifications in Subdivision 12, below, principal structures in the R-1 Zoning District shall be governed by the following requirements:

- A. Setback Requirements. The following structure setbacks shall be required for principal structures in the R-1 zoning district. Garages or other accessory structures which are attached to the house or main structure shall also be governed by these setback requirements, except for stair landings up to twenty-five (25) square feet in size and for handicapped ramps.

*Source: Ordinance No. 292, 2nd Series
Effective Date: 3-12-04*

- 1. Front Setback. The required minimum front setback shall be thirty-five (35) feet from any front property line along a street right-of-way line. Decks and open front porches, with no screens, may be built to within thirty (30) feet of a front property line along a street right-of-way line.

*Source: Ordinance No. 429, 2nd Series
Effective Date: 2-19-10*

- a. In the case of a corner lot, the side with the narrower street frontage shall be considered the front of the lot.

- 2. Rear Setback. The required rear setback shall be twenty percent (20%) of the lot depth.

- 3. Side Setback. Side yard setbacks are determined by the lot width at the minimum required front setback line. The distance between any part of a structure and the side lot lines shall be governed by the following requirements:

*Source: Ordinance No. 292, 2nd Series
Effective Date: 3-12-04*

- a. In the case of lots having a width of one hundred (100) feet or greater, the side setbacks for structures fifteen (15) feet or less in height shall be fifteen (15) feet. The side setbacks for any structure greater than fifteen (15) feet in height shall be fifteen (15) feet plus one-half (0.5) foot for each additional one (1) foot (or portion thereof) of structure height over fifteen (15) feet;
 - b. In the case of lots having a width greater than sixty-five (65) feet and less than one hundred (100) feet, the side setbacks for structures fifteen (15) feet or less in height shall be twelve and one-half (12.5) feet. The side setbacks for any structure greater than fifteen (15) feet in height shall be twelve and one-half (12.5) feet plus one-half (0.5) foot for each additional one (1) foot (or portion thereof) of structure height over fifteen (15) feet;

- c. In the case of lots having a width of sixty-five (65) feet or less, the side setbacks for structures fifteen (15) feet or less in height along the north or west side shall be ten percent (10%) of the lot width and along the south or east side shall be twenty percent (20%) of the lot width (up to twelve and one-half (12.5) feet) The side setback for any structure greater than fifteen (15) feet in height along the north or west side shall be ten percent (10%) of the lot width and along the south or east side twenty percent (20%) of the lot width plus one-half (0.5) foot for each additional two (2) feet (or portion thereof) of height over fifteen (15) feet.
- d. For any new construction, whether a new house, addition or replacement through a tear-down, any wall longer than thirty-two (32) feet in length must be articulated, with a shift of at least two (2) feet in depth, for at least eight (8) feet in length, for every thirty-two (32) feet of wall.

*Source: Ordinance No. 382, 2nd Series
Effective Date: 3-28-08*

- 4. Corner Lot Setbacks. To determine the rear yard setback, use the longer lot line. To determine the side yard setback, use the shortest lot line.

*Source: Ordinance No. 292, 2nd Series
Effective Date: 3-12-04*

- B. Height Limitations. No principal structure shall be erected in the R-1 Zoning District with a building height exceeding twenty-eight (28) feet for pitched roof houses and twenty-five (25) feet for flat roof houses.

*Source: Ordinance No. 382, 2nd Series
Effective Date: 3-28-08*

- C. Structure Width Requirements. No principal structure shall be less than twenty-two (22) feet in width as measured from the exterior of the exterior walls.

- D. Cornices and Eaves. Cornices and eaves may not project more than thirty (30) inches into a required setback.

*Source: Ordinance No. 292, 2nd Series
Effective Date: 3-12-04*

- E. Decks. Decks over eight (8) inches from ground level shall meet the same setbacks as the principal structure in the side and rear yards.

*Source: Ordinance No. 429, 2nd Series
Effective Date: 2-19-10*

- F. Fences. For the purpose of setbacks, fences are not considered structures.

***Subdivision 12. Accessory Structures**

Subject to the modifications in Subdivision 12, below, accessory structures, shall be governed by the following requirements:

- A. Location and Setback Requirements. The following location regulations and setbacks shall be required for accessory structures in the R-1 zoning district:
1. Location. A Detached accessory structure shall be located completely to the rear of the principal structure, unless it is built with frost footings. In that case, an accessory structure may be built no closer to the front setback as the principal structure. If an addition is built on to an existing principal structure that would create a situation where an existing garage or accessory structure would not be completely to the rear of the addition to the principal structure, the addition to the principal structure may be built and the existing garage or accessory structure may remain and be considered conforming as long as there is at least ten (10) feet of separation between the existing principal structure with the addition and the existing garage or accessory structure. Additions may be made to the existing garage or accessory structure as long as the ten (10) feet of separation can be met.
 2. Front Setback. Accessory structures shall be located no less than thirty-five (35) feet from the front property line along a street right-of-way line.
 3. Side and Rear Setbacks. Accessory structures shall be located no less than five (5) feet from a side or rear yard property line.
 4. Separation between structures. Accessory structures shall be located no less than ten (10) feet from any principal structure and from any other accessory structure.
 5. Alleys. Accessory structures shall be located no less than five (5) feet from an alley.
- B. Height Limitations. No accessory structure shall be erected in the R-1 Zoning District to exceed a height of one (1) story, which is ten (10) feet from the floor to the top horizontal member of a frame building to which the rafters are fastened, known as the top plate.
- C. Provision for garage. No building permit shall be issued for a single family dwelling not having a two (2) stall garage unless the registered survey submitted at the time of the application for the building permit reflects the necessary area and setback requirements for a future two (2) stall (minimum) garage.

- D. Cornices and Eaves. Cornices and eaves may not project more than thirty (30) inches into a required setback.

*Source: Ordinance No. 292, 2nd Series
Effective Date: 3-12-04*

- E. Each property is limited to a total of one thousand (1,000) square feet of the following accessory structures: detached and attached garages, detached sheds, greenhouses, and gazebos. Swimming pools are not included in this requirement. No one (1) detached accessory structure may be larger than eight hundred (800) square feet in area and any accessory structure over one hundred twenty (120) square feet in area requires a building permit.

*Source: Ordinance No. 382, 2nd Series
Effective Date: 3-28-08*

- F. Size of Accessory Structures. No accessory structure shall be larger in size than the principal structure. (See Subdivision 4.A(1)).

- G. Swimming pools. Swimming pools shall meet the same setback and location requirements for accessory structures. Setbacks shall be measured from the property line to the pool's edge. Decks surrounding above ground pools shall meet setback requirements.

- H. Decks. Free standing decks or decks attached to accessory buildings shall meet the same setback requirements for accessory buildings. (See Subdivision 16.)

- I. Central Air Conditioning Units. Central air conditioning units shall not be allowed in the front yard of a single family home.

*Source: Ordinance No. 292, 2nd Series
Effective Date: 3-12-04*

- J. Roof. Gambrel and Mansard roofs are not permitted on any accessory building with a footprint of more than one hundred twenty (120) square feet.

*Source: Ordinance No. 382, 2nd Series
Effective Date: 3-28-08*

***Subdivision 13. Pre-1982 Structures**

For all existing structures constructed in the R-1 zoning district prior to January 1, 1982, the following structure setbacks shall be in effect.

- A. Front Yard. The structure setback for principal structures shall be no closer than twenty-five (25) feet to the front yard property line.

- B. Side Yard. The structure setback for principal structures shall be no closer than three (3) feet to the side yard property line.
- C. Rear Yard. The structure setback for principal structures shall be no closer than ten (10) feet to the rear yard property line.
- D. Accessory Structure. The structure setback for accessory structures shall be no closer than three (3) feet to the side or rear yard property lines. At the discretion of the Director of Planning and Development, a property owner may be required to move an accessory structure if it is located in a public easement area.

*Source: Ordinance No. 292, 2nd Series
Effective Date: 3-12-04*

***Subdivision 14. Height and Side Setbacks of Pre-2008 Structures.**

For all existing structures constructed in the R-1 Zoning District prior to January 1, 2008, if the side setbacks and height were compliant with the Zoning Code at the time a building permit was issued, the location and height are considered conforming to current Zoning Code. However, new construction and additions to such properties must comply with current requirements of the Zoning Code.

*Source: Ordinance No. 382, 2nd Series
Effective Date: 3-28-08*

***Subdivision 15. Temporary Outdoor Storage**

Temporary Outdoor Storage in the R-1 zoning district shall be governed by the following requirements:

- A. Duration. Temporary outdoor storage units shall not be stored on a property for more than seven (7) days.
- B. Location. Temporary outdoor storage units shall be stored on a hard surface and be located completely on private property.

***Subdivision 16. Decks and Platforms**

Decks and platforms not more than thirty (30) inches but greater than eight (8) inches above adjacent grade and not attached to a structure with frost footings and which is not part of an accessible route shall require a zoning permit issued by the Director of Planning. The fee for the zoning permit is established by the City Council. The purpose of the zoning permit is to insure that decks greater than eight (8) inches but less than thirty (30) inches in height are located in a conforming location on the lot. (See Subdivision 11.H).

***Subdivision 17. Home Occupation Requirements**

- A. Home occupations in the R-1 Zoning District shall be governed by the following requirements:

1. The use of the dwelling for the occupation or profession shall be incidental and secondary to the use of the dwelling for residential purposes.
2. The exterior appearance of the structure shall not be altered for the operation of the home occupation.
3. There shall be no outside storage or display of anything related to the home occupation.
4. An accessory structure, including a garage, shall not be used for a home occupation.
5. A permitted occupation, shall not result in noise, fumes, traffic, lights, odor, excessive sewage or water use or garbage service, electrical, radio or TV interference in a manner detrimental to the health, safety, enjoyment and general welfare of the surrounding residential neighborhood.
6. No physical products shall be displayed or sold on the premises except such that are incidental to the permitted home occupation.
7. No signs or symbols shall be displayed other than those permitted for residential purposes.
8. Clients, deliveries and other business activity where persons come to the home shall be limited to between the hours of 9 am and 9 pm.
9. No more than twenty percent (20%) of the gross floor area of the dwelling shall be used for the home occupation.
10. Parking related to the home occupation shall be provided only on the driveway of the property where the home occupation operates.
11. A home occupation shall not generate more than eight (8) client trips per day and serve no more than two (2) clients or customers at a time.
12. There shall only be one (1) outside employee allowed on the premises at which a home occupation is located.
13. All other applicable City, State and Federal licenses, codes and regulations shall be met.

B. The following uses are prohibited home occupations:

1. Repair, service, building, rebuilding or painting of autos, trucks, boats and other vehicles
2. Restaurants or cafes

3. Animal hospital
4. Veterinarian Clinic
5. Funeral Home, mortuary or columbarium
6. Medical/Dental clinic or similar
7. Stable or kennel
8. Repair and service of items that cannot be carried by one (1) person and repair and service of any item involving an internal combustion engine or motor
9. Retail sales
10. Sale or repair of firearms

*Source: Ordinance No. 292, 2nd Series
Effective Date: 3-12-04*

***Subdivision 18. Outdoor Storage**

Outdoor storage of items on properties within the R-1 Zoning District is governed by the following provisions:

A. Front Yard Storage.

1. Storage of items in the front yard may occur solely upon a driveway, and in no other location.
2. No personal motorized recreational vehicle or boat may be stored in a front yard, except upon a trailer.
3. Only one (1) of the following may be stored in all front yards of any lot:
 - a. Recreational camping vehicle;
 - b. Trailer. The term "trailer", as used in this Subdivision, means a trailer for multiple purposes including but not limited to hauling a boat, personal motorized recreational vehicle, or fish house.
4. Storage in the front yard of items other than those listed in Subdivision 18.A.3 above may not exceed thirty (30) days unless a Front Yard Storage Permit is issued to the property owner. A Front Yard Storage Permit may be issued at the discretion of the City Manager or City Staff designated by the City Manager.

B. Setbacks.

1. Front Yard Storage. Any storage of items in the front yard shall be behind the property line.
2. Side Yard Storage. Items stored in that portion of the side yard to the front of the rear yard, may not be stored within three (3) feet of the property line. Items stored in that portion of the side yard to the rear of the primary structure or attached garage, may not be stored within five (5) feet of the property line.
3. Rear Yard Storage. Items stored in the rear yard may not be stored within five (5) feet of the property line.

- C. Screening. Side and Rear Yard Storage. Any storage of a recreational camping vehicle, fish house, trailer, boat, or personal motorized recreational vehicle in the side or rear yard must be screened using either vegetative screening or a fence in accordance with Section 11.72 of this Chapter.

*Source: Ordinance No. 311, 2nd Series
Effective Date: 10-29-04*

***Subdivision 19. Paved Area Requirements**

Paved areas in the Single Family (R-1) Zoning District, include those constructed of concrete, bituminous pavement, or pavers, and are governed by the following provisions:

- A. Driveways built or reconstructed on or after January 1, 2005, shall be paved.
- B. Setbacks. Paved areas shall be setback three (3) feet from a side yard property line, except for shared driveways used by multiple property owners pursuant to a private easement.

*Source: Ordinance No. 415, 2nd Series
Effective Date: 02-13-09*

- C. Coverage. No more than forty percent (40%) of the front yard may be covered with concrete, bituminous pavement, or pavers.

*Source: Ordinance No. 382, 2nd Series
Effective Date: 3-28-08*

**Renumbering Source
Ordinance No. 382, 2nd Series
Effective Date: 3-28-08*

Section 11.22: Moderate Density Residential Zoning District (R-2)

Subdivision 1. Purpose

The purpose of the R-2 Zoning District is to provide for single and two-family dwellings at a moderate density (up to eight (8) units per acre) along with directly related and complementary uses.

Subdivision 2. District Established

Properties shall be established within the Two-Family (R-2) Residential Zoning District in the manner provided for in Section 11.90, Subdivision 3 of this Chapter, and when thus established shall be incorporated in this Section 11.22, Subdivision 2 by an ordinance which makes cross-reference to this Section 11.22 and which shall become a part hereof and of Section 11.10, Subdivision 2 thereof, as fully as if set forth herein. In addition the Two-Family (R-2) Residential Zoning Districts thus established, and/or any subsequent changes to the same which shall be made and established in a similar manner, shall be reflected in the official zoning map of the City as provided in Section 11.11 of this Chapter.

Subdivision 3. Permitted Uses

The following uses and no other shall be permitted in the R-2 Residential Districts:

- A. Single Family dwellings
- B. Two-Family dwellings
- C. Townhouses
- D. Foster Family Homes
- E. Home occupations, as regulated by Section 11.21, Subdivision 15
- F. Essential Services - Class I
- G. No more than one (1) kitchen area and one kitchenette shall be permitted in each dwelling unit

Subdivision 4. Accessory Uses

The following accessory uses and no other shall be permitted in the R-2 Zoning District:

- A. Accessory structures, including private garages as defined in this Chapter.

Subdivision 5. Conditional Uses

The following conditional uses may be allowed after review by the Planning

Commission and approval by the Council following the standards and procedures set forth in this Chapter:

- A. Residential facilities serving from seven (7) to twenty-five (25) persons
- B. Group foster family homes

Subdivision 6. Buildable Lots

In the R-2 Residential Zoning District a lot of a minimum area of eleven thousand (11,000) square feet shall be required for any principal structure. A minimum lot width of one hundred (100) feet at the front setback line shall be required.

Subdivision 7. Corner Visibility

All structures in the R-2 Zoning District shall meet the requirements of the corner visibility requirements in Chapter 7 of the City Code.

Subdivision 8. Easements

No structures in the R-2 Zoning District shall be located in dedicated public easements.

Subdivision 9. Maximum Coverage by Building and Impervious Surfaces

Structures, including accessory structures, shall not occupy more than thirty percent (30%) of the lot area. Total impervious surface on any lot shall not exceed fifty percent (50%) of the lot area.

Subdivision 10. Principal Structures

Principal structures in the R-2 Zoning District shall be governed by the following requirements:

- A. Setback Requirements. The following structure setbacks shall be required for principal structures in the R-2 Zoning District. Garages or other accessory structures which are attached to the house or main structure shall also be governed by these setback requirements, except for stair landings up to twenty-five (25) square feet in size and for handicapped ramps.
 - 1. Front Setback. The required minimum front setback shall be thirty-five (35) feet from any front property line along a street right-of-way line. Open front porches, with no screens, may be built to within thirty (30) feet of a front property line along a street right-of-way line.
 - 2. Rear Setback. The required rear setback shall be twenty percent (20) of the lot depth.
 - 3. Side Setback. The required side setback shall be fifteen (15) feet.

- 4. Corner Lot Setbacks. To determine the rear yard setback, use the longer lot line. To determine the side yard setback, use the shortest lot line.
- B. Height Limitations. No principal structure shall be erected in the R-2 Zoning District to exceed a height of thirty (30) feet as defined in the City's building code.
- C. Cornices and Eaves. Cornices and eaves may not project more than thirty (30) inches into a required setback.
- D. Decks attached to principal structure. Decks over eight (8) inches from ground level shall meet the same setbacks as the principal structure.

Subdivision 11. Accessory Structures

Accessory structures shall be governed by the following requirements:

- A. Location and Setback Requirements. The following location regulations and setbacks shall be required for accessory structures in the R-2 Zoning District:
 - 1 Location. A detached accessory structure shall be located completely to the rear of the principal structure, unless it is built with frost footings. In that case, an accessory structure may be built no closer to the front setback and side setback as the principal structure. If an addition is built on to an existing principal structure that would create a situation where an existing garage or accessory structure would not be completely to the rear of the addition to the principal structure, the addition to the principal structure may be built and the existing garage or accessory structure may remain and be considered conforming as long as there is at least ten (10) feet of separation between the existing principal structure with the addition and the existing garage or accessory structure. Additions may be made to the existing garage or accessory structure as long as the ten (10) feet of separation can be met.
 - 2 Front Setback. Accessory structures shall be located no less than thirty-five (35) feet from the front property line along a street right-of-way line.
 - 3 Side and Rear Setbacks. Detached accessory structures shall be located no less than five (5) feet from a side or rear yard property line.
 - 4 Separation between Structures. Accessory structures shall be located no less than ten (10) feet from any principal structure and from any other accessory structure.
- B. Height limitations. No accessory structure shall be erected in the R-2 Zoning District to exceed a height of one (1) story. One (1) story may not exceed

ten (10) feet from the floor to the top plate. Attic space in accessory structures shall be used only for storage and/or utility space.

- C. Garage Construction Required. No building permit shall be issued for the construction of a new principal structure in the R-2 Zoning District not including at least a one (1) stall garage per dwelling unit. Single family dwelling units shall require a two (2) stall garage.
- D. Accessory structures including detached and attached garages, detached sheds, greenhouses and gazebos shall be limited in size to a total of six hundred fifty (650) square feet per dwelling unit. Swimming pools are not included in this requirement.
- E. Decks. Free standing decks or decks attached to accessory structures shall meet the same setback requirements as accessory structures.
- F. Swimming pools. Swimming pools shall meet the same setback and location requirements as accessory structures.
- G. Central Air Conditioning Units. Central air conditioning units shall not be allowed in the front yard of any single or two-family dwelling.

*Source: Ordinance No. 371, 2nd Series
Effective Date: 07-13-07*

Section 11.23: Medium Density Residential Zoning District (R-3)

Subdivision 1. Purpose

The purpose of the Medium Density Residential Zoning District (R-3) is to provide for medium density housing (up to ten (10) units per acre with potential for twelve (12) units per acre with density bonuses) along with directly related and complementary uses.

Subdivision 2. District Established

Properties shall be established within the R-3 Zoning District in the manner provided for in Section 11.90, Subdivision 3 of this Chapter, and when thus established shall be incorporated in this Section 11.23, Subdivision 2 by an ordinance which makes cross-reference to this Section 11.23 and which shall become a part hereof and of Section 11.10, Subdivision 2 thereof, as fully as if set forth herein. In addition the R-3 Zoning Districts thus established, and/or any subsequent changes to the same which shall be made and established in a similar manner, shall be reflected in the official zoning map of the City as provided in Section 11.11 of this Chapter.

Subdivision 3. Permitted Uses

The following uses and no other shall be permitted in the R-3 Zoning District:

- A. Townhouses
- B. Two-family dwellings
- C. Multiple-family dwellings of twelve (12) units or less per acre
- D. Foster Family Homes
- E. Essential Services, Class I
- F. No more than one (1) kitchen area and one (1) kitchenette shall be permitted in each dwelling unit.

Subdivision 4. Accessory Structures

The following accessory structures and no others shall be permitted in R-3 Zoning Districts:

- A. Enclosed parking structures similar in construction and materials to the principal structure
- B. Storage structures similar in construction and materials to the principal structure not exceeding five hundred (500) square feet in area. No accessory

structure shall be erected in the R-3 Zoning District to exceed a height of one (1) story, which is ten (10) feet from the floor to the top horizontal member of a frame building to which the rafters are fastened, known as the top plate.

- C. Accessory structures
- D. Private indoor and outdoor recreational facilities, including but not limited to swimming pools and tennis courts
- E. Underground parking structures

Subdivision 5. Conditional Uses

The following conditional uses may be allowed after review by the Planning Commission and approval by the Council following the standards and procedures set forth in this Chapter:

- A. Residential facilities serving twenty-five (25) or more persons.
- B. Group Foster Homes
- C. Principal structures in excess of four (4) stories or forty-eight (48) feet
- D. Retail sales, Class I and II restaurant establishments, and professional offices within principal structures containing twenty (20) or more dwelling units when located upon any minor or major arterial street. Any such sales, establishment or office shall be located only on the ground floor and have direct access to the street.

Subdivision 6. Buildable Lots

In the R-3 Zoning District a lot of a minimum area of fifteen thousand (15,000) square feet shall be required for any principal structure. A minimum lot width of one hundred (100) feet at the front setback line shall be required.

Subdivision 7. Corner Visibility

All structures in the R-3 Zoning District shall meet the requirements of the corner visibility requirements in Chapter 7 of the City Code.

Subdivision 8. Easements

No structures in the R-3 Zoning District shall be located in dedicated public easements.

Subdivision 9. Maximum Coverage by Building and Impervious Surfaces

Structures, including accessory structures, shall not occupy more than forty percent (40%) of the lot area. Total impervious surface on any lot shall not exceed sixty percent (60%) of the lot area.

Subdivision 10. Principal Structures

Principal structures in the R-3 Zoning District shall be governed by the following requirements:

- A. Setback Requirements. The following structure setbacks shall be required for principal structures in the R-3 Zoning District.
 - 1. Front Setback. The required minimum front setback shall be twenty-five (25) feet from any front property line along a street right-of-way line. An open front porch for each building, with no screens, may be built on the ground level to within seventeen (17) feet of a front property line along a street right-of-way line.
 - 2. Side and Rear Yard Setback. When directly abutting any R-1 Zoning District, the required side and rear yard setback shall be thirty (30) feet. In all other instances, the required side and rear yard setback shall be twenty (20) feet.
- B. Maximum Density. Dwelling units shall not be built at a rate greater than ten (10) units per acre, unless they meet the provisions of Subdivision 12.
- C. Height. No building shall exceed four (4) stories or forty-eight (48) feet in height, whichever is less.

Subdivision 11. Enclosed Parking Structures and other Accessory Uses

Enclosed parking structures and accessory uses in the R-3 Zoning District shall be governed by the following requirements:

- A. Setback requirements. The following structure setbacks shall be required for all enclosed parking structures and other accessory uses in the R-3 Zoning District.
 - 1. Front Setback. The required minimum front setback shall be twenty-five (25) feet from any front property line along a street right-of-way line.
 - 2. Side and Rear Yard Setback. The required minimum side and rear setback for enclosed parking structures shall be thirty (30) feet when abutting any R-1 Zoning District and twenty (20) feet in all other instances. The required minimum side and rear setback for other accessory uses shall be fifteen (15) feet.
 - 3. Separation Between Structures. Accessory structures shall be located no less than ten (10) feet from any principal structure and from any other accessory structure.

Subdivision 12. Density Bonus

Multiple Family dwellings providing sidewalks as required by the City shall be granted one (1) of the following density bonuses.

- A. Underground parking. The provision of one (1) or more underground parking space per dwelling unit shall increase the maximum allowable density by two (2) units per acre.
- B. Public Transit. Scheduled public transit route within one thousand (1000) feet of the primary entrance accessed by public sidewalk shall result in an increase in the maximum allowable density by one (1) unit per acre and reduce required parking to one and one half (1.5) spaces per dwelling.
- C. Recreation. Indoor or outdoor recreation facilities such as swimming pools, porches, tennis courts, or other facilities requiring a substantial investment equaling at minimum five percent (5%) of the construction cost of the principal structure shall increase the maximum allowable density by two (2) units per acre.

*Source: Ordinance No. 372, 2nd Series
Effective Date: 07-13-07*

Section 11.24: High Density Residential Zoning District (R-4)

Subdivision 1. Purpose

The purpose of the High Density Residential Zoning District (R-4) is to provide for high density housing (over twelve (12) units per acre) along with directly related and complimentary uses.

Subdivision 2. District Established

Properties shall be established within the R-4 Zoning District in the manner provided for in Section 11.90, Subdivision 3 of this Chapter, and when thus established shall be incorporated in this Section 11.24, Subdivision 2 by an ordinance which makes cross-reference to this Section 11.24 and which shall become a part hereof and of Section 11.10, Subdivision 2 thereof, as fully as if set forth herein. In addition the R-4 Zoning Districts thus established, and/or any subsequent changes to the same which shall be made and established in a similar manner, shall be reflected in the official zoning map of the City as provided in Section 11.11 of this Chapter.

Subdivision 3. Permitted Uses

The following uses and no others shall be permitted in the R-4 Zoning District:

- A. Multiple-family dwellings
- B. Senior and Physical Disability Housing
- C. Foster Family Homes
- D. Essential Services, Class I and II
- E. No more than one (1) kitchen area shall be permitted in each dwelling unit.

Subdivision 4. Accessory Structures

The following accessory structures and no others shall be permitted in R-4 Zoning Districts:

- A. Enclosed parking structures similar in construction and materials to the principal structure
- B. Storage structures similar in construction and material to the principal structure, not exceeding five hundred (500) square feet or ten (10) feet in height. No accessory structure shall be erected in the R-4 Zoning District to exceed a height of one (1) story, which is ten (10) feet from the floor to the top horizontal member of a frame building to which the rafters are fastened, known as the top plate.

- C. Underground parking structures
- D. Private indoor and outdoor recreational facilities, including but not limited to swimming pools and tennis courts.

Subdivision 5. Conditional Uses

The following conditional uses may be allowed after review by the Planning Commission and approval by the Council following the standards and procedures set forth in this Chapter:

- A. Residential facilities serving twenty-five (25) or more persons
- B. Group Foster Homes
- C. Principal structures in excess of eight (8) stories or ninety-six (96) feet in height.
- D. Retail sales, Class I and II restaurant establishments, and professional offices within principal structures containing twenty (20) or more dwelling units when located upon any minor or major arterial street. Any such sales, establishment or office shall be located only on the ground floor and have direct access to the street.

Subdivision 6. Buildable Lots

In the R-4 Zoning District a lot of a minimum area of twenty thousand (20,000) square feet shall be required for any principal structure. A minimum lot width of one hundred fifty (150) feet at the front setback line shall be required.

Subdivision 7. Corner Visibility

All structures in the R-4 Zoning District shall meet the requirements of the corner visibility requirements in Chapter 7 of the City Code.

Subdivision 8. Easements

No structures in the R-4 Zoning District shall be located in dedicated public easements.

Subdivision 9. Maximum Coverage by Buildings and Impervious Surfaces

Structures, including accessory structures, shall not occupy more than forty five percent (45%) of the lot area. Total impervious surface on any lot shall not exceed sixty percent (60%) of the lot area.

Subdivision 10. Principal Structures – Multiple-Family

Multiple-Family Dwellings in R-4 Zoning District shall be governed by the following requirements:

- A. Setback Requirements. The following structure setbacks shall be required for principal structures in the R-4 Zoning District.

1. Front Setback. The required minimum front setback shall be twenty-five (25) feet from any front property line along a street right-of-way line.
2. Side and Rear Yard Setback. When directly abutting any R-1 Zoning District, the required side and rear yard setback shall be forty (40) feet. In all other instances, the required side and rear yard setback shall be twenty (20) feet.

Subdivision 11. Enclosed Parking Structures and other Accessory Uses

Enclosed parking structures and accessory uses in the R-4 Zoning District shall be governed by the following requirements:

- A. Setback requirements. The following structure setbacks shall be required for all enclosed parking structures and other accessory uses in the R-4 Zoning District:
 1. Front Setback. The required minimum front setback shall be twenty-five (25) feet from any front property line along a street right-of-way line.
 2. Side and Rear Yard Setback. The required minimum side and rear yard setback for enclosed parking structures shall be forty (40) feet when abutting an R-1 Zoning District and twenty (20) feet in all other instances. The required minimum side and rear setback for other accessory uses shall be fifteen (15) feet.
- B. Location. No enclosed parking structure or accessory use shall be located closer to the front property line than the principal structure or within ten (10) feet of the principal structure.

Subdivision 12. Parking Space Reduction

Applicants providing sidewalks on all street frontages may pursue the following non-enclosed parking space reduction:

- A. Underground parking. The provision of one (1) stall of underground parking per unit shall result in a ten percent (10%) reduction in the number of required non-enclosed parking spaces.
- B. Public Transit. Scheduled public transit route available within one thousand (1000) feet of the primary entrance accessed by a public sidewalk shall result in a ten percent (10%) reduction in the number of required non-enclosed parking spaces.

*Source: Ordinance No. 373, 2nd Series
Effective Date: 07-13-07*

Sections 11.25 through 11.29, inclusive, reserved for future expansion.

Section 11.25: Multiple Dwelling Zoning District

Repealed by Ordinance No. 372, 2nd Series, adopted 7-13-07.

Section 11.30: Commercial Zoning District

Subdivision 1. Purpose

The purpose of the Commercial Zoning District is to provide for the establishment of commercial and service activities which draw from and serve customers from the community and are located in areas which are well served by collector and arterial street facilities.

Subdivision 2. District Established

Properties shall be established within the Commercial Zoning District in the manner provided for in Section 11.90, Subdivision 3 of this Chapter, and when thus established shall be incorporated in this Section 11.30, Subdivision 2 by an ordinance which makes cross-reference to this Section 11.30 and which shall become a part hereof and of Section 11.10, Subdivision 2 thereof, as fully as if set forth herein. In addition the Commercial Zoning Districts thus established, and/or any subsequent changes to the same which shall be made and established in a similar manner, shall be reflected in the official zoning map of the City as provided in Section 11.11 of this Chapter.

Subdivision 3. Permitted Uses

The following uses are permitted in the Commercial Zoning District:

- A. Bakeries
- B. Barber shop and/or beauty parlor
- C. Catering establishments
- D. Comfort stations
- E. Delicatessen
- F. Dressmaking and tailoring establishments, including retail sales of clothing
- G. Clothing, shoes and/or accessories sales (retail)
- H. Electric repair shops
- I. Electronic equipment sales
- J. Financial institutions
- K. Floral shops (not to include nurseries)
- L. Furniture sales and repair

- M. Hardware, paint, and decorating stores
- N. Hotels and motels
- O. Lodge halls
- P. Messenger and telegraph services
- Q. Offices, including medical and dental
- R. Pharmacies
- S. Photograph supplies and/or galleries
- T. Plumbing shops
- U. Post office
- V. Printing shops
- W. Public garage
- X. Recreation buildings and structures (public and private), including gymnasium, racquetball, etc
- Y. Class I restaurants
- Z. Shoe repair shops
- AA. Skating rinks (ice or roller) privately owned and operated for profit
- BB. Shopping centers (general retail - convenience shopping)
- CC. Theaters
- DD. Trade or industrial training schools, both public and private
- EE. General retail services and/or sales not otherwise listed as a Conditional Use in Subdivision 4, below

*Source: Ordinance No. 569
Effective Date: 7-16-82*

- FF. Massage parlors, saunas, rap parlors, conversation parlors, escort services, model services, dancing services, hostess services, adult encounter group services, adult sensitivity group services and other similar adult oriented services that require City licensing pursuant to other provisions of the City Code

*Source: Ordinance No. 603
Effective Date: 8-26-83*

GG. Tanning parlors

*Source: Ordinance No. 609
Effective Date: 11-11-83*

HH. Essential Services - Class I

*Source: Ordinance No. 80, 2nd Series
Effective Date: 11-28-91*

II. Seasonal Farm Produce Sales

*Source: Ordinance No. 127, 2nd Series
Effective Date: 4-27-95*

Subdivision 4. Conditional Uses

- A. Animal hospitals, veterinary clinics, and/or pet grooming facilities
- B. Auto repair shops, including tire and auto accessory repair and installation
- C. Car wash
- D. Convenience food stores
- E. Drive-in retail establishments, such as banks, cleaning, photo shops, etc
- F. Gasoline service stations
- G. Mortuaries
- H. Off-street parking for adjacent commercial or industrial uses
- I. Outdoor sales, including car lots, auto and equipment rentals
- J. Outside storage and/or sales of horticultural nursery sites, temporary farmers market, and itinerant sales
- K. Pool halls
- L. Class III restaurants, bars, night clubs, etc.
- M. Sales, or show rooms (auto, machinery, boats, etc.)
- N. Unattended business operations, such as vending machines, coin or token operated machines and equipment, and other similar uses
- O. Video game arcades

*Source: Ordinance No. 609
Effective Date: 11-11-83*

*Source: Ordinance No. 615
Effective Date: 5-25-84*

P. Heliports, as herein defined

*Source: Ordinance No. 643
Effective Date: 11-16-84*

Q. Child Care Facilities, as defined in this Chapter

*Source: Ordinance No. 712
Effective Date: 6-23-88*

R. Marine Engine Repair

*Source: Ordinance No. 4, 2nd Series
Effective Date: 8-25-88*

S. Adult Day Care Center

*Source: Ordinance No. 264, 2nd Series
Effective Date: 12-13-01*

T. Essential Services – Class III, except for peaking stations and substations

*Source: Ordinance No. 271, 2nd Series
Effective Date: 11-15-02*

Subdivision 5. Restricted Uses

No premises shall be used wholly or in part for the storage of any material whatsoever except where such materials are stored in a building and where the character of such building conforms with the general development of a Commercial District and no building or premises in the Commercial District shall be used for any kind of manufacture, repairing, alteration, converting or finishing which uses mechanical power aggregating more than five (5) horsepower per two thousand (2,000) feet of ground area. Ground area means the total area of the lot or parcel of land on which a building using mechanical power is located and not just the area of the part of the lot or parcel of land actually covered by the building.

*Source: Ordinance No. 569
Effective Date: 7-16-82*

Deleted Loading & Parking Requirements

*Source: Ordinance 346, 2nd Series
Effective Date: 7-1-06*

***Subdivision 6. Yard Requirements**

Front yard, side and rear yards shall be provided for all buildings within the Commercial Zoning District as follows:

- A. In the case of premises abutting a public street, front yard setbacks shall be at least thirty-five (35) feet from the right-of-way line of said street. All front yard setbacks shall be maintained as landscaped green areas. All portions of a lot, or parcel, abutting a public street shall be deemed to be front yards.

B. Side and rear yard setbacks shall be provided as follows:

*Source: Ordinance No. 569
Effective Date: 7-16-82*

1. In the case of premises adjoining a Residential or R-2 Residential Zoning District, side and rear yards shall be not less than fifty (50) in depth and width.

*Source: Ordinance No. 271, 2nd Series
Effective Date: 11-15-02*

2. In the case of premises adjoining a Multiple Dwelling, Business and Professional Office, or Institutional Zoning District, required side and rear yards shall not be less than thirty (30) feet in width and depth.

*Source: Ordinance No. 569
Effective Date: 7-16-82*

3. In the case of premises adjoining a Commercial, Light Industrial, Industrial, or Railroad Zoning District, required side and rear yards shall not be less than twenty (20) feet in depth or width.

*Source: Ordinance No. 271, 2nd Series
Effective Date: 11-15-02*

4. One-half (1/2) of the required side and rear yards, as measured from the lot line, shall be landscaped, planted and maintained as a buffer zone.

*Source: Ordinance No. 569
Effective Date: 7-16-82*

***Subdivision 7. Lot Coverage**

No building or structure, or group thereof, shall occupy more than fifty percent (50%) of the total land area of any lot or parcel in a Commercial Zoning District.

*Source: Ordinance No. 609
Effective Date: 11-11-83*

***Subdivision 8. Height Restrictions**

No building or structure, other than water tanks, water towers, essential service communication structures as provided for in Section 11.71 of this Code, shall be erected to exceed a height of three (3) stories in the Commercial Zoning District. All necessary mechanical equipment and elevator penthouses will not be included in computation of building height. The City Council may grant a Conditional Use Permit for a taller building.

*Source: Ordinance No. 365, 2nd Series
Effective Date: 3-23-07*

***Subdivision 9. Accessory Uses**

- A. Essential Services - Class I.
- B. Accessory Structures. The following regulations and setbacks shall be required for accessory structures in this Zoning District:
1. Location. A Detached accessory structure shall be located completely to the rear of the principal structure, unless it is built with frost footings. In that case, an accessory structure may be built no closer to the front setback as the principal structure. If an addition is built on to an existing principal structure that would create a situation where an existing garage or accessory structure would not be completely to the rear of the addition to the principal structure, the addition to the principal structure may be built and the existing garage or accessory structure may remain and be considered conforming as long as there is at least ten (10) feet of separation between the existing principal structure with the addition and the existing garage or accessory structure. Additions may be made to the existing garage or accessory structure as long as the ten (10) feet of separation can be met.
 2. Front setback. Accessory structures shall be located no less than the required setback for this Zoning District from the front property line along a street right-of-way line.
 3. Side and rear setbacks. Accessory structures shall be located no less than the required setback for principal structures in this Zoning District from a side or rear yard property line.
 4. Separation between structures. Accessory structures shall be located no less than ten (10) feet from any principal structure and from any other accessory structure.
 5. Alley setback. Accessory structures shall be located no less than ten (10) feet from an alley.
 6. Height limitations. No accessory structure shall be erected in this Zoning District to exceed a height of one (1) story. One (1) story may not exceed ten (10) feet from the floor to the top plate. Attic space in accessory structures shall be used only for storage and/or utility space.
 7. Cornices and eaves. Cornices and eaves may not project more than thirty (30) inches into a required setback.
 8. Number and Size of accessory structures. Only one (1) accessory structure shall be allowed on each property and no accessory structure shall be larger in size than the principal structure. In no case shall an

- accessory structure be greater than one thousand (1000) square feet or less than one hundred twenty (120) square feet in area. Accessory structures include storage buildings, detached sheds, greenhouses, gazebos and other shelters. Accessory structures not used solely for storage and related activities shall have open sides from floor to ceiling, except that they may have railings and temporary screening (used only on two (2) sides at a time), all constructed in accordance with the building code.
9. Design. All accessory structures constructed after the construction of the principal structure must be designed and constructed of similar materials as determined by the City Manager or his designee.
 10. Building Permits. All accessory structures located in this Zoning District require a building permit.
 11. Parking structures and garages. In this Zoning District, parking structures and garages shall not be considered accessory structures if they are used to meet the required number of parking spaces.

*Source: Ordinance No. 344, 2nd Series
Effective Date: 05-25-06*

**Renumbering Source (Subd. 6-9):
Ordinance 346, 2nd Series
Effective Date: 7-1-06*

Sections 11.31 through 11.34, inclusive, reserved for future expansion.

Section 11.35: Light Industrial Zoning District

Subdivision 1. Purpose

The purpose of the Light Industrial Zoning District is to provide for the establishment of warehousing, offices and light industrial developments.

Subdivision 2. District Established

Properties shall be established within the Light Industrial Zoning District in the manner provided for in Section 11.90, Subdivision 3 of this Chapter, and when thus established shall be incorporated in this Section 11.35, Subdivision 2 by an ordinance which makes cross-reference to this Section 11.35 and which shall become a part hereof and of Section 11.10, Subdivision 2 thereof, as fully as if set forth herein. In addition the Light Industrial Zoning Districts thus established, and/or any subsequent changes to the same which shall be made and established in a similar manner, shall be reflected in the official zoning map of the City as provided in Section 11.11 of this Chapter.

Subdivision 3. Permitted Uses

The following uses and no others shall be considered permitted uses within the Light Industrial Zoning District:

- A. Offices
- B. Warehouses
- C. Wholesale-Retail distribution centers
- D. Electronics manufacturing
- E. Food packaging and processing; provided, however, that no processing shall involve any cooking, heating, smoking, soaking or marinating procedures

*Source: Ordinance No. 546
Effective Date: 9-18-81*

- F. Assembly and/or fabricating exclusive of sheet metal or steel fabricating, foundries and similar uses except for the fabricating of sheet metal as it is used for the heating, ventilation and air conditioning business (which types of sheet metal fabricating shall be permitted uses

*Source: Ordinance No. 674
Effective Date: 12-27-85*

- G. Recycling centers, including the recycling of metals and other materials

- H. Other light manufacturing uses that would not constitute a nuisance or health hazard to surrounding or adjacent residential or commercial districts

*Source: Ordinance No. 546
Effective Date: 9-18-81*

- I. Essential Services - Class I and Class III

*Source: Ordinance No. 271, 2nd Series
Effective Date: 11-15-02*

- J. Temporary Retail Sales in accordance with Subdivision 12 of this section

*Source: Ordinance No. 118, 2nd Series
Effective Date: 9-22-94*

- K. Sexually Oriented Businesses

*Source: Ordinance No. 326, 2nd Series
Effective Date: 4-15-05*

Subdivision 4. Conditional Uses

The following uses may be allowed as Conditional Uses after review by the Planning Commission and approval by the Council following the standards and procedures set forth in this Chapter:

- A. Building materials yard (including inside and outside storage)
- B. Public garages for repairing and storing motor vehicles
- C. Laundries and dry-cleaning plants
- D. Animal hospital where domestic animals are received for treatment, care and cure by a duly licensed veterinary physician and surgeon in the customary and ordinary pursuit of his profession
- E. Ball fields and other recreation facilities
- F. Research and development laboratories and pilot plant operations incidental thereto
- G. Greenhouses with no outside storage, including an outside growing area no larger than the greenhouse building area. Retail sales may be permitted only where located inside and incidental to a wholesale business.
- H. Packaging and/or bottling of soft drinks or dairy products
- I. Bakeries (commercial-wholesale)

J. Day care facilities provided that said facilities serve only dependents of persons employed on the same premises as are otherwise permitted by this Chapter

*Source: Ordinance No. 546
Effective Date: 9-18-81*

K. Health, fitness and/or exercise facilities, including dance studio, gymnastic training, weight lifting studio, aerobic exercise and gymnasiums

*Source: Ordinance No. 573
Effective Date: 8-27-82*

L. Heliports, as herein defined

*Source: Ordinance No. 643
Effective Date: 11-16-84*

M. Food packaging and processing that involves cooking, heating, smoking, soaking or marinating procedures

*Source: Ordinance No. 664
Effective Date: 7-12-85*

N. Child Care Facilities, as defined in this Chapter

*Source: Ordinance No. 712
Effective Date: 6-23-88*

O. Truck/Van Terminals

*Source: Ordinance No. 50, 2nd Series
Effective Date: 11-21-90*

P. Medical clinics

*Source: Ordinance No. 82, 2nd Series
Effective Date: 2-27-92*

Q. Trade Schools or Training Centers

*Source: Ordinance No. 252, 2nd Series
Effective Date: 7-26-01*

R. Adult Day Care Center

*Source: Ordinance No. 264, 2nd Series
Effective Date: 12-13-01*

S. Drive-in bank facilities with frontage on a collector or minor arterial street

*Source: Ordinance No. 274, 2nd Series
Effective Date: 12-27-02*

- T. Accessory retail services and/or sales incidental to a permitted use, conducted in an area less than ten percent (10%) of the building's footprint

*Source: Ordinance No. 283, 2nd Series
Effective Date: 9-12-03*

Subdivision 5. Prohibited Uses

No building, structure, or land shall be used, and no building or structure shall be erected, altered or enlarged which is intended or designed, for any of the following uses:

- A. Residential dwellings
- B. Hotels, motels, rooming houses, or tourist homes
- C. Institutional uses

*Source: Ordinance No. 546
Effective Date: 9-18-81*

- D. Except as provided herein, retail commercial uses, such as shopping centers

*Source: Ordinance No. 326, 2nd Series
Effective Date: 4-15-05*

Deleted Loading & Parking Requirements

*Source: Ordinance 346, 2nd Series
Effective Date: 7-1-06*

***Subdivision 6. Yard Requirements**

Front yard, side yard and rear yard setbacks shall be required in the Light Industrial Zoning District as follows:

- A. In the case of premises abutting a public street front yard setbacks shall be at least thirty-five (35) feet from the right-of-way line of said street. All front yard setbacks shall be maintained as landscaped green areas. In the case of corner lots all portions of said lot abutting a public street shall be deemed to be a front yard.
- B. In the case of premises facing a Residential Zoning District or an R-2 Zoning District across a public street, the yard abutting that street shall not be less than seventy-five (75) feet from the right-of-way line of the street to the structure.
- C. Other side and rear yard setbacks shall be as follows:
 - 1. In the case of premises adjoining a Residential Zoning District or an R-2 District required side and rear yard setbacks shall be not less than one hundred (100) feet in depth.

2. In the case of premises adjoining a Multiple Dwelling, Business and Professional Office, or Institutional Zoning Districts, required side and rear yard setbacks shall not be less than fifty (50) feet in depth.

*Source: Ordinance No. 546
Effective Date: 9-18-81*

3. In the case of premises adjoining a Commercial, Light Industrial, Industrial, or Railroad Zoning District, required side and rear yard setbacks shall be not less than twenty (20) feet in depth.

*Source: Ordinance No. 271, 2nd Series
Effective Date: 11-15-02*

4. One-half (0.5) of the required side and rear yards, as measured from the lot line, shall be landscaped, planted, and maintained as a buffer zone.

*Source: Ordinance No. 546
Effective Date: 9-18-81*

***Subdivision 7. Use Qualifications**

- A. Landscaping. All open areas of any site, lot, tract or parcel shall be so graded so as to provide proper drainage, and except for areas used for parking, drives, or storage, shall be landscaped with trees, shrubs, or planted ground cover. Such landscaping shall conform with a landscape plan that conforms to City standards and is approved by the City Manager or his or her designee.

*Source: Ordinance No. 427, 2nd Series
Effective Date: 12-25-09*

- B. Storage. All raw materials, supplies, finished or semi-finished products and equipment shall be stored within a completely enclosed building, or within the confines of a one hundred percent (100%) opaque wall or fence not less than six (6) feet in height.

- C. Screening. All principal, accessory, and conditional uses, except business signs, which are situated within fifty (50) feet of a Residential Zoning District or an R-2 Zoning District shall be screened and buffered from such Zoning District by a separation of open space which shall have a minimum depth of thirty (30) feet, and shall include a required fence or vegetative screening of not less than ninety percent (90%) opacity, and not less than six (6) feet in height above the level of the said Residential or R-2 Zoning District.

*Source: Ordinance No. 546
Effective Date: 9-18-81*

***Subdivision 8. Building Height**

No building or structure, other than water tanks, water towers, essential service communication structures as provided for in Section 11.71 of this Code and lighting fixtures, shall be erected to exceed a height of forty-five (45) feet in the Light Industrial Zoning District. All necessary mechanical equipment and elevator penthouses will not be included in computation of building height.

*Source: Ordinance No. 271, 2nd Series
Effective Date: 11-15-02*

***Subdivision 9. Lot Coverage**

No building or structure, or group thereof, shall occupy more than fifty percent (50%) of the total land area of any lot or parcel in a Light Industrial Zoning District.

*Source: Ordinance No. 609
Effective Date: 11-11-83*

***Subdivision 10. Accessory Uses**

The following are permitted accessory uses in the Light Industrial Zoning District:

- A. Essential Services - Class II

*Source: Ordinance No. 80, 2nd Series
Effective Date: 11-28-91*

***Subdivision 11. Temporary Retail Sales**

- A. Temporary retail sales shall include only the retail sales contemplated by the permitted uses in the Commercial Zoning District. Retail sales contemplated by the conditional uses in the Commercial Zoning District are excluded.
- B. Any person seeking to operate a temporary retail sale in an industrial district shall apply for a permit therefore from the Chief of Fire and Inspections Services. A completed application must be submitted at least two (2) weeks prior to the commencement of the temporary retail sale. The Chief of Fire and Inspections Services will issue a permit only after it is determined that the application meets all requirements of this subdivision. The permit application shall include the following:
 - 1. The person(s) operating the retail sale and his or its address and telephone number. If a corporation, the state of incorporation shall be provided along with a list of the names and addresses of the officers and principal shareholders thereof.
 - 2. The names and addresses of the owner(s) of the lot or site on which the sale is to take place (sales premises) and proof that the owner(s) has authorized the temporary retail sale.
 - 3. The exact dates and hours of operation of the proposed sale.

4. The name of the person who will manage the temporary sale on the site and the names of employees who will work at it.
 5. A parking plan which indicates adequate available parking on the sale premises during its proposed hours of operation. The plan must also indicate adequate parking for any other businesses located on the same sale premises. If adequate parking is not indicated on the parking plan in the opinion of the Chief of Fire and Inspections Services, a permit will not be issued for the temporary retail sale.
 6. A vehicle circulation and street access plan which shall be submitted for review by the Director of Public Safety. It shall include acceptable methods of access to the sale premises and acceptable traffic control measures to ensure safety of those entering and exiting the sale premises. The operator of the sale must provide at his or her cost all traffic control measures recommended by the Director of Public Safety which may include the hiring of qualified persons to control traffic. If an acceptable vehicle circulation and street access plan is not provided in the opinion of the Director of Public Safety, a permit will not be issued for the temporary retail sale.
 7. A non-refundable permit fee, established by City Council Resolution.
 8. A written authorization for the sale from the property owner(s), together with the property owner's certification that he has given notification of the sale to all other tenants of the building or site in which the sale is to take place.
 9. Proof that all applicable licenses and approvals from the City, Hennepin County or other governmental units have been obtained.
- C. No site may be used for a temporary retail sale for more than five (5) consecutive days and a total of fifteen (15) days in any one (1) calendar year.
- D. The plans for the temporary retail sale shall be approved by the Fire Marshall in order to insure that all fire and safety codes are met. If they are not so approved, a permit for such sale will not be issued.
- E. The temporary retail sale shall not interrupt vehicular circulation on the site or obstruct parking spaces needed by permanent businesses established on the site.
- F. The temporary retail sale shall take place only inside a building.
- *G. Sale hours shall be between 9 am and 9 pm.

*H. The permit for a temporary retail sale shall be immediately revoked by the Chief of Fire and Inspections Services or his designee if any of the following occur:

1. Failure to meet any conditions of the permit;
2. Failure to provide adequate off-street parking for the sale, which off-street parking does not impede the operation of other businesses on the premises;
3. Failure to provide safe ingress and egress to the site;
4. Failure to provide fire and safety provisions required by the City Code;
5. Failure to obtain all applicable licenses and approvals from governmental units; or
6. Failure to comply with any provisions of this subdivision.

*Source: Ordinance No. 118, 2nd Series
Effective Date: 9-22-94*

**Renumbering Source (G-H):
Ordinance 272, 2nd Series
Effective Date: 10-25-02*

***Subdivision 12. Accessory Uses**

The following are permitted accessory uses in this Zoning District:

- A. Essential Services - Class I
- B. Accessory Structures. The following regulations and setbacks shall be required for accessory structures in this Zoning District:
 1. Location. A Detached accessory structure shall be located completely to the rear of the principal structure, unless it is built with frost footings. In that case, an accessory structure may be built no closer to the front setback as the principal structure. If an addition is built on to an existing principal structure that would create a situation where an existing garage or accessory structure would not be completely to the rear of the addition to the principal structure, the addition to the principal structure may be built and the existing garage or accessory structure may remain and be considered conforming as long as there is at least ten (10) feet of separation between the existing principal structure with the addition and the existing garage or accessory structure. Additions may be made to the existing garage or accessory structure as long as the ten (10) feet of separation can be met.

2. Front setback. Accessory structures shall be located no less than the required setback for this Zoning District from the front property line along a street right-of-way line.
3. Side and rear setbacks. Accessory structures shall be located no less than the required setback for principal structures in this Zoning District from a side or rear yard property line.
4. Separation between structures. Accessory structures shall be located no less than ten (10) feet from any principal structure and from any other accessory structure.
5. Alley setback. Accessory structures shall be located no less than ten (10) feet from an alley.
6. Height limitations. No accessory structure shall be erected in this Zoning District to exceed a height of one (1) story. One (1) story may not exceed ten (10) feet from the floor to the top plate. Attic space in accessory structures shall be used only for storage and/or utility space.
7. Cornices and eaves. Cornices and eaves may not project more than thirty (30) inches into a required setback.
8. Number and Size of accessory structures. Only one (1) accessory structure shall be allowed on each property and no accessory structure shall be larger in size than the principal structure. In no case shall an accessory structure be greater than one thousand (1000) square feet or less than one hundred twenty (120) square feet in area. Accessory structures include storage buildings, detached sheds, greenhouses, gazebos and other shelters. Accessory structures not used solely for storage and related activities shall have open sides from floor to ceiling, except that they may have railings and temporary screening (used only on two (2) sides at a time), all constructed in accordance with the building code.
9. Design. All accessory structures constructed after the construction of the principal structure must be designed and constructed of similar materials as determined by the City Manager or his designee.
10. Building Permits. All accessory structures located in this Zoning District require a building permit.

11. Parking structures and garages. In this Zoning District, parking structures and garages shall not be considered accessory structures if they are used to meet the required number of parking spaces.

*Source: Ordinance No. 344, 2nd Series
Effective Date: 05-25-06*

** Renumbering Source (Subd. 6-12):
Ordinance 346, 2nd Series
Effective Date: 7-1-06*

Section 11.36: Industrial Zoning District

Subdivision 1. Purpose

The purpose of the Industrial Zoning District is to provide for the establishment of industrial and manufacturing development and uses along with directly related and complementary uses which, because of the nature of the product or character of activity, requires isolation from residential and commercial areas.

Subdivision 2. District Established

Properties shall be established within the Industrial Zoning District in the manner provided for in Section 11.90, Subdivision 3 of this Chapter, and when thus established shall be incorporated in this Section 11.36, Subdivision 2 by an ordinance which makes cross-reference to this Section 11.36 and which shall become a part hereof and of Section 11.10, Subdivision 2 thereof, as fully as if set forth herein. In addition the Industrial Zoning Districts thus established, and/or any subsequent changes to the same which shall be made and established in a similar manner, shall be reflected in the official zoning map of the City as provided in Section 11.11 of this Chapter.

Subdivision 3. Permitted Uses

The following uses are permitted in the Industrial Zoning District:

- A. All uses permitted in the Light Industrial Zoning District
- B. Lumber yard, including outside storage
- C. Building materials yard, including outside storage
- D. Battery and tire service
- E. Blacksmith, repair, machine shop, or tin shop
- F. Animal kennels where animals are customarily kept, boarded, cared for, trained, or fed, or bought and sold, as a business
- G. General manufacturing uses, including the compounding, assembly or treatment of articles or materials
- H. Hotels and motor hotels
- I. Class I restaurants
- J. Metal fabrication and assembly

*Source: Ordinance No. 551
Effective Date: 9-11-81*

K. Temporary Retail Sales in accordance with Subdivision 11 of this section.

*Source: Ordinance No. 79, 2nd Series
Effective Date: 10-10-91*

L. Sexually Oriented Businesses.

*Source: Ordinance No. 326, 2nd Series
Effective Date: 4-15-05*

Subdivision 4. Conditional Uses

The following conditional uses may be allowed after review by the Planning Commission and approval by the Council following the standards and procedures set forth in this Chapter:

- A. All conditional uses as provided for in the Light Industrial Zoning District
- B. Car wash
- C. Structures and premises for automobile, or other motor vehicle sales and showrooms, with incidental accessory service and repair facilities
- D. Gasoline service stations
- E. Bulk storage of gas, fuel oil, chemicals, and other liquid or solid materials which may be considered hazardous or toxic
- F. Mortuaries
- G. Off-street parking lots for adjacent Commercial or Industrial uses
- H. Outdoor sales including motor vehicle and equipment rental
- I. Drive-in retail establishments, such as banks, cleaners, photo shops, restaurants (Class II), and similar uses
- J. Unattended business operations, such as vending machines and equipment
- K. Temporary structures such as tents or air-supported structures
- L. Railroad yards, railroad tracks and rights-of-way in such yards, railroad shops, round houses, and any other use which shall be for railroads
- M. Automobile repair shops, auto body repair and/or painting, and auto cleaning and reconditioning
- N. Heliports, as herein defined

*Source: Ordinance No. 641
Effective Date: 11-16-84*

*Source: Ordinance No. 643
Effective Date: 11-16-84*

O. Child Care Facilities, as defined in this Chapter

*Source: Ordinance No. 712
Effective Date: 6-23-88*

P. Trade Schools or Training Centers

*Source: Ordinance No. 53, 2nd Series
Effective Date: 1-23-91*

Q. Adult Day Care Center

*Source: Ordinance No. 264, 2nd Series
Effective Date: 12-13-02*

Subdivision 5. Building Height

No building or structure, other than water tanks, water towers, essential service communication structures as provided for in Section 11.71 of this Code shall be erected to exceed a height of forty-five (45) feet in the Industrial Zoning District. All necessary mechanical equipment and elevator penthouses will not be included in computation of building height.

*Source: Ordinance No. 365, 2nd Series
Effective Date: 3-23-07*

Subdivision 6. Yard Requirements

Front, side and rear yard setbacks shall be required within the Industrial Zoning District as follows:

- A. In the case of premises abutting a public street front yard setbacks shall be at least thirty-five (35) feet from the right-of-way line of said street. All front yard setbacks shall be maintained as landscaped green areas. In the case of corner lots all portions of said lot abutting a public street shall be deemed to be a front yard.
- B. In the case of premises facing a Residential Zoning District or an R-2 Zoning District across a street, the yard abutting that street shall not be less than seventy-five (75) feet in depth.
- C. Other side and rear yard setbacks shall be as follows:
 - 1. In the case of premises adjoining a Residential Zoning District or an R-2 District, required side and rear yard setbacks shall be not less than one hundred (100) feet in depth.
 - 2. In the case of premises adjoining a Multiple Dwelling, Business and Professional Office, or Institutional Zoning District, required side and rear yard setbacks shall be not less than fifty (50) feet in depth.

*Source: Ordinance No. 551
Effective Date: 9-11-81*

3. In the case of premises adjoining a Commercial, Light Industrial, Industrial, or Railroad Zoning District, side and rear yard setbacks shall be not less than twenty (20) feet in depth.

*Source: Ordinance No. 271, 2nd Series
Effective Date: 11-15-02*

4. All required front yard setbacks shall be landscaped, and one-half (1/2) of the required side and rear yard setbacks shall be landscaped.

*Source: Ordinance No. 551
Effective Date: 9-11-81*

***Subdivision 7. Landscaping and Screening**

- A. All required yards shall be landscaped according to a landscape plan that conforms to City standards and is approved by the City Manager or his or her designee.

*Source: Ordinance No. 427, 2nd Series
Effective Date: 12-25-09*

- B. A solid screen, consisting of either a solid fence or wall not less than six (6) feet in height, or a planted landscape screen providing at least ninety percent (90%) opacity and at least six (6) feet in height at the time of planting, shall be installed and maintained along all property lines separating an Industrial Zoning District from any Residential, Multiple Dwelling, or Institutional Zoning District.

- C. All waste material, debris, refuse, junk or damaged vehicles shall be either kept entirely within an enclosed building, or completely screened from public streets and adjacent property.

- D. In the Industrial Zoning District, no materials or equipment shall be stored outside, unless screened in such a manner as not to be visible from adjacent properties or streets. No storage shall be permitted within the required landscaped area.

*Source: Ordinance No. 551
Effective Date: 9-11-81*

***Subdivision 8. Lot Coverage**

No building or structure, or group thereof, shall occupy more than fifty percent (50%) of the total land area of any lot or parcel in an Industrial Zoning District.

*Source: Ordinance No. 609
Effective Date: 11-11-83*

***Subdivision 9. Temporary Retail Sales**

- A. Temporary retail sales shall include only the retail sales contemplated by the permitted uses in the Commercial Zoning District. Retail sales contemplated by the conditional uses in the Commercial Zoning District are excluded.
- B. Any person seeking to operate a temporary retail sale in an industrial district shall apply for a permit therefore from the Director of Zoning and Community Services. A completed application must be submitted at least two (2) weeks prior to the commencement of the temporary retail sale. The Director of Zoning and Community Services will issue a permit only after it is determined that the application meets all requirements of this subdivision. The permit application shall include the following:
 - 1. The person(s) operating the retail sale and his or its address and telephone number. If a corporation, the state of incorporation shall be provided along with a list of the names and addresses of the officers and principal shareholders thereof.
 - 2. The names and addresses of the owner(s) of the lot or site on which the sale is to take place (sales premises) and proof that the owner(s) has authorized the temporary retail sale.
 - 3. The exact dates and hours of operation of the proposed sale.
 - 4. The name of the person who will manage the temporary sale on the site and the names of employees who will work at it.
 - 5. A parking plan which indicates adequate available parking on the sale premises during its proposed hours of operation. The plan must also indicate adequate parking for any other businesses located on the same sale premises. If adequate parking is not indicated on the parking plan in the opinion of the Director of Zoning and Community Services, a permit will not be issued for the temporary retail sale.
 - 6. A vehicle circulation and street access plan which shall be submitted for review by the Director of Public Safety. It shall include acceptable methods of access to the sale premises and acceptable traffic control measures to ensure safety of those entering and exiting the sale premises. The operator of the sale must provide at his or her cost all traffic control measures recommended by the Director of Public Safety which may include the hiring of qualified persons to control traffic. If an acceptable vehicle circulation and street access plan is not provided in the opinion of the Director of Public Safety, a permit will not be issued for the temporary retail sale.
 - 7. A non-refundable permit fee, established by City Council Resolution.
 - 8. A written authorization for the sale from the property owner(s), together with the property owner's certification that he has given notification of the

- sale to all other tenants of the building or site in which the sale is to take place.
9. Proof that all applicable licenses and approvals from the City, Hennepin County or other governmental units have been obtained.
- C. No site may be used for a temporary retail sale for more than five (5) consecutive days and a total of fifteen (15) days in any one (1) calendar year.
 - D. The plans for the temporary retail sale shall be approved by the Fire Marshal in order to insure that all fire and safety codes are met. If they are not so approved, a permit for such sale will not be issued.
 - E. The temporary retail sale shall not interrupt vehicular circulation on the site or obstruct parking spaces needed by permanent businesses established on the site.
 - F. The temporary retail sale shall take place only inside a building.

*Source: Ordinance No. 79, 2nd Series
Effective Date: 10-10-91*

- G. Sale hours shall be between 9 am and 9 pm.
- H. The permit for a temporary retail sale shall be immediately revoked by the Director of Zoning and Community Services or his/or her designee if any of the following occur:
 1. Failure to meet any conditions of the permit.
 2. Failure to provide adequate off-street parking for the sale, which off-street parking does not impede the operation of other businesses on the premises.
 3. Failure to provide safe ingress and egress to the site.
 4. Failure to provide fire and safety provisions required by the City Code.
 5. Failure to obtain all applicable licenses and approvals from governmental units.
 6. Failure to comply with any provisions of this subdivision.

*Source: Ordinance No. 272, 2nd Series
Effective Date: 10-25-02*

***Subdivision 10. Accessory Uses.**

The following are permitted accessory uses in this District:

A. Essential Services - Class II

B. Accessory Structures. The following regulations and setbacks shall be required for accessory structures in this Zoning District:

1. Location. A detached accessory structure shall be located completely to the rear of the principal structure, unless it is built with frost footings. In that case, an accessory structure may be built no closer to the front setback as the principal structure. If an addition is built on to an existing principal structure that would create a situation where an existing garage or accessory structure would not be completely to the rear of the addition to the principal structure, the addition to the principal structure may be built and the existing garage or accessory structure may remain and be considered conforming as long as there is at least ten (10) feet of separation between the existing principal structure with the addition and the existing garage or accessory structure. Additions may be made to the existing garage or accessory structure as long as the ten (10) feet of separation can be met.
2. Front setback. Accessory structures shall be located no less than the required setback for this Zoning District from the front property line along a street right-of-way line.
3. Side and rear setbacks. Accessory structures shall be located no less than the required setback for principal structures in this Zoning District from a side or rear yard property line.
4. Separation between structures. Accessory structures shall be located no less than ten (10) feet from any principal structure and from any other accessory structure.
5. Alley setback. Accessory structures shall be located no less than ten (10) feet from an alley.
6. Height limitations. No accessory structure shall be erected in this Zoning District to exceed a height of one (1) story. One (1) story may not exceed ten (10) feet from the floor to the top plate. Attic space in accessory structures shall be used only for storage and/or utility space.
7. Cornices and eaves. Cornices and eaves may not project more than thirty (30) inches into a required setback.
8. Number and Size of accessory structures. Only one (1) accessory structure shall be allowed on each property and no accessory structure shall be larger in size than the principal structure. In no case shall an accessory structure be greater than one thousand (1,000) square feet or less than one hundred-twenty (120) square feet in area. Accessory

structures include storage buildings, detached sheds, greenhouses, gazebos and other shelters. Accessory structures not used solely for storage and related activities shall have open sides from floor to ceiling, except that they may have railings and temporary screening (used only on two (2) sides at a time), all constructed in accordance with the building code.

9. Design. All accessory structures constructed after the construction of the principal structure must be designed and constructed of similar materials as determined by the City Manager or his designee.
10. Building Permits. All accessory structures located in this Zoning District require a building permit.
11. Parking structures and garages. In this Zoning District, parking structures and garages shall not be considered accessory structures if they are used to meet the required number of parking spaces.

*Source: Ordinance No. 344, 2nd Series
Effective Date: 05-25-06*

**Renumbering Source (Subd. 7-10):
Ordinance 346, 2nd Series
Effective Date: 7-1-06*

Sections 11.37 through 11.44, inclusive, reserved for future expansion.

**Section 11.40:
Radio And Television Zoning District**

Repealed by Ordinance No. 271, 2nd Series, adopted 10-1-02.

Section 11.41: Railroad Zoning District

Repealed by Ordinance No. 100, 2nd Series, adopted 4-20-93.

Section 11.45: Business and Professional Offices Zoning District

Subdivision 1. Purpose

The purpose of the Business and Professional Offices Zoning District is to provide areas wherein there may be erected, maintained and used, offices for persons engaged in business pursuits not involving the sale of or handling of goods, wares, merchandise or commodities, as for example, accountants, insurance brokers, realtors, fiscal agents and the like; provided, however, that nothing herein shall be interpreted to prohibit in such districts the sale of goods, wares, merchandise or commodities by sample, as for example, by manufacturer's representatives.

Subdivision 2. District Established

Properties shall be established within the Business and Professional Offices Zoning District in the manner provided for in Section 11.90, Subdivision 3 of this Chapter, and when thus established shall be incorporated in this Section 11.45, Subdivision 2 by an ordinance which makes cross-reference to this Section 11.45 and which shall become a part hereof and of Section 11.10, Subdivision 2 thereof, as fully as if set forth herein. In addition the Business and Professional Offices Zoning Districts thus established, and/or any subsequent changes to the same which shall be made and established in a similar manner, shall be reflected in the official zoning map of the City as provided in Section 11.11 of this Chapter.

*Source: Ordinance No. 541
Effective Date: 5-8-81*

*Subdivision 3. Building Height

No building in this zoning district shall exceed three (3) stories in height at the front or street grade level, unless a Conditional Use Permit has been granted allowing such building or structure to exceed three (3) stories in height.

*Source: Ordinance No. 80, 2nd Series
Effective Date: 11-28-91*

*Subdivision 4. Yard Restrictions

A. Front Yard Setbacks. Front yards shall be provided for all buildings as follows:

1. No building or other structure in the Business and Professional Offices District shall be located closer than thirty-five (35) feet from the property line along any abutting street. The thirty-five (35) foot front setback as described above shall all be landscaped.
2. In the case of a building over three (3) stories, the front setback shall be increased five (5) feet for each additional story over three (3) stories or each additional ten (10) feet above the height of thirty (30) feet.

B. Side and Rear Yard Setbacks. Side yards and rear yards shall be provided for all buildings as follows:

*Source: Ordinance No. 541
Effective Date: 5-8-81*

1. In the case of premises abutting a Residential or R-2 Residential Zoning District, side and rear yards of such premises shall be not less than fifty (50) feet in depth or width, of which at least twenty-five (25) feet adjacent to the lot line or property line shall be planted, landscaped and maintained as a buffer zone.

*Source: Ordinance No. 271, 2nd Series
Effective Date: 11-15-02*

2. In the case of premises abutting on a Multiple Dwelling Zoning District or an Institutional Zoning District, side and rear yards shall be not less than thirty (30) feet in depth or width, of which at least the fifteen (15) feet adjacent to the lot line shall be planted, landscaped and maintained as a buffer zone.
3. In the case of premises abutting on another Business and Professional Offices Zoning District, side and rear yards shall be not less than twenty (20) feet in depth or width for each building, tract, lot or premises of which at least one-half (1/2) the setback as measured from the lot line shall be landscaped and planted.
4. In the case of premises abutting on a Commercial or Industrial Zoning District, side yards and rear yards shall be not less than twenty (20) feet in depth and width of which at least one-half (1/2) the setback as measured from the lot line shall be landscaped and planted.
5. In the case of a building over three (3) stories, the side and rear setbacks shall be increased five (5) feet for each additional story over three (3) stories or each additional ten (10) feet above the height of thirty (30) feet.

***Subdivision 5. Area Restrictions**

No building or other structure in this zoning district shall occupy more than forty percent (40%) of the tract of land on which it is located. An additional twenty percent (20%) of the tract of land shall be allowed for the construction of a parking structure.

***Subdivision 6. Lot Area**

No building or other structure located in this zoning district shall be located on a parcel of land that is less than one (1) acre in area or less than one hundred (100) feet in width.

*Source: Ordinance No. 541
Effective Date: 5-8-81*

***Subdivision 7. Conditional Uses**

A. Conditions. In addition to those uses specifically classified and permitted within this district, there are certain uses which may be allowed in a Business and Professional Offices District because of their unusual characteristics or the service they provide to the public. These conditional uses require particular considerations as to their proper location in relation to adjacent established or intended uses, or to the planned development of the City. The conditions controlling the location and operation of such conditional uses are established under Section 11.80 of this Chapter.

*Source: Ordinance No. 396, 2nd
Effective Date: 3-28-08*

B. Authority. The Council shall have the authority, after having received the recommendations of the Planning Commission, to permit the following types of the conditional uses of land or structures, or both, within a Business and Professional Offices District, if the Council finds that the proposed location and establishment of any such use will be desirable or necessary to the public convenience or welfare and will be harmonious and compatible with other uses adjacent to and in the vicinity of the selected site.

*Source: Ordinance No. 541
Effective Date: 5-8-81*

1. Buildings exceeding three (3) stories in height, subject to the provisions of Subdivision 5, Subparagraph A, Item 2, and Subparagraph B. above, and all other applicable provisions of this Chapter.

*Source: Ordinance No. 80, 2nd Series
Effective Date: 11-28-91*

2. Recreational facilities such as ball fields, swimming pools and playgrounds.

3. Daytime activity centers and/or other facilities providing school and/or training for retarded or handicapped people.

4. Financial institutions, including drive-in facilities.

5. Limited retail services within a professional office building.

*Source: Ordinance No. 541
Effective Date: 5-8-81*

6. Heliports, as herein defined.

7. Other uses which, in the opinion of the Council, are compatible with the uses specifically described above.

*Source: Ordinance No. 643
Effective Date: 11-16-84*

8. Adult Day Care Center.

*Source: Ordinance No. 264, 2nd Series
Effective Date: 12-13-02*

9. Child Care Facilities.

*Source: Ordinance No. 396, 2nd
Effective Date: 3-28-08*

***Subdivision 8. Permitted Uses**

The following uses are permitted in the Business and Professional Office District:

- A. Offices
- B. Essential Services - Class I

*Source: Ordinance No. 80, 2nd Series
Effective Date: 11-28-91*

***Subdivision 9. Accessory Uses**

The following are permitted accessory uses in this Zoning District:

- A. Essential Services – Class I
- B. Accessory Structures. The following regulations and setbacks shall be required for accessory structures in this Zoning District:

1. Location. A detached accessory structure shall be located completely to the rear of the principal structure, unless it is built with frost footings. In that case, an accessory structure may be built no closer to the front setback as the principal structure. If an addition is built on to an existing principal structure that would create a situation where an existing garage or accessory structure would not be completely to the rear of the addition to the principal structure, the addition to the principal structure may be built and the existing garage or accessory structure may remain and be considered conforming as long as there is at least ten (10) feet of separation between the existing principal structure with the addition and the existing garage or accessory structure. Additions may be made to the existing garage or accessory structure as long as the ten (10) feet of separation can be met.
2. Front setback. Accessory structures shall be located no less than the required setback for this Zoning District from the front property line along a street right-of-way line.

3. Side and rear setbacks. Accessory structures shall be located no less than the required setback for principal structures in this Zoning District from a side or rear yard property line.
4. Separation between structures. Accessory structures shall be located no less than ten (10) feet from any principal structure and from any other accessory structure.
5. Alley setback. Accessory structures shall be located no less than ten (10) feet from an alley.
6. Height limitations. No accessory structure shall be erected in this Zoning District to exceed a height of one (1) story. One (1) story may not exceed ten (10) feet from the floor to the top plate. Attic space in accessory structures shall be used only for storage and/or utility space.
7. Cornices and eaves. Cornices and eaves may not project more than thirty (30) inches into a required setback.
8. Number and Size of accessory structures. Only one (1) accessory structure shall be allowed on each property and no accessory structure shall be larger in size than the principal structure. In no case shall an accessory structure be greater than one thousand (1000) square feet or less than one hundred-twenty (120) square feet in area. Accessory structures include storage buildings, detached sheds, greenhouses, gazebos and other shelters. Accessory structures not used solely for storage and related activities shall have open sides from floor to ceiling, except that they may have railings and temporary screening (used only on two (2) sides at a time), all constructed in accordance with the building code.
9. Design. All accessory structures constructed after the construction of the principal structure must be designed and constructed of similar materials as determined by the City Manager or his designee.
10. Building Permits. All accessory structures located in this Zoning District require a building permit.
11. Parking structures and garages. In this Zoning District, parking structures and garages shall not be considered accessory structures if they are used to meet the required number of parking spaces.

*Source: Ordinance No. 344, 2nd Series
Effective Date: 05-25-06*

**Renumbering Source (Subd. 3-9):
Ordinance 346, 2nd Series
Effective Date: 7-1-06*

Section 11.46: Institutional Zoning District

Subdivision 1. Purpose

The purpose of the Institutional Zoning District is to establish areas where both public and private institutional uses such as schools, hospitals, parks, golf courses, nursing homes and public buildings may be located.

Subdivision 2. District Established

Properties shall be established within the Institutional Zoning District in the manner provided for in Section 11.90, Subdivision 3 of this Chapter, and when thus established shall be incorporated in this Section 11.46, Subdivision 2 by an ordinance which makes cross-reference to this Section 11.46 and which shall become a part hereof and of Section 11.10, Subdivision 2 thereof, as fully as if set forth herein. In addition the Institutional Zoning Districts thus established, and/or any subsequent changes to the same which shall be made and established in a similar manner, shall be reflected in the official zoning map of the City as provided in Section 11.11 of this Chapter.

***Subdivision 3. Uses Permitted**

A. The following uses shall be permitted in the I-1 Institutional Zoning Sub-District:

1. Churches
2. Schools, public and parochial, excepting colleges, seminaries and other institutes of higher education

*Source: Ordinance No. 567
Effective Date: 5-28-82*

3. Essential Services - Class I

*Source: Ordinance No. 80, 2nd Series
Effective Date: 11-28-91*

4. Seasonal Farm Produce Sales

*Source: Ordinance No. 127, 2nd Series
Effective Date: 4-27-95*

B. The following uses shall be permitted in the I-2 Institutional Zoning Sub-District:

1. Public and private libraries
2. Museums

3. Colleges, seminaries and other institutes of higher education

*Source: Ordinance No. 567
Effective Date: 5-28-82*

4. Essential Services - Class I

*Source: Ordinance No. 80, 2nd Series
Effective Date: 11-28-91*

C. The following uses shall be permitted in the I-3 Institutional Zoning Sub-District:

1. Rest homes, sanitariums, nursing homes, clinics and other buildings incidental to the operation thereof

*Source: Ordinance No. 567
Effective Date: 5-28-82*

2. Essential Services - Class I

*Source: Ordinance No. 80, 2nd Series
Effective Date: 11-28-91*

D. The following uses shall be permitted in the I-4 Institutional Zoning Sub-District:

1. Golf courses, country clubs and polo fields, excepting those carried on as a business such as miniature golf courses

2. Parks, playgrounds, City offices, fire stations, and other lands incidental to the operation of the City

*Source: Ordinance No. 567
Effective Date: 5-28-82*

3. Essential Services - Class I

*Source: Ordinance No. 80, 2nd Series
Effective Date: 11-28-91*

E. The following uses shall be permitted in the I-5 Institutional zoning Sub-District:

1. Cemeteries

*Source: Ordinance No. 567
Effective Date: 5-28-82*

2. Essential Services - Class I

*Source: Ordinance No. 80, 2nd Series
Effective Date: 11-28-91*

***Subdivision 4. Conditional Uses**

The following uses may be allowed in the following Institutional Zoning Sub-Districts when approved by the Council in accordance with the provisions of this Chapter:

- A. Congregate Housing. Housing for the elderly, providing at least one (1) prepared meal per day, in a common dining room. Such housing may also provide certain medical and social services over and above what might be provided in a standard elderly apartment complex. Congregate housing may be allowed as a Conditional Use only within the I-3 Institutional Zoning Sub-District.
- B. Elderly Housing. Housing (either subsidized or unsubsidized) specifically designed and built for occupancy by elder persons in much the same way that standard multi-family dwellings might be built and managed, but not providing the same services as congregate housing, may be allowed as a Conditional Use only within the I-3 Institutional Zoning Sub-District.
- C. Hospitals and out-patient surgical facilities may be allowed as a Conditional Use only within the I-3 Institutional Zoning Sub-District.
- D. Lodge halls and private clubs may be allowed as a Conditional Use only within the I-3 Institutional zoning Sub-District.

*Source: Ordinance No. 567
Effective Date: 5-28-82*

- E. Residential facilities only within the I-3 Institutional Zoning Sub-District.

*Source: Ordinance No. 653
Effective Date: 4-12-85*

- F. Child day-care facilities may also be permitted as a Conditional Use within the I-1, I-2, I-3 and/or I-4 Institutional Zoning Sub-Districts.

*Source: Ordinance No. 567
Effective Date: 5-28-82*

- G. Heliports, as herein defined.

- H. Such other uses which, in the opinion of the Council, are reasonably compatible with the uses specifically described in Subdivision 3, above, may be permitted as a Conditional Use in any of the four Institutional Zoning Sub-Districts set forth above.

*Source: Ordinance No. 643
Effective Date: 11-16-84*

- I. Adult Day Care Centers shall be permitted as a Conditional Use within the I-1, I-2, I-3 and/or I-4 Institutional Sub-Districts.

*Source: Ordinance No. 264, 2nd Series
Effective Date: 12-13-01*

***Subdivision 5. Height**

No building or structure other than water tanks, water tank towers and lighting fixtures, shall be erected to exceed three (3) stories in height in the Institutional Zoning District. Church spires, belfries, chimneys and architectural finials may be permitted to exceed the maximum provisions of this Section when erected in accordance with this Chapter.

*Source: Ordinance No. 609
Effective Date: 11-11-83*

***Subdivision 6. Use of Land**

For the purpose of maintaining the character of this Zoning District, no buildings or structures shall occupy more than twenty-five percent (25%) of the area of the lot or premises.

*Source: Ordinance No. 567
Effective Date: 5-28-82*

***Subdivision 7. Yard Requirements**

Side and rear yards in the Institutional Zoning District shall not be less than fifty (50) feet in width and depth, of which at least twenty-five (25) feet adjacent to the property line shall be landscaped and maintained as a buffer zone.

*Source: Ordinance No. 609
Effective Date: 11-11-83*

***Subdivision 8. Front Yards**

No building or structure in an Institutional Zoning District shall be located less than thirty-five (35) feet from the property line abutting a public street. All portions of a parcel of land abutting a public street shall be regarded as front yards. All front yards shall be planted, and landscaped, and shall contain no off-street parking.

*Source: Ordinance No. 567
Effective Date: 5-28-82*

***Subdivision 9. Accessory Uses**

The following are permitted accessory uses in this Zoning District:

- A. Essential Services - Class I
- B. Accessory Structures. The following regulations and setbacks shall be required for accessory structures in this Zoning District:
 - 1. Location. A Detached accessory structure shall be located completely to the rear of the principal structure, unless it is built with frost footings. In that case, an accessory structure may be built no closer to the front setback as the principal structure. If an addition is built on to an existing principal structure that would create a situation where an existing garage or accessory structure would not be completely to the rear of the addition to the principal structure, the addition to the principal structure may be built and the existing garage or accessory structure may remain and be

- considered conforming as long as there is at least ten (10) feet of separation between the existing principal structure with the addition and the existing garage or accessory structure. Additions may be made to the existing garage or accessory structure as long as the ten (10) feet of separation can be met.
2. Front setback. Accessory structures shall be located no less than the required setback for this Zoning District from the front property line along a street right-of-way line.
 3. Side and rear setbacks. Accessory structures shall be located no less than the required setback for principal structures in this Zoning District from a side or rear yard property line.
 4. Separation between structures. Accessory structures shall be located no less than ten (10) feet from any principal structure and from any other accessory structure.
 5. Alley setback. Accessory structures shall be located no less than ten (10) feet from an alley.
 6. Height limitations. No accessory structure shall be erected in this Zoning District to exceed a height of one (1) story. One (1) story may not exceed ten (10) feet from the floor to the top plate. Attic space in accessory structures shall be used only for storage and/or utility space.
 7. Cornices and eaves. Cornices and eaves may not project more than thirty (30) inches into a required setback.
 8. Number and Size of accessory structures. Only one (1) accessory structure shall be allowed on each property and no accessory structure shall be larger in size than the principal structure. In no case shall an accessory structure be greater than one thousand (1000) square feet or less than one hundred-twenty (120) square feet in area. Accessory structures include storage buildings, detached sheds, greenhouses, gazebos and other shelters. Accessory structures not used solely for storage and related activities shall have open sides from floor to ceiling, except that they may have railings and temporary screening (used only on two (2) sides at a time), all constructed in accordance with the building code.
 9. Design. All accessory structures constructed after the construction of the principal structure must be designed and constructed of similar materials as determined by the City Manager or his designee.
 10. Building Permits. All accessory structures located in this Zoning District require a building permit.

11. Parking structures and garages. In this Zoning District, parking structures and garages shall not be considered accessory structures if they are used to meet the required number of parking spaces.

*Source: Ordinance No. 344, 2nd Series
Effective Date: 05-25-06*

**Renumbering Source (Subd. 3-9):
Ordinance 346, 2nd Series
Effective Date: 7-1-06*

Section 11.47: I-394 Mixed Use Zoning District

Subdivision 1. Purpose

The City of Golden Valley has undertaken a study of the I-394 Corridor with the intent of improving the area's cohesiveness, attractiveness, and sustainability. The purpose of the I-394 Mixed Use ("MU") Zoning District is to implement the principles and recommendations of the I-394 Corridor Study. The principles are as follows:

- A. Enable the corridor to evolve toward a diverse mix of land uses, including residential as well as commercial and industrial.
- B. Maximize integration rather than separation of land uses, where appropriate.
- C. Maintain the corridor as an employment center.
- D. Improve the visual coherence and attractiveness of the corridor.
- E. Improve connectivity for all modes of transportation.
- F. Foster neighborhood-serving retail and services.
- G. Maintain or improve the functioning of intersections and highway interchanges.
- H. Foster sustainable development and a balance between urban and natural systems.

The District includes specific standards for building form, height, bulk and placement in order to encourage development that is varied, visually appealing, accessible to non-motorized transportation and pedestrian-oriented. It is designed to complement the standards of the I-394 Overlay District.

Subdivision 2. District Established

Properties shall be established within the I-394 Mixed Use Zoning District in the manner provided for in Section 11.90, Subdivision 3 of this Chapter. The district thus established and/or any subsequent changes to such district shall be reflected in the official zoning map of the City as provided in Section 11.11 of this Chapter.

Subdivision 3. Permitted Uses

The following uses are permitted in the I-394 Mixed Use Zoning District:

- A. Multiple Dwelling (three (3) or more units)
- B. Elderly and Handicapped Housing

- C. All permitted uses in the Commercial Zoning District, provided that such uses are combined with other permitted or conditional uses within a mixed-use building, and that the gross floor area occupied by any such single use shall not exceed ten thousand (10,000) square feet.
- D. Class I and III Restaurants
- E. Business and professional offices, provided that the gross floor area occupied by the use(s) on any lot shall not exceed ten thousand (10,000) square feet.
- F. Medical clinics
- G. Live-work units
- H. All uses permitted in the Institutional Zoning Districts, I-1 through I-3
- I. Child Care Facilities
- J. Adult Day Care Centers
- K. Structured parking accessory to any permitted use

Subdivision 4. Conditional Uses

- A. Class II Restaurants
- B. Any permitted use in the Commercial zoning district in a free-standing building.
- C. Any permitted or conditional use allowed in the Commercial zoning district occupying more than ten thousand (10,000) square feet of gross floor area.
- D. Business and professional offices occupying more than ten thousand (10,000) square feet on any zoning lot. The City Council may establish a maximum amount of office development that will be permitted on any zoning lot, based upon traffic studies as required by the I-394 Overlay Zoning District, using appropriate minimum Levels of Service.
- E. Research and development laboratories
- F. Convenience stores, including the sale of gasoline.
- G. Drive-in or drive-through facilities accessory to any permitted or conditional use.
- H. Buildings exceeding the height limits specified in Subdivision 6(D).

Subdivision 5. Standards for Live-Work Units

The purpose of a live-work unit is to provide a transitional use type between a home occupation and commercial enterprise.

- A. The work space may be located on any floor of the building, but businesses serving the public shall generally be located on the first floor for accessibility. Office or studio spaces or other low-traffic activities may be located on upper floors or basements.
- B. The dwelling unit component shall maintain a separate entrance located on the front or side facade and accessible from the primary abutting public street.
- C. A total of two (2) off-street parking spaces shall be provided for a live-work unit, located to the rear of the unit, or in an underground or enclosed space.
- D. The business component of the building may include offices, small service establishments, home crafts which are typically considered accessory to a dwelling unit, or limited retailing associated with fine arts, crafts, or personal services. It may not include a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.
- E. The business of the live-work unit must be conducted by a person who resides in the dwelling unit. The business shall not employ more than two (2) workers on-site at any one time who live outside of the live-work unit.
- F. All buildings that permit live-work units shall adopt rules to regulate their operations in order to ensure that live-work units function harmoniously with other living units within the building.

Subdivision 6. Dimensional Standards

- A. Minimum front yard setback, buildings:
 - 1. Nonresidential or mixed uses facing an R-1 zoning district across a public street: seventy-five (75) feet (measured from right-of-way)
 - 2. Residential uses facing an R-1 zoning district across a public street: thirty (30) feet.
 - 3. Buildings with residential uses at ground level: ten (10) feet from edge of right-of-way.
 - 4. Buildings with nonresidential uses at ground level: no minimum setback.
 - 5. All setbacks shall be landscaped according to the standards of Subdivision 8 hereof.

- B. Front, side and rear yard setbacks, surface parking: at least fifteen (15) feet, landscaped according to the standards of Subdivision 8 hereof.
- C. Side and rear yard setbacks, buildings:
 - 1. Adjoining an R-1 or R-2 zoning district: fifty (50) feet
 - 2. Adjoining any other district: ten (10) feet
- D. Maximum height: three (3) height subdistricts, designated as "A" through "C" are established, as shown on Figure 1. Maximum height shall not exceed the following except by Conditional Use Permit:
 - 1. Subdistrict A (Low): three (3) stories
 - 2. Subdistrict B (Medium): six (6) stories
 - 3. Subdistrict C (High): ten (10) stories
- E. Transitional height. Buildings or portions of buildings located within seventy-five (75) feet of a residential district boundary shall not exceed the maximum height permitted within that residential district.
- F. Minimum height of new buildings. Buildings occupying five thousand (5,000) square feet or more must be two (2) stories in height. A one-story wing or section of a taller building may be permitted if it comprises no more than twenty-five percent (25%) of the length of the façade.
- G. Maximum impervious coverage. The maximum impervious coverage is sixty-five percent (65%).

Subdivision 7. Density and Mix of Uses

Mix of uses, minimum densities and floor area ratios are established to ensure that new development or redevelopment achieves the goals of the I-394 Corridor Study and contributes to a lively, pedestrian-oriented environment.

- A. Required mix of uses. Development sites over one (1) acre in size shall include at least two (2) use types from the following categories:
 - 1. Residential
 - 2. Commercial
 - 3. Office
 - 4. Other, including studios and other live-work uses

- B. Required open space. Development sites over one (1) acre in size shall reserve at least fifteen percent (15%) of the site as a designed and landscaped, plaza, green, park, play area, trail or parkway or combination thereof.
- C. Minimum density, residential development
 - 1. If housing is part of a mixed use development, no minimum density is required.
 - 2. Freestanding residential buildings shall be developed at a minimum density of fifteen (15) units per net residential acre, with the exception of buildings or portions of buildings located within seventy-five (75) feet of a residential district boundary.
- D. Maximum floor area ratio. Non-residential and mixed uses: six-tenths (0.6) except by Conditional Use.

Subdivision 8. Development Standards

This section establishes objective development standards for all uses within the District. Standards are intended to encourage creative and sustainable approaches to development, and therefore allow some degree of flexibility in that some are mandatory and others are suggested:

- A. Building placement. Buildings shall be placed close to the adjacent primary street where practicable. Primary streets include: Laurel Avenue and the north-south streets of Xenia, Colorado, Hampshire, Louisiana, Pennsylvania and Rhode Island. (Additional primary streets may be established in the future.) Parking and services uses should be located in the interior of the site in order to create a vibrant pedestrian environment, slow traffic, and increase the visual interest and attractiveness of the area.
- B. Building design. Building facades over thirty (30) feet in length shall be visually divided into smaller increments by architectural elements such as recesses, openings, variation in materials or details. Building tops shall be defined with the use of architectural details such as cornices, parapets, contrasting materials or varied window or roof shapes. Buildings should have a defined base, middle and top, and employ elements that relate to the human scale and appeal to the pedestrian, such as awnings, windows or arcades.
- C. Transparency. Views into and out of buildings shall be provided to enliven the streetscape and enhance security.
 - 1. Where nonresidential uses occupy the ground floor level, window and door openings shall comprise at least sixty percent (60%) of the length and thirty percent (30%) of the area of the ground floor façade facing the primary street and shall be located between three (3) and eight (8) feet

- above the adjacent grade level. Minimum window sill height shall be three (3) feet above the ground, while the maximum height of the door shall be eight (8) feet above the ground. Window and door or balcony openings shall comprise at least fifteen percent (15%) of upper stories and side and rear facades.
2. Where residential uses occupy the ground floor level, window and door openings shall comprise at least twenty percent (20%) of the primary façade and fifteen percent (15%) of each side and rear façade.
 3. Window and door openings shall be clear or slightly tinted to allow unobstructed views into and out of buildings. Views shall not be blocked between three (3) and eight (8) feet above grade by storage, shelving mechanical equipment or other visual barriers. Display windows, if designed to provide equivalent visual interest, may be considered as an alternative approach as provided in Subdivision 8. The display area behind the window shall be at least four (4) feet deep and shall be used to display merchandise.
- D. Building entrances. Building entrances shall be provided on the primary street on which the building fronts, in addition to any entrances from rear or side parking areas. Street entrances shall be lighted and defined by means of a canopy, portico, recess, or other architectural details.
- E. Building materials.
1. Exterior wall finish. Exterior wall surfaces of all buildings, excluding those portions of foundation walls extending above finished grade, shall be faced with glass, exterior cement plaster (stucco), natural stone, brick, architectural concrete, non-corrugated metal, or an equivalent or better. Use of masonry and other durable materials is preferred.
 2. At least twenty percent (20%) of the façade facing the primary street shall be faced with Kasota stone or other indigenous dolomitic limestone.
 3. When used as architectural trim, up to fifteen percent (15%) of the exterior wall surface of a building elevation may be wood, metal, exterior insulation finish system (EIFS) or other equivalent materials as approved by the Director of Planning and Development.
 4. Façade treatment. All building facades shall be constructed with materials of equivalent levels of quality to those used on the front façade, except where a façade is not visible to the public.
- F. Building colors. Bright or primary colors shall be limited to fifteen percent (15%) of all street-facing facades and roofs, except when used in public art or on an awning.

- G. Parking location. Off-street parking shall be located to the side and rear of buildings to the maximum extent feasible. Off-street parking within front yard setbacks between buildings and the primary street shall be limited to a maximum depth of forty (40) feet. On-street parking will be encouraged where appropriate and feasible.
- H. Parking screening. Parking areas shall be screened from public streets, sidewalks and paths by a landscaped frontage strip at least five (5) feet wide. If a parking area contains over one hundred (100) spaces, the frontage strip shall be increased to eight (8) feet in width.
1. Within the frontage strip, screening shall consist of either a masonry wall, berm or hedge or combination that forms a screen a minimum of three and one-half (3.5) and a maximum of four (4) feet in height, and not less than fifty percent (50%) opaque on a year-round basis.
 2. Trees shall be planted at a minimum of one (1) deciduous tree per fifty (50) feet within the frontage strip.
- I. Structured parking. The ground floor facade of any parking structure abutting any public street or walkway shall be designed and architecturally detailed in a manner consistent with adjacent commercial or office buildings.
1. Upper floors shall be designed so that sloped floors typical of parking structures do not dominate the appearance of the façade.
 2. Entrance drives to structured parking (including underground parking) shall be located and designed to minimize interference with pedestrian movement. Pedestrian walks should be continued across driveways.
 3. The appearance of structured parking entrances shall be minimized so that they do not dominate the street frontage of a building. Possible techniques include recessing the entry; extending portions of the structure over the entry; using screening and landscaping to soften the appearance of the entry; using the smallest curb cut and driveway possible; and subordinating the parking entrance (compared to the pedestrian entrance) in terms of size, prominence, location and design emphasis.
- J. Pedestrian circulation.
1. Sidewalks shall be required along all street frontages, and sidewalk and trail design shall be consistent with the City of Golden Valley Public Sidewalk and Trail Policy.
 2. A well-defined pedestrian path shall be provided from the sidewalk to each principal customer/resident entrance of a building. Walkways shall be located so that the distance between street and entrance is minimized.

- Walkways shall be at least six (6) feet in width, and shall be distinguished through pavement material from the surrounding parking lot. Walkways shall be landscaped for at least fifty percent (50%) of their length with trees, shrubs, flower beds and/or planter pots.
3. Sidewalks of at least six (6) feet in width shall be provided along all building facades that abut public parking areas.
 4. Sidewalks shall be maintained by the adjacent property owner.
- K. Drive-through facilities.
1. Drive-through elements shall not be located between the front façade of the principal building and the street. No service shall be rendered, deliveries made or sales conducted within the required front yard, although tables may be provided for customer use.
 2. Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern. Adequate queuing lane space shall be provided, without interfering with on-site parking/circulation.
 3. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building, and with a similar level of architectural quality and detailing.
 4. Sound from any speakers used on the premises shall not be audible above a level of normal conversation at the boundary of any surrounding residential district or on any residential property.
- L. Outdoor seating and service areas. Outdoor seating and garbage receptacles are encouraged within front, side or rear setback areas, and temporary seating may be permitted within rights-of-way, provided that sidewalks remain clear to a width of five (5) feet. Service windows for serving food and beverages may be permitted as part of any building façade. Garbage receptacles shall be maintained by the property owner.
- M. Public art. Public art is encouraged as a component of new development.

Subdivision 9. Alternative Approaches to Development Standards

Although many of the development standards in this Section are mandatory, there may be other ways to achieve the same design objective. The City may permit alternative approaches that, in its determination, meet the intent of the development standards equally well or when specific physical conditions of the site or building would make compliance infeasible or inappropriate.

*Source: Ordinance No. 397, 2nd Series
Effective Date: 6-6-08*

Section 11.48: Site Plan Review

Subdivision 1. Purpose

Site plan review standards are established to promote development that is compatible with nearby properties, neighborhood character and natural features, and consistent with the comprehensive plan and/or area plans adopted by the City Council. The regulations in this Section are intended to minimize pedestrian and vehicular conflict, to promote public safety, and to encourage a high quality of development. The regulations recognize the unique character of land and development throughout the City and the need for flexibility in site plan review.

Subdivision 2. When Required

Within the I-394 Mixed Use Zoning District, site plan approval is required prior to issuance of a building permit for any proposed construction or issuance of a zoning certificate for any proposed use, with the following exceptions:

- A. Construction or alteration of an accessory structure.
- B. A use within an existing building that has received site plan approval, if the establishment of the use does not alter the approved site plan for the property.
- C. Proposed modifications that are strictly related to the interior of the building.
- D. Modifications, additions, or enlargements to a building which do not increase the gross floor area by more than five hundred (500) square feet or ten percent (10%), whichever is less, and which do not require a variance from the provisions of this ordinance.
- E. Alteration or expansion of an existing parking lot that results in a change of no greater than ten percent (10%) of the total number of parking spaces.
- F. Grading or site preparation that results in minor modifications to the existing site, as approved by the City Engineer.

Subdivision 3. Required Information

All site plans shall be drawn to scale and shall contain all the following information, except to the extent specifically waived in writing by the Director of Planning and Development:

- A. Project name, location, developer, and designer of the project.
- B. Evidence of ownership or an interest in the property.
- C. Property dimensions and boundaries.

- D. The existing and intended use of the property and all structures upon it, including floor area, number of dwelling units proposed, parking, circulation, landscaping, signage, and stormwater management and snow storage facilities.
- E. Any other information deemed necessary by the Director of Planning and Development.

Subdivision 4. Site Plan Application

Applications for site plan approval shall be made on forms provided by the City.

- A. Site or building plans shall be approved by the Planning Commission. The approval shall be completed within thirty (30) days of receipt of complete plans. The applicant shall be notified by U.S. mail of the decision of the Planning Commission. Within thirty (30) days of the decision of the Planning Commission, the applicant may file a written appeal of the decision to the Director of Planning and Development, thereby appealing the Planning Commission decision to the City Council. The City Council shall, within thirty (30) days from the date of such appeal, make its findings and determinations with respect to the appeal and serve written notice to the appellant by U.S. mail.
- B. All developments that require 1) a variance and 2) site and building plan review shall obtain the variance prior to starting the building or site plan review process.

Subdivision 5. Site Plan Review Standards

Site plans shall be reviewed with reference to:

- A. Conformance to the applicable standards of the City Code and other city requirements
- B. Where applicable, consistency with the development standards and objectives established for the I-394 Mixed Use Zoning District or specific areas or districts in the Comprehensive Plan or other area plans adopted by the City.

*Source: Ordinance No. 397, 2nd Series
Effective Date: 6-6-08*

Section 11.49, reserved for future expansion.

Section 11.50: Terminal Warehouse District

Repealed by Ordinance No. 50, 2nd Series, adopted 11-13-90.

Section 11.50: Sexually Oriented Businesses

Subdivision 1. Findings and Purpose

The Council finds it necessary to regulate the location of Accessory Sexually Oriented Sales and Sexually Oriented Businesses to ensure the health, welfare, and safety of the community and to prevent any negative effects on neighborhoods surrounding any such Accessory Sexually Oriented Sales and Sexually Oriented Businesses. The Council bases its action on reports including a report prepared by the Minnesota State Attorney General entitled "Report of the Attorney General's Working Group on the Regulation of Sexually Oriented Business" and similar reports completed for and in the cities of Denver, Colorado, Kansas City, Missouri, New York, New York, Rochester, New York, and Newport News, Virginia. These reports find that:

- A. Sexually oriented businesses have an impact on the neighborhoods surrounding them which is distinct from the impact caused by other commercial uses; and
- B. Residential neighborhoods located within close proximity to adult theaters, bookstores and other sexually oriented businesses experience increased crime rates (sex-related crimes in particular), lowered property values, increased transience, and decreased stability of ownership; and
- C. The adverse impacts which sexually oriented businesses have on surrounding areas diminish as the distance from the sexually oriented business increases; and
- D. Among the crimes which tend to increase either within or in the near vicinity of sexually oriented businesses are rapes, prostitution, child molestation, indecent exposure and other lewd and lascivious behavior; and
- E. Many members of the public perceive areas within which sexually oriented businesses are located as less safe than other areas which do not have such uses; and
- F. The values of both commercial and residential properties either are diminished or fail to appreciate at the rate of other comparable properties when located in proximity to sexually oriented businesses; and
- G. The adverse impacts of sexually oriented businesses are exacerbated when the uses are located near each other; and
- H. There is a strong correlation between higher sex crime rates and the location of sexually oriented businesses.

The purpose of this ordinance therefore is to regulate the location of Accessory Sexually Oriented Sales and Sexually Oriented Businesses within the City based on information from the Comprehensive Land Use Plan Map and the Zoning Map of the City of Golden Valley.

Subdivision 2. Definitions

For purposes of this Section, these terms shall be defined as follows:

- A. **Accessory Sexually Oriented Sales:** Sales accounting for less than five percent (5%) of the floor area, up to a maximum of fifty (50) square feet, of an otherwise permitted business (not including storerooms, stock areas, bathrooms, basements or any portion of the business not open to the public) devoted to materials or persons depicting, exposing, describing, discussing or relating to Specified Sexual Activities or Specified Anatomical Areas, and is available for barter, rental, or sale for off the premises use only. Accessory Sexually Oriented Sales do not include the sale of instruments, devices or paraphernalia which are used or designed for use in connection with Specified Sexual Activities. In order to qualify, Accessory Sexually Oriented Sales shall at all times be out of view by any persons under the age of eighteen (18), and hereunder, they shall be restricted from and prohibit access to persons under age eighteen (18) by physical separation, except for sales of print media, which shall be displayed with a completely opaque cover excluding the media's title, and shall be kept a minimum of five (5) feet off the floor. Any business with accessory sexually oriented sales not meeting the requirements of this definition shall be considered a Sexually Oriented Business, subject to all requirements for such businesses.
- B. **Sexually Oriented Business:** An inclusive term describing collectively the following retail, entertainment, or service oriented businesses:
1. On-site entertainment provided by live entertainers characterized by an emphasis on Specified Anatomical Areas or Specified Sexual Activities, commonly known as, but not limited to, an Adult Cabaret, Adult Entertainment Facility, Strip Club, Show Girls, Adult Modeling Studio, or a Lingerie Studio. Such characteristics may be determined by advertising patterns or actual performances.
 2. Adult motion picture theaters with capacity greater than fifty (50) persons, emphasizing or predominately showing movies depicting Specified Anatomical Areas or Specified Sexual Activities as its regular and substantial course of conduct.
 3. Adult media stores wherein six percent (6%) or more of its gross public floor area or stock-in-trade consists of media including but not limited to magazines, books, DVDs, videotapes, movies, slides, or CD-ROMs that are characterized by their emphasis on Specified Sexual Activities or Specified Anatomical Areas.

4. Adult Video Arcades (Mini-Motion Picture Theater) that have capacity for fifty (50) or fewer persons and emphasize or predominately show movies or clips depicting Specified Anatomical Areas or Specified Sexual Activities, often in semi-private viewing booths, as its regular and substantial course of conduct.
 5. Sex Shops that are establishments offering goods for sale or rent and meet one of the following criteria:
 - a. More than five percent (5%) of a business's stock in trade or gross public floor area consists of media characterized by emphasis on Specified Sexual Activities or Specified Anatomical Areas; or
 - b. Sales of lingerie marketed or presented in a context to suggest use for sadomasochistic practices; or
 - c. Sales of leather goods marketed or presented in a context to suggest their use for sadomasochistic practices; or
 - d. Sales of instruments, devices, paraphernalia or general retail products either designed as complete or partial representations of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs.
- C. **Specified Anatomical Areas:** Less than completely and opaquely covered human genitals, pubic region or pubic hair, buttock, and female breast below a point immediately above the top of the areola; or Human male genitals in a discernibly turgid state even if completely and opaquely covered.
- D. **Specified Sexual Activities:** Human genitals in a state of sexual stimulation or arousal or acts of human masturbation, sexual intercourse, sodomy, or fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

Subdivision 3. License Required

All Sexually Oriented Businesses shall hold a License prior to opening to the public, per Section 6.48 of City Code.

Subdivision 4. Location

- A. Accessory Sexually Oriented Sales. Accessory Sexually Oriented Sales shall be a permitted use in all Commercial Zoning Districts and no others. At no point shall such sales exceed five percent (5%) or one hundred (100) square feet of gross public floor area, whichever is less, nor shall such sales exceed five percent (5%) of a business' stock in trade.

B. Sexually Oriented Businesses. Sexually Oriented Business shall be a permitted use in Industrial and Light Industrial Zoning Districts. All Sexually Oriented Businesses shall adhere to the following land use regulations:

1. No Sexually Oriented Business shall be within five hundred (500) feet of another Sexually Oriented Business, as measured at the property line.
2. No Sexually Oriented Business shall be within five hundred (500) feet of any Residential Zoning District, as measured at the property line, nor shall a Sexually Oriented Business locate within five hundred (500) feet of any Residential Zoning District of any City adjoining Golden Valley, as measured at the property line.
3. No Sexually Oriented Business shall be within five hundred (500) feet of any Institutional Zoning District, as measured at the property line, nor shall a Sexually Oriented Business locate within five hundred (500) feet of any Institutional Zoning District of any City adjoining Golden Valley, as measured at the property line.
4. No Sexually Oriented Business shall be within five hundred (500) feet, as measured at the property line, of any of the following Conditional Uses within the Industrial or Light Industrial Zoning District:
 - a. Ball fields and other recreational facilities
 - b. On-site daycare facilities
 - c. Health, fitness and/or exercise facilities, including dance studio, gymnastic training, weight lifting studio, aerobic exercise and gymnasiums
 - d. Child Care Facilities, as defined in this Chapter
 - e. Trade schools or Training Centers

Subdivision 5. Variance Procedure

Any variance requests under this Section for Sexually Oriented Businesses shall be heard only by the Council. Such requests shall be heard at a regular Council meeting within thirty (30) days of receipt by the Director of Planning and Development of a completed Zoning Code Variance Application. The Council shall adhere to the standards and procedures for the variance requests established for the Board of Zoning Appeals, in Subdivision 4, parts B and C of City Code Section 11.90 respectively.

*Source: Ordinance No. 326, 2nd Series
Effective Date: 4-15-05*

Sections 11.51 through 11.54, inclusive, reserved for future expansion.

Section 11.55: Planned Unit Development

Subdivision 1. Intent and Purpose

It is the intent of this Section to provide an optional method of regulating land use which permits flexibility from the other provisions of Chapters 11 and 12 of the City Code, including flexibility in uses allowed, setbacks, height, parking requirements, number of buildings on a lot and similar regulations.

A. The purpose of this section is to:

1. Encourage, preserve and improve the health, safety and general welfare of the people of the City by encouraging the use of contemporary land planning principles.
2. Achieve a high quality of site planning, design, landscaping, and building materials which are compatible with the existing and planned land uses.
3. Encourage preservation and protection of desirable site characteristics and open space and protection of sensitive environmental features including steep slopes, trees, scenic views, waterways, wetlands and lakes.
4. Encourage construction of affordable housing and a variety of housing types.
5. Encourage creativity and flexibility in land development.
6. Encourage efficient and effective use of land, open space, streets, utilities and other public facilities.
7. Allow mixing land uses and assembly and development of land to form larger parcels.
8. Encourage development in transitional areas which achieve compatibility with all adjacent and nearby land uses.
9. Achieve development consistent with the Comprehensive Plan.
10. Achieve development consistent with the City's redevelopment plans and goals.
11. Encourage development that is sustainable and has a high degree of energy efficiency.

- B. This Section applies to all Planned Unit Developments existing in the City on the date of its enactment and all subsequently enacted Planned Unit Developments.

Subdivision 2. Applicability

- A. Optional Land Use Control. Planned Unit Development provisions provide an optional method of regulating land use which permits flexibility in the uses allowed and other regulating provisions including setbacks, height, parking requirements number of buildings on a lot and similar regulations provided the following requirements are met and the PUD plan complies with the other provisions of this and other Planned Unit Development sections. Approval of a Planned Unit Development and granting of a PUD agreement does not alter the existing zoning district classification of a parcel in any manner; however, once a PUD has been granted and is in effect for a parcel, no building permit shall be issued for that parcel which is not in conformance with the approved PUD Plan, the Building Code, and with all other applicable City Code provisions.
- B. Uses. Once a Final PUD Plan is approved, the use or uses are limited to those approved by the specific approved PUD ordinance for the site and by the conditions, if any, imposed by the City in the approval process.
- C. Maintenance Preservation. All features and aspects of the Final PUD Plan and related documents including but not limited to buildings, setbacks, open space, preserved areas, landscaping, wetlands, buffers, grading, drainage, streets and parking, hard cover, signs and similar features shall be used, preserved and maintained as required in said PUD plans and documents.

Subdivision 3. Standards and Guidelines

- A. Size. There is no minimum lot size.
- B. Frontage. Frontage on a public street shall be at least one hundred (100) feet or adequate to serve the development.
- C. Setbacks.
 - 1. Principal Building. No principal building shall be closer than its height to the rear or side property line when such line abuts on a single-family zoning district.
 - 2. All Buildings. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are a part of the internal road system. Some minor deviations may be allowed provided adequate separation is provided through additional landscaping, berming or similar means.

- D. Private Service Facilities or Common Areas. In the event certain land areas or structures are proposed within the planned unit development for shared recreational use or as service facilities, the owner of such land and buildings shall enter into an agreement with the City to assure the continued operation and maintenance to a pre-determined reasonable standard. These common areas may be placed under the ownership of one of the following as determined by the Council:
1. Dedicated to public where community-wide use is anticipated.
 2. Landlord
 3. Landowners or Homeowners Association, provided appropriate conditions and protections satisfactory to the City are met such as formation of the association, mandatory membership, permanent use restrictions, liability insurance, local taxes, maintenance, and assessment provisions.
- E. Intent and Purposes. A PUD shall meet and be consistent with the intent and purpose provisions and all other provisions of this section.

Subdivision 4. Pre-Application

- A. Qualifications. Application for a PUD may be made only by: 1) the owner of the land involved in the PUD application, or by a duly authorized representative, or 2) an option or contract holder, provided the application is accompanied by fully executed agreements or documents from the owner stating that such owner has no objections to the proposed application and is in fact joining in the same as such owner's interest may appear. The City may act as a petitioner on its own behalf or on the behalf of an affiliated governmental body.
- B. Pre-Application Conference. Prior to filing a PUD application and prior to conducting a neighborhood meeting, the applicant shall meet with the city staff for a pre-application conference. The primary purpose of the conference is to allow the applicant and staff to discuss land use controls, appropriate use of the site, design standards, how the plan will achieve higher quality and meet the PUD purpose and design requirements, the application process, and the general merits of the applicant's proposal.
- C. Neighborhood Meeting. At an appropriate point during development of a preliminary PUD plan, the applicant shall hold a neighborhood meeting. All property owners within five hundred (500) feet of the PUD, or a larger area as determined by the City, shall be given notice of the meeting. The purpose of the meeting is to inform the neighborhood of the proposed PUD, discuss the concepts and basis for the plan being developed and to obtain information and suggestions from the neighborhood.

Subdivision 5. Application Procedure – Preliminary PUD Plan

A. Application. The applicant shall complete and sign the application and submit a Preliminary PUD Plan. All application requirements must be completed and submitted for the application to be processed. If it is proposed to develop a project during a period which will exceed two (2) years, the applicant may request approval of a Preliminary PUD Plan for the entire project and permission to submit a Final PUD Plan only for the first stage of the project. Separate public hearings and a Final PUD Plan shall nevertheless be required respecting such successive stage of the project as the same is reached. Except to the extent the Director of Planning requires more or less information, the application shall include, but not be limited to, the following information:

*Source: Ordinance No. 318, 2nd Series
Effective Date: 12-31-04*

1. Preliminary PUD Plan. A Preliminary PUD Plan of the proposed development illustrating the nature and type of proposed development, shall identify all land uses and proposed square footage, the location of buildings, existing and proposed roadways and accesses, pedestrian ways and sidewalks, proposed parking areas, preliminary traffic volume projections, areas to be preserved, public and common areas, preliminary building elevations including height and materials, preliminary utilities plan, the location of the parcel's boundaries, the net and gross density of the development, the total area occupied by the development, lot coverage, a lighting plan (subject to the requirements in Section 11.73, Outdoor Lighting) and the amenities to be provided and a development schedule.

*Source: Ordinance No. 365, 2nd Series
Effective Date: 3-23-07*

- a. Preliminary Grading Drainage and Erosion Control Plan
 - b. Preliminary Tree Preservation Plan
 - c. Preliminary Building Code Analysis
2. Preliminary Plat. All data required for a preliminary plat by the requirements of the Subdivision Regulations Chapter of the City Code. This requirement may be waived if the PUD is an amendment to an approved PUD.
3. Narrative. A narrative statement explaining how the proposed PUD will meet the purpose and other provisions of the PUD Ordinance including how it will:

- a. Encourage, preserve and improve the health, safety and general welfare of the people of the City by encouraging the use of contemporary land planning principles.
 - b. Achieve a high quality of site planning, design, landscaping, and building materials which are compatible with the existing and planned land uses.
 - c. Encourage preservation and protection of desirable site characteristics and open space and protection of sensitive environmental features including steep slopes, trees, scenic views, water ways, wetlands and lakes.
 - d. Encourage construction of affordable housing and a variety of housing types.
 - e. Encourage creativity and flexibility in land development.
 - f. Encourage efficient and effective use of land, open space, streets, utilities and other public facilities.
 - g. Allow mixing land uses and assembly and development of land to form larger parcels.
 - h. Encourage development in transitional areas which achieve compatibility with all adjacent and nearby land uses.
 - i. Achieve development consistent with the Comprehensive Plan.
 - j. Achieve development consistent with the City's redevelopment plans and goals.
 - k. Encourage development that is sustainable and has a high degree of energy efficiency.
4. Future Requirements. The applicant is advised to consider the requirement for a Final PUD Plan when preparing the Preliminary PUD Plan.
 5. Other. An applicant may submit any additional information which may explain the proposed PUD.
- B. Planning Department. Upon submission of a completed application, the Planning Department shall:
1. Refer. Refer the application to the Departments of Public Works, Public Safety and Park and Recreation for their written evaluations regarding

those aspects of the proposal which affect the particular department's area of interest.

2. Notify. Notify by mail property owners within five hundred (500) feet of the PUD, or a larger area to be determined by the City, of the public information meeting. However, failure of any property owner to receive notification shall not invalidate the proceedings.
3. Report. Prepare a report and refer it to the Planning Commission for review at the informal public hearing.

C. Planning Commission.

1. Informational Public Hearing. The Planning Commission shall hold an informal public hearing and consider the application for consistency with the Intent and Purpose provisions and other PUD requirements and principles and standards adhered to in the City. The Planning Commission's report to the Council shall include recommended changes, conditions, or modifications.
2. Petitioner. The petitioner, or the petitioner's representative, shall appear at the public information meeting in order to answer questions concerning the proposed PUD.
3. Findings. The findings and action of the Planning Commission shall be forwarded to the Council.

D. City Council.

1. The Council shall hold a public hearing, and take action on the application. All property owners within five hundred (500) feet of the PUD, or a larger area as determined by the City, shall be given notice of the meeting. The public hearing shall be called and notice thereof given in the manner required by statute.
2. Findings. The findings and action of the Council may include a request for plan amendments, approval, denial, or other action deemed appropriate by the Council such as referral back to the Planning Commission.

E. Findings. Approval of a Preliminary PUD Plan requires the following findings be made by the City.

1. Quality Site Planning. The PUD plan is tailored to the specific characteristics of the site and achieves a higher quality of site planning and design than generally expected under conventional provisions of the ordinance.

2. Preservation. The PUD plan preserves and protects substantial desirable portions of the site’s characteristics, open space and sensitive environmental features including steep slopes, trees, scenic views, creeks, wetlands and open waters.
3. Efficient – Effective. The PUD plan includes efficient and effective use (which includes preservation) of the land.
4. Compatibility. The PUD Plan results in development compatible with adjacent uses and is consistent with the Comprehensive Plan and redevelopment plans and goals.
5. General Health. The PUD plan is consistent with preserving and improving the general health, safety and general welfare of the people of the City.
6. Meets Requirements. The PUD plan meets the PUD Intent and Purpose provision and all other PUD ordinance provisions.

*Source: Ordinance No. 318, 2nd Series
Effective Date: 12-31-04*

Subdivision 6. Application Procedure – Final PUD Plan

- A. Application and Final PUD Plan Requirements. Unless the applicant has obtained City Council permission under Subd. 5(A) hereof to develop a project over more than two (2) years, the applicant shall submit a complete Final PUD Plan within one hundred eighty (180) days of Preliminary PUD Plan approval. Such one hundred eighty (180) day period may be extended for additional one hundred eighty (180) day periods by the City Council in the exercise of its sole discretion subject to such additional conditions as it deems appropriate. The Final PUD Plan shall be consistent with the Preliminary PUD Plan approved by the City Council, as well as the PUD Intent and Purpose provisions hereof. The standards and other provisions of this section shall include, but not be limited to, the following:

*Source: Ordinance No. 419, 2nd Series
Effective Date: 05-29-09*

1. Site Plan/Development Plan. Plans of the proposed PUD development which identify all land uses and proposed square footage, the location of buildings, existing and proposed roadways and accesses, pedestrian ways and sidewalks, proposed parking areas, traffic volume projections, areas to be preserved, public and common areas, building elevations including height and materials, preliminary utilities plan, the location of the parcel’s boundaries, the net and gross density of the development, the total area occupied by the development, the amenities to be provided and the development schedule.

2. Setbacks. Setback measurements from buildings, roads, parking and high use outdoor activity areas to the nearest lot lines shall be shown on the Site Plan. A narrative shall describe these setbacks and provide the rationale and justification. The City may allow some flexibility in setbacks if it benefits all parties and the environment. Requiring greater or allowing lesser setbacks may be based on uses on and off the site, natural amenities and preservation, topography, density, building heights, building materials, landscaping, lighting and other plan features.

3. Preservation Plan. A Preservation and Open Space Plan showing the areas to be preserved and spaces to be left open shall be provided. Preference shall be given to protecting sensitive environmental features including steep slopes, trees, scenic views, waterways, wetlands and lakes. The plan shall include new plantings, fixtures, equipment and methods of preservation. Said plan and information may be included on the Landscape Plan.
 - a. Wetlands and Ponds Guidelines. Wetlands and ponds shall have a riparian buffer strip at least twenty-five (25) feet wide composed of natural vegetation but not an improved and/or fertilized lawn.

 - b. Buffers. Provisions for buffering the PUD site from adjacent uses shall be included. Natural amenities shall be used to the extent possible and be supplemented by additional landscaping, berms or other features as may be appropriate. Buffers shall be based on the type of uses on and adjacent to the site, views, elevations and activities. Buffers may be included on the Landscape Plan.

 - c. Tree Preservation Plan. A complete tree preservation plan consistent with the PUD requirements and the Preliminary PUD Plan as approved by the City.

 - d. Landscape Plans. Complete landscaping plans showing vegetation to be removed, vegetation to be retained and proposed vegetation. Plans shall include species, quantities, planting methods and sizes. Within any specific PUD, the landscaping may be required to exceed the City's policy on minimum landscape standards.

4. Public Space. Properties within PUDs are subject to the dedication of parks, playgrounds, trails, open spaces, storm water holding areas and ponds as outlined in Section 12.30, subdivision 1 of the Subdivision Code, the Comprehensive Plan, redevelopment plans or other City plans.

5. Transportation and Parking Plan. A complete plan shall be submitted which includes:

- a. Proposed sidewalks and trails to provide access to the building, parking, recreation and service areas within the proposed development and connection to the City's system of walks and trails
 - b. Internal roads, if any
 - c. Driveways
 - d. Parking, including layout dimensions of spaces and aisles, total parking by use, and a notation about striping/painting the spaces
 - e. Off-street loading for business uses
 - f. A plan for snow storage and removal
 - g. A plan for maintenance of the facilities
 - h. A calculation of traffic projections by use with assignments to the roads, drives and accesses serving the PUD, including existing traffic volumes for adjacent streets using the most recent counts and/or based on the uses and trip generation estimates
 - i. A description of the alternatives and locations considered for access to the site and the rationale used in selecting the proposed location, width and design of streets, driveways and accesses.
6. Private Streets. Private streets shall not be approved, nor shall public improvements be approved for any private right-of-way, unless a waiver is granted by the City based on the following and other relevant factors:
- a. Extension of a public street is not physically feasible as determined by the city;
 - b. Severe grades make it infeasible according to the city to construct a public street to minimum city standards;
 - c. The city determines that a public road extension would adversely impact natural amenities; or
 - d. There is no feasible present or future means of extending right-of-way from other directions.
 - e. If the City determines that there is need for a public street extension, this provision shall not apply, and the right-of-way for a public street shall be provided by dedication in the plat.
7. Private Street Design Standards.

- a. The street must have adequate width consistent with the Transportation Plan and must be located and approximately centered within an easement at least four (4) feet wider than the street.
 - b. The private street shall be designed to minimize impacts upon adjoining parcels.
 - c. The design and construction standards must result in a functionally sound street in balance with its intended use and setting.
 - d. The number of lots to share a common private access drive must be reasonable.
 - e. Covenants which assign driveway installation and future maintenance responsibility in a manner acceptable to the City must be submitted and recorded with the titles or the parcels which are benefited.
 - f. Common sections of the private street serving three (3) or more dwellings must be built to a seven-ton design, paved to a width of twenty (20) feet, utilize a minimum grade, and have a maximum grade which does not exceed ten percent (10%).
 - g. The private street must be provided with suitable drainage.
 - h. Covenants concerning maintenance and use shall be filed against all benefiting properties.
 - i. Street addresses or City-approved street name signs, if required, must be posted at the point where the private street intersects the public right-of-way.
- B. Grading, Drainage and Erosion Control Plans. Complete plans for grading, drainage and erosion control which meet the City's standards shall be submitted. The plan shall show hard surface calculations by areas – buildings, private streets, driveways, parking lots, plazas, walks, trails, and all other impervious surfaces. Hard surface coverage is expected not to exceed the following standards.

Uses	Maximum Hard Cover Percent
Single Family	38%
Townhouses	40%
Apartments-Condominiums	42%
Institutional Uses	45%
Industrial Uses	70%
Business Uses	80%
Commercial-Retail	90%
Mixed Uses of Housing with Retail, Office or Business	90%

- C. Utilities and Service Facilities. The applicant shall provide a plan showing how the site will be served by utilities.
- D. The applicant shall submit a Final Building Code Analysis.
- E. Refuse and Garbage. The applicant shall provide a refuse disposal Plan including provisions for storage and removal on a regular basis. (In residential developments, all waste/refuse shall be stored inside a principal structure or a garage until the day of pick-up. In commercial, business and institutional developments refuse may be stored in a principal building or in an enclosed screened in area designed of materials to match the principal building.)
- F. Architectural plans. The applicant shall submit architectural plans showing the floor plan and elevations of all sides of the proposed buildings including exterior wall finishes proposed for all principal and accessory buildings. Cross sections may be required.
- G. Sign Plan. The applicant shall submit a Sign Plan including the location of proposed signs, size, materials, color, and lighting. In those instances where not all signs are known, a sign policy shall be presented to the City for the City's review consistent with PUD requirements. Sign design, policies, style, colors, locations, size, height, materials and accompanying landscaping must be consistent with achieving a high quality development meeting the PUD intent and purpose provisions.
- H. Dwelling Information. The applicant shall submit complete data as to dwelling unit number, density net and gross, sizes, types, etc.
- I. Life-Cycle and Affordable Housing. If the PUD includes "life-cycle" or affordable housing, the applicant shall provide a narrative describing the housing, and the guarantees such as covenants to be used to secure such housing and maintain long term affordability.
- J. Population. The applicant shall submit a population component which shall contain a descriptive statement of the estimated population and population characteristics.
- K. Employees. If office, commercial, business, service firms or institutional uses are included in the PUD, the estimated number of employees shall be included.
- L. Final Plat. Unless waived by the City, the applicant shall submit a final plat, as required by Chapter 12 (Subdivision Regulations) of the City Code. The title of the plat must include the following "P.U.D. No. ____" (The number to insert will be provided by the City.)

M. Schedule. The applicant shall submit a schedule and proposed staging, if any, of the development.

N. Narrative. The applicant shall submit a description of the development especially as it relates to use of PUD provisions and explaining how it meets the purpose and other PUD provisions including how it will:

1. Encourage, preserve and improve the health, safety and general welfare of the people of the City by encouraging the use of contemporary land planning principles.
2. Achieve a high quality of site planning, design, landscaping, and building materials which are compatible with the existing and planned land uses.
3. Encourage preservation and protection of desirable site characteristics and open space and protection of sensitive environmental features including steep slopes, trees, scenic views, water ways, wetlands and lakes.
4. Encourage construction of affordable housing and a variety of housing types.
5. Encourage creativity and flexibility in land development.
6. Encourage efficient and effective use of land, open space, streets, utilities and other public facilities.
7. Allow mixing land uses and assembly and development of land to form larger parcels.
8. Encourage development in transitional areas which achieve compatibility with all adjacent and nearby land uses.
9. Achieve development consistent with the Comprehensive Plan.
10. Achieve development consistent with the City's redevelopment plans and goals.
11. Other. The applicant may submit any additional information which may explain the proposed PUD.
12. Director of Planning. The Director of Planning may require more or less information than that listed above.

O. Planning Commission.

1. Public Hearing. The Planning Commission shall hold an informal public hearing. All property owners within five hundred (500) feet of the PUD or

a larger area as determined by the City, shall be given notice of the meeting.

2. Consistency. The Commission shall review the Final PUD plan for consistency with the Preliminary PUD Plan as approved by the Council, and the conditions, if any imposed by the Council, the Intent and Purpose provisions, all other provisions of the PUD ordinance, and principles and standards adhered to in the City.
3. Findings. The findings, actions and report of the commission to the Council may include recommended conditions and modifications to the Final PUD Plan.

P. City Council.

1. Public Hearing. The City Council shall hold a public hearing. All property owners within five hundred (500) feet of the PUD or a larger area as determined by the City, shall be given notice of the meeting.
2. Action. The action of the Council may include plan amendments, approval, denial, or other action based on findings and deemed appropriate by the City Council.

Q. Findings. Approval of a Final PUD Plan requires the following findings be made by the City:

1. Quality Site Planning. The PUD plan is tailored to the specific characteristics of the site and achieves a higher quality of site planning and design than generally expected under conventional provisions of the ordinance.
2. Preservation. The PUD plan preserves and protects substantial desirable portions of the site's characteristics, open space and sensitive environmental features including steep slopes, trees, scenic views, creeks, wetlands and open waters.
3. Efficient. Effective. The PUD plan includes efficient and effective use (which includes preservation) of the land.
4. Consistency. The PUD Plan results in development compatible with adjacent uses and is consistent with the Comprehensive Plan and redevelopment plans and goals.
5. General Health. The PUD plan is consistent with preserving and improving the general health, safety and general welfare of the people of the City.
6. Meets Requirements. The PUD plan meets the PUD Intent and Purpose provision and all other PUD ordinance provisions.

- R. Approval. Approval of a Planned Unit Development shall be by ordinance requiring an affirmative vote of a majority of the City Council.

Subdivision 7. PUD Agreement

Following Council approval of a Final PUD Plan, City staff shall prepare a PUD agreement which references all the approved plans, specifies permitted uses, allowable densities, development phasing, required improvements, completion dates for improvements, the required Letter of Credit and additional requirements for each PUD, in accordance with the conditions established in the City Council approval of the Final PUD Plan and PUD ordinance. The PUD agreement shall be signed by the petitioner within thirty (30) days of the City Council's approval of the agreement.

Subdivision 8. Building Permit

Following approval of a Final PUD Plan and execution of the PUD agreement, the City may grant building permits for proposed structures within the approved PUD area provided the requested permit conforms to the Final PUD Plan, all provisions of the PUD ordinance, the PUD agreement and all other applicable City Codes.

Subdivision 9. Multiple Parcels

A PUD may be regulated by a single agreement which may include attachments. One (1) or more of the attachments may cover an individual lot. An applicant amending an approved PUD must show that the proposed change does not adversely affect any other property owner, if any, in the PUD, the terms of the PUD Plan and PUD Agreement, and the Intent and Purpose and other provisions of the PUD Ordinance. A proposed amendment which does not meet this requirement may be rejected by the City without review as would otherwise be required by the ordinance.

Subdivision 10. Amendments

An application to amend a PUD shall be administered in the same manner as that required for an initial PUD; however, a minor amendment may be made through review and approval by a simple majority vote of the City Council with or without referral to the Planning Commission. To qualify for this review, the minor amendment shall not:

- A. Eliminate, diminish or be disruptive to the preservation and protection of sensitive site features.
- B. Eliminate, diminish or compromise the high quality of site planning, design, landscaping or building materials.
- C. Alter significantly the location of buildings, parking areas or roads.
- D. Increase or decrease the number of residential dwelling units by more than five percent (5%).

- E. Increase the gross floor area of non-residential buildings by more than three percent (3%) or increase the gross floor area of any individual building by more than five percent (5%).
- F. Increase the number of stories of any building.
- G. Decrease the amount of open space by more than three percent (3%) or alter it in such a way as to change its original design or intended function or use.
- H. Create non-compliance with any special condition attached to the approval of the Final PUD Plan.

Subdivision 11. Cancellation

A PUD shall only be cancelled and revoked upon the City Council adopting an ordinance rescinding the ordinance approving the PUD.

Subdivision 12. Administration

- A. Records. The Planning Department shall maintain a record of all Planned Unit Developments approved by the City Council including information on the use, location, conditions imposed, time limits, review dates, and such other information as may be appropriate. Each approved PUD shall be clearly noted on the Zoning Map.
- B. Certification of Plans. The City may require that PUD plans be certified at the time of submittal and/or upon completion of construction.
- C. Time Limits. No application which was denied shall be re-submitted for a period of six (6) months from the date of said denial.
- D. Letter of Credit. To Assure Conformance to the Final PUD Plan and Agreement the City may require the applicant to post a Letter of Credit in a form approved by the City, guaranteeing the faithful performance of certain work or matters covered in the agreement and in a sum equal to one hundred fifty percent (150%) the total cost of all such items as determined by the Department of Public Works. The Letter of Credit or other surety may be reduced when specific parts or items are completed and upon recommendation of the Department of Public Works.

- E. Effect on Conveyed Property. In the event any real property in the approved PUD Agreement is conveyed in total, or in part, the buyers thereof shall be bound by the provisions of the approved Final PUD Plan constituting a part thereof; provided, however, that nothing herein shall be construed to create non-conforming lots, building sites, buildings or uses by virtue of any such conveyance of a lot, building site, building or part of the development created pursuant to and in conformance with the approved PUD.

*Source: Ordinance No. 318, 2nd Series
Effective Date: 12-31-04*

Section 11.56: I-394 Overlay Zoning District Ordinance

Subdivision 1. Purpose

The United States and Minnesota Departments of Transportation are upgrading State Highway No. 12 to become Interstate Highway 394 which will alter transportation patterns and foster new development and redevelopment along the highway corridor. It will also generate traffic congestion on both the freeway system and the local street networks in portions of St. Louis Park and Golden Valley resulting in traffic congestion, air pollution, noise pollution and other environmental problems. Since the Interstate Highway 394 corridor runs along the common border between the Cities of Golden Valley and St. Louis Park, they have studied the situation and entered into a Joint Powers Agreement respecting the same. This Ordinance is intended to impose on all dense developments, which will contain more than six tenths (0.6) square feet of gross floor area per each square foot of land area within a lot or parcel in the I-394 corridor, the condition that once the traffic generated at the Xenia/Vernon interchange, the Louisiana Avenue interchange and the General Mills Boulevard/Boone Avenue interchange exceeds certain levels of service, or the established reserve capacity, whichever is first, the developments will be required to prepare and effectuate traffic management plans which will serve to reduce the traffic congestion, air and noise pollution and other environmental problems associated with them. The Ordinance does not prohibit development, but, rather, permits development assuming appropriate traffic management plans are in place and effect. The Joint Task Force will review the plans and insure their compliance with this Ordinance.

Subdivision 2. Definitions

- A. **Gross floor area:** means the sum of the gross horizontal areas of the floor(s) of such building or buildings measured from the exterior faces and exterior eaves or from the centerline of party walls separating two (2) buildings. Basements devoted to storage and space devoted to off street parking shall not be included.
- B. **Zone A:** is that part of the land lying in Golden Valley/St. Louis Park within the following described area:

Following the South line of Circle Downs easterly from the intersection of Turners Crossroad and Circle Downs to State Highway 100; continue south along the westerly line of State Highway 100 to the northerly line of Parkdale Drive and continuing in a westerly direction across Vernon Avenue to the intersection of Cedar Lake Road; continue in a northwesterly direction on the north line of Cedar Lake Road to the intersection of Zarthan Avenue; continue along the east line of Zarthan Avenue North to the intersection of 16th Street West; continue west along the north line of 16th Street West to the east line of

the Minneapolis, Northfield & Southern Railway right of way (except that portion which contains U.S. Highway 12); continue northeasterly along the east line of the Minneapolis, Northfield & Southern Railway right of way to the east line of Laurel Avenue; continue east along the southerly line of Laurel Avenue to the intersection of Turners Crossroad and continue south on the westerly line of Turners Crossroad to the intersection of Circle Downs, the point of beginning.

- C. **Zone B:** is that part of the land lying in Golden Valley/St. Louis Park within the following described area:

Following the south line of Laurel Avenue east from the intersection of Winnetka Avenue and Laurel Avenue; continue on the southerly line of Laurel Avenue east to the westerly line of the Minneapolis, Northfield and Southern Railway right of way; continue in a southwesterly direction along the westerly line of the railway right of way (except that portion which crosses U.S. Highway 12) to the intersection of 16th Street West; continue on the northerly line of 16th Street West westerly in a straight line to the east line of Hampshire Avenue; continue on the west line of Hampshire Avenue north to the intersection with 14th Street West; continue on the northerly line of 14th Street West to the intersection with Pennsylvania Avenue; continue on the easterly line of Pennsylvania Avenue north to the intersection with 13 1/2 Street West; continue on the northerly line of 13 1/2 Street West to the intersection of Rhode Island Avenue; continue on the easterly line of Rhode Island Avenue north to the intersection of 13th Avenue; continue on the north line of 13th Avenue west to the intersection with Texas Avenue; continue on the easterly line of Texas Avenue north to its intersection with U.S. Highway 12; continue on the northerly line of U.S. Highway 12 west to the intersection of Winnetka Avenue South; continue on the easterly line of Winnetka Avenue South north to the intersection of Laurel Avenue, the point of beginning.

- D. **Zone C:** is that part of the land lying in Golden Valley/St. Louis Park within the following described area:

Following the south line of Betty Crocker Drive east from the intersection of County Road 18 (now known as U.S. Highway 169) and Betty Crocker Drive to the intersection with General Mills Boulevard; continue on the west line of General Mills Boulevard south to the northerly line of Section 6, Township 117, Range 21; continue east on the northerly line of Section 6, Township 117, Range 21 to the intersection with Winnetka Avenue South; continue on the center line of Winnetka Avenue South south (except that portion which crosses U.S. Highway 12) extended to the boundary line of the Cities of Golden Valley and St. Louis Park; continue on said boundary line west to the east line of County Road 18 (now known as U.S. Highway 169) continue on the east line of County Road 18 (now known as U.S. Highway 169) north (except that portion which crosses U.S. Highway 12) to the intersection with Betty Crocker Drive, the point of beginning.

- E. **Level of Service A:** means traffic moves freely. All waiting vehicles clear on every green interval. Low percentage of stops on major movements (average delay per vehicle – five (5) seconds).
- F. **Level of Service B:** means traffic moves fairly freely. All waiting vehicles will still probably clear on each green interval. Vehicles on the major movements can expect a less than fifty percent (50%) probability of stopping (average delay per vehicle – fifteen (15) seconds).
- G. **Level of Service C:** means traffic moves smoothly. Some minor movements may not completely clear on every green interval. Vehicles on the major movements can expect a greater than fifty percent (50%) probability of stopping (average delay per vehicle – twenty-five (25) seconds).
- H. **Level of Service D:** means an acceptable intersection operation for peak period flow. Many intersection movements may not clear on every green interval. Some vehicles on the major movements may still go through the intersection without having to stop (average delay per vehicle – forty (40) seconds).
- I. **Level of Service E:** means unstable traffic flows. All intersection movements experience failure to clear on their green intervals. No vehicles are able to go through the intersection without stopping (average delay per vehicle – sixty (60) seconds).
- J. **Level of Service F:** means saturation condition. All vehicles must stop and all vehicles will probably require more than one (1) green interval to travel through the intersection (average delay per vehicle – sixty (60) seconds).
- K. **Xenia/Vernon interchange:** means the area in which Xenia and Vernon Avenues cross I-394 and the eastbound and westbound exit and entrance ramps intersect with them and the Xenia/Vernon intersections with the frontage roads on both the north and south sides of I-394.
- L. **Louisiana Avenue interchange:** means the area in which Louisiana Avenue crosses I-394 and the westbound and eastbound exit and entrance ramps intersect with it and the Louisiana Avenue intersections with the frontage roads on the north and south sides of I-394.
- M. **General Mills Boulevard/Boone Avenue interchange:** means the area in which General Mills Boulevard/Boone Avenue crosses I-394 and the eastbound and westbound exit ramps intersect with them and the Boone Avenue intersection with the frontage roads on the south side of I-394.
- N. **Reserve Capacity:** means the amount of additional gross floor office area that may be constructed before an intersection reaches a maximum acceptable traffic level of service. The total reserve capacity for the Xenia/Vernon

interchange is two million, two hundred thirty thousand (2,230,000) square feet of office development which has been allocated sixty percent (60%) or one million, three hundred thirty eight thousand (1,338,000) square feet to St. Louis Park and forty percent (40%) or eight hundred ninety two thousand (892,000) square feet to Golden Valley. The total reserve capacity for the Louisiana Avenue interchange is one million, five hundred seventy five thousand (1,575,000) square feet of office development which has been allocated ten percent (10%) or one hundred fifty seven thousand, five hundred (157,500) square feet to St. Louis Park and ninety percent (90%) or one million, four hundred seventeen thousand (1,417,000) square feet to Golden Valley. The total reserve capacity for the General Mills Boulevard/Boone Avenue interchange is eight hundred eighty five thousand (885,000) square feet of office development which has been allocated one hundred percent (100%) to Golden Valley.

- O. **PM peak hour:** means the period of time between 4 pm and 6 pm on business days of the week.

Subdivision 3. Area Covered

The area covered by the I-394 Overlay Zoning District is that portion of Zones A, B and C lying within the boundaries of Golden Valley. The Ordinance is intended to supplement or overlay the existing zoning of lots or parcels in the area covered, not to contradict or replace the existing zoning and contemplates substantially completed and operational interchanges at I-394/Xenia-Vernon, I-394/Louisiana Avenue and I-394/General Mills Boulevard-Boone Avenue in the communities of St. Louis Park and Golden Valley. The City may restrict development below the projected reserve capacity or the traffic level of service, if, in the exercise of its judgment, it deems it appropriate to do so.

Subdivision 4. Imposition of Conditions

- A. All developments in the area covered by this Ordinance which will contain more than six tenths (0.6) square feet of gross floor area per each square foot of land area within a lot or parcel shall obtain a conditional use permit or planned unit development permit in conformance with the terms of this Ordinance.
- B. In addition to the other land use requirements of the City Code, the conditional use permit or planned unit development permit required by Subdivision 4.A. above shall contain the following conditions:
1. For all parcels located within Zone A, each time a) the traffic generated for one (1) hour during the pm peak hour three (3) days out of five (5) consecutive business days exceeds Level of Service E at more than half (1/2) of the intersections within the Xenia/Vernon interchange (effective after the interchange is substantially completed and operational), or b) once the reserve capacity allocated to the city for this interchange has been used, whichever is first, the owner shall implement an original or revised traffic management plan. The traffic management plan initially shall be prepared when the traffic generated for one (1) hour during the pm peak hour three

- (3) days out of five (5) consecutive business days reaches Level of Service E at more than half (1/2) of the intersections of the Xenia/Vernon interchange (effective after the interchange is substantially completed and operational). It shall be designed to reduce the traffic generated by or from the parcel by a percentage which, in conjunction with the other parcels in the zone, will accommodate Level of Service E at the pm peak hour (or keep it within the city's allocable portion of the reserve capacity, if that applies), given the pm peak hour trips assumed to be generated by the parcel based on the table attached hereto as Exhibit 1. The owner shall submit the traffic management plan to the Joint Task Force which shall review and approve all traffic management plans before they may be implemented.
2. For all parcels located within Zone B, each time a) the traffic generated for one (1) hour during the pm peak hour three (3) days out of five (5) consecutive business days exceeds Level of Service D at more than half (1/2) of the intersections within the Louisiana Avenue interchange (effective after the interchange is substantially completed and operational), or b) once the reserve capacity allocated to the city for this interchange has been used, whichever is first, the owner shall implement an original or revised traffic management plan. The traffic management plan initially shall be prepared when the traffic generated for one (1) hour during the pm peak hour three (3) days out of five (5) consecutive business days reaches Level of Service D at more than half (1/2) of the intersections of the Louisiana Avenue interchange (effective after the interchange is substantially completed and operational). It shall be designed to reduce the traffic generated by or from the parcel by a percentage which, in conjunction with the other parcels in the zone, will accommodate Level of Service D at the pm peak hour (or keep it within the city's allocable portion of the reserve capacity, if that applies) given the pm peak hour trips assumed to be generated by the parcel based on the table attached hereto as Exhibit 1. The owner shall submit the traffic management plan to the Joint Task Force which shall review and approve all traffic management plans before they may be implemented.
 3. For all parcels located within Zone C, each time a) the traffic generated for one (1) hour during the pm peak hour three (3) days out of five (5) consecutive business days exceeds Level of Service E at more than half (1/2) of the intersections within the General Mills Boulevard/Boone Avenue interchange (effective after the interchange is substantially completed and operational), or b) once the reserve capacity allocated to the city for this interchange has been used, whichever is first, the owner shall implement an original or revised traffic management plan. The traffic management plan initially shall be prepared when the traffic generated for one (1) hour during the pm peak hour three (3) days out of five (5) consecutive business days reaches Level of Service E at more than half (1/2) of the intersections of the General Mills/Boone Avenue interchange (effective after the interchange is substantially completed and operational). It shall be designed to reduce the traffic generated by or from the parcel by a percentage which, in conjunction with the other parcels in the zone, will accommodate Level of Service E at the pm peak hour (or keep it within the city's allocable portion of the reserve

capacity, if that applies) given the pm peak hour trips assumed to be generated by the parcel based on the table attached hereto as Exhibit 1. The owner shall submit the traffic management plan to the Joint Task Force which shall review and approve all traffic management plans before they may be implemented.

4. Each development containing more than six tenths (0.6) square feet of gross floor area per each square foot of land area within a lot or parcel within one (1) of the three (3) zones shall monitor the traffic generated by it, the locations and times to be determined by the Joint Task Force, and it shall supply such traffic volume figures to the Joint Task Force. Each planning department will publish those figures yearly. The Joint Task Force shall determine the acceptable methods of measuring traffic volumes, the acceptability of persons or firms undertaking it and all other reasonable requirements in connection therewith.

- C. Each developer or owner of a parcel who leases part of the parcel, or part of a building thereon, to one (1) or more tenants shall include the following in each lease:

The Cities of Golden Valley and St. Louis Park have established an I-394 Traffic Zoning Ordinance. It will require traffic management plans for traffic generated by this and certain adjacent developments when certain conditions occur. Under such conditions it will restrict traffic generated by these developments. The plan is intended to promote improved traffic circulation and reduce pollution and congestion, particularly during peak times, for all users of city streets. The traffic management plans prepared by the owners may require the use of rideshare incentive programs, public transit incentives, bicycle and pedestrian incentive measures, variable work hours or flex-time programs under which employees are required to stagger their work hours, measures to reduce reliance on single occupying vehicles, shared parking and the like. A copy of the complete ordinance may be obtained by calling the city offices of Golden Valley or St. Louis Park.

EXHIBIT 1
 I-394 CORRIDOR TRAFFIC STUDY
 TRIP GENERATION RATES SOURCE/COMPARISON

PM PEAK HOUR TRIP GENERATION RATES											
LAND USE TYPE	UNIT	I.T.E (1982)		BRW/MC		SRF/MNTKA		SRF/G.V.- S.L.P.		I.T.E (1987)	
		In	Out	In	Out	In	Out	In	Out	In	Out
Res. Sngl. Fam.	D.U.	0.63	0.37	-	-	0.63	0.37	0.63	0.37	0.63	0.37
Res. Mid-Density	D.U.	0.32	0.19	0.63	0.38	0.50	0.30	0.50	0.30	0.41	0.21
Res. High-Density	D.U.	0.44	0.26	0.66	0.38	0.38	0.22	0.38	0.22	0.32	0.17
Office<200 K.S.F.	1000 SF	0.44	1.76	0.37	1.49	0.44	1.76	0.44	1.76	0.31*	1.66*
Office>200 K.S.F.	1000 SF	0.44	1.76	0.37	1.49	0.24	1.76	0.24	1.76	0.24	1.26*
Retail<200 K.S.F.	1000 SF	2.85	3.05	2.98	3.18	2.96	3.15	2.96	3.15	4.17*	4.52*
Retail>200 K.S.F.	1000 SF	2.11	2.69	2.61	3.32	1.62	2.06	1.62	2.06	1.69*	1.84*
Industrial	1000 SF	0.35	0.70	-	-	0.32	0.63	0.32	0.63	0.20	0.77
Restaurant	1000 SF	3.79	2.35	1.16	0.71	2.74	1.69	2.74	1.69	5.00	2.25
Hotel/Motel	ROOM	0.36	0.37	0.51	0.52	0.51	0.52	0.32	0.33	0.37	0.24
Entertainment Club	1000 SF	0.73	0.77	-	-	0.73	0.77	0.73	0.77	0.74	0.78
Golf Course	ACRE	0.08	0.31	-	-	-	-	0.24	0.45	0.03	0.35
Nursing Home	BED	0.05	0.16	-	-	0.05	0.16	0.32	0.33	0.05	0.16
Service Commercial	1000 SF	-	-	-	-	2.35	2.12	-	-	-	-
Retail>1000 K.S.F.	1000 SF	1.40	1.90	1.04	1.10	1.12	1.18	-	-	1.39	1.51

*Mid rate in new (1987) I.T.E. range between 10-200 K.G.S.F. and 300-1,000 K.G.S.F.

Subdivision 5. Owner Requirement

Each development on a parcel which is required to have a traffic management plan by the terms of this Ordinance shall manage the traffic it generates in such a way as to substantially meet the terms of the traffic management plan for that parcel.

Subdivision 6. Traffic Management Plan

In addition to being approved by the Joint Task Force, the initial traffic management plan shall be reviewed by the other city planning agencies and approved by the city council as part of the regular conditional or planned use approval process. It shall utilize the appropriate techniques available to reduce the pm peak hour traffic generated by the parcel, including but not limited to:

- A. Ride sharing incentive programs which may include activities to encourage and assist the formation of car, van and bus pools, such as cash payments or subsidies and preferential parking charges and parking space location, and other analogous incentive programs.
- B. Public transit incentive programs which may include the provision of para-transit services to and from convenient public transit sites and to accommodate mid-day and evening excursions, the constructing of transit shelters and amenities, the construction of bus/rail transit stations and related facilities, the dedication of land and the provision of other subsidies for the construction and operation of public transit facilities, the provision of transit fare media subsidies and marketing programs, and the provision of other analogous incentive programs.
- C. Recommended improvements in public transit which services the site of the proposed use, such as changes in service routes, increases in the frequency of service, alternations in the location of facilities, the establishment of fare incentive programs and other measures designed to make public transit more accessible to occupants of the proposed use.
- D. Bicycle and pedestrian incentive measures which may include the provision of bicycle parking and storage facilities, the construction and extension of bicycle paths and pedestrian walkways, the provision of shower and locker facilities and similar incentive features.
- E. In the case of office and industrial uses, variable work hour, or flex time, programs under which employees working at the proposed use will stagger their work hours in order to effect a reduction in the amount of peak period traffic to and/or from the use which would otherwise occur,
- F. Measures to reduce the reliance on single-occupancy vehicles by employees and others who will travel to and from the proposed use which may include parking fee structures tailored to discourage single-occupancy vehicles, proscription of tenant-employer subsidy of parking costs for single-occupancy vehicles, time and other access restrictions to parking spaces in on-site parking facilities, and

programs to support and encourage the utilization of alternative transportation modes.

- G. Use and accessory use design options which reduce reliance on single-occupancy vehicles by employees and others who will travel to and from the proposed use, such as the provision of less parking area than that required under the provisions this chapter, shared parking arrangements, the incorporation of residential units (in the case of proposed commercial uses) and other analogous design features.
- H. Any other technique or combination of techniques capable of reducing the traffic and related impacts of the proposed use.

Subdivision 7. Non-conforming Traffic Generation Uses

Non-conforming traffic generation uses are all uses within the area covered by this overlay ordinance which existed or had approved land use and building permits therefore before the effective date of this Ordinance. If a non-conforming traffic generation use exceeds more than six-tenths (.6) square feet of gross floor area per each square foot of land area within a lot or parcel, it may not be altered or modified unless it conforms to the terms of this Ordinance.

Subdivision 8. Joint Task Force

The Joint Task Force shall consist of eight (8) members: two (2) elected officials from each city, each city manager and a staff member appointed by the city manager from each city. Its function shall be to periodically monitor the traffic generation and air pollution in Zones A, B and C and to review traffic management plans so as to insure their compliance with the intent and purpose of this Ordinance. It also shall adopt and promulgate rules of procedure. If the Joint Task Force deadlocks, the issue or matter shall be submitted first to mediation under the Rules of the American Arbitration Association. Thereafter, upon agreement of the parties, the issue or matter may be submitted under the Rules of the American Arbitration Association to binding arbitration by a single arbitrator chosen by the parties, or if they cannot agree, by the Hennepin County District Court. The arbitration shall proceed under the Rules of the American Arbitration Association.

*Source: Ordinance No. 13, 2nd Series
Effective Date: 3-22-89*

Subdivision 9. Traffic Management Fees and Assessments

Under the authority in Minnesota Statute §462.353, Subdivision 4, each owner of a parcel or development subject to the terms of this ordinance shall pay a traffic management administrative fee of ten cents (10¢) per square foot of gross floor area. Fifty percent (50%) of the fee shall be paid at the time such owner applies for a conditional use permit or planned unit development permit for such development and fifty percent (50%) of the fee shall be paid at the time such owner applies for a building permit therefor. The fees shall be collected by the city and deposited as a separate fund under the authority of the Joint Task Force. The fund will be used by the Joint Task Force only for its costs incurred in reviewing, investigating and administering traffic management plans under this ordinance. Should the costs of administering and enforcing this ordinance require it, the city reserves the right to

periodically assess such costs to the parcels within the area covered. The city also reserves the right to periodically assess the parcels within the respective areas for the costs involved in implementing capital improvements designed to reduce traffic congestion, facilitate transit use, and implement traffic management plans in the vicinity of Xenia/Park Place Boulevard and I-394, Louisiana Avenue and I-394, and Boone Avenue and I-394.

*Source: Ordinance No. 174, 2nd Series
Effective Date: 2-26-98*

Sections 11.57 through 11.59, inclusive, reserved for future expansion.

Section 11.60: Floodplain Management Zoning Overlay District

Subdivision 1. Purpose

- A. It is found and determined by the Council that the lands within the floodplains of Bassett Creek and its tributaries (the "Floodplain") are an invaluable land resource; that lands within the Floodplain are or may be subject to loss or imprudent alteration through uncoordinated and unplanned development; that the proper management of development of such lands is essential to avoid rapid runoff of surface waters, to preserve adequate ground water infiltration, to protect surface waters, to prevent pollution of the City's water bodies, to minimize periodic flooding resulting in loss of life and property, to prevent interruption of governmental services and extraordinary public expenditures, and to control runoff and impairment of the tax base, all of which adversely affect the public health, safety and welfare; and that development within the Floodplain must be regulated on the basis of and with proper consideration of the impact on the Creek and other water bodies in the City.
- B. It is the purpose of this Section to guide and regulate the orderly development of land within the Floodplain by establishing a system of management of the Floodplain. It is further the intent of this Section to promote a uniform Floodplain management program, consistent with the needs of individual cities having lands within the Floodplain of Bassett Creek, to maximize the coordinated efforts of all members of the Bassett Creek Water Management Commission "BCWMC" in Floodplain management, and to secure for the benefit of the citizens of Golden Valley the benefits of the National Flood Insurance Act of 1968 as amended.
- C. This Section is enacted pursuant to Minnesota Statutes, Chapter 103F, and is in conformance with the Management Plan for the BCWMC.
- D. In addition to the foregoing, this ordinance is adopted to comply with the rules and regulations of the National Flood Insurance Program, codified as 44 Code of Federal Regulations Parts 59-78, as amended, so as to maintain the community's eligibility in the National Flood Insurance Program.

Subdivision 2. District Established

- A. The Floodplain zones within the City generally consist of all Zone AE lands which lie below the elevations shown on the Official Flood Zone Profile and Map, and all lands shown as Zone A, and which by reason of their location in relation to Bassett Creek or its tributaries are subject to inundation during regional flood events. Zone AE and Zone A boundaries are as shown on the

Flood Insurance Rate Map panels adopted in Subd. 2.B. Critical elevations for regional flood events were determined by calculating the hydrograph of runoff for a one hundred (100)-year frequency storm and routing it through the City's existing drainage system. This method of identifying flood hazard areas is consistent with the standards established by the Minnesota Department of Natural Resources.

- B. The Official Flood Zone Profile and Map are hereby adopted by reference and made a part of this Section. The profile and map are on file in the City's Public Works Department, and are open to inspection by the public during normal business hours of the City.
- C. The official boundaries of the Floodplain zone shall be determined on the basis of the criteria set forth above. Copies of the Flood Insurance Rate Maps, adopted in Subd. 2.B, indicating the location of the Floodplain zones, shall be on file in the City offices for informational purposes. However, where the exact location of Floodplain zoning boundaries are to be determined, the definitions and criteria set forth in this Section, together with the Official Flood Zone Profile referred to above, and the actual ground surface elevations of the area in question, on February 3, 1981, shall control.

Subdivision 3. Definitions

The following terms, as used in this Section, shall have the meanings as stated:

- A. **Administrator/Floodplain Administrator:** The City Director of Planning and Development, who in consultation with the City Engineer, the technical advisors of the BCWMC, and other staff or outside technical experts as necessary, shall be responsible for discharging the administrative duties entailed by this Section.
- B. **Basement:** Any area of a structure, including crawl spaces having its floor or base subgrade (below ground level) on all four (4) sides, regardless of the depth of excavation below ground level.
- C. **BCWMC:** The Bassett Creek Water Management Commission.
- D. **DNR Commissioner:** The Commissioner of the Minnesota Department of Natural Resources.
- E. **Fill:** Any material or combination of materials used in filling.
- F. **Filling:** The artificial depositing upon any parcel of property of any soil, rock, rubble, mulch, vegetation or similar materials except for the depositing of any such materials in localized depressions for the sole purpose of landscaping, and except for the deposition of top soil on any particular parcel for the sole purpose of either gardening or landscaping. It shall be the duty of the Administrator to determine whether such deposition of materials falls within one of the exceptions as outlined.

- G. **Flood Fringe:** That portion of the Floodplain located outside of the floodway. The flood fringe shall include those Zone AE areas outside of the floodway as shown on the Flood Insurance Rate Map panels adopted in Subd. 2.B. For those Zone A and Zone AE areas as shown on the Flood Insurance Rate Map panels adopted in Subd. 2.B, where floodway/flood fringe boundaries are not shown in Zone A or Zone AE, an applicant for a Special Permit in the floodplain must meet the provisions of Subd. 4.B of this ordinance.
- H. **Floodplain:** Those areas within the City which include the beds proper and the areas adjoining Bassett Creek or its tributaries which have been or hereafter may be covered by the regional flood. The Floodplain shall be further divided into the floodway and the flood fringe.
- I. **Floodway:** The channels of Bassett Creek and its tributaries plus those portions of the Floodplain which are required to convey the regional flood discharge and store the runoff from the regional flood. The floodway shall include those floodway areas as shown on the Flood Insurance Rate Map panels adopted in Subd. 2.B. For those Zone A and Zone AE areas as shown on the Flood Insurance Rate Map panels adopted in Subd. 2.B, where the floodway/flood fringe boundaries are not shown, an applicant for a Special Permit in the floodplain must meet the provisions of Subd. 4.B of this ordinance.
- J. **Lowest Floor:** The lowest floor on the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, used solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor.
- K. **Manufactured Home:** A structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include the term "recreational vehicle."
- L. **Obstruction:** Any storage or placement of material or equipment, any dam, wall, wharf, embankment, levee, road, dike, pile, object, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, deposit, clearing of trees or vegetation, structure or matter in, along, across, or projecting, in whole or in part, into any Floodplain.
- Source: Ordinance No. 306, 2nd series
Effective Date: 07-30-04*
- M. **Official Flood Zone Profile and Map:** The collection of flood profiles contained in the Flood Insurance Study, Volumes 1 of 2 and 2 of 2, Hennepin County, Minnesota, all jurisdictions, dated September 2, 2004, including the Flood Insurance Rate Maps for the City of Golden Valley, panels 27053C0194E, 27053C0213E, 27053C0214E, 27053C0332E, 27053C0351E,

27053C0352E and 27053C0354E, dated September 2, 2004, and the Letter of Map Revision issued March 30, 2007 by the Federal Emergency Management Agency and effective July 25, 2007, along with all amended flood insurance rate map panels and the amended flood insurance study report therein.

*Source: Ordinance No. 385, 2nd Series
Effective Date: 10-26-07*

- N. **Reach:** A hydraulic engineering term used to describe a longitudinal segment of a stream or river influenced by a natural or man-made obstruction. For example, the segment of a stream or river between two (2) consecutive bridges would constitute a reach.
- O. **Recreational Vehicle:** A vehicle that is built on a single chassis, is four hundred (400) square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or is permanently towable by a light-duty truck, and is designed primarily not for use as a permanent dwelling, but as a temporary living quarters for recreational, camping, travel or seasonal use. For the purposes of this Section, the term recreational vehicle shall be synonymous with the term travel trailer/travel vehicle.
- P. **Regional Flood:** A flood which is representative of large floods known to have occurred generally in Minnesota, and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the one hundred (100)-year recurrence interval.
- Q. **Regulatory Flood Protection Elevation or RFPE:** A point not less than two (2) feet above the elevation of the Floodplain. It is the elevation to which uses regulated by this Section are required to be elevated or flood-protected.
- R. **Standard Project Flood:** A flood that occurs as a result of the most severe combination of meteorological and hydrological conditions considered reasonably characteristic of the region.
- S. **Structure:** Anything that is built or constructed, an edifice or building of any kind, or some piece of work artificially built up or composed of parts joined together in some definite manner, whether of a temporary or permanent character.
- T. **Substantial Damage:** Damage of any origin sustained by a structure where the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.
- U. **Substantial Improvement:** Within any consecutive three hundred sixty five (365) day period, any reconstruction, rehabilitation (including normal maintenance and repair), repair after damage, addition or other improvement of a structure, the cost of which exceeds fifty percent (50%) of

the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official, and which are the minimum necessary to assure safe living conditions.
2. Any alteration of an “historic structure,” provided that the alteration will not preclude the structure’s continued designation as an “historic structure.” For the purposes of this ordinance, “historic structure” shall be as defined in Code of Federal Regulations, Part 59.1.

Subdivision 4. General Rules and Prohibitions Affecting Uses

- A. No existing land use, obstruction, or structure within the Floodplain shall be altered in size or scope, except in accordance with the provisions of this Section.
- B. No temporary or permanent structure, dredge spoil site, sand and gravel operation, fill for driveways, roads, levees or other purposes; and no deposit, obstruction, or storage of material or equipment or other use shall be permitted, which acting alone or in combination with existing or anticipated uses, would unduly affect the efficiency or the capacity of the Floodplain or unduly increase flood heights or flood damages. Any such use which increases the Floodplain elevation by any amount in a designated floodway, or by more than one-half (1/2) foot in a designated Zone A or Zone AE where a floodway has not been designated per reach or for the cumulative effect of several reaches is deemed to unduly decrease the capacity of the channel or Floodplain. In some cases, which will be determined on the basis of the detailed studies required by the permit process, an increase in Floodplain elevation of less than one-half (1/2) foot may also be found to cause unacceptable increases in flood damage.
- C. In connection with any proposed development, or placement of an obstruction in the Floodplain, if the Regulatory Flood Protection Elevations and Floodplain elevations then being used reflect proposed measures for flood control, including water retention areas, then such elevations shall not be effective or used in issuing a special permit unless such measures will increase flood heights, in which case the RFPE and Floodplain elevations used in issuing a special permit shall reflect the anticipated increases.
- D. No use shall be permitted by right or by special permit unless the proposed use conforms to the land use plans and underlying zoning requirements of the City and the management plan and policies of the BCWMC.

- E. Permit Required. A permit issued by the Administrator in conformity with the provisions of this Section shall be secured prior to the erection, addition, modification, rehabilitation (including normal maintenance and repair), or alteration of any building, structure, or portion thereof; prior to the use or change of use of a building, structure or land; prior to the construction of a dam, fence or on-site septic system; prior to the change, replacement or extension of a non-conforming use or non-conforming structure; prior to the repair of a structure that has been damaged by flood, fire, tornado or any other source; and prior to the placement of fill, excavation of materials or the storage of materials or equipment within the Floodplain.

Subdivision 5. Uses Permitted by Right

- A. Provided that such uses shall not adversely affect the efficiency or unduly restrict the capacity of the channels or floodways of any tributary to the main stream or other drainage facility or system, the following uses are permitted in the Floodplain to the extent that they are not prohibited by any other City Code provision and provided they do not require structures, fill, fences, dams, storage of materials or equipment.
1. Private and public open space or recreational uses, such as golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife habitat, trails, nature preserves and fishing areas
 2. Residential lawns, gardens, parking areas, and play areas
 3. Parking areas and heliports
 4. Signs and signals delineating or accessory to parks, trails and other permitted uses as described above in this Subdivision
 5. Recreational vehicles are allowed on individual lots of record if they meet the criteria listed in (a) through (c) immediately below, and provided further that there will be no additions attached to the recreational vehicle, and no development placed on the parcel of land that would hinder the removal of the recreational vehicle from the site should flooding occur. The recreational vehicle must:
 - a. Have current licenses required for highway use
 - b. Be highway ready, meaning on wheels or the internal jacking system; be attached to the site only by quick-disconnect type utilities commonly used in campgrounds and recreational vehicle parks; and must not have any permanent structural type additions attached to it.
 - c. Be permissible in any pre-existing, underlying zoning use district.

Subdivision 6. Special Permits

- A. The following uses may be introduced into the Floodplain upon the issuance of a special permit in accordance with the provisions of this Section:
1. Filling may be undertaken provided that the filling is in the flood fringe portion of the Floodplain. In Zone A areas and Zone AE areas where a floodway has not been designated on the Flood Insurance Rate Map, the requirements of Subdivision 4.B must be met and that:
 - a. All fill materials deposited or stored in the Floodplain shall be protected from erosion by vegetative cover, mulching, riprap or other acceptable method, consistent with and in compliance with Subd. 4.B and Section 4.31, City Code. All materials or equipment must be stored outside the floodway, but within the flood fringe, and shall be elevated on fill to the RFPE.
 - b. Dredge spoil sites and sand and gravel operations shall not be allowed in the floodway.
 2. Nonconformities that are in existence in the Floodplain on the effective date of this Section may be redeveloped, altered, enlarged, or reconstructed upon issuance of a special permit, provided that the requirements of Subdivision 11 are met and the structure either 1) is located in the flood fringe portion of the Floodplain; or 2) for Zone A areas and Zone AE areas where a floodway has not been designated, is located in an area where the encroachment caused would be consistent with the criteria in Subd. 4.B of this Section. No permit shall be granted for the redevelopment of a parcel of land or for the alteration (except by removal), enlargement, replacement or reconstruction of any non-conforming structure or obstruction within the floodway or Zone A or Zone AE areas where a floodway has not been designated not meeting the criteria of Subd. 4.B.
 3. Structural works for flood control such as dams, levees, dikes and floodwalls may be erected consistent with the criteria in Subd. 4.B. The modification and additions to such works shall assure that the work will provide a means of decreasing flood damage potential in the area.
 4. Public utilities, railroad tracks, streets and bridges may be located provided they are designed to minimize increases in flood elevation, and are compatible with the Management Plan of the BCWMC. These uses can cause no increase in stage to the one hundred (100)-year flood within the floodway and provided further within Zone A areas and Zone AE areas where a floodway has not been designated on the Flood Insurance Rate Map panels, the provisions of Subd. 4.B shall apply. Protection to the RFPE shall be provided where failure or interruption of these public facilities would endanger the public health or safety or where such

- facilities are essential to the orderly functioning of the area. Where failure or interruption of service would not endanger life or health, a lesser degree of protection may be provided for minor or auxiliary roads, railroads or utilities.
5. All public utilities and facilities such as gas, electrical, sewer and water supply systems to be located in the Floodplain shall be flood proofed in accordance with the State Building Code or elevated to above the RFPE.
 6. Any on-site water supply or sewage treatment system to be replaced in the Floodplain must be connected to the municipal water supply and sewage treatment system, respectively.
- B. Applications for special permits shall be made to the Administrator by the owner of the land involved. Five (5) copies of all submittal materials shall be provided. The application shall be accompanied by a fee in an amount determined by ordinance of the City Council, and shall include the following information:
1. When determined necessary by the Administrator, a report, prepared or signed by a licensed professional engineer, detailing the results of computer modeling of the impact of the proposed structure or obstruction on the Floodplain. Information that must be presented in this report shall include but not necessarily be limited to: a statement of whether, and to what extent, the proposed structure or obstruction lies within the flood fringe or floodway; a quantification of any expected increase in flood heights due to the proposed structure or obstruction; a quantification of the expected impacts of any increase in flood heights on any upstream or adjacent property; and an explanation of any alternative construction options that have been investigated. The computer modeling shall assume that there will be an equal degree of encroachment on both sides of the stream extending for a significant reach. The computer modeling must be submitted in a format compatible with the hardware and software used by the City. Any such use which increases the Floodplain elevation by any amount in a designated floodway or by more than one-half (1/2) foot in a designated Zone A or Zone AE where a floodway has not been designated per reach, or for the cumulative effect of several reaches, is deemed to unduly decrease the capacity of the channel or Floodplain. In some cases, which will be determined on the basis of the detailed studies required by the permit process, an increase in Floodplain elevation of less than one-half (1/2) foot may also be found to cause unacceptable increases in flood damage.
 2. Plans and specifications prepared by a Minnesota licensed professional land surveyor or engineer, showing: the nature, location, dimensions, and elevation of the lot or plot and existing and proposed structures or obstructions; the relationship of the lot or plot and existing and proposed structures or obstructions to the location of the channel; surface water

- drainage plans; cross-sections of the Floodplain on both sides of the stream bed; and longitudinal profiles of the stream bed at sufficient intervals to determine the impact of the proposed structure or obstruction.
3. Plans and specifications prepared by a licensed professional architect or engineer, showing: details of construction and materials, flood proofing, filling, dredging, grading, channel improvement, storage of materials, water supply (including withdrawal and discharge of ground and surface water), and sanitary facilities.
 4. Statement of the private and public benefits anticipated from the proposed structure or obstruction, and any hardship that may be imposed if the application is denied.
- C. The review process shall consist of the following steps:
1. Upon receipt of a fully completed application, it shall be forwarded first to the City Engineer. The City Engineer or a designated technical assistant shall be responsible for analyzing the information submitted to determine whether the subject property is located in the floodway or flood fringe or is consistent with Subd. 4.B of this Section. The City Engineer may recommend a provisional approval to be finalized after review by the DNR Commissioner and the BCWMC, may request additional information from the applicant in order to complete the analysis, may request that the applicant modify the plans in order to achieve an acceptable outcome, or may deny the application on the grounds of unacceptable location or unacceptable increase in flood heights or flood damages.
 2. If the application is provisionally recommended for approval by the City Engineer, the Administrator shall within five (5) business days submit two (2) copies of the application and the City Engineer's report to the BCWMC, allowing an interval of up to forty-five (45) days for review and comment. Another copy shall be submitted to the DNR Commissioner for review and comment, with a minimum interval of ten (10) business days being allowed for such review and comment in addition to any time necessary for the actual transmittal of the application between offices.
 3. After receiving the comments of both the DNR Commissioner and the BCWMC, the Administrator shall route them, if necessary, back to the City Engineer, who shall repeat as much of subparagraph 1 as necessary in order to either deny the application or to recommend its approval. If the application is recommended for approval by the City Engineer, then the Administrator shall review the entire file for the application, including the comments submitted by all reviewing parties, and shall prepare and issue a permit containing all such conditions regulating the construction of the proposed structure or obstruction as may be deemed necessary to carry out the purposes of this Section. The permit shall be fully executed within

- fifteen (15) business days of the receipt of the last set of comments or recommendations. A copy of the approved special permit shall be forwarded by mail to the DNR Commissioner within ten (10) days of issuance.
4. If at any point in the application process the report of the City Engineer is that the application must be denied, then the Administrator shall, within five (5) business days of receiving the report of the City Engineer, prepare and forward to the applicant a letter explaining that the application is denied and outlining all reasons for the denial. Once an application has been denied, it may not be resubmitted in substantially the same form for a period of at least six (6) months following the date of the Administrator's letter of explanation.

Subdivision 7. Variances; Board of Zoning Appeals

- A. The Board of Zoning Appeals shall hear and decide all appeals where it is alleged that there is an error in any order, requirement, decision or determination made by an administrative officer in the enforcement of this Section. The Board shall hear all such interpretive appeals and all appeals for variances from the strict application of the terms of this Section in the same manner as it hears and decides appeals under Section 11.90 of this Chapter, except as otherwise provided for herein. The Board may issue variances to this Section when all of the following conditions are met:
 1. because of the unique topography or other conditions of land involved, a literal application of the provisions hereof would impose undue hardship;
 2. conditions are attached that assure compliance with the requirements of this Section insofar as practical;
 3. the purpose and intent of this Section are observed;
 4. there is no increase in the flood hazard or flood damage potential (no variance shall permit a lower degree of flood protection than the flood protection elevation established by this Section); and
 5. The following additional variance criteria of the Federal Emergency Management Agency (FEMA):
 - a. Variances shall not be issued within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
 - b. Variances shall only be issued by a community upon
 - 1) a showing of good and sufficient cause,

- 2) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and
 - 3) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- c. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- B. Application for variance shall be made to the Administrator in the same manner as an application for a special permit under this Section, and shall include the same required elements. The Administrator shall submit a copy of the application for review to the BCWMC and the DNR Commissioner within forty-five (45) days after receipt of the same from the applicant. The report of the Administrator shall accompany said application and shall include any other such data as the Administrator deems necessary for a complete review. There shall be a minimum interval of ten (10) days allowed for the review and comment by the DNR Commissioner, in addition to any time necessary for the actual transmittal of the application between offices, before the Board's hearing can take place.
- C. The Board shall hear and decide upon the application in the same manner it decides appeals under Section 11.90 of this Chapter. The Board shall take no action in the appeal unless forty-five (45) days have elapsed from the submission of the application to the BCWMC and the DNR Commissioner; provided, however, that if reports or comments have been received from both the BCWMC and the DNR Commissioner prior to the expiration of the aforesaid forty-five (45) day period, then the Board is empowered to thereupon act on said application prior to the end of said forty-five (45) day period. The recommendations of the BCWMC and the DNR Commissioner, if any, shall be appended to the application and the Administrator's report and considered by the Board in making its judgment. No variance shall be granted without full consideration of the standards, policies and purposes expressed in this Section and Chapter. The decision of the Board shall be subject to appeal to the Council in the same manner as other zoning appeals according to Section 11.90 of this Chapter. A copy of all decisions granting variances shall be forwarded by mail to the DNR Commissioner within ten (10) days of such action.
- D. Flood Insurance Notice and Record Keeping. The Administrator shall notify the applicant for a variance that:
1. the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to

amounts as high as twenty-five dollars (\$25) for one hundred dollars (\$100) of insurance coverage, and

2. such construction below the one hundred (100)-year or regional flood level increases risks to life and property.

Such notification shall be maintained with a record of all variance actions. A community shall maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its annual or biennial report submitted to the Administrator of the National Flood Insurance Program.

Subdivision 8. Lapse of Variance or Special Permit

If within one (1) year after the issuance or grant of a special permit or variance under this Section, the owner or occupant shall not have substantially completed the work authorized by such special permit or variance, then the special permit or variance shall become null and void unless a petition for extension of time in which to perform such work has been granted. Such petition to extend time shall be in writing and filed with the Administrator more than twenty (20) days before the expiration of one (1) year from the date the original special permit or variance was issued or granted, shall state facts showing a good-faith attempt to use the special permit or variance, and shall state the additional time requested to complete such work. No such extension shall exceed one (1) year. Such petition, if it relates to a variance, shall be considered in the same manner as the original request for variance. If the petition relates to a special permit, it shall be heard and decided in the same manner as the original petition for a special permit. In determining under this Subdivision whether the petitioner has made a good-faith attempt to complete such work, such factors as the design, size, expense and type of the proposed work may be considered.

Subdivision 9. Certified Record Drawings

Upon completion of any work or project pursuant to a special permit or variance granted in accordance with this Section, and prior to the use or occupancy of the land or completion thereon of any obstruction permitted by the special permit or variance, the applicant shall submit a certification, prepared by a licensed professional engineer or land surveyor (as appropriate) that the permitted work, including, but not limited to, finished fill and building floor elevations, flood proofing, or other flood protection measures, has been completed in compliance with the provisions of this Section and in compliance with conditions contained in the special permit or variance. This certification shall include five (5) copies of certified record drawings of the work completed. The certified record drawings shall also be submitted in digital format compatible with the City's computer hardware and software. The applicant shall be responsible for submitting an application for a Letter of Map Amendment to the FEMA, including all costs associated with the submittal.

Subdivision 10. Method for Determining Floodplain Boundary Location

All decisions regarding the location of the Floodplain boundary will be based on elevations of the regional one hundred (100)-year flood profile, the actual ground elevations on the site and other available technical data. In all cases where application is made pursuant to this Section for interpretation of the existing Floodplain zoning elevations and determination of the exact boundaries of the Floodplain zone, as established by the Official Flood Zone Profile and Flood Insurance Rate Maps made a part hereof, the Administrator or a designated technical advisor shall:

- A. Obtain from the applicant, at the applicant's expense, a current survey of the property in question, signed by a licensed land surveyor. The survey shall show exact elevations of the property and, if applicable, exact locations and elevations of any existing or proposed structures or obstructions.
- B. Determine the Floodplain zone elevations from the Official Flood Zone Profile or information provided by the applicant, consistent with Subd. 6.B.
- C. Land within the Floodplain zone but outside of the floodway shall be considered flood fringe. The cost of such computation shall be reimbursed by the applicant.

Subdivision 11. Non-Conforming Obstructions, Uses and Structures

Notwithstanding Section 11.90, Subdivision 2 of this Chapter (Non-Conforming Uses), the following shall apply to all obstructions, structures and uses within the Floodplain:

- A. Continuance. An obstruction or structure, or the use of a structure or premises, which was lawful before the effective date of this Section but which is not in conformity with the provisions of this Section may be continued subject to the following conditions:
 1. No such obstruction, use or structure shall be replaced, expanded, changed, enlarged, or altered in any way, nor shall any parcel of land be redeveloped, without complying, in all respects, with this Section, including, but not limited to, the obtaining of all required permits and variances. Any alteration or addition to a non-conforming obstruction, use, or structure shall be elevated on fill as specified in Subd. 11.D.1, or adequately flood proofed to the RFPE. Flood proofing shall be done in accordance with the FP-1 through FP-4 flood proofing classification of the State Building Code as adopted by the City, provided the cost of the alteration or addition does not exceed fifty percent (50%) of the market value of the existing structure prior to the alteration or addition, unless such alteration or addition includes the elevation on fill or adequate FP-1 or FP-2 flood proofing to the RFPE of the entire obstruction, use, or structure; and unless all other requirements of this Subdivision are met.

2. If such use of such obstruction or structure, or use of such premises, is discontinued for six (6) consecutive months, any subsequent use of the obstruction, structure or premises shall comply, in all respects, with this Section, including, but not limited to, the obtaining of all required permits and variances.
 3. If any non-conforming obstruction or structure is destroyed or damaged by any means, including floods, to the extent that the cost of repairing or restoring such destruction or damage would be fifty percent (50%) or more of the current market valuation then it shall not be reconstructed except in full compliance, in all respects, not limited to, the obtaining of all required permits and variances.
 4. If a substantial improvement occurs, as defined in Subd. 3.U of this ordinance, from any combination of a building addition to the outside dimensions of the existing building or a rehabilitation, reconstruction, alteration, or other improvement to the inside dimensions of an existing non-conforming building, then the building addition and the existing non-conforming building must meet the requirements of Subd. 11 of this Section.
- B. Certification of Non-Conforming Uses. Upon application and submittal to the Administrator of an appropriate certification by a licensed professional land surveyor, the Administrator shall certify to the owners of properties whose uses were lawful prior to the effective date of this Section that said properties, the uses thereof and the structures thereon were and are a legal non-conforming use which may be continued as specified in said certification and as permitted by this Chapter.
- C. Nuisances. Uses or adjuncts thereof which are or become public nuisances shall not be entitled to continue as non-conforming uses.
- D. Additional Standards for Floodplain Non-Conformities.
1. All new structures, including accessory structures and additions to structures, that are not being flood proofed in accordance with this Section, must be elevated on fill so that the lowest floor, including basement floor, is at or above the RFPE. The finished fill elevation for structures shall be no lower than one (1) foot below the RFPE, and the fill shall extend at such elevation at least fifteen (15) feet beyond the outside limits of the structure erected thereon.
 2. The storage of any materials or equipment shall be located outside of the floodway, and shall be elevated on fill to the RFPE.
 3. Alternative elevation methods other than the use of fill may be used to elevate a structure's lowest floor above the RFPE. Use of these alternative methods must receive written authorization from the Floodplain

Administrator and the City Engineer. These alternative methods may include the use of stilts, pilings, parallel walls, etc., or above-grade, enclosed areas such as crawl spaces or tuck under garages. The base or floor of an enclosed area shall be considered above-grade and not a structure's lowest floor if:

- a. the enclosed area is above-grade on at least one (1) side of the structure;
- b. it is designed to internally flood and is constructed with flood-resistant materials; and
- c. it is used solely for parking of vehicles, building access or storage.
- d. The above-noted alternative elevation methods are subject to the following additional standards:
 - 1) Design and certification. The structure's design and as-built condition must be certified by a licensed professional engineer or architect as being in compliance with the general design standards of the State Building Code and, specifically, that all wiring, heating, ventilation, plumbing and air conditioning equipment and other service facilities must be at or above the RFPE, or be designed to prevent flood water from entering or accumulating within the components during times of flooding.
 - 2) Specific standards for above-grade, enclosed areas - Above-grade, fully enclosed areas such as crawl spaces or tuck under garages must be designed to internally flood, and the design plans must stipulate:
 - a) A minimum area of openings in the walls where internal flooding is to be used as a flood proofing technique. There shall be a minimum of two (2) openings on at least two (2) sides of the structure, and the bottom of all openings shall be no higher than one (1) foot above-grade. The automatic openings shall have a minimum net area of not less than one (1) square inch for every square foot subject to flooding unless a licensed professional engineer or architect certifies that a smaller net area would suffice. The automatic openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of flood waters without any form of human intervention; and,
 - b) The enclosed area will be designed of flood-resistant materials in accordance with the FP-3 or FP-4 classifications in the State Building Code, and shall be used solely for building access, parking of vehicles or storage.

4. Basements, as defined by this Section, in residential structures, shall not be allowed below the RFPE. Non-residential basements may be allowed below the RFPE provided the basement is structurally dry flood proofed in accordance with Subd. 11.D.7 of this Section.
5. All new principal structures must have vehicular access at or above an elevation not more than two (2) feet below the RFPE. If a variance to this requirement is granted, the City must specify limitations on the period of use or occupancy of the structure for times of flooding, and only after determining that adequate flood warning time and local flood emergency response procedures exist.
6. All manufactured homes must be securely anchored to a foundation system that resists flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, the use of over the top or frame ties to ground anchors. This requirement is in addition to applicable state or local anchoring requirements for resisting wind forces.
7. As an alternative, all areas of new or substantially improved non-residential structures, including basements, to be placed below the RFPE shall be flood proofed in accordance with structurally dry flood proofing classifications in the State Building Code. Structurally dry flood proofing must meet the FP-1 or FP-2 flood proofing classification in the State Building Code, and this shall require making the structure watertight with the walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. Structures flood proofed to the FP-3 or FP-4 classifications shall not be permitted.
8. Commercial use. Accessory land uses, such as yards, railroad tracks and parking lots, may be at elevations lower than the RFPE. However, a permit for such facilities to be used by the employees or the general public shall not be granted in the absence of a flood warning system that provides adequate time for evacuation.
9. Manufacturing and industrial uses. Measures shall be undertaken to minimize interference with normal plant operations, especially along streams having protracted flood durations. Certain accessory land uses, such as yards and parking lots, may be at lower elevations subject to requirements set out in this Section.
10. New manufactured home parks/subdivisions and new recreational vehicle campgrounds shall not be allowed within the Floodplain.

Subdivision 12. Obstructions

- A. The City shall have the right of reasonable entry upon lands in the Floodplain for the purpose of ingress and egress to the Floodplain, and the beds, banks and waters of the creeks, to remove any natural obstructions such as, but not limited to, trees, debris, litter and silt.
- B. It is unlawful for any person, without a special permit obtained pursuant to this Section, to place any obstruction in Bassett Creek, to obstruct the passage of watercraft or to interfere with the use by the public of the beds, banks, waters or channels of said Creek, except obstructions placed by the appropriate authority and used for Floodplain management, in which case adequate provision shall be made for portaging and passage of watercraft.
- C. Any artificial obstruction of the beds, banks, waters or channels of Bassett Creek or the Floodplain made subsequent to February 3, 1981, and without first obtaining a special permit or variance therefore shall be removed by the owner of the adjoining land within ten (10) days after mailing to such owner of a demand to do so by the Administrator. If the owner shall fail or refuse to remove the obstruction, within said time, or if the owner cannot be found or determined, the City may remove such obstruction and the cost thereof shall be paid by the owner on demand, or may be assessed against the land, and collected in the same manner as prescribed by law for levying and collecting special assessments for municipal improvements.

Subdivision 13. Unlawful Act

It is unlawful for any person to violate any provision of this Section or fail to comply with any of its terms or requirements. Each day such violation continues shall be considered a separate offense. Each obstruction or use placed or maintained in the Floodplain in violation of this Section is hereby declared to be a public nuisance and creation thereof may be enjoined and the maintenance thereof abated by appropriate judicial action. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent, remedy or remove any violation.

Subdivision 14. Amendments

- A. Complete documentation on any proposed amendments to this Section, including amendments to the Official Flood Zone Profile and Flood Insurance Rate Maps, must be submitted to the DNR Commissioner for review and approval, with a minimum of ten (10) days being allowed for such review in addition to any time necessary for the actual transmittal of the documents between offices; no public hearing shall be held by the Council with regard to the proposed amendment until the approval of the DNR Commissioner is received. The BCWMC shall also be notified of any proposed amendment to this Section at least thirty (30) days in advance of the scheduled public hearing. Amendments that would affect the Floodplain designation of any area must be approved by the FEMA before being adopted by the City. With

all of these additional requirements incorporated, amendments to this Section shall be made in the manner provided for all zoning amendments pursuant to this Chapter and in compliance with state law.

- B. There shall be no change made to the Official Flood Zone Profile or Flood Insurance Rate Maps that has the effect of removing or reducing the Floodplain designation of any area unless it can be shown that the designation is in error or that the area has been filled to or above the elevation of the RFPE and is contiguous to lands outside of the Floodplain above the RFPE. Special exceptions to this rule may be permitted by the DNR Commissioner if it is determined that the area in question is adequately protected by other measures. Changes affecting the Floodplain designation of any area must also meet FEMA's Technical Conditions and Criteria.

Subdivision 15. Interpretation

In interpreting and applying the provisions of this Section, they shall be held to be the minimum requirements for the promotion of the public health, safety, prosperity and general welfare. It is not the intention of this Section to interfere with, abrogate or annul any covenant or other City Code provision; provided, however, where this Section imposes a greater restriction upon the use or improvement of any premises than those imposed or required by other statutes, City Code provisions, rules, regulations, or permits of the City, State or the BCWMC, or by covenants or agreements, the provisions of this Section shall govern.

Subdivision 16. Warning and Disclaimer of Liability

This Section does not imply that areas outside the Floodplain or land uses or obstructions permitted within the Floodplain will be free from flooding or flood damages. This Section shall not create liability on the part of the City or any official or employee thereof for any flood damages that result from reliance on this Section or any City action taken or administrative or Council decision lawfully made hereunder.

Subdivision 17. Subdivision of Land

- A. Review Criteria. No land shall be subdivided which is unsuitable for the reason of flooding, inadequate drainage, water supply or sewage treatment facilities. All lots within the Floodplain districts shall be able to contain a building site consistent with this Section at or above the RFPE. All subdivisions shall have water and sewage treatment facilities that comply with the provisions of this Section, and have road access both to the subdivision and to the individual building sites no lower than two (2) feet below the RFPE. For all subdivisions in the Floodplain, the Floodway and Flood Fringe District boundaries, areas of allowable encroachment for building sites in Zone A areas and Zone AE areas where a floodway has not been designated, the RFPE and the required elevation of all access roads shall be clearly labeled on all required subdivisions drawings and platting documents.

- B. Encroachment Studies in Zone A Areas and Zone AE Areas Where a Floodway Has Not Been Designated. In Zone A areas and Zone AE areas where a floodway has not been designated, applicants shall provide the information required in Subd. 6.B of this Section to determine the one hundred (100)-year flood elevation, the areas suitable for encroachment for building sites and the RFPE for the subdivision site.
- C. Removal of Special Flood Hazard Area Designation. FEMA has established criteria for removing the special flood hazard area designation for certain structures properly elevated on fill above the one hundred (100)-year flood elevation. FEMA's requirements incorporate specific fill compaction and side slope protection standards for multi-structure or multi-lot developments. These standards should be investigated prior to the initiation of site preparation if a change of special flood hazard area designation will be requested.

Subdivision 18. Additional Administrative Requirements

- A. State and Federal Permits. Prior to granting a permit or processing an application for a Conditional Use Permit (CUP) or variance, the Administrator shall determine that the applicant has obtained all necessary state and federal permits.
- B. Certification. The applicant shall be required to submit certification by a licensed professional engineer, architect or land surveyor that the finished fill and building elevations were accomplished in compliance with the provisions of this Section. Flood proofing measures shall be certified by a licensed professional engineer or architect.
- C. Record of First Floor Elevation. The Administrator shall maintain a record of the elevation of the lowest floor (including basement) of all new structures and alterations or additions to existing structures in the Floodplain. The Administrator shall also maintain a record of the elevation to which structures or alterations and additions to structures are flood proofed.
- D. Notifications for Watercourse Alterations. The Administrator shall notify, in riverine situations, adjacent communities and the Commissioner of the Department of Natural Resources, prior to the community authorizing any alteration or relocation of a watercourse. If the applicant has applied for a permit to work in the beds of public waters pursuant to Minnesota Statute, Chapter 103G, this shall suffice as adequate notice to the Commissioner of Natural Resources. A copy of said notification shall also be submitted to the Chicago Regional Office of FEMA.
- E. Notification to FEMA when Physical Changes Increase or Decrease the hundred (100) Year Flood Elevation. As soon as is practicable, but not later than six (6) months after the date such supporting information becomes

available, the Administrator shall notify the Chicago Regional Office of FEMA of the changes by submitting a copy of said technical or scientific data.

*Source: Ordinance No. 306, 2nd Series
Effective Date: 7-30-04*

Sections 11.61 through 11.64, inclusive, reserved for future expansion.

Section 11.65: Shoreland Management

Subdivision 1. Statutory Authorization

This Section is adopted pursuant to the authorization contained in the Laws of Minnesota 1973, Chapter 379, and in furtherance of the policies declared in Minnesota Statutes 1976, Chapters 105, 115, 116 and 462.

Subdivision 2. Policy

The Legislature of Minnesota has delegated responsibility to the municipalities of the State to regulate the subdivision, use and development of the shorelands of public waters and thus preserve and enhance the quality of surface waters, preserve the economic and natural environmental values of shorelands, and provide for the wise utilization of waters and related land resources. The responsibility is hereby recognized by the City of Golden Valley.

Subdivision 3. Definitions

The following terms, as used in this Section, shall have the meanings stated:

- A. **Boathouse:** means a structure used solely for the storage of boats or boating equipment.
- B. **Building Line:** means that line measured across the width of the lot at the point where the principal structure is placed in accordance with setback provisions.
- C. **Clear-cutting:** means the removal of an entire stand of trees.
- D. **Conditional Use:** means a use of shorelands which is permitted within a zoning district only when allowed by the City after a public hearing, if certain conditions are met which eliminate or minimize the incompatibility of the conditional use with other permitted uses of the district.
- E. **Hardship:** means the property in question cannot be put to reasonable use under the conditions allowed by the official controls; the plight of the landowner is due to circumstances unique to said 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.
- F. **Ordinary High Water Mark:** for lakes means a mark delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape. The ordinary high water mark is commonly that point where the natural vegetation changes from predominately aquatic to predominately terrestrial. "Ordinary High Water Mark" for water courses means the top of the bank.

- G. **Protected Waters:** means any waters of the State as defined in Minnesota Statutes 1980, Section 105.37, Subdivision 14. However, no lake, pond or flowage of less than ten (10) acres in size and no river or stream having a total drainage area less than two (2) square miles shall be regulated for the purpose of these regulations.
- H. **Setback:** means the minimum horizontal distance between a structure or sanitary facility and the ordinary high water mark or between a structure or sanitary facility and a road, well, highway, or property lines.
- I. **Shoreland:** means land located within the following distances from protected waters: 1) one thousand (1,000) feet from the ordinary high water mark of a lake, pond, or flowage; and 2) three hundred (300) feet from a river or stream, or the landward extent of a flood plain on such rivers or streams, whichever is greater. The practical limits of shorelands may be less than the statutory limits where such limits are designated by natural drainage divides at lesser distances.
- J. **Subdivision:** means improved or unimproved land or lands which are divided for the purpose of ready sale or lease, or divided successively within a five (5) year period for the purpose of sale or lease.
- K. **Substandard Use:** means any use of shorelands existing prior to the effective date of this Section which is permitted within the applicable zoning district but does not meet the minimum lot area and length or water frontage, structure setbacks, or other dimensional standards of this Section.
- L. **Variance:** means any modification or variation of official controls where it is determined that, because of hardships, strict enforcement of the official controls is impractical.
- M. **Riparian:** as used herein means land relating or belonging to the bank and/or shore of a river, stream, creek, lake, pond or other water basin.

Subdivision 4. Designation of Types of Land Use

- A. Shoreland Management Classification. In order to guide the wise development and utilization of shorelands of protected waters for the preservation of water quality, natural characteristics, economic values and the general health, safety and welfare, certain protected waters in the City have been given a shoreland management classification, and the land lying within prescribed distances of said waters in accordance with the definitions and terms of this Section shall be the shorelands of the City. The protected waters of the City, as herein defined, that have heretofore been so classified by the Commissioner of Natural Resources and which are now deemed to be the determinants for the management of shorelands in the City are as follows:

<p>Natural Environment Lakes Wirth Lake Unnamed Basin</p>	<p>DNR I.D. # 27-37 P 27-36 P</p>
<p>Recreational Development Lakes Sweeney – Twin Lake</p>	<p>DNR I.D. # 27-35 P</p>
<p>General Development Streams Bassett Creek</p>	<p>DNR I.D. # 27032</p>

- B. Shoreland Overlay District. The shorelands of the City, as determined by the foregoing terms of this Section, are hereby designated as a Shoreland Overlay District to provide for the wise utilization of shoreland areas in order to preserve the quality and natural character of these protected waters of the City.
- C. Permitted Uses. The following uses shall be permitted within the Shoreland Overlay District:
 - 1. All permitted uses as allowed and regulated by the applicable zoning district underlying the Shoreland Overlay District as the same are indicated in the zoning provisions of the City.
- D. Conditional Uses. The following conditional uses shall be permitted within the Shoreland Overlay District:
 - 1. All conditional uses according to their applicable attached conditions as allowed and regulated by the applicable zoning district underlying the Shoreland Overlay District according to and as heretofore approved under the zoning provisions and as required by this Section; and,
 - 2. Boathouses.
- E. Substandard Uses. Any uses of shorelands in existence prior to the effective date of this Section which are permitted within the applicable zoning district, but do not meet the minimum lot area, setbacks or other dimensional requirements of this Section are hereby deemed to be non-conforming substandard uses. Substandard uses, including substandard sanitary facilities, shall be allowed to continue.

Subdivision 5. Zoning Provisions

- A. Standards. The following standards shall apply to all shorelands of the protected standard waters listed in this Section. Where the requirements of the underlying zoning district as set forth in the zoning provisions are more restrictive than those set forth herein, then the more restrictive standards shall apply:

	Natural Environment Waters	Recreational Development Waters	General Development Waters
Water frontage and lot width at building line (ft.)	125	80	80
Structure setback from Ordinary High Water (ft.)	150	75	50

B. Substandard Lots. Lots of record in the office of the County Recorder (or Registrar of Titles) prior to the effective date of this Section which do not meet the requirements of Subparagraph A, above, may be allowed as building sites provided:

1. Such use is permitted in the zoning district.
2. The lot is in separate ownership from abutting lands, and,
3. All other sanitary and dimensional requirements of this Section are complied with insofar as practical.

C. Roads and Parking Areas. Roads and parking areas shall be located to retard the runoff of surface waters and nutrients in accordance with the following criteria:

1. Where feasible and practical, all roads and parking areas shall meet the setback requirements established for structures in this Section.
2. In no instance shall these impervious surfaces be placed less than fifty (50) feet from the ordinary high water mark.
3. Where feasible and practical, natural vegetation or other natural materials shall be used to screen parking areas when viewed from the water.

D. Elevation of Lowest Floor. Structures shall be placed at an elevation consistent with the City's flood plain management controls.

E. Exceptions to Structure Setback Requirements.

1. Setback requirements from the ordinary high water mark shall not apply to boathouses and docks. Location of docks shall be controlled by applicable State and local regulations. Boathouses may be allowed as a

conditional use provided they are not used for habitation and do not contain sanitary facilities.

2. On undeveloped shoreland lots that have two (2) adjacent lots with existing principal structures on both such adjacent lots, any new residential structure may be set back the average setback of the adjacent structures from the ordinary high water mark or fifty (50) feet, whichever is greater, provided all other provisions of the Shoreland Overlay District are complied with.

Subdivision 6. Shoreland Alterations

- A. Removal of Vegetation. The removal of natural vegetation shall be restricted to prevent erosion into protected waters, to consume nutrients in the soil, and to preserve shoreland aesthetics. Removal of natural vegetation in the Shoreland Overlay District shall be subject to the following provisions:
 1. Selective removal of natural vegetation is allowed, provided that sufficient vegetative cover remains to screen cars, dwellings and other structures when viewed from the water.
 2. Clear cutting of natural vegetation is prohibited.
 3. Natural vegetation shall be restored insofar as feasible after any construction project is completed to retard surface runoff and soil erosion.
 4. The provisions of this Subdivision shall not apply to permitted uses which normally require the removal of natural vegetation.
- B. Grading and Filling. Grading and filling in shoreland areas or any alteration of the natural topography where the slope of the land is toward a protected water or a watercourse leading to a protected water shall be in accordance with requirements of and authorized by the Bassett Creek Water Management Commission.
- C. Course and Current of Protected Water. Any work which will change or diminish the course, current or cross-section of a protected water shall be approved by the Commissioner of Natural Resources, and such approval shall be construed to mean the issuance by the Commissioner of Natural Sources of a permit under the procedures of Minnesota Statutes, Section 105.42 and other related statutes.

Subdivision 7. Subdivisions

- A. Plats. Copies of all plats riparian to protect waters within the Shoreland Overlay District shall be submitted to the Commissioner of Natural Resources within ten (10) days of final approval by the City.

- B. Planned Unit Developments (PUDs). Altered zoning standards may be allowed as exceptions to this Section for PUDs provided preliminary plans for PUDs riparian to protected waters are reviewed and approved by the Commissioner of Natural Resources prior to their approval by the City, and further provided:
1. Open space is preserved through the use of restrictive deed covenants, public dedications, or other methods.
 2. The following factors are carefully evaluated to ensure the increased density of development is consistent with the resource limitations of the protected water:
 - a. Suitability of the site for the proposed use
 - b. Physical and aesthetic impact of increased density
 - c. Level of current development
 - d. Amount and ownership of undeveloped shoreland
 - e. Levels and types of water surface use and public accesses
 - f. Possible effects on over-all public use
 3. Any commercial, recreational, community, or religious facility allowed as part of the planned unit development shall conform to all applicable Federal and State regulations including, but not limited to, the following:
 - a. Licensing provisions or procedures
 - b. Waste disposal regulations
 - c. Water supply regulations
 - d. Building codes
 - e. Safety regulations
 - f. Regulations concerning the appropriation and use of protected waters as defined in Minnesota Statutes 1974, Chapter 105; and,
 - g. Applicable requirements of the Minnesota Environmental Quality Board.
 4. Public access is provided in accordance with the City Comprehensive Parks Plan.

5. The final plan for a planned unit development riparian to protected waters shall not be modified, amended, repealed, or otherwise altered unless reviewed and approved by the Commissioner.

Subdivision 8. Notification Procedures

- A. Public Hearings - Amendments, Variances and Conditional Uses. A copy of the notice of a public hearing to consider an amendment to this Section, a variance to the provisions of the Shoreland Overlay District for property riparian to private waters, or a conditional use for property riparian to protected waters in the Shoreland Overlay District shall be sent to the Commissioner of Natural Resources such that the notice is received by the Commissioner at least ten (10) days prior to such hearings.
- B. Amendments and Decisions. A copy of all amendments to this Section and final decisions granting variances or conditional uses for properties riparian to protected waters within the Shoreland Overlay District shall be sent to the Commissioner of Natural Resources within ten (10) days of the amendment or final action.

Source: Ordinance No. 682

Effective Date: 5-30-86

Sections 11.66 through 11.69, inclusive, reserved for future expansion.

Section 11.70: Off-street Parking and Loading Regulations

Subdivision 1. Purpose and Application

The purpose of requiring and regulating off-street parking and loading is to prevent congestion on public rights-of-way and private roadways and to promote the safety and general welfare of the public. The following minimums are established for off-street parking and loading based on the use of land and structures. If a change of use occurs, the new use shall comply with the off-street parking and loading requirements.

Subdivision 2. Design Standards

- A. Site Plan. Application for construction of new buildings, expansion of existing buildings, reuse of existing buildings and establishing or changing the use of property, shall include a site plan or plot plan for parking which is drawn to scale and dimensioned which depicts the location and number of off-street parking spaces consistent with this ordinance and which includes provisions for storage and/or removal of snow.
- B. Access and Curb Cuts. All off-street automobile parking facilities shall be designed with appropriate means of vehicular access to a street or alley and with adequate maneuvering area. Detailed plans may have to be submitted to the City Engineer for approval of all curb cuts or driveway openings before a permit will be granted.
- C. Use. With the exception of garage sales and other sales approved by the City, required off-street parking and loading areas and the driveways providing access to them shall not be used for the storage, display, sale or rental or repair of goods or for the storage of inoperable vehicles.
- D. Lighting. Where artificial lighting is provided in parking lots, it shall be directed perpendicular to the ground and arranged to reflect away from any residences, street or highway. All light fixtures shall minimize glare and spillover from the site.
- E. Dimensions for spaces. All required off-street parking spaces shall be at least nine (9) feet in width and at least eighteen and one-half (18.5) feet in depth, except for handicapped spaces and compact car spaces.
- F. Surfacing-Construction Standards. Parking areas and driveways shall be surfaced with an all-weather dustless material. Parking lots containing more than six (6) spaces and access drives, except for landscaped areas, shall be covered with asphalt, brick, concrete pavers (including grass-crete or other permeable pavers where deemed appropriate by the City Manager or his

designee) or concrete with proper surface drainage as required by the City. The finished surface shall be capable of carrying a load of two-thousand (2,000) pounds per square foot. (Normally a two (2)-inch blacktop surfacing on a four (4)-inch base or five (5) inches of portland cement will meet this requirement.)

G. Grade, Drainage and Curbing.

1. Grade. In general, grades shall not exceed five percent (5%) and shall meet the following standard: Private roads, driveways (other than single family), parking lots, and loading docks exposed to the elements shall have grades of not less than five percent (5%) nor more than four percent (4%) in order to provide adequate drainage and maneuverability of vehicles. Grades in excess of four percent (4%) will be reviewed for approval based on: the amount by which the grade exceeds four percent (4%), number of slopes, length of slopes, starting and stopping areas and their grades, angles and curvatures, traffic volumes, parking turn-over, turning and intersection factors, road-way width, lineal feet and/or number of spaces with grades over four percent (4%), sight distance and obstructions and alternative routes.
2. Drainage. Off-street parking areas shall be designed to drain and properly dispose of surface water. Alternative low impact development practices such as "rain gardens" and vegetative swales are encouraged by the City. Detailed plans for drainage shall be submitted to the City Engineer for approval.
3. Curbing. Parking lots containing more than six (6) spaces shall be delineated by a concrete box curb or concrete curb and gutter extending at least six (6) inches above and six (6) inches below the surface. The curb may have cuts for drainage. Exception: Some exception for "rain gardens" may be allowed provided suitable controls are provided to prevent cars from parking beyond the intended limits.

H. Parking Layouts. Required off-street parking consisting of six (6) or more spaces shall be consistent with the layout alternatives and dimensions specified below (see Parking Layout Chart on next page) except handicapped spaces and, if allowed by the City, compact car spaces.

1. Traffic Islands. Traffic islands shall be provided based on the circulation system, number of spaces, frequency of use (turnover rate) and other relevant factors. Traffic islands can be landscaped to meet interior landscape requirement.

PARKING LAYOUT CHART

Parking Angle to Curb or Lane

Dimension	Diagram	45→	60→	75→	90→
Stall width parallel to aisle *	A	12.7 ft.	10.4 ft.	9.3 ft.	9.0 ft.
Stall length of line	B	25.0 ft.	22.0 ft.	20.0 ft.	18.5 ft.
Stall depth	C	17.5 ft.	19.0 ft.	19.5 ft.	18.5 ft.
Aisle width	D	12.0 ft.	16.0 ft.	23.0 ft.	24 ft.
Stall depth, interlock	E	15.3 ft.	17.5 ft.	18.8 ft.	18.5 ft.
Module, edge of pavement to interlock	F	44.8 ft.	52.5 ft.	61.3 ft.	63.0 ft.
Module, interlocking	G	42.6 ft.	51.0 ft.	61.0 ft.	63.0 ft.
Module, interlock to curb face	H	42.8 ft.	50.2 ft.	58.8 ft.	60.5 ft.
Bumper overhang (typical)	I	2.0 ft.	2.3 ft.	2.5 ft.	2.5 ft.
Offset	J	6.3 ft.	2.7 ft.	0.5 ft.	0.0 ft.
Cross aisle, one-way	L	14.0 ft.	14.0 ft.	14.0 ft.	14.0 ft.
Cross aisle, two-way	L 90→	24.0 ft.	24.0 ft.	24.0 ft.	24.0 ft.
Minimum inside turning radius for fire lanes	--	45 ft.	45 ft.	45 ft.	45 ft.
Parking or drive aisle setback to principal structure	O	10 ft.	10 ft.	10 ft.	10 ft.
Landscape Traffic Islands	P	See Diagram			
Landscaped Islands	Q	See Diagram			

Parallel parking: Stall width (8.5 or 9 ft.)
 Stall length (22 or 23 ft.)

- * Required handicap stalls and ramps shall be per State Code.
- * Some minor deviations from this table may be allowed in special circumstances related to the number and percent of spaces involved and site-dimensional constraints which support a minor deviation.

I. Landscaping-internal and external. The minimum required landscaped areas, within which there shall be no parking or drive aisles (except driveway access from street) in Multiple Dwelling, Institutional, Business and Professional Office, Commercial, Light Industrial, and Industrial Zoning Districts, shall be:

1. External Landscaping

- a. Front Yard – thirty-five (35) Feet (see M on diagram)
- b. Side and Rear Yards: One-half (1/2) of the required building setback. (see N on diagram)

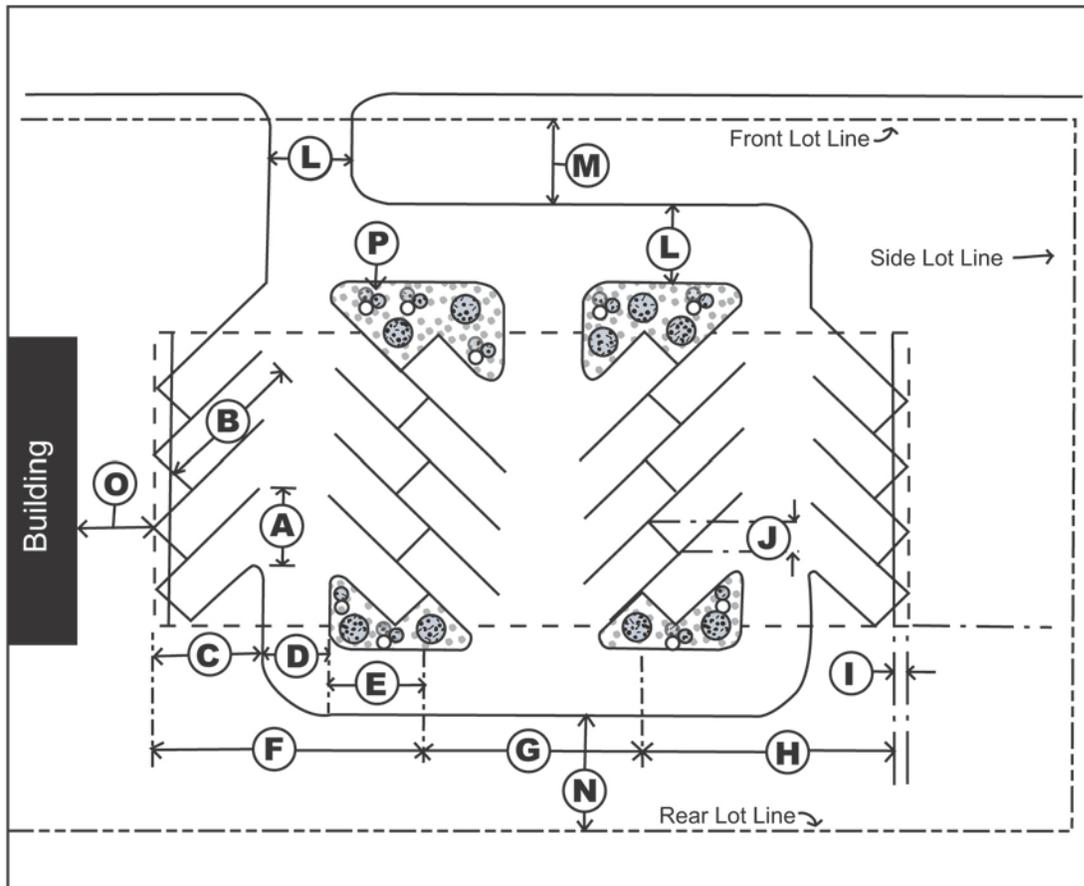
2. Internal Landscaping. Parking lots designed and constructed for more than forty (40) off-street parking spaces shall have at least four percent (4%) of the interior of the parking lot landscaped with vegetation

including shade trees. Each landscape break shall occur approximately every twenty-four (24) spaces. Such landscaping is expected to be in traffic islands, other islands or other areas used for drainage or light standard or exclusive landscape islands located within the interior portion of the parking lot. Such landscaped areas shall not be considered as impervious if essentially the ground is left open. A landscape plan shall be submitted as part of the site plan as required in Subdivision 2(A). The landscape plan shall be approved by the City Manager or his designee. All landscaping shall be guaranteed with a financial security for a period of two (2) full growing seasons.

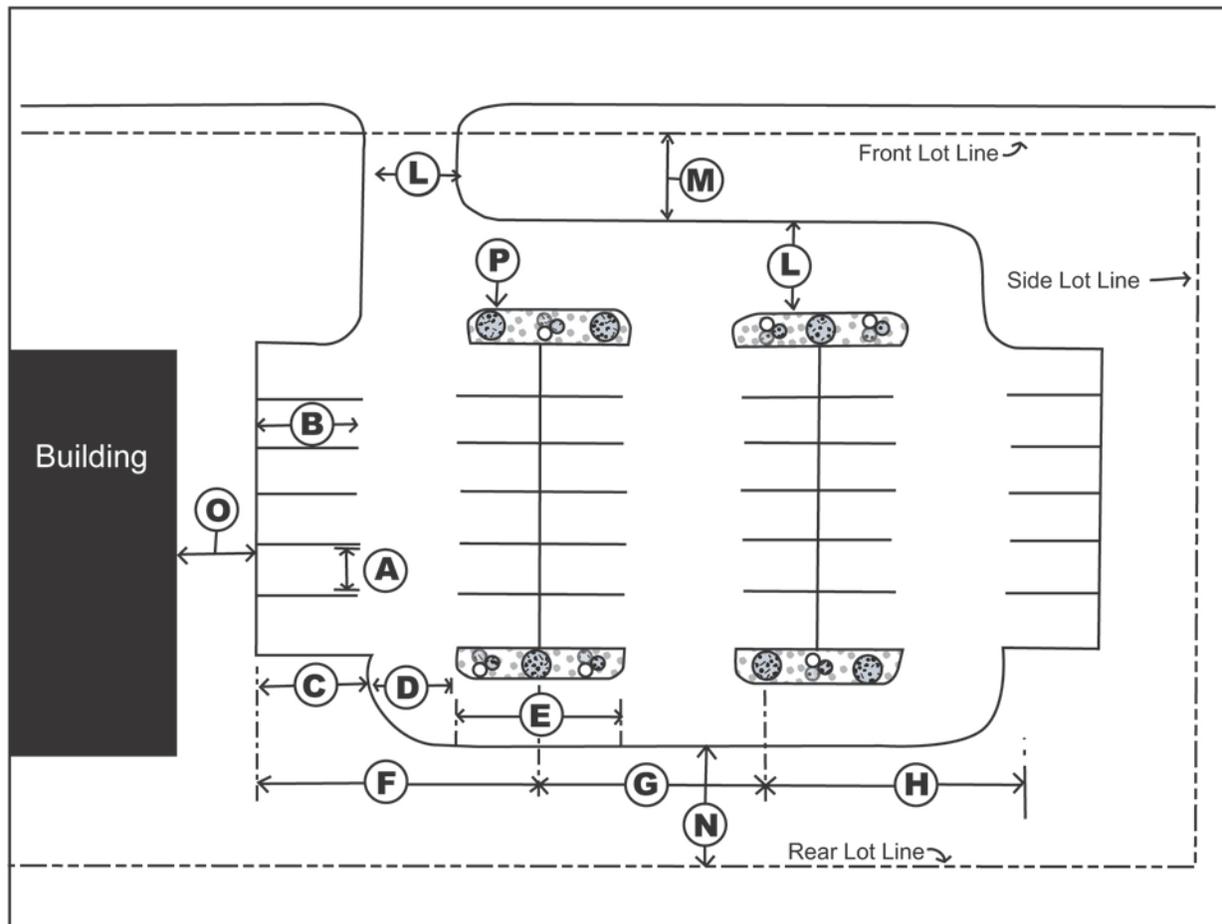
J. Dimensional Requirements

Joint of combined parking facilities on separate lots as authorized and when constructed adjacent to a common lot line separating two (2) or more parking areas are not required to observe the parking area setback from such a common lot line.

Dimensional Requirements for Angled Parking Stalls



Dimensional Requirements for 90° Angle Parking Stalls



- K. Fire Lane. Off-street parking lots may have to be designed to include fire lanes as determined by the Fire Marshal.
- L. Spaces Delineated. All required off-street parking areas consisting of six (6) or more spaces shall be delineated by durable painted stripes at least four (4) inches wide unless walls or columns are used to provide an equivalent means to delineate the spaces such as in an underground garage.
- M. Buffers. If off-street parking lots are located on the periphery of sites and in view of adjacent and nearby properties, the City will require them to be screened with trees, shrubs, fencing, decorative walls, berms or some combination of these in setback areas along one or more lot lines.

- N. Location. Required off-street parking shall be located on the same lot as the use it serves, except where parking spaces cannot be reasonably provided on the same lot as the principal use, the City may permit such required parking spaces to be located on other property in a similar or heavier zoning district located within five hundred (500) feet of the permitted use, measured along lines of public access.
- O. Parking Ramps and Underground Parking. Because of the cost of such spaces and more control over environmental factors, the Director of Planning may allow some reduction in the width of the aisle and spaces in parking ramps and underground parking.
- P. Plowing and Snow Storage or Removal. Required off-street parking plans shall include provisions for snow storage and/or removal.
- Q. Pedestrian access/provisions. Provisions for pedestrian circulation to and from, and in some cases through, parking lots shall be required as determined appropriate by the City. Patterned pavement, decorative lighting and associated facilities shall be provided as may be appropriate.
- R. Maintenance. Off-street parking areas including spaces, accessway, striping, landscaping and, required buffers and fences, shall be maintained in a neat, safe and adequate manner. Potholes, deteriorated pavement, and striping must be repaired or restored in a timely manner by the owner of the off-street parking.
- S. Accessible Parking. Accessible parking spaces shall be provided pursuant to the Minnesota Accessibility Code.
- T. Signs. Small informational-direction signs may be allowed or required in off-street parking facilities to identify handicapped parking, compact car parking, traffic flow, and similar information essential to safe and efficient operation of the facility.
- U. Compact Vehicles. If an off-street parking lot, ramp or garage contains fifty (50) or more spaces, the City will allow up to ten percent (10%) of the spaces to be designated compact cars only, provided a suitable parking plan for such spaces is submitted and approved by the City.
- V. Joint Use of Parking. Off-street parking facilities for a combination of one (1) or more structures or uses may be provided collectively in any District, except the Residential District and Two-Family Residential District, provided the total number of spaces shall not be less than the sum of the separate requirements for each use.
- W. Potential Reduction. The City may allow up to fifty percent (50%) reduction when joint use or combined parking is provided for uses which have substantially different parking demands and peak parking needs such as a

daytime use with a nighttime use (e.g. office and movie theater) or a week day use with a weekend use (e.g. office and a church). Such reduction may require and agreement between the uses and an agreement between the owners and City. Such agreement may also be subject to proof of parking.

- X. Bicycle parking. Bicycle racks or a similar facility to park/store bicycles shall be provided in a location accessible to residents in residential developments having more than twelve (12) dwelling units and employees and to the public in other developments at the rate of five percent (5%) of parking required for vehicles with a minimum of four (4) spaces. Bicycle racks shall be secured to either the ground or a building.

Subdivision 3. Minimum Number of Required Off-Street Parking Spaces

USE	REQUIREMENT
RESIDENTIAL	
Single Family	2 spaces per dwelling No building permit shall be issued for the construction of a single family dwelling not having a two-stall garage unless the registered survey submitted at the time of application for the building permit reflects the necessary area and setback requirements for a future two stall (minimum) garage.
Cluster Housing	2 spaces per dwelling with at least one enclosed
Two Family	2 spaces per dwelling with at least one enclosed
Townhouse	2 spaces per dwelling with at least one enclosed
Multiple Family	2 spaces per dwelling with at least one enclosed
Rooming House	1 space per each 2 persons
Congregate and/or Elderly Housing (Senior Housing)	0.5 to 1 space per unit depending on circumstances
Assisted Housing	1 space per 5 units/beds
Nursing Home	1 space per 5 beds

PUBLIC & INSTITUTIONAL	
Adult Day Care	1 space per 5 persons cared for
Group Nursery Day Care	1 space per 6 participants
Group Home	1 space per 5 beds/participants
Community Center	An adequate plan.
City Hall	1 space per 250 s.f. of gross floor area
Library	1 space per 300 s.f. of gross floor area
Museum Art Gallery	1 space per 400 s.f. of gross floor area
Park Playground	An adequate plan
Golf Course	1 space per 5 patrons based on course capacity
Golf Driving Range & Archery	1 space for each tee/target
Miniature Golf	1 space per hole
Fire Station	1 space per 500 s.f. of gross floor area or an adequate plan.
Ball Fields/Other Rec.	1 space per 4 seats based on design capacity or 1 per 4 members using the facility.
Religious Institutions	1 space per 3 seats in the main assembly area.
Cemeteries	Adequate off-street parking shall be provided.
Elementary School - Junior High	2 spaces per classroom
High School	2 spaces per classroom plus 1 space per 6 students
College - University	1 space per 4 students based on capacity
Hospital	1 space for every 350 s.f. of gross floor area
COMMERCIAL	
Animal Hospital - Kennels	1 space per each 300 s.f. of gross floor area
Bank - Financial Service	1 space per 200 s.f. of gross floor area
Bed and Breakfast	2 spaces plus 1 for each room to be rented
Trade and Training School	1 space per 3 students based on design capability
Bakery	1 space per 25 s.f. of customer area.
Clubs/Lodges	1 space per 2.5 seats based on design capacity.
Convention/Exhibition Hall	1 space per 3 seats

COMMERCIAL (cont.)	
Hotel or Motel	1.5 spaces per unit plus parking for other uses.
Places of Lodging	See Hotel
Service Station (Motor Fuel Station)	8 spaces plus 4 per service stall.
Motor Vehicle Service Repair	4 spaces for each service bay.
Offices	1 space per 250 s.f. of gross floor area.
Mortuaries	1 per every 250 s.f. plus 1 space for every 5 seats.
Car Wash	8 spaces plus 4 per service stall.
Medical Clinic (Offices)	1 space per 200 s.f. of gross floor area
Open Sales or Rental Lots	1 space per 2000 s.f. of display area
Printing	1 space per each 100 s.f. of customer service area.
Bowling Alley	1 space per each 6 seats or 300 s.f. of gross floor area, whichever is greater.
Pool Hall/Arcade	1 space per 50 s.f.
Skating Rinks	1 space per each 6 seats or 300 s.f. of gross floor area of rink area, whichever is greater.
Sport & Health Clubs	1 space for every 200 s.f. of gross floor area of non-court area plus 2 spaces for each court plus 1 per 50 s.f. deck area for swimming.
Theater and/or Gymnasiums (Auditorium)	1 space per 4 seats or 1 space per 400 s.f., whichever is greater.
Restaurant Class I (Traditional-No Liquor)	1 space per 100 s.f. of gross floor area
Restaurant - Class II (Fast Food)	1 space per 40 s.f. of gross floor area
Restaurant -Class III (Restaurant W/ Liquor)	1 space per 60 s.f. of floor area plus 1 space per 25 s.f. of bar area.
Retail Store or Service Establishment	1 space per 250 s.f. of gross floor area
Shopping Center	1 space for every 200 s.f. of gross floor area. (5 spaces per 1000 s.f.)
Studio	1 space per 400 s.f. of gross floor area
Storage	(See Warehouse)
Temporary Retail Sales	An adequate plan.

INDUSTRIAL	
Manufacturing - Fabricating	1 space per 500 s.f. of gross floor area
Outdoor Storage	1 space per 20,000 s.f. of storage area
Post Office/Parcel Distribution	10 spaces plus 1 per 500 s.f. plus 1 for each vehicle on site.
Self Storage Facility	1 space for every 10,000 s.f. of storage area
Sales Showroom (Motor Vehicles, machinery, boats, etc.)	1 space for every 1000 s.f. of gross floor area of display area plus 1 space for every 5,000 gross s.f. of outside display
Showrooms Other (e.g. furniture, appliances)	1 space for every 400 s.f. gross floor area of show room, plus 1 space for every 5,000 gross square feet of outside display area.
Warehouses and Storage	1 space for every 3,000 s.f. of gross floor area.
Truck/Van Terminals	1 space per 3,000 s. f. of gross floor area.
Lumber Yards or Bldg. Material Yards	Outside areas 1 space per 2,000 s.f. of material display
MISCELLANEOUS	
Seasonal Farm Produce Sales	An adequate plan
Christmas Tree Sales	An adequate plan
Radio TV Trans.	An adequate plan
OTHER	
	General Requirement. For any and all uses or structures not specifically provided for, such parking space as the City shall determine to be necessary shall be required, considering all the parking generating factors involved.
	Mixed Uses. In the case of mixed uses, the parking facilities required shall be the sum of the requirements for the various individual uses, computed separately in accordance with this Section. Parking facilities for one use shall not be considered as providing the required parking facilities for any other use.

- A. Required Ratios. Where the number of required parking spaces is measured by seating capacity, such seating capacity shall be determined for maximum capacity.
- B. Compliance with Current Controls. New buildings erected after the effective date of this Section, and old buildings altered after the effective date of this Section, must comply with all applicable off-street parking requirements in effect at the time that said buildings are constructed or altered, as the case may be.

Subdivision 4. Proof of Parking

When the required off-street parking is twenty (20) or more spaces, the owner is only required to pave and stripe seventy-five percent (75%) of the required parking spaces if the following conditions are met:

- A. A parking plan drawn to scale for the property is submitted to the Zoning Administrator and the plan indicates that the site complies with the total parking requirements stated above and the parking lot is designed to the standards required by this Ordinance.
- B. The portion of the site which is not paved and is capable of containing the amount of parking equal to the difference between the total amount of required parking and the amount of parking required to be paved (known as the proof of parking area) is suitably landscaped and curbed to meet the requirements of this Ordinance.
- C. The proof of parking area shall be clearly delineated on the parking plan for the site.
- D. The paved portion of the parking area shall comply with the pertinent sections of this Ordinance.
- E. The proof of parking area is not used to satisfy any other landscaping or other requirement and is not located in an area occupied by a building.
- F. The property owner is responsible for informing any subsequent owner of the proof of parking area and parking status of the property.
- G. The City may, at its sole discretion, require at any time that the proof of parking area be paved and striped in such a way that it meets the requirements to provide the total number of required parking spaces on the site or a percentage between seventy-five percent (75%) and one-hundred percent (100%) if so determined by the City.
- H. Agreement. The City may require the owner to enter into a proof of parking agreement specifying the requirements and restrictions and stating that the owner developer and successor shall be responsible for making improvements to meet the code at the time the City requires such action.

Subdivision 5. Loading Regulations

A. Design Standards

1. Location. Truck docks for loading and unloading goods or wares shall be provided on the same lot or parcel to be serviced. When truck docks are provided inside the building such area shall not be included in the total floor area used for determining the required number of such docks, nor for parking space requirements.
2. Size. Loading docks shall be sized and provided with maneuvering space to adequately meet the needs.
3. Surfacing. Minimum seven (7)-ton capacity.

*Source: Ordinance No. 346, 2nd Series
Effective Date: 7-1-06*

4. Lighting. Lighting for parking areas shall be subject to the requirements in section 11.73 Outdoor Lighting.

*Source: Ordinance No. 365, 2nd Series
Effective Date: 3-23-07*

Minimum Number of Off-Street Loading Docks Required.

USE	REQUIRED OFF-STREET LOADING DOCKS
Business and Professional Offices	Adequate provisions to meet needs.
Retail and Commercial Uses	Adequate provisions to meet needs.
Light and Heavy Industrial Uses (Manufacturing-Fabricating, Warehouse and Storage, and Showroom)	1 off-street loading dock per 40,000 s.f. of gross floor area.
Institutional Uses	Adequate provisions to meet needs.

*Source: Ordinance No. 346, 2nd Series
Effective Date: 7-1-06*

Section 11.71: Telecommunications Towers and Antennas

Subdivision 1. Purpose

The purpose of this ordinance is to allow for and regulate the design, location, placement, construction, maintenance, and removal of telecommunications towers and antennas and to provide safety/emergency service through use of telecommunications facilities; provide broader forms of communication in a more reliable way; ensure such facilities are unobtrusively located; strictly control the location and design of telecommunications facilities so that allowed facilities will not be obtrusive or visually unpleasant; provide clear standards governing all aspects of such facilities; minimize the number of new towers and to require co-locating; allow new facilities only when a documented demonstration of need satisfactory to the City can be shown; protect residential property and neighborhoods; promote shared use of telecommunications towers; protect property values, the image of the City, and the image along the City's principal arterials including Highways 55, 100 and 169, and Interstate 394.

Subdivision 2. Definitions

- A. **Antennas:** means a device placed outdoors on a building or structure and used to transmit and/or receive radio or electromagnetic waves, excluding: satellite dishes, six (6) feet or shorter, whip antennas one (1) inch or less in diameter, and television antennas having a total length of not more than six (6) feet which are located on a dwelling or other permitted building.
- B. **Monopole:** means a free standing, self-supporting telecommunications tower which uses a single pole, does not use a lattice design, and has no guy wires.
- C. **Satellite dish or satellite earth station antenna:** means a round or conical or cone shaped device more than eighteen (18) inches in diameter, placed outdoors on the ground or on a building or structure, and used to transmit and/or receive radio or electromagnetic waves.
- D. **Telecommunication facility:** means cables, wires, lines, wave guides, antennas and any other equipment or facilities associated with the transmission or reception of communications located or installed on or near a tower or antenna support structure but not including a satellite earth station antenna, (satellite dish) two (2) meters (6.56 feet) or less in diameter.
- E. **Telecommunications tower:** means a self-supporting monopole, poles or lattice structure constructed at normal grade and extending into the air at least twelve (12) feet and used to support telecommunications facilities.

- F. **Tower height:** means the vertical distance from the average grade at the base of the tower to the highest point of the tower or to the highest point of the highest telecommunications facilities on the tower whichever is higher.

Subdivision 3. Demonstration of Need

The applicant shall provide an analysis prepared by a radio or electrical engineer demonstrating that the proposed location of the antennas is necessary to meet the coverage and capacity needs of its system and that there is no existing antenna support structure that could adequately serve the area if antennas were placed on it.

Subdivision 4. Location of New Facilities

The following preferences, listed in ranked order, shall be followed for a new facility (tower) and each preference shall be analyzed to determine the most appropriate location:

- A. Whenever possible, an existing telecommunications tower, structure or building shall be used to support the proposed facility. If an existing building or structure is used, it shall be over thirty-five (35) feet in height. Preference shall be given to existing light poles, high voltage utility towers and water towers. Public and commercial buildings four (4) or more stories high which can more likely accommodate facilities without obstructing views or being obtrusive to views shall be given preference over shorter buildings.
- B. Less restrictive (heavier) zoning district shall be given preference over more restrictive zoning districts.
- C. Sites with the least impact on residential areas. Where feasible and practical, towers shall exceed the setback requirements by fifty percent (50%) when located adjacent to a property zoned Residential, Two-Family Residential (R-2) and Multiple Dwelling. Also, where feasible and practical, antennas on properties zoned Multiple Dwelling shall be located on building rooftops rather than have a monopole design.
- D. In all cases, except for non-conforming existing towers, the location must meet the zoning requirements.
- E. Amateur radio towers in the Residential Zoning District and Two-Family (R-2) Residential Zoning Districts are not required to co-locate.

Subdivision 5. Where Allowed

Telecommunications towers and antennae facilities are allowed in the following zoning districts as specified provided they meet all other requirements of this ordinance.

- A. Residential Zoning District and Two-Family (R-2) Residential Zoning District.

1. Telecommunications towers. Telecommunications towers are prohibited, except an amateur radio tower not to exceed forty-five (45) feet in height used by a licensed amateur radio operator residing on the site may be permitted through a conditional use permit and subject to all other requirements of this section and Section 11.80 of this code.
2. Antennas. Antennas ten (10) feet in length or less are allowed as a secondary use when located on an existing structure.
3. Satellite dishes less than one (1) meter in diameter. Satellite dishes less than one (1) meter (3.28 feet) in diameter are permitted.
4. Satellite dishes one (1) to two (2) meters. Satellite dishes one (1) to two (2) meters (3.28 feet to 6.56 feet) in diameter may be allowed by a conditional use permit. If located on the ground, the height must not exceed ten (10) feet.
5. Temporary Towers. Temporary mobile towers are prohibited, except that short-term temporary mobile towers may be allowed by administrative permit in emergency situations.

B. Multiple Dwelling District.

1. Telecommunications towers. Telecommunications towers may be permitted through a conditional use permit provided the height does not exceed seventy-five (75) feet and subject to all other requirements of this section and Section 11.80 of this Code.
2. Antennas. Antennas ten (10) feet in length or less are allowed as a secondary use when located on an existing structure.
3. Satellite dishes less than one (1) meter in diameter. Satellite dishes less than one (1) meter (3.28 feet) in diameter are permitted.
4. Satellite dishes one (1) to two (2) meters in diameter. Satellite dishes one (1) to two (2) meters (3.28 feet to 6.56 feet) in diameter may be allowed by a conditional use permit. If located on the ground, the height must not exceed ten (10) feet.
5. Temporary Towers. Temporary mobile towers may be permitted through an administrative permit provided the term is not greater than one hundred (100) days and the purpose is to test a site which might qualify for a permanent tower and the height is not greater than sixty-six (66) feet.

C. Institutional Zoning District. Including I-1, I-2, I-3 and I-4, and excluding I-5.

1. Telecommunications Towers. Telecommunications towers may be permitted through a conditional use permit provided the height does not exceed one hundred (100) feet and subject to all other requirements of this section and Section 11.80 of this Code.
2. Antennas. Antennas ten (10) feet in length or less are allowed as a secondary use when located on an existing structure.
3. Satellite dishes less than one (1) meter in diameter. Satellite dishes less than one (1) meter (3.28 feet) in diameter are permitted.
4. Satellite dishes one (1) to two (2) meters in diameter. Satellite dishes one (1) to two (2) meters (3.28 feet to 6.56 feet) in diameter are allowed as a secondary use. If located on the ground, the height must not exceed ten (10) feet.
5. Temporary Towers. Temporary mobile towers may be permitted through an administrative permit provided the term is not greater than one hundred (100) days, the purpose is to test a site which might qualify for a permanent tower and the height is not greater than one hundred (100) feet.

D. Business and Professional Office Zoning District

1. Telecommunication Towers. Telecommunications towers may be permitted through a conditional use permit provided the height does not exceed one hundred twenty (120) feet high and subject to all other requirements of this of this section and Section 11.80 of this Code.
2. Antennas. Antennas ten (10) feet in length or less are allowed as a secondary use when located on an existing structure.
3. Satellite dishes two (2) meters or less in diameter. Satellite dishes two (2) meters (6.56 feet) or less in diameter are permitted. If located on the ground, the height must not exceed ten (10) feet.
4. Satellite dishes more than two (2), but less than nine (9) meters in diameter. Satellite dishes more than two (2) meters (6.56 feet), but less than nine (9) meters (29.52 feet) in diameter may be permitted through a conditional use permit and subject to all other requirements of this Section and Section 11.80 of the Code. If located on the ground, the height must not exceed thirty (30) feet.
5. Temporary Towers. Temporary mobile towers may be permitted through an administrative permit provided the term is not greater than one hundred (100) days, the purpose is to test a site which might qualify for a permanent tower and the height is not greater than one hundred twenty (120) feet.

E. Commercial Zoning District

1. Telecommunication Towers. Telecommunications Towers may be permitted through a conditional use permit provided the height does not exceed one hundred twenty (120) feet and subject to all other requirements of this of this section and Section 11.80 of this Code.
2. Antennas. Antennas ten (10) feet in length or less are allowed as a secondary use when located on an existing structure.
3. Satellite dishes two (2) meters or less in diameter. Satellite dishes two (2) meters (6.56 feet) or less in diameter are permitted. If located on the ground, the height must not exceed ten (10) feet.
4. Satellite dishes more than two (2) but less than nine (9) meters in diameter. Satellite dishes more than two (2) meters (6.56 feet) but less than nine (9) meters (29.52 feet) in diameter may be permitted through a conditional use permit and subject to all other requirements of this Section and Section 11.80 of the Code. If located on the ground, the height must not exceed thirty (30) feet.
5. Temporary Towers. Temporary mobile towers may be permitted through an administrative permit provided the term is not greater than one hundred (100) days, the purpose is to test a site which might qualify for a permanent tower and the height is not greater than one hundred (120) feet.

F. Light Industrial Zoning District

1. Telecommunication Towers. Telecommunications towers may be permitted through a conditional use permit provided the height does not exceed two hundred (200) feet and subject to all other requirements of this of this section and Section 11.80 of this Code.
2. Antennas. Antennas fifteen (15) feet in length or less are allowed as a secondary use when located on an existing structure.
3. Satellite dishes two (2) meters or less in diameter. Satellite dishes two (2) meters (6.56 feet) or less in diameter are permitted. If located on the ground, the height must not exceed fifteen (15) feet.
4. Satellite dishes more than two (2) but less than nine (9) meters in diameter. Satellite dishes more than two (2) meters (6.56 feet) but less than nine (9) meters (29.52 feet) in diameter may be permitted through a conditional use permit and subject to all other requirements of this Section and Section 11.80 of the Code. If located on the ground, the height must not exceed thirty (30) feet.

5. Temporary Towers. Temporary mobile towers may be permitted through an administrative permit provided the term is not greater than one hundred (100) days, the purpose is to test a site which might qualify for a permanent tower and the height is not greater than two hundred (200) feet.

G. Industrial Zoning District

1. Telecommunication Towers. Telecommunications towers may be permitted through a conditional use permit provided the height does not exceed two hundred (200) feet and subject to all other requirements of this of this section and Section 11.80 of this Code.
2. Antennas. Antennas eighteen (18) feet in length or less are allowed as a secondary use when located on an existing structure.
3. Satellite dishes two (2) meters or less in diameter. Satellite dishes two (2) meters (6.56 feet) or less in diameter are permitted. If located on the ground, the height must not exceed eighteen (18) feet.
4. Satellite dishes more than two (2) but less than nine (9) meters in diameter. Satellite dishes more than two (2) meters (6.56 feet) but less than nine (9) meters (29.52 feet) in diameter may be permitted through a conditional use permit and subject to all other requirements of this Section and Section 11.80 of the Code. If located on the ground, the height must not exceed thirty (30) feet.
5. Temporary Towers. Temporary mobile towers may be permitted through an administrative permit provided the term is not greater than one hundred (100) days, the purpose is to test a site which might qualify for a permanent tower and the height is not greater than two hundred (200) feet.

Subdivision 6. Design and Performance Standards

Design and performance standards are hereby established to meet the objectives of the City and the purposes and other provisions of this chapter.

- A. Facilities. If a new telecommunications tower over sixty (60) feet in height is to be constructed:
 1. the telecommunications tower must be designed to accommodate both the applicant's antennas and antennas for at least one (1) additional comparable user;
 2. the telecommunications tower must be designed to accept antennas mounted at additional heights;

3. the applicant, the telecommunications tower owner, the landowner, and their successors must allow the shared use of the telecommunications tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use, must submit a dispute over the potential terms and conditions to binding arbitration, and must sign the conditional use permit agreeing to these requirements.
- B. Placement. New telecommunications towers shall be placed on the site or within the site so as to be visually as unobtrusive as possible and existing trees and landscaping which can screen the telecommunication tower shall be preserved.
- C. Interference. The placement, design, use and operation of the telecommunications facilities shall comply with the Telecommunications Act of 1996 and the rules of the Federal Communications Commission.
- D. Setbacks.
1. No telecommunication tower shall be located in the required minimum front, side, or rear yard building setback of any parcel.
 2. Exceptions. Use of existing light poles, high voltage poles or towers, and telecommunications towers are exempt from the setback requirements provided that such pole or telecommunication tower is not increased in height.
 3. Satellite Dish. In the Institutional, Business and Industrial zones, no satellite dish greater than two (2) meters (6.56 feet) shall be located in the minimum required front or side-yard setbacks.
- E. Ground Structures. If the ground structure is a building, the design shall be compatible with the principal building. If no principal building is on the site, the building must be compatible with near-by buildings. Structures which are not buildings must be designed to be compatible with the area.
- F. Structural. Telecommunications towers shall be approved by a licensed and qualified professional structural engineer to conform to the lateral and other structure standards of the most current uniform building code and to be structurally sound for conditions reasonably likely to occur on or near the site and be capable of carrying at least four (4) separate antenna arrays if the tower is higher than one hundred thirty (130) feet. All other applicable requirements of other federal, state and other regulatory agencies must be met.
- G. Guy Wires. Guy wires are prohibited for new telecommunications towers.
- H. Security. Reasonable security measures shall be provided. If fencing is used, it must be decorative and landscaping shall be used to soften its impact.

- I. Lighting. No telecommunications towers or antennas shall be artificially illuminated unless required by law or the Federal Aviation Administration. This provision does not prevent general exterior lighting of a building or steeple to meet aesthetic or functional objectives provided such lighting otherwise meets the provisions of the code.
- J. Signs. No sign shall be located on a telecommunications tower or antenna except to provide necessary information as required to meet federal, state or local laws.
- K. Landscaping and Screening. All telecommunication towers and related building facilities shall be landscaped and screened with natural vegetation to lessen the visual impact. The natural vegetation on the site shall be documented on the site plans. Suitable existing vegetation shall be retained to the extent possible based on an analysis of the site. New landscaping shall be shown on a landscape plan, which will be reviewed as part of the conditional use permit application.
- L. Color. The finished color for the telecommunication tower shall be natural for the environment and setting and shall be permanent e.g. anodized, baked enamel.
- M. Access. Adequate access to the facility must be provided from a public right of way to the facility consistent with the type of facility constructed.
- N. Parking. No off-street parking is required for telecommunications towers or antennas. However, if off-street parking is provided, it shall have a suitable base and be landscaped along the outside perimeter.
- O. Antenna Locations and Mounting. Locating and mounting antennas on buildings and structures are governed by the following:
 - 1. If mounted at the top of a telecommunication tower so that any portion of the antenna extends above the top of the tower, such extension is included in determining the height of the tower.
 - 2. If mounted on a public water tower, light pole, high voltage utility pole, steeple or similar structure, preference shall be given to placing the antennas on the side or on the support portion of the structure instead of on top of the facility.
 - 3. If mounted on a building, preference shall be given to placing the antenna on the side of the building mounted flush with the building and colored to match the background instead of a location on top of the building. However, any antenna mounted on the side of a building shall not extend above the roofline. (Satellite dishes may be more appropriately located on the roof and screened from view.)

4. If mounted on the top of a building, preference shall be given to placing the antennas in the center portion of the building. In no event shall a rooftop antenna be located closer than ten (10) feet from all outside edges/perimeter of the building.
5. Antennas located on the side or top of a building or structure shall be designed, colored, and maintained to blend in with the color and architecture of the building or structure.

Subdivision 7. Additional Standards for Public Property

- A. Declaration. The City recognizes that in certain locations and in certain circumstances it is appropriate public policy and in the best interest of the community to allow using some public land and structures for telecommunication facilities because it may provide efficient use of resources and may reduce clutter by using existing facilities. Accordingly, the City supports consideration of the following when applications meet all other provisions of the ordinance:
 1. Allowing high voltage electric utility tower, some of which are in public rights of way, to be used as telecommunications towers.
 2. Encouraging/Allowing existing Mn/DOT and City light poles within the right of way of principal roads including Trunk Highway 100, 169, 55 and Interstate 394 to be used as telecommunications towers.
 3. Encouraging the use of the tower located on Mn/DOT’s property at the northwest quadrant of Trunk Highway 100 and Duluth Street.
 4. Allowing existing City light poles to be used as telecommunications towers but not in the Residential Zoning District, the Two-Family (R-2) Residential Zoning District nor the neighborhood parks.
 5. Allowing public land and structures to be used for telecommunications structures, but not in neighborhood parks as defined by the Comprehensive Plan. On school sites, telecommunications towers shall not exceed one hundred (100) feet.

Subdivision 8. Non-conforming Facilities

Legal non-conforming towers may be structurally altered to carry additional antenna arrays provided:

- A. The height is not increased
- B. The location of the tower and the proposed change is not adverse to the use and enjoyment of the adjacent property.

- C. The proposed change and plan include meeting design standards of the ordinance to the extent reasonably possible.
- D. A review is made by the City allowing the change and subject to plans and conditions agreeable to the City and applicant.

Subdivision 9. Review Procedure

Telecommunication towers and antennas are subject to the conditional use permit requirements specified in Section 11.80 of this Code, provided however that all other requirements of Section 11.71 of the Code are complied with.

Subdivision 10. Inspection

The City may inspect towers, antenna support facilities, and the property on which such facilities are located to determine compliance with the City Code, its ordinances, regulations, and conditions of approval. The City may require repair or modification of the facility, site maintenance, or removal of the facility based on the results of the inspection.

Subdivision 11. Maintenance

Telecommunications towers and antennas and the site upon which they are located must be maintained in accordance with the following provisions:

- A. Tower owners must employ ordinary and reasonable care in construction and use commonly accepted methods and devices for preventing failures and accidents that are likely to cause damage, injuries or nuisances to the public.
- B. Tower owners must install and maintain towers, telecommunications facilities, fixtures and other equipment in compliance with the requirements of the National Electric Safety Code and all Federal Communications Commission, state and local regulations, and in such a manner that they will not interfere with the use of other property.
- C. Towers, telecommunications facilities, antenna support structures, and landscaped areas must be kept and maintained in good condition, order and repair.
- D. Maintenance or construction on a tower, telecommunications facilities or antenna support structure must be performed by qualified maintenance and construction personnel.
- E. Towers and antennas must comply with radio frequency emissions standards of the Federal Communications Commission.
- F. If the use of a tower is discontinued by the tower owner or lessee, the tower owner or lessee must provide written notice to the City of its intent to discontinue use and the date when the use will be discontinued.

Subdivision 12. Removal

Any tower or antenna which is not used for twelve (12) months shall be removed along with any associated above ground facilities within ninety (90) days of said twelve (12) months unless an extension is approved by the City Council prior to the expiration of said ninety (90) days. Failure to remove a tower or antenna as provided by this subdivision shall be deemed a nuisance and the City may act to abate such nuisance and require removal at the property owner's expense.

*Source: Ordinance No. 271, 2nd Series
Effective Date: 11-15-02*

Section 11.72: Fences

Subdivision 1. Definitions

For the purposes of this section, the following terms are defined as follows:

- A. **Berm:** An earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise, or fulfill other similar purposes.
- B. **Fence:** A structural enclosure or barrier used as a boundary, means of protection, or concealment.
- C. **Screening:** A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

Subdivision 2. General Regulations

All fences in all zoning districts are subject to the following requirements:

- A. The side of a fence without primary structural supports shall be considered the finished side and must face outward from the property on which it is constructed towards the adjacent property. If a fence has two (2) similarly finished sides, either side may face the adjacent property.
- B. All berms, screening, and fences, including fence footings, must be located entirely on the property for which the fence is being constructed. A property owner installing a new fence must accurately determine property lines prior to installing a fence.
- C. All fences shall be maintained and kept in good repair by property owners. Any hazardous fence or fence in a state of disrepair shall be repaired or removed by the property owner within thirty (30) days of notice by the City. If a property owner fails to comply with such notice, in addition to all other applicable penalties under City Code, the City may remove the fence and assess the property owner the cost of such removal.
- D. All berms, screening, and fences shall comply with Chapter 7 of the City Code.
- E. Electrified fences are prohibited. Barbed wire fences are prohibited except as allowed under Subdivision 3.

Subdivision 3. Regulations by Zoning District

The following regulations apply to specific zoning districts.

- A. Residential and Multiple Dwelling zoning districts.

1. Fences in the front yard shall not exceed four (4) feet in height. Fences in side and rear yards shall not exceed six (6) feet in height.
2. All exterior storage in the side or rear yards shall be screened by a wall or fence not more than six (6) feet in height and not less than fifty percent (50%) opacity, or by vegetation of not less than six (6) feet in height and fifty percent (50%) opacity.
3. All mechanical equipment shall be screened from view from the street right-of-way.

B. All other zoning districts.

1. Fences shall not exceed eight (8) feet in height.
2. All exterior storage shall be screened by a wall, fence, or vegetation not less than six (6) feet in height and of ninety percent (90%) opacity.
3. All mechanical equipment shall be screened from view from the street right-of-way.
4. Barbed wire fences are prohibited in all zoning districts except the Industrial and Light Industrial zoning districts. No barbed wire shall be erected upon any fence at a height lower than seven (7) feet.

Subdivision 4. Exceptions

Any deviation from this Section shall require a variance in accordance with Section 11.90 of this Chapter except the following:

- A. Tennis and basketball courts in all zoning districts may have a single perimeter fence no higher than ten (10) feet. Such fences shall be located to the rear of the primary structure and shall require a minimum three (3) foot strip of landscaping around the entire perimeter.
- B. A fence not exceeding twelve (12) feet in height is permitted in Commercial, Industrial, and Light Industrial zoning districts solely for the purpose of screening exterior storage areas.
- C. A fence not exceeding six (6) feet in height is permitted in the front yard of all properties directly adjoining an A or B minor Arterial Street, as designated in the City of Golden Valley Transportation Plan.

*Source: Ordinance No. 312, 2nd Series
Effective Date: 10-29-04*

Section 11.73: Outdoor Lighting

Subdivision 1. Purpose

The purpose of these regulations is to create standards for outdoor lighting which will provide for nighttime safety, security and utility while reducing light pollution, light trespass, and conserving energy for residential and non-residential properties.

Subdivision 2. Definitions

For the purpose of this Section the following terms shall have the meanings given.

- A. **Cutoff:** The point at which all light rays emitted by a lamp, light source, or luminaire are completely eliminated (cutoff) at a specific angle above the ground.
- B. **Cutoff Angle:** The maximum angle formed by a line drawn in the direction of emitted light rays at the light source and a line perpendicular to the ground from the light source.
- C. **Flood Lighting:** Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction with a wide or narrow beam.
- D. **Footcandle:** The American unit used to measure the total amount of light cast on a surface (illuminance). One (1) footcandle is equivalent to the illuminance produced by a source of one (1) candle at a distance of one (1) foot.
- E. **Full Cutoff-Type luminaire:** A luminaire constructed or shielded to direct all light at a cutoff angle of less than ninety (90) degrees.
- F. **Fully Shielded:** The condition where the luminaire is designed and installed where no light is emitted at or above a horizontal plane running through the lowest point on the luminaire.
- G. **Glare:** Direct light emitted from a luminaire with intensity great enough to cause visual discomfort, eye fatigue, a reduction in a viewer's ability to see, or, in extreme cases, momentary blindness.
- H. **IESNA (Illuminating Engineering Society of North America [IES or IESNA]):** The professional society of lighting engineers, including those from manufacturing companies, and others professionally involved in lighting.
- I. **Lamp:** The generic term for an artificial light source, to be distinguished from the whole assembly (the luminaire). The lamp is commonly referred to as the "bulb".

- J. **Light Pollution:** The shining of light produced by a luminaire above the height of the luminaire and into the sky.
- K. **Light Trespass:** The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.
- L. **Lumen:** A quantitative unit measuring the amount of light emitted from a light source.
- M. **Luminaire:** A complete lighting unit consisting of a lamp or lamps together with the parts designed to distribute the light. A luminaire is commonly referred to as a "fixture."
- N. **Partially shielded:** The condition where the luminaire incorporates a translucent barrier that forms a partial shield around the lamp that allows some light to pass through the barrier while concealing the lamp from the viewer.
- O. **Shielded(ing):** The lamp is not visible with a shielded light fixture, and no light is emitted from the sides of the fixture. Also considered a "full cut-off fixture."
- P. **Uniformity Ratio:** A description of the smoothness of the lighting pattern or the degree of intensity of light and dark areas in the area to be lighted. Uniformity is expressed as a ratio of the maximum footcandle measurement to the minimum footcandle measurement. The lower the ratio the more uniform the lighting design.
- Q. **Uplighting:** Lighting that is directed in such a manner as to shine light rays above the horizontal plane.
- R. **Wallpack:** A luminaire that mounts on the wall.

Subdivision 3. Applicability

- A. Except as otherwise provided, the lighting standards of this Section shall be applicable to all residential and non-residential uses.
- B. The regulations in this Section do not apply to the following:
 - 1. Lighting required by the Federal Aviation Administration or other federal or state agency.
 - 2. Public street or alley lighting located within the public right of way that is authorized by the City of Golden Valley.
 - 3. Temporary lighting for City authorized special events, theatrical productions, outdoor television production sets, and performance areas.

4. Temporary lighting used for the construction or repair of roadways, utilities, and other public infrastructure.
5. Vehicular lights and all temporary emergency lighting needed by the police department and fire protection district, or other emergency services.
6. Lighting of public and existing outdoor recreational facilities, such as but not limited to ball fields, tennis courts, soccer fields, hockey or skating rinks, golf courses, golf-ball driving ranges, and special events or play areas. Lighting for these outdoor recreational uses shall be shielded to minimize light from spilling over onto adjacent residential properties. Public recreational facility lighting is prohibited after 10:30 pm, unless a later completion time is approved by the City Manager, or his/her designee.
7. Lighting within swimming pools.
8. Sign lighting which is governed by Section 4.20 of City Code.
9. Decorative seasonal lighting.

Subdivision 4. Prohibited Lights

- A. The following lights are prohibited.
 1. Mercury vapor lamps.
 2. Low pressure sodium lamps are prohibited unless the City Manager or his/her designee finds that the color distortion effect of low pressure sodium lighting will not create a hindrance to crime prevention and investigation.

Subdivision 5. Method of Measurement

- A. Any light measurements shall be taken with a light meter with cosine, color correction. Measurements shall be taken with a light meter that has been calibrated within the year. Any measurements shall be measured by positioning the meter horizontally at ground level.
- B. Any light measurement taken at the property line shall be measured at the greatest point of illumination of said property line. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant.

- C. Any light measurements to determine the minimum and maximum lighting levels internal to a site will be taken at the greatest and least points of artificial illumination.

Subdivision 6. Nonconformities and Nuisance

- A. Any new outdoor lighting installed after the effective date of this ordinance shall comply with the requirements of this Section. Lighting in existence before the effective date of this ordinance that does not comply with the requirements hereof shall be considered legally non-conforming to the extent provided by the terms of Section 11.90, subd. 2.
- B. Evidence that a nonconforming luminaire directs glare to other private property located in a residential zoning district at a level of illumination caused by the luminaire equal to or greater than one half (0.5) footcandles on the other private property creates a presumption that it is a public nuisance. Such fixtures shall be altered to reduce the level of illumination in the residential zoning district to less than three tenths (0.3) footcandles within thirty (30) days of receiving a written notice from the City Manager or his/her designee. If the owner or occupier of the property containing the nuisance fails to correct the level of illumination within such thirty (30) day period, such failure to correct shall be deemed to be a continuing violation of this section.

Subdivision 7. Lighting Plan Requirements

An outdoor lighting (photometric) plan shall be submitted in conjunction with the building permit application for any new non R-1 or non R-2 development and any expansion of more than twenty percent (20%) of the building or site area. No building permits shall be issued for said development until the photometric plan has been approved by the City as being consistent with the terms of this Section. A photometric plan shall include the following:

- A. The location and height above grade of each light fixture.
- B. The type (such as incandescent, halogen, high pressure sodium) and luminous intensity of each light source with intensity reading points no greater than thirty (30) feet apart.
- C. The type of fixture (such as floodlight, full-cutoff, lantern, coach light).
- D. Estimates for site illumination resulting from the lighting, as measured in foot-candles, should include minimum, maximum and average illumination. Comparable examples already in the community that demonstrate technique, specification, and/or light level should be provided if available to expedite the review process.
- E. Hours of illumination.

- F. Certification by the property owner or agent and the preparer of the plan in writing that the exterior lighting depicted on the plan complies with the requirements of this Section. Once the plan is approved, the exterior lighting of the property shall conform to the plan.
- G. Other information deemed necessary may also be required by the City Manager or his/her designee to document compliance with the provisions of this Section.
- H. If deemed necessary, the City may require the applicant's outdoor lighting plan to be reviewed by a lighting consultant at the applicant's expense.

Subdivision 8. Requirements for Residential (R1 and R2) Zoning Districts

The provisions in this Subdivision apply to the R1 and R2 Zoning Districts.

- A. Lighting Levels. The maximum power of any luminaire shall be one hundred fifty (150) watts.
- B. Light Trespass. All outdoor lighting shall be designed and located such that the maximum illumination shall not exceed three tenths (0.3) footcandles at the property line.
- C. Security Lights. Motion-activated security lights and unshielded floodlights or spotlights are permitted. However they must meet the light trespass requirements of Section 8B.

Subdivision 9. General Requirements for other zoning districts (Non R1 and Non R2 Properties)

The following provisions apply in all areas except for R1 and R2 zoning districts.

- A. Lighting Fixtures. All exterior lighting shall use full cut-off luminaires with the light source downcast and fully shielded, with the following exceptions:
 - 1. Luminaires that have a maximum output of four hundred (400) lumens per fixture, regardless of number of lamps (equal to one (1) forty [40] watt incandescent light), may be left unshielded provided the luminaire has an opaque top or is under an opaque structure.
 - 2. Luminaires that have a maximum output of one thousand (1,000) lumens per fixture, regardless of number of lamps (equal to one(one) sixty [60] watt incandescent light) may be partially shielded provided the lamp is not visible, and the luminaire has an opaque top or is under an opaque structure.
 - 3. The City Manager or his/her designee may permit alternatives to full-cut off fixtures if there is a City approved area lighting plan. In order for the area lighting plan to be approved, it must be demonstrated that

undesirable off-site impacts stemming from the luminaires are reduced by the fixture design or location.

4. Uplighting/Accent Lighting described in Subdivision 13A.

- B. Light Trespass. Outdoor lighting shall be designed and located such that the maximum illumination shall not exceed five tenths (0.5) footcandles at the property line.
- C. Mounting Height. Luminaire height includes base and pole height. Free-standing luminaires are permitted to be a maximum of thirty (30) feet in height, except for the following:
 - 1. When a luminaire is located within five hundred (500) feet of an R1 or R2 residential property the maximum permitted luminaire height shall be twenty-five (25) feet and the lights shall be shielded.
 - 2. The top exterior deck of parking garages shall be treated as normal pole mounted lighting rather than as lights mounted to buildings. The maximum height for light poles in these locations shall be twenty (20) feet and light poles shall be located at least twenty (20) feet from the perimeter of the parking deck.
 - 3. Free-standing luminaires used for walkways, plazas and other pedestrian areas are permitted to be a maximum of eighteen (18) feet.
- D. Timers, Dimmers, and Sensors. Lighting installation shall include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unneeded lighting.
- E. Curfew. Lighting systems described in Subdivisions 10, 11, and 12 below shall be extinguished or reduced in lighting by at least fifty percent (50%) beginning one (1) hour after close of business and continuing until dawn or start of business, whichever is sooner. The reduction shall be determined as an overall average for the site. This provision does not require parking lot lighting levels to be reduced to less than two tenths (0.2) footcandles.

Subdivision 10. Specific Requirements for Parking Lot Lighting

The following specific lighting level requirements apply only to parking lot lighting.

- A. Open-air parking lot lighting standards. The table below establishes open-air parking lot lighting standards. For multilevel parking facilities, the roof level shall be considered an open-air parking lot.

	Basic Level	Enhanced Security Level*
Minimum footcandles on pavement	0.2 fc	0.5 fc
Maximum footcandles on pavement	4.0 fc	7.5 fc
Uniformity Ratio Maximum: minimum	20:1	15:1

*When requested by the property owner, the City Manager or his/her designee may increase from Basic to Enhanced Security lighting levels when personal security is an issue. The City Manager or his/her designee may consider specific site characteristics, level of vehicle and pedestrian conflict, special security needs, and history or likelihood of crimes in making the determination.

Subdivision 11. Specific Requirements for Service Stations

The following specific requirements apply only to service stations:

- A. Canopy Lighting.
 - 1. Lighting fixtures mounted under canopies used for vehicle shelter shall be aimed downward and installed such that the bottom of the light fixture or its lens, whichever is lower, is recessed or mounted flush with the bottom surface of the canopy. A full cutoff light fixture may project below the underside of a canopy. All light emitted by an under-canopy fixture shall be substantially confined to the ground surface directly beneath the perimeter of the canopy.
 - 2. Lights shall not be mounted on the top or sides (fascias) of the canopy, and the sides (fascias) of the canopy shall not be internally illuminated.
 - 3. Light levels shall not exceed twelve (12) footcandles average maintained at the perimeter of the canopy and measured at ground level.
- B. The illumination twenty (20) feet beyond the perimeter of the canopy shall be a minimum of two (2) footcandles and a maximum of five (5) footcandles.
- C. Exceptions to lighting level standards. At the discretion of the City Manager or his/her designee, increased lighting levels may be permitted for enhanced security purposes only.

Subdivision 12. Specific Requirements for Auto Sales Areas

The following specific requirements apply only to auto sales areas:

- A. Lighting Levels. Lighting levels shall not exceed a maximum of twenty (20) footcandles within an auto sales area.
- B. Light Uniformity. The maximum uniformity ratio (maximum illumination to minimum illumination) throughout an auto sales area shall not exceed thirty to one (30: 1).

Subdivision 13. Requirements for Uplighting and Accent Lighting

- A. Architectural features may be illuminated by uplighting, provided no glare or light trespass is produced. All floodlights or other lighting attached to poles to illuminate buildings are prohibited.
- B. For statues, public art, or other objects of interest that cannot be illuminated with downlighting, upward lighting may only be used that is confined to the illumination to the object of interest.
- C. Uplighting of flags is permitted with a limit of three (3) luminaires per flag pole with a maximum of one hundred and fifty (150) watts from each luminaire. The fixtures must be shielded such that the light source is not visible outside of a fifteen (15) foot radius.

Subdivision 14. Temporary Lighting

- A. Lighting used to illuminate temporary uses shall be reviewed, and if necessary conditioned, through the Temporary Use Permitting process.
- B. The City Manager or his/her designee may impose specific conditions for the lighting of temporary uses consistent with the purposes of this section.

*Source: Ordinance No. 365, 2nd Series
Effective Date: 3-23-07*

Sections 11.74 through 11.77, inclusive, reserved for future expansion.

Section 11.78: Seasonal Farm Produce Sales

Subdivision 1. Purpose

In acknowledgment of the public benefit to be gained by providing urban residents with convenient and cost-effective access to rural farm produce, the purpose of this section is to establish guidelines for the permitting of temporary agricultural sales sites. As a mature, inner ring suburb, Golden Valley lacks suitable permanent or long term open space sites to devote to such sales activity. Therefore, it is the intent of this section to modify certain zoning requirements specifically for the uses contemplated by this section, while still maintaining a level of regulation that protects the general public health, safety, and welfare.

Subdivision 2. Requirements

A. For All Sales Operations.

1. No such operation shall take place in a zoning district for which it is not listed as a permitted use.
2. No such operation shall take place without first obtaining a permit for the sale premises in accordance with the provisions of this section.
3. Receiving such permit does not excuse the vendor from meeting other applicable local, state, or federal licensing or permitting requirements.
4. No such permit shall be good for more than forty-five (45) consecutive days. This shall include each day, or any part thereof, during which any structure, equipment, or merchandise can be found at the sale premises, regardless of whether any actual sales transactions occur on that day. However, a single permit may be issued for a period of up to six (6) months at a time provided that the operation so permitted occupies the same site according to a regular schedule not to exceed two (2) days or portions thereof per week and also provided that the operation so permitted completely vacates the premises on those days or portions thereof when not scheduled to conduct sales transactions.
5. No sales transactions or promotional efforts shall take place within any part of a public right-of-way or within twenty-five (25) feet of any street property line.
6. Sales operations may be located within side or rear setback areas provided that any damage to or alteration of landscaping elements is subsequently corrected, and providing that written consent is obtained from the owners of any nonresidential property located within fifteen (15) feet of the actual sales site and any residential property located within fifty (50) feet of the actual sales site, and providing that the City review

staff find no potentially hazardous situations that could occur because of the location of the sales site.

7. Up to twenty-five percent (25%) of the area occupied by a sales operation may be used for the storage and sale of processed agricultural products such as honey, juices, or hand-crafted decorative display items if, in the judgment of the City review staff, the amount and type of processing still meets the intent of this section.

*Source: Ordinance No. 127, 2nd Series
Effective Date: 4-27-95*

*B. For Sales Operations Occupying Sites of one hundred eighty (180) Square Feet in Area or Less.

1. The area occupied by a sales operation shall be calculated to include any structure, vehicle, equipment, and merchandise storage or display area, plus an extra two (2) feet of clear space beyond the limit of such elements at any location where customer circulation can be expected to occur. In no case may an individual sales operation exceed one hundred eighty (180) square feet.
2. There shall be no on-site parking required for the sales operation itself, but it shall not impede normal on-site vehicular circulation. The submitted plan shall clearly demonstrate that adequate off-street parking for the proposed event can and will be provided for the duration of the sale. Determination of compliance with this requirement shall be made by the City Inspections Department, which shall consider the nature of the sale and the applicable parking requirements of this Ordinance. Consideration shall be given to the parking needs and requirements of other occupants in the case of shopping centers and multi-tenant buildings. Parking on public right-of-way and streets is prohibited.

*C. For Sales of Christmas Trees Occupying Sites of one hundred eighty (180) Square Feet or More.

1. The calculation of area shall be performed in the same manner as for paragraph B(1) above.
2. Parking shall be based on the same considerations as found in paragraph B(2) above.

*Source: Ordinance No. 272, 2nd Series
Effective Date: 10-25-02
(*Items B3 and C3 omitted)*

Subdivision 3. Applications

- A. Required Elements of Application. In order to be accepted for review, all applications for seasonal farm produce sales operations shall include the following:
1. An official application form.
 2. A licensing fee in an amount established by City Council resolution.
 3. Written consent of adjacent property owners, when required under the terms of this section.
 4. A scalable site plan indicating:
 - a. the exact dimensions and proposed location of any booth, tent, vehicle, rack, barrel, or other structure or equipment;
 - b. all landscaping elements within ten (10) feet of the proposed site; and
 - c. exact distance from the site to any property lines within twenty-five (25) feet.
 5. Drawings or photographs of any structures, vehicles, or equipment to be used for the sales operation.
 6. A parking and circulation plan showing how the proposed site meets the requirements of this section with regard to parking and on-site vehicular circulation.
 7. Drawings or photographs of any signs to be used for the sales operation, along with information on proposed sign size and location.
 8. If the proposed sales hours are to extend after dark, a lighting plan showing how adequate light will be provided for the sales operation in such a way as to minimize any potential hazard or distraction to others.
- B. Application Process.
1. The completed application for any proposed sales operation shall be turned into the City's Inspections Department at least three (3) weeks prior to the intended date of commencement of sales activity.
 2. One party, which may be either a sales operator or a property owner/manager shall be identified on the application as the applicant. However, the application and the permit, if issued, shall be signed by and

- considered binding on any involved operator and any owner(s)/manager(s) of property to be occupied by the sales operation.
3. The application process shall be coordinated through the City's Inspections Department. In addition to a designated staff member of that department who shall direct the process, the application may be reviewed by the Public Safety Department, the Engineering Department, or the Planning Department as necessary to ensure that the intent of this section is met.
 4. After considering all elements of an application, the review staff will notify the applicant of any revisions that might be necessary in order to gain permit approval. The permit, if issued, shall identify the sales operator and the approved dates for the sale, and shall specify all conditions governing the sales operation with regard to each element of the application.
 5. A permit may be denied if a proposed sales operation cannot meet the conditions established by the review staff.
 6. A permit may be revoked after issuance if the operator or property owner(s)/manager(s) fail to adhere to the specified conditions.

*Source: Ordinance No. 127, 2nd Series
Effective Date: 4-27-95*

Section 11.79 reserved for future expansion.

Section 11.80: Conditional Uses

Subdivision 1. Purpose and Intent

It is the purpose and intent of this Section to provide the City with a reasonable degree of discretion to determine the suitability of certain uses with characteristics which may be appropriate within a given zoning district but which might have an unusual impact upon surrounding properties or which might otherwise adversely affect the future development of the City or the general public health, welfare, or safety of the property or residents therein. A conditional use permit shall be required for those occupations, vocations, skills, businesses, or other uses specifically designated in each Zoning Use District as requiring such a permit.

Subdivision 2. Procedure

- A. An application for a conditional use permit may be made by any governmental body, department, board, or commission, or by any person or persons, individual or corporate, having a legal interest in the property described in the application. All applications shall be filed with the Director of Planning and Zoning in triplicate.

*Source: Ordinance No. 540
Effective Date: 5-7-81*

- B. A fee as adopted by resolution of the Council shall be required for the filing of each application.

*Source: Ordinance No. 573
Effective Date: 8-27-82*

- C. Each property site shall require its own application. Single applications may not be made for noncontiguous or scattered sites.

- D. Each application shall be considered on its own merits.

- E. The Director of Planning and Zoning shall refer the application to the Planning Commission. An informal public hearing shall be held on each application within thirty (30) days after submittal of the application to the Planning Commission.

- F. The applicant and all property owners within five hundred (500) feet of the subject site shall be notified of the informal public hearing by the U.S. mail, not less than ten (10) days prior to the date of this informal public hearing. Such notice shall include the date, time, and place of the hearing and shall reasonably identify the subject site.

- G. The Planning Commission shall make findings and recommendations to the Council based upon any or all of the following factors (which need not be weighed equally):

1. Demonstrated need for the proposed use.
 2. Consistency with the Comprehensive Plan of the City.
 3. Effect upon property values in the neighboring area.
 4. Effect of any anticipated traffic generation upon the current traffic flow and congestion in the area.
 5. Effect of any increases in population and density upon surrounding land uses.
 6. Increase in noise levels to be caused by the proposed use.
 7. Any odors, dust, smoke, gas, or vibration to be caused by the proposed use.
 8. Any increase in flies, rats, or other animals or vermin in the area to be caused by the proposed use.
 9. Visual appearance of any proposed structure or use.
 10. Any other effect upon the general public health, safety, and welfare of the City and its residents.
- H. The Planning Commission shall present its findings and recommendations in writing to the Council within thirty (30) days following the date of the informal public hearing.
- I. Upon receiving the findings and recommendations of the Planning Commission, the Council shall call and conduct an official public hearing to consider the application.
- J. Notice of the official public hearing shall be published in the official newspaper of the City not less than ten (10) days prior to the date of the hearing. Such notice shall include the date, time, and place of the hearing and shall reasonably identify the subject site. In addition, copies of the written notice in the form thus published shall be mailed to the applicant and to all property owners within five hundred (500) feet of the subject site not less than ten (10) days prior to the date of such official public hearing.
- K. The Council shall make findings and shall grant or deny a permit based upon any or all of the factors found at Subparagraph G. above. The Council may make its approval of the permit contingent upon such conditions as it determines necessary to prevent or minimize injurious effects upon the neighborhood. The Council may also require that sufficient performance bonding by an acceptable surety be supplied by the property owner to insure

satisfactory compliance with the conditions imposed by the conditional use permit.

- L. The Council shall set forth in writing its decision, and the specific reasons for such decisions, within sixty (60) days following the official public hearing. The applicant shall be notified in writing of the Council's decision. If the application is denied in whole or in part or conditions are imposed, the reasons for such denial or for the imposition of conditions, shall accompany this notification.
- M. No application which has been denied wholly or in part shall be resubmitted for a period of six (6) months from the date of said denial, except on the grounds of new evidence or upon proof of changes of conditions. Each resubmission shall constitute a new filing and a new filing fee in an amount adopted by resolution of the Council shall be required.

*Source: Ordinance No. 540
Effective Date: 5-8-81*

- N. Unless extended by the Council in its sole discretion for an additional period of up to twelve (12) months, construction and all other pertinent implementation relating to an approved conditional use permit must begin within twelve (12) months of the date that the conditional use permit is approved or the conditional use permit shall be deemed null and void.

*Source: Ordinance No. 273, 2nd Series
Effective Date: 11-15-02*

- O. The Council shall have the right to revoke or suspend any conditional use permit whenever the terms or conditions of such permit have been violated or broken. All such action by the Council to revoke or suspend a conditional use permit shall be by means of a majority affirmative vote of Council Members.

*Source: Ordinance No. 256, 2nd Series
Effective Date: 8-16-01*

Sections 11.81 through 11.89, inclusive, reserved for future expansion.

Section 11.90: Administration

Subdivision 1. Administration and Enforcement

The Director of Planning and Development is hereby authorized and directed to enforce all the provisions of this Chapter. The Director may delegate this authority to any administrative official or support staff member of the City, who shall be directly under the control and supervision of the Director of Planning and Development. Such staff shall have the following duties:

*Source: Ordinance No. 313, 2nd Series
Effective Date: 10-29-04*

- A. To issue all permits and certificates required by this Chapter.
- B. To receive process and forward all applications for various zoning requests as stipulated in this Chapter.
- C. To cause any building, structure, land use, place or premises to be reviewed and examined and to report in writing the remedy of any condition found to exist therein in violation of any provision of this Chapter.

*Source: Ordinance No. 583
Effective Date: 12-31-82*

Subdivision 2. Non-Conforming Uses

- A. Any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless:
 - 1. The nonconformity or occupancy is discontinued for a period of more than one (1) year; or
 - 2. Any nonconforming use is destroyed by fire or other peril to the extent of greater than fifty percent (50%) of its market value and no building permit has been applied for within one hundred eighty (180) days of when the property is damaged. In this case, the City may impose reasonable conditions upon a building permit in order to mitigate any newly created impact on adjacent property.
- B. Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.
- C. Notwithstanding subparagraph A, above, the City shall regulate the repair, replacement, maintenance, improvement, or expansion of nonconforming

uses and structures in floodplain areas to the extent necessary to maintain eligibility in the National Flood Insurance Program and not increase flood damage potential or increase the degree of obstruction to flood flows in the floodway.

*Source: Ordinance No. 365, 2nd Series
Effective Date: 3-23-07*

Subdivision 3. Zoning Map Changes and Chapter Amendments

No change shall be made in the boundary line of any zoning district, or in the permitted and/or conditional use or regulation for any zoning district, except after an official public hearing and upon a majority affirmative vote of the Council. However, the adoption or amendment of any portion of a zoning ordinance which changes all or part of the existing classification of a zoning district from residential, two family residential, and multiple dwelling sub-districts to either commercial, industrial, light industrial, and business and professional offices requires a two-thirds (2/3) majority affirmative vote of all members of the Council. Zoning boundary changes or Chapter amendments may be initiated by the Council, or by petition of affected persons and property owners within the City. Upon receipt of such a petition, the matter shall be referred to the Planning Commission for review and recommendation. The Planning Commission shall conduct an informal public hearing within sixty (60) days of receiving said petition, and after notifying all property owners within five hundred (500) feet of the boundaries of the property involved. Following receipt of the Planning Commission's recommendation, the Council shall conduct an official public hearing within sixty (60) days and make a decision thereon within ninety (90) days.

*Source: Ordinance No. 271, 2nd Series
Effective Date: 11-15-02*

Subdivision 4. Board of Zoning Appeals

There is hereby created a Board of Zoning Appeals which shall be organized, operated and have certain powers, as follows:

A. Organization.

*Source: Ordinance No. 583
Effective Date: 12-31-82*

1. The Board of Zoning Appeals shall consist of five (5) members. All members of the Board shall serve a one-(1) year term. During the month of April the City Council shall appoint four (4) of the members and two (2) alternate members. The vice-chairperson of the Planning Commission, appointed each year at the annual meeting of the Planning Commission, shall be the fifth (5th) member of the Board. All of the members of the Planning Commission are alternates to the Board. In the absence of any member of the Board, any member of the Planning Commission may serve as an alternate. At least one (1) member of the Planning Commission shall be present at each meeting of the Board. The Board shall meet at least once a month if there are any petitions pending for action.

*Source: Ordinance No. 384, 2nd Series
Effective Date: 09-28-07*

2. The board shall keep a written record of all of its proceedings, including minutes of its meetings, its findings and the action taken on each matter heard by it including its Final Order. The Board shall adopt such further rules for the conduct of its proceedings as it shall deem necessary, including rules governing the exact date of its meetings, the date by which petitions must be filed to appear on the agenda of any particular meeting, provisions for the conduct of the meeting including the matter of giving of oaths to witnesses at the hearings, the manner in which evidence might be presented at the hearings and provisions for the filing of written briefs by the petitioner or other interested parties.

*Source: Ordinance No. 116, 2nd Series
Effective Date: 8-25-94*

B. Powers. The Board of Zoning Appeals shall have the following powers with respect to this Chapter:

1. To decide appeals where it is alleged that an error has been made in any Order, requirement, decision or determination and/or interpretation made by a City administrative officer in enforcement and administration of this Chapter.
2. To hear requests for variances from the literal provisions of this Chapter in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of this Chapter. The Board of Zoning Appeals may not permit as a variance any use that is not permitted under this Chapter for property in the zone where the affected person's land is located. The Board may impose conditions in the granting of variances to insure compliance and protect adjacent properties.

*Source: Ordinance No. 583
Effective Date: 12-31-82*

3. To grant variances from height or setback restrictions in accordance with state law for solar panels or other solar energy collectors, provided that the Board determines that no reasonable alternative location can be provided within the height or setback limits and that said panels or other collectors are the most compact size and shape necessary to provide for the reasonable energy needs of the immediate property. The petitioner may be required to provide or pay for an engineering study.

*Source: Ordinance 116, 2nd Series
Effective Date: 8-25-94*

4. When either the City, Hennepin County or the State of Minnesota creates or worsens a nonconforming setback or prevents or worsens compliance

with the applicable parking requirements by acquiring, a portion of a lot for a public improvement, the lot owner shall be entitled as a matter of right to obtain a variance for the nonconforming setback or parking condition so created or worsened. This subparagraph shall apply only to acquisitions taking place after June 1, 1992, and shall not apply to acquisitions taking place in the normal course of the land subdivision (platting) process. Nothing contained in this sub-paragraph shall be interpreted to lessen the requirement for a traffic management plan contained in Section 11.56 of the City Code.

*Source: Ordinance No. 89, 2nd Series
Effective Date: 5-21-92*

C. Procedure.

1. Appeals to the Board of Zoning Appeals may be taken by an affected person upon filing of a petition form with the designated staff liaison. Such petitions shall be heard at the next regular monthly meeting of the Board of Zoning Appeals, provided that such petitions must be received by the Department of Planning and Development no later than fifteen (15) working days prior to the meeting date for which a hearing could be scheduled. Failure to follow this procedure shall result in a delay of the hearing until the next regular meeting of the Board of Zoning Appeals. Each petition shall be comprised of a survey, prepared by a registered land surveyor licensed in the State of Minnesota, locating all property lines, buildings, and streets along with a completed petition form, provided by the City, and a filing fee as prescribed in this Chapter. The petition form shall be completed in sufficient detail to clearly demonstrate the variance applied for or the administrative act being appealed therefore, and shall set forth the reasons and justification cited by the petitioner as grounds for granting the petition.

*Source: Ordinance No. 142, 2nd Series
Effective Date: 3-14-96*

2. The Board of Zoning Appeals shall give at least ten (10) days written notice of the time, place of hearing and nature of the appeal to the applicant and to all adjacent (abutting) property owners. Any party may appear at such hearing, whether in person or by agent or attorney. The Board shall make its Order with respect to said appeal within seventy (70) days from the date of the hearing thereon. Within thirty (30) days of the final written Order of the Board any petitioner feeling aggrieved by the decision of the Board may file a written appeal with the designated staff liaison, thereby appealing the decision of the Board of Zoning Appeals to the Council. Therefore the Council shall, within thirty (30) days from the date of such appeal, make its findings and determination with respect to the appeal and serve a written report thereof upon the appellant by United States Mail. If no appeal is taken by the petitioner from the

decision of the Board of Zoning Appeals in the manner hereinabove provided, then the decision of the Board shall be final.

*Source: Ordinance 116, 2nd Series
Effective Date: 8-25-94*

3. In those cases where the effect of the decision of the Board of Zoning Appeals is to grant a variance, the permission or license to perform the action authorized thereby shall lapse after the expiration of one (1) year following the date of service by mail of the Order granting the variance, unless construction or other action is commenced within said one-year period in accordance with the plans for which such variance was approved, or unless otherwise specified in the Order granting the variance. The Council in its sole discretion may grant an extension of up to one additional year upon request of the applicant. Any modification of the plans prior to or during construction shall be cause for the issuance of a stop order and the filing of a new petition for variance if in the opinion of the Building Inspector such modification adversely affects any aspect of the plans directly involved in the consideration and approval of the earlier variance petition.

*Source: Ordinance 273, 2nd Series
Effective Date: 11-15-02*

4. A variance shall be affective only to the extent of the exact circumstances contained in the petition therefore or as approved. Any subsequent property alteration that would impact the extent of an existing variance, either through additional horizontal or vertical expansion or through such other form of change as may be applicable shall require a new petition for variance. A proposed, fully conforming alteration to a property for which a past variance was granted shall also require a new petition for variance if the official records of the Board indicate that the current proposal adversely affects an aspect of the property that served as full or partial grounds for the earlier variance.

*Source: Ordinance 116, 2nd Series
Effective Date: 8-25-94*

Subdivision 5. Interpretation

In interpreting and applying the provisions of this Chapter they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity and general welfare. It is not the intention of this Chapter to interfere with or abrogate or annul any easements between parties; provided, however, that where this Chapter imposes a greater restriction upon the use of building or premises or upon height of building or require larger open spaces than are imposed or required by other City Code provisions, rules, regulations, or permits, or by easements, covenants or agreements, the provisions of this Chapter shall govern.

*Source: Ordinance No. 583
Effective Date: 12-31-82*

Subdivision 6. Fees

All fees provided for under this Chapter, including, but not limited to, rezoning, variances, special and conditional use permits, planned unit development and amendments, platting and waiver of platting, easement and alley vacations, shall be fixed and determined by the Council, adopted by resolution, and uniformly enforced. Such fees may, from time-to-time, be amended by the Council by resolution. A copy of the resolution setting forth currently effective fees shall be kept on file in the office of the City Clerk and open to inspection during regular hours.

*Source: City Code
Effective Date: 6-30-88*

Subdivision 7. Comprehensive Plan

- A. The Council shall adopt, and may from time to time amend, a comprehensive municipal plan pursuant to the authority provided by and the provisions of Minnesota Statutes 473.858 and the related sections of said Minnesota Statutes 473. Before adopting any such plan or any amendment the Council shall solicit the recommendations of the Planning Commission with respect thereto and shall take no action thereon until such recommendation has been received or until sixty (60) days have elapsed since any such request for a recommendation and/or a specific proposal relating to said plan was submitted to the Planning Commission. In considering any such request or proposal, and before adopting any plan or part thereof or any proposed amendment thereof or position with respect thereto, the Planning Commission shall hold at least one (1) public hearing thereon.

*Source: Ordinance No. 670
Effective Date: 11-15-85*

- B. Following receipt of the Planning Commission recommendation, or the elapse of said sixty (60) day period, the Council shall upon published notice hold a public hearing with respect to the proposed adoption of the Comprehensive Plan or any amendment thereto and any action taken at such public hearing shall become and be part of the Official Comprehensive Plan for the City provided that a resolution evidencing said action was approved by a two-thirds (2/3) vote of all of the members of the Council. All public hearings as required by this Subdivision shall be held no sooner than ten (10) days after published notice thereof in the official City newspaper in the same manner as applies to the adoption of ordinances relating to or amending the Zoning Chapter. The Comprehensive Plan for the City as adopted pursuant hereto, and any parts thereof or amendments thereto, shall serve as a guide to the City and its public officials as respects future development and zoning actions of and within the City.

*Source: Ordinance No. 345, 2nd Series
Effective Date: 05-25-06*

Sections 11.91 through 11.98, inclusive, reserved for future expansion.

Section 11.99: Violation a Misdemeanor

Every person violates a section, subdivision, paragraph or provision of this Chapter when such person performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof.

*Source: City Code
Effective Date: 6-30-88*

Appendix 11-C: Golden Valley City Code, Chapter 12

Golden Valley City Code, Chapter 12

Golden Valley, Minnesota

Estab. 4-12-90
Last Revised 4-22-04

174 pages

Chapter 12:

SUBDIVISION REGULATIONS (PLATTING)

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Chapter 12:

SUBDIVISION REGULATIONS (PLATTING)

Section 12.01: Purpose and Interpretation

Each new subdivision becomes a permanent unit in the basic physical structure of the future community, a unit to which the future community will of necessity be forced to adhere. In order that new subdivisions will contribute toward an attractive, orderly, stable and wholesome community environment with adequate City services and safe streets, all subdivisions hereafter platted within the incorporated limits of the City shall in all respects fully comply with the regulations set forth in this Chapter. In interpretation and application, the provisions of this Chapter shall be the minimum requirements necessary for the protection of the public health, safety and general welfare.

Section 12.02: Scope

Except in the case of new subdivision applications, this Chapter shall not apply to any lot or lots forming a part of subdivision plats recorded in the office of the County Recorder or Registrar of Titles prior to the effective date of this Chapter, nor shall this Chapter repeal, abrogate, annul or in any way impair or interfere with existing provisions of any laws or City Code provisions except those specifically in conflict with this Chapter.

*Source: Ordinance No. 34, 2nd Series
Effective Date: 4-12-90*

Section 12.03: Definitions

The following terms, as used in this Chapter, shall have the meanings stated:

1. **Boulevard:** The portion of the street right-of-way between the curb line and the property line.

*Source: Ordinance No. 706
Effective Date: 12-11-87*

2. **Comprehensive Plan:** A compilation of policy statements, goals, standards, and maps for guiding the physical, social and economic development, both private and public, of the City and its environs and may include, but is not limited to, the following: Statements of policies, goals, standards, a land use plan, a community facilities plan, a transportation plan, and recommendations for plan execution. A comprehensive plan represents the Council's recommendations for the future development of the community and includes any part of such plan separately adopted and any amendment to such plan(s) or part(s) thereof.

3. **Corner Lot:** A single parcel of land bounded in part by two streets that intersect at an angle of one hundred thirty five (135°) degrees or less. For measurement purposes, the primary front of a corner lot is the shorter of its two street sides.

*Source: Ordinance No. 34, 2nd Series
Effective Date: 4-12-90*

4. **Cul-de-Sac:** A local street with only one (1) outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

*Source: Ordinance No. 706
Effective Date- 12-11-87*

5. **Depth of Lot:** The shortest horizontal distance between the front line and the rear line measured at a ninety (90°) degree angle from the street right-of-way.

*Source: Ordinance No. 34, 2nd Series
Effective Date: 4-12-90*

6. **Double Bungalow:** A residential structure divided into two (2) residential units along a party wall.

7. **Easement:** A grant of an interest in land by an owner for the specific use of said land by the public generally, or by a person or persons.

8. **Final Plat:** The final map, drawing or chart, as prepared by a Registered Land Surveyor, on which the owner's or subdivider's plan of subdivision is

presented to the Council for approval and which, if approved, will be filed for record in the office of the County Recorder.

9. **Functional Classification System Criteria for Roadways:** The system adopted by the Metropolitan Council based on roadway characteristics, access spacing standards, and other transportation planning standards. The functional classification system consists of five (5) roadways: Interstate freeway, major arterials, minor arterials, collector streets and local streets. The functional classification system is found in the Transportation Chapter of the Metropolitan Development Guide/Policy Plan.
10. **Half Street:** A perimeter street of at least thirty (30) feet in width which lies within the boundaries of a proposed plat.
11. **Lot:** A parcel or portion of land in a subdivision or plat of land, separated from other parcels or portions by description.
12. **Marginal Access Street:** A street which is parallel to and close to arterial streets and highways and which provides access to abutting properties and protection from through traffic.
13. **Minimum Subdivision Design Standards:** The guides, principles and specifications for the preparation of subdivision plans indicating among other things, the minimum and maximum dimensions of the various elements set forth in the preliminary plan.
14. **Owner:** Any individual, firm or other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this Chapter.
15. **Party Walls:** The wall shared in a residential structure by more than one residential unit.
16. **Pedestrian Way:** The right-of-way across land, for use by pedestrian traffic whether designated as a pedestrian way, crosswalk, or however otherwise designated.
17. **Planning Agency:** The Planning Commission or Department of Planning and Development of the City.
18. **Platting Authority:** The City Council.
19. **Preliminary Plat:** The preliminary map, drawing or chart indicating the proposed layout of a subdivision to be submitted through the office of the City Director of Planning and Development to the Planning Commission and the Council for consideration.

20. **Restrictive Covenants:** Contracts entered into between private parties constituting a restriction on the use of private property within a subdivision for the benefit of the property owners, and providing mutual protection against undesirable aspects of development which would tend to impair values.

21. **Setback Line, Building:** A line shown on the preliminary plat, within the lot and parallel to the street or lot line, which sets off an area within which no enclosed structure or portion thereof may be erected.

*Source: Ordinance No. 706
Effective Date: 12-11-87*

22. **Street:** A public right-of-way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, thruway, road, avenue, boulevard, lane, place or however otherwise designated.

*Source: Ordinance No. 34, 2nd Series
Effective Date: 4-12-90*

23. **Street Width:** The shortest distance between the lines delineating the right-of-way of a street.

24. **Subdivider:** Any person, firm or other legal entity commencing proceedings under this Chapter to effect a subdivision of land hereunder for himself or for another.

*Source: Ordinance No. 706
Effective Date: 12-11-87*

25. **Subdivision:** The division of a parcel of land into two or more lots or parcels, for the purpose of transfer of ownership or building development, or, if a new street is involved, any division of a parcel of land. The term includes a change to an existing subdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

26. **Width of Lot:** The minimum required horizontal distance between the side lot lines measured at right angles to the lot depth, at the minimum building setback line in the Residential and R-2 zoning district, or the front property line in the Business and Professional Office or Terminal Warehouse Zoning Districts.

*Source: Ordinance No. 34, 2nd Series
Effective Date: 4-12-90*

27. **Utilities:** One (1) or more of the following services provided to the public: sanitary sewer, water, storm sewer, telephone, electricity, cable television, and other communication mechanisms.

*Source: Ordinance No. 706
Effective Date: 12-11-87*

Sections 12.04 through 12.09, inclusive, reserved for future expansion.

Section 12.10: Preliminary Plat

Subdivision 1.

Before dividing any tract of land into two (2) or more lots or parcels, except as provided under Section 12.50, Minor Subdivisions and Consolidations, an owner or subdivider shall, unless a variance is authorized under the terms of this Chapter, make application to the office of the Director of Planning and Development for preliminary plat approval. The application shall be heard by the Planning Commission within thirty (30) days of application. If the application is not heard by the Planning Commission within thirty (30) days of submittal of a complete application, the application shall be referred directly to the Council for action. Said application shall be accompanied by:

- A. Fifteen (15) copies of the preliminary plat.
- B. A filing fee shall be set by Council resolution. This fee will be used in connection with approval or disapproval of said preliminary plat, and before approval of the final plat, the subdivider shall also pay to the City an amount equal to the charge made to the City by the City Attorney for each abstract of title or registered property abstract required to be examined in connection with said final plat approval as specified in Section 12.40, Division 2.

*Source: Ordinance No. 34, 2nd Series
Effective Date: 4-12-90*

Subdivision 2.

Upon recommended approval or disapproval of the preliminary plat by the Planning Commission, the plat shall be referred to the Council for action. Referral by the Planning Commission must be made within sixty (60) days of receiving the application.

Subdivision 3.

After receiving a recommendation for approval or disapproval of the preliminary plat by the Planning Commission, the Council shall hold a public hearing on the preliminary plat within thirty (30) days. The notice of the hearing shall be published at least once in the official newspaper at least ten (10) days prior to the hearing. A public notice shall be mailed to all property owners within five hundred (500) feet of the proposed preliminary plat at least ten (10) days prior to the hearing. At the close of the public hearing, the Council shall grant approval of the preliminary plat, approval with conditions, refer the preliminary plat back to the Planning Commission for additional study or disapprove the preliminary plat stating the reasons for such action in the official minutes of the Council meeting.

Section 12.11: Necessary Data for Preliminary Plat

The preliminary plat shall be clearly and legibly drawn. The size of the map shall not be less than twelve (12) inches by eighteen (18) inches. All subdivision maps shall be drawn at a scale of no less than one (1) inch equals one hundred (100) feet, unless otherwise required by the Council. The preliminary plat shall contain the following information:

Subdivision 1. Identification and Description

- A. Proposed name of the subdivision, which name shall not duplicate or closely resemble in pronunciation or spelling the name of any plat theretofore recorded in Hennepin County.
- B. Location by section, township, range or by other legal description.
- C. Names and addresses of the owner, subdivider, surveyor and designer of the Plat.
- D. Graphic scale.
- E. North point. (The top of the map shall be approximately North).
- F. Date of preparation.

Subdivision 2. Existing Conditions

- A. Boundary lines of proposed subdivision, clearly indicated.
- B. Existing zoning classifications.
- C. Total approximate acreage.
- D. Location, widths and names of all existing or previously platted streets or other public way, showing type, width and condition of improvements, if any, railroad, and utility rights-of-way, parks and other public open spaces, permanent buildings and structures, easements, and section and corporate lines within the tract and to a distance of one hundred (100) feet beyond the tract.
- E. Location and size of existing sewers, watermains, culverts or other underground facilities including telephone and electric cable lines within the tract and to a distance of one hundred feet beyond the tract. Such data as grades, inverse elevations, and locations of catch basins, manholes, and

hydrants shall be shown. All elevations shall be referenced to mean sea level datum, 5th Gen. Adjustment of U.S. C & G Survey of 1929.

- F. Boundary lines of adjoining unsubdivided or subdivided land, within one hundred (100) feet, identifying by name and ownership.
- G. Current topographic data, including contours at vertical intervals of not more than two (2) feet, except that, topography permitting, contour lines shall be no more than one hundred feet apart. Marshes, wooded areas, rock outcrops, power transmission poles and lines, and other significant features shall also be shown. The center line of all water courses shall be accurately delineated.

Subdivision 3. Subdivision Design Features

- A. Layout of proposed streets, showing right-of-way widths and proposed names of streets. The name of any street heretofore used in the City or its environs shall not be used, unless the proposed street is an extension of an already named street, in which event the name shall be used.
- B. Location and widths of proposed pedestrian ways and utility easements.
- C. Typical cross-sections of proposed improvements upon streets and alleys, together with an indication of the proposed surface water runoff.
- D. Approximate center line gradients of proposed streets, if any.
- E. Approximate location and size of any proposed sewer lines and watermains.
- F. Layout, numbers and typical dimensions of lots; provided that no lots shall be designated as outlets.
- G. Minimum front and side-street building setback lines, indicating dimensions.
- H. Areas, other than streets, pedestrian ways and utility easements, intended to be dedicated or reserved for public use, including the size of such area or areas in acres.
- I. The preliminary plat shall incorporate a grading plan establishing yards or site elevations, with sufficient proposed elevations indicated thereon to provide proper control of the development to insure proper building grades, site drainage and conformance to established street grades.

Subdivision 4. Other Information

- A. Statement of the proposed use of lots indicating type of residential building with number of proposed dwelling units; type of business or industry so as to reveal the effect of the development on traffic, fire hazards or congestion of population.

B. Proposed restrictive covenants.

C. If any zoning changes are contemplated, the proposed zoning plan for the areas, including dimensions, shall be for information only and shall not vest any rights in the applicant for uses other than Residential.

Subdivision 5. Effect of Missing Data

All preliminary plats must contain the data as called for in this Section. If any of the required data is missing from the preliminary plat, the application will not be accepted, and the preliminary plat will not be reviewed by the Planning Commission.

Section 12.12: Qualifications Governing Approval of Preliminary Plat

Subdivision 1.

The Council may require such changes or revisions as it deems necessary for the health, safety, general welfare and convenience of the City.

Subdivision 2.

The approval of a preliminary plat is tentative only, involving merely the general acceptability of the layout as submitted.

Subdivision 3.

Prior to approval of the preliminary plat by the Council, approval by the City Engineer and other public officials having jurisdiction will be required of the engineering proposals pertaining to water supply, storm drainage, sewerage and sewage disposal, roadway widths and the surfacing of streets.

Subdivision 4.

No plat will be approved for subdivision which covers an area subject to periodic flooding or which contains extremely poor drainage facilities and which would make adequate drainage of the streets and lots difficult or impossible, unless the subdivider agrees to make improvements which will, in the opinion of the City Engineer, make the area completely safe for occupancy, and provide adequate street and lot drainage.

Subdivision 5.

No plat will be approved for subdivision that does not meet the requirements specified in Section 12.20, Minimum Subdivision Design Standards, and Section 12.30, Public Sites and Open Spaces.

*Source: Ordinance No. 706
Effective Date: 12-11-87*

Sections 12.13 through 12.19, inclusive, reserved for future expansion.

Section 12.20: Minimum Subdivision Design Standards

Subdivision 1. Street Plan

The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographical condition, to runoff of surface water, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. The arrangement of streets in new subdivisions shall make provisions for the appropriate continuation of the existing streets in adjoining areas. Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets. When a new subdivision adjoins unsubdivided land susceptible to being subdivided, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided.

Subdivision 2. Streets

- A. Widths. All right-of-way widths shall conform to the following minimum dimensions:

Major & Minor Arterials	80 to 100 feet
Collector Streets	70 feet
Local Streets	60 feet
Cul-de-sac Streets	60 feet
Marginal Access Streets	60 feet
Local Streets in Industrial Area	70 feet

- B. Street Deflection. When connecting street lines deflect from each other at any one point by more than ten degrees, they shall be connected by a curve with a radius adequate to insure a sight distance of not less than two hundred (200) feet for minor and collector streets, and of such greater radii as the Council shall determine for special cases.

- C. Reverse Curves. Tangents of at least fifty (50) feet in length shall be introduced between reverse curves on collector streets.

- D. Street Grades. All center line gradients shall not be less than 0.4 percent, and shall not exceed the following:

Collector Streets	4 percent
Minor Streets	8 percent

- E. Vertical Curves. Different connecting street gradients shall be connected with vertical parabolic curves. Minimum sight distance of two hundred (200) feet must be provided.
- F. Local Streets. Minor streets shall be so aligned that their use by through traffic will be discouraged.
- G. Street Jogs. Street jogs shall not have center line offsets of less than one hundred twenty five (125) feet.
- H. Safe Intersections. All street intersections and confluences shall be designed to encourage safe and efficient traffic flow.

*Source: Ordinance No. 706
Effective Date: 12-11-87*

- I. Cul-de-sac. A cul-de-sac street shall be measured along its center line from a point in the extended line from the back of the curb line of the intersecting street of origin to the back of the curb line of the cul-de-sac at its closed end. If there is no curb, the measurement shall be made from the corresponding edge of the improved surface of the roadway.

Maximum length of a cul-de-sac street shall be five hundred (500) feet. Except as provided hereinafter, each cul-de-sac shall have a closed end turnaround with an outside diameter of the improved roadway surface of at least one hundred (100) feet and a street right-of-way diameter of at one hundred twenty (120) feet.

Alternatively, if the proposed cul-de-sac street is one hundred ninety (190) feet or less in length, the subdivider may apply for a reduced turnaround having an outside roadway diameter of at least ninety (90) feet and a street right-of-way diameter of at least one hundred (100) feet. Since such reduction in size may increase the difficulty of street maintenance or fire prevention activities, the Director of Public Works or the Fire Marshall may require limitations regarding the type, placement or replacement of any structures or plantings to be located in or within ten (10) feet of the cul-de-sac right-of-way. Structures for purposes of this paragraph shall include fences, fire hydrants, light poles, mail boxes, utility boxes or poles, etc. The Director of Public Works may also impose additional limitations concerning the location and width of driveways accessing all lots with frontage on the reduced turnaround cul-de-sac street and, in no event may the width of a driveway exceed fifty percent (50%) of the width of the lot it accesses as measured at the roadway by extending the side lot lines to the back of the curb line.

*Source: Ordinance No. 93, 2nd Series
Effective Date: 6-25-92*

- J. Marginal Access Streets. Where a subdivision abuts on or contains an existing or planned thoroughfare, the Council may require marginal access streets or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- K. Half Streets. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of this Chapter and where the Council finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever there is a half street adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.
- L. Railroad or Limited Access Highways Abutting Subdivisions. Where a subdivision borders on, or contains a railroad right-of-way or limited access highway right-of-way, the Council may require a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.
- M. Private Streets. Private streets shall not be approved for platting nor shall public improvements be approved for any private street except as permitted by Section 11.55 of the Zoning Chapter (Planned Unit Development).
- N. Hardship to Owners of Adjoining Property to be Avoided. The street arrangements shall not be such as to cause hardship to owners of adjoining property in platting their own land and providing convenient access to it.

Subdivision 3. Easements

- A. Provided for Utilities. Easements at least twelve (12) feet wide centered on rear and other lot lines shall be provided for utilities, where necessary, and shall be dedicated to the City by appropriate language in the owner's or subdivider's certificate. They shall have continuity of alignment from block to block, and at deflection points easements for pole-line anchors shall be provided where necessary.
- B. Provided for Bassett's Creek. Where a proposed subdivision is traversed by, or is adjacent to, Bassett's Creek, easements for maintenance to the City or Bassett's Creek Commission shall be provided on both sides at least fifty (50) feet in width measured from the bank of Bassett's Creek. The bank is the rising ground bounding the creek where non-aquatic growth is present.

Subdivision 4. Blocks

- A. Factors Governing Dimensions. Block length and width or acreage within bounding roads shall be such as to accommodate the size of residential lots

required in the area by the Zoning Chapter and to provide for convenient access, circulation, control and safety of street traffic.

- B. Non-Residential Blocks. Blocks intended for commercial, institutional and industrial use must be designated as such.
- C. Lengths. Block lengths shall not exceed one thousand two hundred (1,200) feet.
- D. Arrangement. A block shall be so designed as to provide two tiers of lots, unless it adjoins a railroad or limited access highway or other non-residential use(s), where it may have a single tier of lots.

*Source: Ordinance No. 706
Effective Date: 12-11-87*

Subdivision 5. Lots

- A. Minimum Requirements. All lots shall meet the minimum area and dimension requirements of the zoning district in which they are located. The front of each lot shall abut entirely on an improved public street.

*Source: Ordinance No. 377
Effective Date: 7-13-07*

- B. Corner Lots. Corner lots shall be platted at least twenty (20) feet wider than the required minimum lot width as required by the Zoning Chapter.
- C. Features. Due regard shall be shown for all natural features, such as tree growth, water course, historic spots or similar aspects, which if preserved will add attractiveness and stability to the proposed development.
- D. Lot Remnants. All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allowed to remain as unusable parcels.

*Source: Ordinance No. 34, 2nd Series
Effective Date: 4-12-90*

Sections 12.21 through 12.29, inclusive, reserved for future expansion.

Section 12.30: Public Sites and Open Spaces

Subdivision 1. Parks, Playgrounds, Open Spaces, Storm Water Holding Areas and Ponds

In all plats or subdivisions to be developed for residential, commercial, industrial or other uses, or as a planned unit development which includes residential, commercial, industrial or other uses, or any combination thereof, the Council may require a reasonable portion of such proposed subdivision to be dedicated to the public for public use as parks, playgrounds, public open space or storm water holding areas or ponds, with up to ten percent (10%) of the gross area being subdivided be so dedicated. The Council may in the alternative require the subdivider to contribute an equivalent amount in cash based on the fair market value of the undeveloped land involved in the proposed subdivision. The cash funds realized therefrom to be placed in a special fund with the Finance Director and used only for the acquisition of other lands for parks, playgrounds, public open spaces, storm water holding ponds, development of existing park and playground sites and debt retirement in connection with land previously acquired for such public purposes. In determining the reasonable portion of each such proposed subdivision to be thus dedicated, including the minimum requirement as specified herein, there may be taken into consideration the amount of open space, park, recreational or common areas and facilities which the subdivider has provided for the exclusive use of the residents of the subdivision. The Council shall not be bound thereby in making its determination of the portion it requires to be dedicated pursuant to the terms of this Section. Where any such dedicated area is located in part or in whole within a proposed subdivision, the area for the same shall be designated on the plat and shall not be subdivided into lots. The Council may, by resolution, establish additional guidelines for determining the proper dedication to the public.

*Source: Ordinance No. 70
Effective Date: 12-11-87*

Sections 12.31 through 12.39, inclusive, reserved for future expansion.

Section 12.40: Final Plat

Subdivision 1. Application

After the preliminary plat has been approved by the Council, the subdivider must apply for approval of the final plat. The application must be made within one hundred eighty (180) days of the approval by the Council of the preliminary plat unless an extension is made by the Council. The subdivider shall submit seven (7) copies of the final plat (in conformance with the approved preliminary plat). The subdivider shall also provide one copy of the final plat to each utility company (telephone, electric, gas and cable TV). At this time, the subdivider shall also furnish the City with the Abstract of Title or Registered Property Abstract.

Subdivision 2. Approval of Final Plat

The Council shall grant approval of the final plat, refer the final plat to the Planning Commission for additional study, or disapprove the final plat stating the reasons for such action which shall be recorded in the minutes of the meeting. Action to approve the plat shall be by resolution of the Council and shall be taken within sixty (60) days of the preliminary approval if the subdivider so requests and has complied with all the conditions, requirements and provisions of this Subdivision Chapter.

- A. Before the Council gives approval to the final plat, a review of the certified Abstract of Title or the Registered Property Abstract by the City Attorney showing title or control of the property being subdivided by the subdivider may be required. The applicant shall pay all costs of such review by the City Attorney.
- B. The final plat may include only that portion of the preliminary plat which the owner or subdivider proposes to record or develop, provided that such portion conforms with all of the requirements of this Chapter.
- C. If the plat is approved, the subdivider shall submit two (2) reproducible copies of the final plat for signing by the proper City officials, one (1) of which will be retained by the City for their records.

Subdivision 3. Filing

- A. Filing. After the final plat has been approved by the Council, the subdivider shall file it for recording with the County Recorder or the Registrar of Titles within sixty (60) days of the date of the resolution approving the final plat. If not filed within sixty (60) days, the final plat shall be null and void unless an extension is given by the Council.
- B. Proof of Filing. The subdivider shall immediately upon recording, furnish the City with three (3) prints of the final plat with recording data shown on the

plat. No building permits shall be issued on any of the platted property until the City has received the above copies of the plat.

Section 12.41: Necessary Data for Final Plat

Subdivision 1. General

The final plat shall be prepared by a registered surveyor and shall conform to all City, State and County requirements.

Source: Ordinance No. 706

Effective date: 12-11-87

Subdivision 2. Additional Delineation and Information Required on the Plat Shall Include:

- A. Accurate angular and lineal dimensions for all lines, angles, and curvatures used to describe boundaries, streets, alleys, easements, areas to be reserved for public use, and other important features. Dimensions of lot lines shall be shown in feet and hundredths.
- B. An identification system for all lots and blocks.
- C. True angles and distances to the nearest established street lines or official monuments (not less than three (3)) shall be accurately described in the plat.
- D. Municipal, township, or section lines accurately tied to the lines of the subdivision by distances and angles.
- E. Radii, internal angles, points and curvatures, tangent bearings, and lengths of all arcs.
- F. Accurate location of all monuments.
- G. Accurate outlines of any areas to be dedicated or reserved for public use, or for the exclusive use of property owners within the subdivision with the purposes indicated therein.
- H. Certification by a registered surveyor in the form required by Section 505.03 Minnesota Statutes, 1985.
- I. Execution by all owners of any interest in the land and any holders of a mortgage thereon of the certificate required by Section 505.03 Minnesota Statutes, 1985, and which certificate shall include a dedication of the utility easements and other public areas in such form as shall be approved by the Council.
- J. Certifications showing that all taxes and special assessments currently due on the property to be subdivided have been paid in full.

Section 12.42: Required Improvements

Subdivision 1. Statement of Policy

It is hereby declared to be the policy of the City to require in new subdivisions installation of sanitary sewer, storm sewer, watermain, street grading, concrete curb and gutter, and street surfacing. The following improvements shall be installed at the sole expense of the developer: 1) adequate surface water drainage; and 2) street grading of the full width of the right-of-way. In the case of the improvements set forth below, the developer shall submit a legally sufficient petition for the installation of the same. Such petition must be submitted prior to, or at the time of, the request for final plat approval.

- A. Sanitary Sewer. To serve the entire subdivision including service connection, extended to the property line, for each lot.
- B. Watermain. To serve the entire subdivision including valves, fire hydrants and service connections (extended to the property line) to serve each lot.
- C. Street Surfacing. All streets shall be improved with permanent surfacing to overall width in accordance with the following minimum standards:

Type of Street	Pavement Width (between face & curb)	Load Limit
Major & Minor Arterials	48 feet (minimum)	9 ton minimum
Collector	32 feet (minimum)	9 ton minimum
Local & Cul-de-sac	30 feet	7 ton minimum
Marginal Access	24 feet (minimum)	7 ton minimum
Local Streets in Industrial Areas	36 feet (minimum)	9 ton minimum

- D. Curb and Gutter. All streets shall be improved with concrete curb and gutter.
- E. Utilities. All new utilities shall be placed underground.

Section 12.43: Monuments and Other Markers

Subdivision 1. No Final Plat Shall be Approved by the Council Unless the Owner or Subdivider

- A. Shall have installed survey monuments at all block corners, angle points, points of curves in streets and at intermediate points as shown on the final plat.
- B. Shall have installed cast iron monuments, as approved by the Hennepin County Surveyor, at each corner or angle on the outside border.
- C. Shall have installed pipes or steel rods at the corners of each lot and at each intersection of street centerlines.
- D. Shall have preserved in precise position, all United States, State, County or other official benchmarks, monuments or triangulations, stations in or adjacent to the property, all as required by the City Engineer.

*Source: Ordinance No. 34, 2nd Series
Effective Date: 4-12-90*

Sections 12.44 through 12.49, inclusive, reserved for future expansion.

Section 12.50: Minor Subdivisions and Consolidations

Subdivision 1. Eligibility for Application

In keeping with Minnesota statutes 1989, 462.358 Subdivision 1a, which allows for the establishment of more than one (1) class of subdivision and more than one (1) set of regulations, certain proposed land subdivisions and consolidations may qualify for application under this section. For such applications, the standards, requirements, and procedures cited herein shall supersede their counterparts in Sections 12.10, 12.11, 12.12, 12.20, 12.30, 12.40 and 12.42 of this ordinance. Each of the following conditions must be met to establish eligibility:

- A. The land to be subdivided or consolidated must be part of a recorded plat or a recorded Registered Land Survey (RLS).
- B. Consolidations may involve any number of parcels, but subdivisions shall be limited to the creation of four or fewer lots from one or more original parcels.
- C. The subdivision or consolidation shall not necessitate any additional public investment in new roads or utilities to serve the lots.

Subdivision 2. Components of Application

Application for a minor subdivision or consolidation shall be made on forms furnished by the City. A filing fee set by Council resolution shall accompany the application. The applicant shall also furnish fifteen (15) copies of a sketch showing the following:

- A. North arrow and scale (no smaller than 1" = 100').
- B. Overall dimensions of the property and of each internal property division.
- C. Square footage of the overall property and of each internal property division.
- D. Location of all public utilities, streets, driveways, and easements, adjacent to or on the property.
- E. Location and dimensions of any existing buildings, and distances to nearest existing or proposed lot lines on all sides.
- F. Any other information specific to the particular site and required for the complete evaluation of the application. Such information shall be supplied at the expense of the applicant.

Subdivision 3. Conditions for Approval or Denial

- A. Minor subdivisions or consolidations shall be denied if the proposed lots fail to meet all of the requirements of the appropriate zoning district. Furthermore, the front of each lot shall abut entirely on an improved public street, and the minimum front setback line shall be established thirty-five (35) feet distant from the street right-of-way line. Lots without the full required width shall not be approved. Corner lots shall be twenty (20) feet wider than the minimum width established in the zoning ordinance.
- B. Minor subdivisions may be denied upon the City Engineer's determination that the buildable portion of a resulting new lot is encumbered by steep slopes or excessive wetness. Alternatively, approval of the minor subdivision may be conditioned on the applicant's submittal of a certified engineer's study showing how the lot(s) may be so reconditioned as to allow development without adversely affecting adjacent sites.
- C. Minor subdivisions may be denied if public sewer and water connections are not directly accessible by each proposed lot. Alternatively, approval of the minor subdivision may be conditioned on the applicant's obtaining the necessary easements across adjacent properties to the nearest reasonable point of public sewer and water connection.
- D. Approval of minor subdivisions shall be conditioned on the applicant's granting of easements for necessary public purposes, as determined by the City.
- E. Where public agencies other than the City have some form of jurisdiction over an area including or directly affected by a proposed minor subdivision, approval of that minor subdivision may be conditioned on the requirements of the outside agency. Such agencies shall include but not be limited to the Hennepin County and Minnesota State Departments of Transportation, the Department of Natural Resources, and the Bassett Creek Water Management Commission.
- F. If applicant is required to submit to a review of the property's title pursuant to Subdivision 4c of this section, then approval of the minor subdivision shall be conditioned on the applicant's resolution of any title issues raised by the City Attorney.
- G. Minor subdivisions of nonresidential parcels may be denied upon the City Engineer's determination that new development on the resulting lot(s) will cause undue strain on adjacent roads or on public utilities or will adversely affect adjacent residential, institutional, or public land uses. Alternatively, approval of the minor subdivision may be conditioned on the applicant's agreeing to take specific action to mitigate the strain or adverse affect.

- H. Approval of residential minor subdivisions shall be conditioned on the payment of a park dedication fee in an amount established by Council resolution.
- I. The conditions spelled out in this subdivision shall provide the only basis for denial of a minor subdivision or consolidation except for the additional conditions imposed on double bungalow lots in Subdivision 5. Approval will be granted to any application that meets the established conditions. Additionally, an applicant may request a waiver from specific conditions imposed in this subdivision by applying for a variance in accordance with Section 12.54.

Subdivision 4. Application Review Process

- A. The completed application shall be received by the staff of the Planning Department. An informal public hearing by the Planning Commission shall be scheduled to take place within thirty (30) days of application acceptance. At least ten (10) days prior to the hearing date, notice of the hearing shall be mailed to the owners of all property within five hundred (500) feet of the subject property. The Planning Commission shall consider the conditions established in Subdivision 3 and shall make a recommendation to the City Council on whether to approve or deny the proposed minor subdivision or consolidation.
- B. After review and recommendation by the Planning Commission, the application shall be formally heard by the City Council. At least ten (10) days prior to the hearing date, legal notice shall be published in the official newspaper of the City, and notices shall be mailed to the owners of all property within five hundred (500) feet of the subject property.
- C. If preliminary Council approval is granted, the applicant shall have a final plat prepared in accordance with Section 12.41. and in conformance with the sketch approved by the Council. At this time, the applicant may be required to submit, for review by the City Attorney, a current Certified Abstract of Title or a current Registered Property Abstract for the property. The cost of this review shall be borne by the applicant. Unless an extension is requested by the applicant and granted by the Council, the plat and evidence of clear title shall be completed and submitted to the City within one hundred eighty (180) days of Council approval. Two (2) hard shell copies of the plat shall be furnished by the applicant for signing. Except as otherwise authorized by the Council, all conditions placed on the approval shall be fulfilled by this time. When these requirements have been met the Council shall pass a resolution approving the plat.
- D. A certified copy of the resolution approving the final plat, together with one copy of the final plat, shall be recorded with Hennepin County. The filing of the plat must be done by the applicant within sixty (60) days of the approval of the resolution. The other hard shell copy shall be filed with the City. Proof

of filing of the final plat must be submitted to the City prior to issuance of any building permits on the properties.

Subdivision 5. Minor Subdivision for Double Bungalow

- A. If the conditions for Subdivision 1. above are met, then a lot occupied or proposed to be occupied by a double bungalow may be split along the party line to provide individual ownership of each unit. The components of application shall be as specified in Subdivision 2. above. The application review process shall be as outlined in Subdivision 4. above, except that the conditions for approval shall also include Paragraph B of this subdivision.
- B. All of the following conditions shall be met before a minor subdivision for double bungalow shall be approved:
 - 1. The two (2) newly created lots shall individually be exempt from the minimum lot size and width requirements found in the R-2 Residential Zoning District provisions of the zoning ordinance, but in combination the lots shall meet said requirements. Other requirements of Subdivision 3. above shall be met as stated.
 - 2. The property and structure must be able to be split into two (2) substantially equal sections, except as necessary to meet the wider corner lot requirement, and except that developmentally unsuitable portions of a lot may be discounted.
 - 3. The structure must meet current building code standards for fire wall separation, which may be created by new construction or an addition to existing construction.
 - 4. Separate utility services must be provided.
 - 5. The owner of the property to be subdivided shall execute and record at owner's expense a "Declaration of Covenants, Restrictions and Conditions". Said document shall be used to protect the rights of the individual owners sharing the single structure as to maintenance and repair and reconstruction in case of damage to the original structure. Specifically, it shall provide protection to the property owners and the City on the following:
 - a. Building and use restriction.
 - b. Party walls and other necessary common easements, including utilities and access.
 - c. Submission to binding arbitration of disputes between owners.

6. The City shall be a beneficiary to these "Declarations of Covenants, Restrictions and Conditions". They shall be submitted for review by the Planning Commission and the Council at the time the proposed subdivision is reviewed. The City Attorney shall also review the "Declarations of Covenants, Restrictions and Conditions". Changes to the document shall be made if so recommended by the City Attorney. The cost of such review shall be paid by the applicant.
7. No building permit shall be issued on any of the property until proof of recording the "Declarations of Covenants, Restrictions and Conditions" has been submitted to the City.
8. Any other conditions shall be imposed that the City deems necessary to assure compatibility with surrounding structures or to assure a reasonable division of property.

Section 12.51: Copies of Final Plats

Copies of all plats of subdivisions, after the same have been submitted and approved as provided in this Chapter, shall be filed and kept among the records of the City.

Section 12.52: Building Permit

No building permit shall be issued for the construction of any building, structure or improvement on any land required to be subdivided by this Chapter until all requirements have been fully complied with.

Section 12.53: Conveyance by Metes and Bounds

No transfer of ownership of land may occur in which the land is described: 1) by metes and bounds; 2) by reference to an unapproved registered land survey made after April 21, 1961; or, 3) to an unapproved plat made after the effective date of this Chapter. However, transfers of ownership of land may occur as found in Minnesota Statutes 1989, 462.358, Subdivision 4b, (1), (2), (3), (4), (5), and (6). Any person seeking a waiver of the requirements for platting as provided in the aforementioned Section of the Minnesota Statutes shall make an application to the Planning Department accompanied by a fee as determined by Council resolution.

Section 12.54: Variances

Subdivision 1. Generally

- A. The Council may grant a variance from this Chapter following a finding that all of the following conditions exist:
1. There are special circumstances for conditions affecting said property so that the strict application of the provisions of this Chapter would create an unusual hardship and deprive the applicant of the reasonable use of his land. Economic difficulty or inconvenience shall not constitute a hardship situation for the purpose of this ordinance.
 2. The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
 3. The granting of the variance will not be detrimental to the public welfare or injurious to other property in the neighborhood in which said property is situated.
- B. In making this finding the Council shall consider the nature of the proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. In granting a variance, as herein provided, the Council may prescribe such conditions as it deems desirable or necessary in the public interest.

Subdivision 2. Applications Required

Application for any such variance shall be made in writing by the owner or subdivider at the time when the preliminary plat is submitted for the consideration of the Planning Commission, stating fully and clearly all facts or other additional data which may aid the Planning Commission in the analysis of the proposed project. The plans for such development shall include such covenants, restrictions or other legal provisions necessary to guarantee the full achievement of the plan. The Council may require review or approval of the variance request by other agencies including the U.S. Army Corps of Engineers, the Bassett's Creek Commission and the Minnesota Department of Natural Resources.

*Source: Ordinance No. 34, 2nd Series
Effective date: 4-12-90*

Sections 12.55 through 12.98, inclusive, reserved for future expansion.

Section 12.99: Violation a Misdemeanor

Every person violates a section, subdivision, paragraph or provision of this Chapter when such person performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof.

*Source: Ordinance No. 706
Effective Date: 12-11-87*