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ORDINANCE NO. 2020-42

AN ORDINANCE TO UPDATE SERVICE STATION LANGUAGE WITH CONVENIENCE FACILITY WITH FUEL SALES, THEREBY AMENDING CHAPTER 19 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 19

ARTICLE X: SIGN REGULATIONS

Division D: DISTRICT PROVISIONS

§ 19.112 CLASS III SIGN DISTRICTS (B-1, I-1)

(c) *Other signs.* All other signs shall be located on the site of the use unless specified otherwise.

(5) *Signs for specific uses.* Sign regulations listed for specific uses in Division E, Special Provisions, shall take precedence over sign district regulations listed in Division D, District Provisions.

(B) Signs for ~~[gasoline service stations]~~ Convenience Facility with Fuel Sales. See § 19.123.

Passed and adopted this 21st day of December, 2020.

/s/ Tim Busse
Mayor

ATTEST:

/s/ Denise M. Christenson
Secretary to the Council

APPROVED:

/s/ Melissa J. Manderschied
City Attorney

ORDINANCE NO. 2020-43

AN ORDINANCE TO CLARIFY POOL EQUIPMENT SETBACK WHEN LOCATED IN A BUILDING, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21

ARTICLE III: DEVELOPMENT STANDARDS

Division B: Use Standards

§ 21.302.07 SINGLE-FAMILY RESIDENTIAL STANDARDS.

(b) *Standards.*

(1) *Private swimming pools.*

(A) Location.

(i) Front yard - not permitted.

(ii) Side and rear yard not abutting a public street - a minimum setback from property lines must be provided of at least 18 feet to the water's edge of the pool and 15 feet to any appurtenant equipment not enclosed in a building. If located within a structure or accessory building see city code § 21.301.19 for applicable standards.

Passed and adopted this 21st day of December, 2020.

/s/ Tim Busse
Mayor

ATTEST:

APPROVED:

/s/ Denise M. Christenson
Secretary to the Council

/s/ Melissa J. Manderschied
City Attorney

ORDINANCE NO. 2020-44

AN ORDINANCE TO CLARIFY CARPORT PARKING IS NOT CONSIDERED AN ENCLOSED SPACE, THEREBY AMENDING CHAPTERS 19 AND 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 19

ARTICLE I: GENERAL PROVISIONS

DIVISIONS B: DEFINITIONS

§ 19.03 DEFINITIONS

CARPORT. A permanent covered structure, open on at least two sides, that provides shelter for one or more motor vehicles, trailers, recreational vehicles, storage or other personal property. CARPORTS are considered to be garages for the purpose of zoning regulations except that they do not satisfy single family and two family home enclosed parking space requirements. Lightweight, temporary, impermanent structures covered with metal, fabric, canvas, fiberglass or plastic and with metal, wood or plastic frames and poles, not designed to withstand significant wind or snow load, sometimes without footing or other approved anchoring systems, are considered to be tents or canopies rather than CARPORTS.

Section 2. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21

ARTICLE III: DEVELOPMENT STANDARDS

Division A: GENERAL STANDARDS

§ 21.301.06 PARKING AND LOADING.

(d) *Number of off-street parking spaces required.*

(1) The minimum number of off-street parking spaces provided within a development must meet the provisions of this subsection (d), varying by land use as provided in the following table. If more

than one land use is present on a site, the required parking is determined by adding together the required number of parking spaces for each use.

If the number of off-street parking spaces results in a fraction, each fraction of one-half or more will constitute another space required. A lesser number of constructed off-street parking spaces may be allowed through flexibility measures (see subsection (e) below). The requirements for off-street surface parking space dimensions are set forth in subsection (c) above.

Minimum Off-Street Parking Requirements	
RESIDENTIAL	
Single-family	4 spaces per dwelling unit, 2 of which are <u>fully enclosed</u> within a garage (for construction after June 1, 2015) or area that could be occupied by a garage (for construction before June 1, 2015) (<u>carports are not considered fully enclosed</u>)
Two-family	4 spaces per dwelling unit, 2 of which are <u>fully enclosed</u> within a garage (<u>carports are not considered fully enclosed</u>)

Passed and adopted this 21st day of December, 2020.

/s/ Tim Busse
Mayor

ATTEST:

/s/ Denise M. Christenson
Secretary to the Council

APPROVED:

/s/ Melissa J. Manderschied
City Attorney

ORDINANCE NO. 2020-45

AN ORDINANCE TO CLARIFY PERMITTED USES IN INDUSTRIAL ZONING DISTRICTS, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 21

ARTICLE II: DISTRICTS AND USES

Division H: Uses

§ 21.209 USE TABLES.

(e) *Industrial Zoning districts.*

Use Type	Zoning District						References; See Listed Section
	IT	I-1	I-2	I-3	IP	FD-2	
*** RETAIL							
*** Technology and Manufacturing							
Wholesaling		P	P	P	P	P	
<u>Printing and publishing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
GENERAL							
*** Miscellaneous							
Households hazardous waste [and recycling collection facilities]			C	C			[19.63.04(e)] <u>§ 21.302.31</u>
<u>Recycling collection facilities</u>			<u>C</u>	<u>C</u>			<u>§ 21.302.31</u>

Passed and adopted this 21st day of December, 2020.

Item D

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/s/ Tim Busse
Mayor

ATTEST:

/s/ Denise M. Christenson
Secretary to the Council

APPROVED:

/s/ Melissa J. Manderschied
City Attorney

ORDINANCE NO. 2020-46

AN ORDINANCE TO CLARIFY THAT DRIVEWAYS MAY ENCROACH INTO SETBACK REQUIREMENTS IN ORDER TO SERVE LEGALLY NON-CONFORMING GARAGES, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 21

ARTICLE III: DEVELOPMENT STANDARDS

Division A: General Standards

§ 21.301.06 PARKING AND LOADING.

(i) *Single-family and two-family residential driveways and off-street parking.*

(10) *Driveway and off-drive parking area setbacks.* Driveways and off-drive parking and turnaround areas must meet the following setback requirements.

(D) *Reduced setback of garages.* When a variance has been approved by the City Council to reduce the setback of any garage from a side or rear property line, or a garage is legally non-conforming with a reduced setback from a side or rear property line, the setback of the driveway serving that garage parallel to a side of rear property line may be greater than or equal to the setback of the garage, subject to the provisions of this section of this code.

Passed and adopted this 21st day of December, 2020.

/s/ Tim Busse
Mayor

ATTEST:

/s/ Denise M. Christenson
Secretary to the Council

APPROVED:

/s/ Melissa J. Manderschied
City Attorney

ORDINANCE NO. 2020-48

AN ORDINANCE TO CLARIFY THE MAXIMUM ACCESSORY BUILDING SIZE FOR MANUFACTURED HOME PARKS, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21

ARTICLE III: DEVELOPMENT STANDARDS

Division B: Use Standards

§ 21.302.10 MANUFACTURED HOME PARK.

(c) *Standards.*

(9) *Accessory buildings.* Each manufactured home owner is allowed to install one detached accessory building, subject to the following requirements:

(A) There must be a separation of at least ten feet between an accessory building and the nearest manufactured home not occupied by the user of the accessory building, including its attachments.

(B) No portion of an accessory building may be closer to an internal manufactured home park street or general parking lot than the associated manufactured home.

(C) No portion of an accessory building may be closer to a public street than the associated manufactured home.

(D) The total maximum accessory building size is 120 square feet per manufactured home.

Passed and adopted this 21st day of December, 2020.

/s/ Tim Busse
Mayor

ATTEST:

/s/ Denise M. Christenson
Secretary to the Council

APPROVED:

/s/ Melissa J. Manderschied
City Attorney

ORDINANCE NO. 2020-49

AN ORDINANCE TO CLARIFY ENFORCEMENT OF THE ZONING CODE, THEREBY AMENDING CHAPTER 1 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 1 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 1

ARTICLE II: CIVIL HEARING PROCESS

§ 1.11 CITY CODE PROVISIONS THAT ARE ADMINISTRATIVE OFFENSES.

A violation of the following provisions of the city code shall be an administrative offense that may be subject to the administrative mediation and hearing process of this Article II.

- (38) Chapter 18, Trees;
- (39) Chapter 19, Article I: General Provisions;
- (~~39~~40) Chapter 19, Article II, Administration and Procedure;
- (41) Chapter 19, Article III: Zoning District Map, Zoning Districts and District Uses;
- (42) Chapter 19, Article IIIA: Additional Zoning Districts;
- (4~~0~~3) Chapter 19, Article IV, District Regulations;
- (4~~1~~4) Chapter 19, Article V, Performance Standards;
- (45) Chapter 19, Article VI: Billboards;
- (46) Chapter 19, Article VII;
- (4~~2~~7) Chapter 19, Article VIII, Anti-Blight Regulations;
- (4~~3~~8) Chapter 19, Article IX, Shore Area Regulations;
- (4~~4~~9) Chapter 19, Article X, Sign Regulations;
- (50) Chapter 21, Article I: Introduction and Establishment;
- (~~4~~51) Chapter 21, Article II, Districts and Uses; ~~and~~
- (~~46~~52) Chapter 21, Article III, Development Standards~~[-];~~
- (53) Chapter 21, Article IV; and
- (54) Chapter 21, Article V: Administration and Nonconformity.

Passed and adopted this 21st day of December, 2020.

/s/ Tim Busse
Mayor

ATTEST:

APPROVED:

/s/ Denise M. Christenson
Secretary to the Council

/s/ Melissa J. Manderschied
City Attorney

ORDINANCE NO. 2020-51

AN ORDINANCE TO CHANGE LANGUAGE REGARDING AUTHORITY TO APPROVE TOWERS FROM CITY COUNCIL TO APPROVING BODY, THEREBY AMENDING CHAPTER 19 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 19

ARTICLE V: PERFORMANCE STANDARDS

§ 19.63.05 TOWERS.

(c) *Co-location requirements.* All commercial wireless telecommunication towers erected, constructed or located within the city shall comply with the following requirements.

(1) A proposal for a new commercial wireless telecommunication service tower shall not be approved unless the ~~[city council]~~ approving body finds that the telecommunications equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or building within a one-mile search radius (one-half mile search radius for towers under 120 feet in height, one-quarter mile search radius for towers under 80 feet in height) of the proposed tower due to one or more of the following reasons:

(e) *Tower and antenna design requirements.* Proposed or modified towers and antennas shall meet the following design requirements.

(2) Commercial wireless telecommunication service towers shall be of a monopole design unless the ~~[city council]~~ approving body determines that an alternative design would better blend into the surrounding environment.

(f) *Tower setbacks.* Towers shall conform with each of the following minimum setback requirements.

(4) A tower's setback may be reduced or its location in relation to a public street varied, at the sole discretion of the ~~[city council]~~ approving body, to allow the integration of a tower into an existing or proposed structure such as a church steeple, light standard, power line support device or similar structure.

(r) *Variances.* The following standards apply to variance requests for towers, antennas or wireless telecommunication facilities.

Item J

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(1) The ~~[city council]~~ approving body shall consider the following issues in addition to the variance findings required in § 2.85.04.

(2) The applicant shall pay the reasonable cost of the city retaining a qualified, independent radio frequency engineer to provide a professional opinion to the ~~[city council]~~ approving body if the planning manager or designee determines that an independent radio frequency engineer is needed to assist in consideration of subsections (q)(1)(a) through (q)(1)(g) above.

Passed and adopted this 21st day of December, 2020.

/s/ Tim Busse
Mayor

ATTEST:

/s/ Denise M. Christenson
Secretary to the Council

APPROVED:

/s/ Melissa J. Manderschied
City Attorney

ORDINANCE NO. 2020-52

AN ORDINANCE TO ADD WHERE FILING FEES ARE INCLUDED WITH APPROVAL, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 21

ARTICLE V: ADMINISTRATION AND NONCONFORMITY

DIVISION B: APPLICATION PROCESSES AND FEES

§ 21.502.01 APPLICATION PROCESSES AND FEES.

(11) Any * under the Fee column indicates that \$50 of the fee is intended for recording approval actions with the county and will be refunded if the City Council or Planning Commission denies the application or the application is withdrawn. If the application does not require recording approval actions, the application fee is \$50 less than the stated fee.

(c) *Application processes and fees.*

<i>Application Process</i>	<i>Review and Decision Making Authority</i>					<i>Notice</i>		<i>Fee</i>
	<i>DRC</i>	<i>ST</i>	<i>HE</i>	<i>PC</i>	<i>CC</i>	<i>N</i>	<i>Mail</i>	
Comprehensive Plan text amendment		R		PH	PH DM	N		\$1,660
Comprehensive Plan map amendment		R		PH	PH DM	N	500	\$1,660
Zoning ordinance text amendment		R		PH	PH DM	N		\$1,660
Rezoning (zoning district map amendment)		R		PH	PH DM	N	500	\$1,660
Planned Developments								
Preliminary development plan	R	R		PH	DM	N	500	\$830
Revisions to preliminary development plans	R	R		PH	DM	N	500	\$830
Final development plan	R	R		PH	DM	N	500	\$1,660
Major revisions to final development plans	R	R		PH	DM	N	500	\$830

Minor revisions to final development plans		DM						\$130
Appeal of decision by Planning Manager		R			DM			\$170
Final Site and Building Plans								
Final site and building plans, including revisions – acted upon by the City Council	R	R		PH	DM	N	500	\$660
Final site and building plans, including revisions – acted upon by the Planning Commission	R	R		PH DM		N	500	\$420
Final site and building plans, including revisions – acted upon by the Planning Manager	R	DM						\$130
Appeal of decision by the Planning Manager		R			DM			\$170
Appeal of decision by the Planning Commission (fee applies only if applicant appeals)		R			PH DM	N	500	\$210
Conditional Use Permits (CUPs)								
CUP – acted upon by City Council	R	R		PH	DM	N	500	\$880*
CUP – acted upon by Planning Commission	R	R		PH DM		N	500	\$220*
Appeal of decision by the Planning Commission (fee applies only if applicant appeals)		R			PH DM	N	500	\$210*
Suspension or revocation of CUP		R		PH	PH DM	N	500	No fee
Interim Use Permits (IUPs)								
IUP – acted upon by City Council	R	R		PH	DM	N	500	\$420
IUP – acted upon by Planning Commission	R	R		PH DM		N	500	\$220
IUP – reapplication for succeeding IUP (same use on the same site)	R	R		PH	DM	N	500	\$250
Appeal of decision by the Planning Commission (fee applies only if applicant appeals)		R			PH DM	N	500	\$210
Suspension or revocation of IUP		R		PH	PH DM	N	500	No fee
Variances								

Variance for single- and two-family dwellings	R	R		PH	DM	N	200	\$310*
Variance for other uses	R	R		PH	DM	N	200	\$610*
Administrative variance		R	PH R		DM	N	200	\$220*
Appeal to Planning Commission of administrative variance denial		R		PH	DM	N	200	\$170
Master Sign Plans								
Master sign plans		R		PH	DM	N	500	\$660
Revisions to master sign plans		R		PH	DM	N	500	\$420
Time extension on expiration		DM						\$170
Environmental Reviews								
Environmental assessment worksheet – discretionary		R			DM			No fee
Environmental assessment worksheet – mandatory		R			DM			\$1,660
Environmental impact statement		R			DM			\$6,620
Miscellaneous								
Floodplain permit		DM						\$130
Certification of floodplain zoning compliance		DM						\$95
Change in condition sent directly to City Council		R			PH DM	N	500	\$220*
Change in condition sent directly to Planning Commission		R		PH DM		N	500	\$220_
Change in condition sent to both Planning Commission and City Council		R		PH R	DM	N	500	\$420*
Accessory dwelling unit approval	R	DM						\$120
Appeal of RV permit denial (fee applies only if applicant makes the appeal)		R		R	DM	N	500	\$210
Certificate of appropriateness for historical preservation		R			PH DM			\$170
Moratorium/interim ordinance adoption		R			DM			No fee
Moratorium/interim ordinance extension		R			PH DM	N		No fee
Tent/canopy permit		DM						\$55
Tent/canopy – appeal of permit denial		R			DM			\$100

ORDINANCE NO. 2020-53

AN ORDINANCE TO CLARIFY RECREATIONAL VEHICLES ARE VEHICLES ELIGIBLE FOR LICENSING BY THE STATE OF MINNESOTA, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21

ARTICLE III: DEVELOPMENT STANDARDS

Division A: General Standards

21.301.13 RECREATIONAL VEHICLES.

(b) *Definitions.* The following words and terms used in this section shall have the following meanings unless the context clearly indicates otherwise.

RECREATIONAL VEHICLE.

(1) Any self-propelled vehicle and any vehicle propelled, drawn, towed, or carried by a self-propelled vehicle, and eligible to be licensed as a recreational vehicle by the State of Minnesota, which is designed to be used for temporary living quarters while engaged in recreational or vacation activities, containing at least four of the following life support systems, two of which must be subsections (A), (B), or (C) below:

- (A) Cooking with liquid propane gas supply;
- (B) Portable water supply including sink and faucet;
- (C) Separate 110-125 volt electrical power supply;
- (D) Heating or air conditioning;
- (E) Refrigerator, electric or propane; and
- (F) Toilet, self-contained or connected to a plumbing system; but not including manufactured homes or house trailers as defined in M.S. § 327.31, as it may be amended from time to time;

Passed and adopted this 21st day of December, 2020.

/s/ Tim Busse
Mayor

ATTEST:

APPROVED:

/s/ Denise M. Christenson
Secretary to the Council

/s/ Melissa J. Manderschied
City Attorney