

ORDINANCE NO. O2019-015

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
AMENDING CITY CODE SECTION 151.157 (DESIGN STANDARDS)**

WHEREAS, the City of Shakopee has proposed an amendment to the commercial and multi-family design standards for requirements in City Code Section 151.157 (Design Standards); and

WHEREAS, notices were duly posted, and a public hearing was held before the Planning Commission on November 7, 2019, at which time all persons present were given an opportunity to be heard; and

WHEREAS, the Planning Commission has recommended to the City Council that the proposed zoning text amendment be adopted; and

WHEREAS, the City Council heard the matter at its meeting on November 19, 2019; and

WHEREAS, the following proposed language is proposed to be amended. Language removed is ~~struck through~~ and language to be added is underlined.

§ 151.157 DESIGN STANDARDS.

(A) *Access*. No vehicle shall be allowed to access a lot or parcel of land except at the approved driveway location.

(B) *Turn around area*. Construction of on-site turn around facilities is required for multiple-family, business, and industrial uses in order to eliminate any backing out onto the street.

(C) *Traffic flow*. Driveways shall be designed so that vehicles may enter, circulate, park, and exit parking facilities in a convenient and orderly fashion. The traffic generated by any use shall be channeled and controlled in a manner that will avoid congestion on the streets, traffic hazards, and excessive traffic through residential areas, particularly commercial vehicles.

(D) *Surfacing*. Except for driveways for single-family dwellings within the Agricultural Preservation (AG), Rural Residential (RR), ~~Low Density Residential (R-1A), Urban Residential (R-1B), and Old Shakopee Residential (R-1C) Zones~~, the entire driveway shall be surfaced with asphalt, concrete, or pavers. ~~Driveways leading to parking spaces for only 1 or 2 vehicles, and driveways in excess of 50 feet in length~~ in the Agricultural Preservation (AG) and Rural Residential (RR) Zones, may be surfaced with other material which is dust-free and impervious to penetration by water.

(E) *Curb cuts*. The number and size of driveways intersecting with city streets shall be in accordance with Ch. 90 and as approved by the City Engineer. Driveways onto county roads are regulated by the County Engineer. Driveways onto state and federal highways are regulated by the State Department of Transportation.

(F) *Driveway setback*. Driveways, sidewalks, and patios shall be setback a minimum of 5 feet from any side or rear lot line, and be located outside of city drainage and utility easements unless approved by the City Engineer. ~~except~~ In the Old Shakopee Residential (R-1C) Zone driveways may be setback 3 feet from a side property line if the property was a lot of record prior to May 3, 1977, and there are no underlying easements in the location of the driveway.

(G) *Number of driveways*. A maximum of 1 driveway per 200 feet of frontage shall be allowed for multiple-family, business, and industrial uses.

(H) *Driveway widths*. Driveways widths shall be as approved by the City Engineer.

(I) *Driveway location.* Driveways shall be located outside the sight triangle and as far as possible from any street corner. Driveway locations shall be selected to cause the least interference with the movement of traffic on streets.

(J) *Emergency vehicles.* All driveways shall have a minimum width of 10 feet with a pavement strength capable of supporting emergency vehicles.

(K) *Maximum driveway grade.* No driveway grade shall exceed 10% within 25 feet of the property line, or such other grade as approved by the City Engineer.

(L) *Design Standards.* New driveways, reconstructed driveways, new sidewalks, and new patios on private properties require an approved permit from the Building Department and must meet the following minimum design standards and be placed over a properly prepared subgrade. An approved inspection is required prior to placement of concrete, bituminous, or pavers.

Bituminous Driveways: For residential bituminous driveways, a minimum pavement depth of 3" of bituminous wear course, placed in two 1.5" lifts with a minimum aggregate base depth of 6" of MNDOT Class 5 aggregate. For commercial bituminous driveways, a minimum pavement depth of 4", placed in two 2" lifts with a minimum aggregate base depth of 8" of MNDOT Class 5 aggregate. The aggregate base must extend at least 12" beyond each side of the driveway. Driveways must slope at least 2% to accommodate adequate drainage.

Concrete Driveways and Aprons: For residential concrete driveways, the minimum depth of concrete is 6" with a minimum aggregate base depth of 6" of MNDOT Class 5 aggregate. For commercial driveways the minimum depth of concrete is 8" with a minimum 8" aggregate base of MNDOT Class 5 aggregate. Contraction joints must be placed at intervals of no more than 24 times the depth of the concrete, up to a maximum spacing of 15'. The aggregate base must extend at least 12" beyond each side of the driveway or apron. Driveways must slope at least 2% to accommodate adequate drainage.

Concrete Sidewalks and Patios: In areas where vehicles are intended to cross or drive on a sidewalk or patio, the minimum concrete depth of a sidewalk is 6". For all other sidewalks and patios the minimum concrete depth is 4". The base material must consist of a minimum of 12" of sand or 4" of MNDOT Class 5 aggregate. Contraction joints must be placed at a minimum of 5' intervals. Expansion joints must be placed adjacent to buildings and driveways. The aggregate base must extend at least 6" beyond each side of the sidewalk or patio. Sidewalks and patios must slope at least 2% to accommodate adequate drainage.

Bituminous Trails: A minimum of 3" depth of bituminous wear course placed in two 1.5" lifts with a minimum base depth of 6" of MNDOT Class 5 aggregate. The aggregate base must extend at least 6" on both sides of the trail.

Paver Driveways, Patios, and walkways: The base for paver driveways and patios must follow manufacturer recommendations for the intended application. Manufacturer recommendations must be submitted to the building department for review. Paver thickness and size must be suitable for the intended application, according to the manufacturer.

(2013 Code, § 11.62) (Ord. 377, passed 7-7-1994; Ord. 753 passed 3-30-2006; Ord. 789, passed 1-3-2008) Penalty, see § [151.999](#)

NOW, THEREFORE BE IT ORDAINED, that the City Council of the City of Shakopee hereby adopts the following findings of facts relative to the above-named request:

Criteria #1 *The original zoning ordinance is in error.*

Finding #1 *The original zoning ordinance is in error and does not mention specific minimum design standards for driveways and patios.*

Criteria #2 Significant changes in community goals and policies have taken place.

Finding #2 *Significant changes in community goals and policies have taken place. There is a desire to provide a minimum standard for driveway and patio construction.*

Criteria #3 Significant changes in development patterns have occurred.

Finding #3 *Significant changes in development patterns have not occurred.*

Criteria #4 The Comprehensive Plan requires a different provision.

Finding #4 *The comprehensive plan does not require a different provision.*

BE IT FURTHER ORDAINED, that the proposed zoning text amendment is hereby approved.

Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the _____ day of _____, 2019.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk

Published in the Shakopee Valley News on the _____ day of _____, 2019.

PREPARED BY:
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