

Section 810 - Permits; Sidewalk, Curb and Gutter
Driveways, Driveway Aprons, Parking Lots

810.01. Permits required. No persons shall construct, repair or rebuild any public driveway or driveway apron, private driveway, public sidewalk or carriage walk, curb or gutter over or upon public right-of-way, or a private parking lot for more than three vehicles without first obtaining a permit therefor from the engineer.

810.03. Application for permits. The permit application shall be in writing on a standard form supplied by the City and shall state the following:

- a) the legal description, address, and owner's name of the premises involved;
- b) the exact location, or locations, upon which it is proposed to construct, repair or rebuild any driveway, driveway apron, sidewalk, carriage walk, curb or gutter, or parking lot;
- c) the size in square feet or square yards of such proposed construction, alteration or repair;
- d) the date on which such improvement is proposed to be commenced;
- e) the name and address of contractor who it is proposed will construct, alter or repair, remove or demolish such driveway, driveway apron, sidewalk, carriage walk, curb or gutter, or parking lot.

810.05. Fee. The fee for the permit is set by city council resolution.

810.07. Specifications. Subdivision 1. Materials and design. Curbs or gutters or driveway aprons shall be of concrete construction; sidewalks or carriage walks shall be of concrete or flagstone construction; driveways and parking lots shall be of bituminous or concrete construction or other suitable hard surface impervious material - all in conformity with the specifications for such construction and design approved by the engineer and on file in the engineer's office.

Subd. 2. Driveway restrictions. Only one driveway in the front yard of residential property shall be allowed except as follows:

- a) A horseshoe or loop driveway of no more than two curb cuts in the front yard of such residential property shall be permitted where the owner demonstrates that parked vehicles in said driveway shall not violate front yard setback ordinances, or
- b) Driveways accessing a garage, carport, landing or other parking area which are in conformance with applicable ordinances.

Subd. 3. Parking lot drainage. Parking lots, except those for less than four vehicles, shall be graded according to a drainage plan which has been approved by the city engineer and the governing watershed district. Storm sewers may be required. Parking lots shall be constructed with concrete curb and gutter.

Subd. 4. Definitions:

- a) Driveway. The term means a paved area providing access to either an attached or detached garage, carport or other legal parking area on residential property.
- b) Curb Cut. The term means the driveway area providing access to the property of an owner or occupant extending from a public street to the boundary of the property of said owner or occupant.

Subd. 5. Change in Use. Upon application of an owner or occupant to improve or convert a garage or other legally situated parking area serving residential property to a use inconsistent with the storage of an automobile in those instances where access to the garage or parking area is across the front yard of such residential property, the driveway and its use thereof for parking or storage of vehicles shall cease and be removed as part of the improvement or conversion applied for.

Subd. 6. Non-conforming Uses. Pre-existing non-conforming uses of a driveway described in Subd. 5 shall be removed upon sale of such premises from and after the date of this Ordinance. Improvements to or upon such non-conformance as may be allowed prior to such sale by an owner or occupant shall be by issuance of a permit by the City for such improvements and pursuant to a separate agreement with the City setting forth the specific terms and conditions to accomplish the purpose of this Subdivision 6. The separate agreement with the City shall be recorded with the Hennepin County Recorder or Registrar if Titles.

(Section 810 was amended by ordinance #95-754 and 98-809)