CITY OF MEDICINE LAKE
ORDINANCE NO. 125

AN ORDINANCE CREATING SECTION 1300 OF THE ZONING CODE REGULATING RESIDENTIAL DRIVEWAYS AND OFF STREET PARKING AREA FOR THE CITY OF MEDICINE LAKE

The City of Medicine Lake does ordain:

The following language shall be incorporated into Ordinance 112 Zoning Regulations as Section 1300 Driveway Regulations.

DRIVEWAY REGULATIONS

§ 1300.0   Purpose and Intent

The City of Medicine Lake finds that the design of private driveways can have a significant impact on storm water runoff, community image, and parking within the City. To prevent storm water runoff from negatively affecting adjacent property and to ensure that private parking does not interfere with the public's use of the street right-of-way in a safe manner, the City Council finds it necessary and appropriate to provide standards regulating private driveways that access the public right-of-way.

§ 1300.1   Permit Required.

a) No person shall construct, reconstruct, or expand any driveway access to any city street right-of-way without first obtaining a permit from the City Public Works Superintendent. The City Public Works Superintendent may issue the permit upon review of the application and recommendation by the Zoning Administrator and/or City Engineer and payment of a fee as established by City Council ordinance.

b) A permit shall be issued if the proposed driveway project complies with the standards identified in Section 1300.2. Driveway and Parking Standards. If the standards identified below cannot be met, a variance may be sought pursuant to the standards and procedures found in Section 900 of the Zoning Code. Any driveway project approved should be constructed so as to have minimal impact on adjacent property. Efforts shall be taken to keep all runoff from the driveway project area on the subject property until it can outflow to a public drainageway.

c) A permit is not required for the normal care and maintenance of an existing impervious surface so long as the square footage of the surface is not increased.

§ 1300.2   Driveway and Parking Standards.

a) **Access**. One driveway shall be allowed and required for each residential parcel of land improved with a residence.

b) **Local Street Connection.** Each driveway shall abut a local street unless otherwise permitted by the Zoning Administrator in the case of a written shared driveway agreement between the owners of the properties sharing the driveway.

c) **Driveway Width.** Driveways shall have a maximum width of 20 feet at the property line/right of way line and for a distance of 10 feet from the property line.

d) **Placement Standards and Setbacks**. Driveways and parking areas shall meet accessory structure setbacks for side yard setbacks. Parking areas shall be setback a minimum of 10 feet from the street side property line (see section 1200 Off Street Parking Requirements). No driveways or parking areas shall be placed within bluff and shore impact zones.

e) **Materials.** All residential driveways shall connect to a garage or other parking area on the lot and the entire length shall be paved from the property line/public right of way to the garage or parking area with asphalt, concrete or pavers of a similar hard surface.

§ 1300.3   Exceptions.

Any driveway existing at the time of adoption of this ordinance is considered a legally non-conforming driveway. Improvements to, or reconstruction of legally non-conforming driveways are exempt from the standards listed in section 1300.2 provided they do not increase the degree of non-conformity.

§ 1300.4   Effective Date

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minnesota Statute, Section 412.191, Subdivision 4, as it may be amended from time to time, which meets the requirements of Minnesota Statute Section 331A.01, Subdivision 10, as it may be amended from time to time.

Adopted by the City Council of Medicine Lake this 6th day of November, 2019.

Scott Marks, Mayor
ATTEST: Nancy Pauly, City Clerk