

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

ORDINANCE NUMBER 448

AN AMENDMENT TO PERMITTED PARKING SURFACES IN RESIDENTIAL ZONE

WHEREAS, the Foley City Council administers zoning within the City of Foley (the “City”);

WHEREAS, the Council may regulate land use as part of the City’s zoning authority;

NOW, THEREFORE, pursuant to Minnesota Statutes § 462.35, the Foley City Council hereby ordains:

The zoning ordinance shall be revised as follows (insertion depicted with underline and deletion depicted with ~~strikethrough~~):

Section 1. Section 7 Subdivision 3: 2. is amended as:

Hard Surface Required. All off-street parking areas, including parking lots and driveways, must be constructed of concrete, blacktop, or a similar hard, durable and dust-free surface which must be designed to properly drain surface water and prevent water drainage onto adjacent properties or walkways. Gravel and crushed granite type surfaces are specifically prohibited. Crushed granite is allowed as an alternative to hard surface within the side yard and back yard of residential zoned property as well as in noncustomer areas (excluding ingress and egress) of the Industrial Park District only which includes the area south of Highway 23 until the Burlington Railroad bed and west of Highway 25 within the city limits.

Section 2. Section 1030:04. G. is amended as follows:

Parking Surface. A hard surfaced driveway, or surface area constructed of concrete, blacktop (asphalt) or a similar hard, durable, and dust-free permanent surface designed to properly drain surface water and prevent water drainage onto adjacent properties or walkways as regulated in the City of Foley Zoning Ordinance #319. ~~Gravel and crushed granite type surfaces are specifically prohibited in residentially zoned districts.~~ Crushed granite or similar dust-free aggregate are only allowed as provided in Section 1030:12. G; gravel is prohibited.

- 1.) A Parking Surface for parking or storage shall be located no closer than five (5) feet to a side lot line, or the required side yard setback, whichever is less.

Section 3. Section 1030:04. Q. is amended as follows:

Q. Gravel. Gravel shall mean crushed limestone or other non-granite aggregate containing fine materials often referred to as “Class 5 Gravel,” “Class 2 Buff Limestone,” “Class 2 Red Limestone,” or other typical road base materials.

Section 4. Section 1030:12 G. is amended as follows (insert delete):

Subdivision 3. All Vehicles in the side yard shall be parked or stored on a Parking Surface as defined by this Ordinance. Parking Surfaces in the side yard may include crushed granite or similar dust-free aggregate not to exceed an aggregate size of 1 ½ inch in diameter; gravel is prohibited. If parking surface is made of crushed granite or similar dust-free aggregate, only as allowed by Section 1030:12, the area must also be contained by a barrier and underlain with a fabric or plastic barrier to prevent weed or grass growth through the aggregate area.

Subdivision 4. Vehicles parked within a back yard shall comply with rear and side yard setback requirements applicable to accessory structures and all other applicable ordinances. Parking Surfaces in the back yard may include crushed granite or similar dust-free aggregate; gravel is prohibited. If parking surface is made of crushed granite or similar dust-free aggregate, only as allowed by Section 1030:12, the area must also be contained by a barrier and underlain with a fabric or plastic barrier to prevent weed or grass growth through the aggregate area. Utility trailers parked in the back yard may be parked on unsurfaced areas in lieu of a Parking Surface.

Section 5. Summary Publication.

At least four-fifths of the City Council’s members direct the Administrator to publish only the title and a summary of this Ordinance as follows:

“AN AMENDMENT TO PERMITTED PARKING SURFACES IN RESIDENTIAL ZONE. It is the intent and effect of this Ordinance to allow crushed granite as a permitted parking surface in certain residential areas.”

A printed copy of the ordinance is available for inspection by any person during regular office hours at City Hall.

Adopted this 7th day of April, 2020

Gerard Bettendorf, Mayor

ATTEST:

Sarah Brunn, Administrator