



**New Brighton Public Safety Commission  
Agenda  
Upper Level | Conference Room  
New Brighton City Hall 803 Old Hwy 8 NW, New Brighton , MN  
6:30 PM May 12, 2025**

Members of the Public Safety Commission will attend the meeting in person unless eligible to attend remotely per MN Stat. 13D.02.

To participate in this meeting, members of the public may:

- **Attend the meeting in person.**
  
- **Watch the meeting electronically.** Tune into CTV Channel 8023 (CenturyLink) or Channel 16 (Comcast). To observe the meeting as a livestream or a webcast, visit [www.newbrightonmn.gov](http://www.newbrightonmn.gov) and click on “I Want To View a Public Meeting.”

**I. Call to Order**

**II. Roll Call**

Commissioner Duncan Potter  
Vice Chair Mark Jansen  
Commissioner Kena Abdissa  
Commissioner Liza Allen

Commissioner Kevin Dostal Dauer  
Commissioner Tom Harkins  
Commissioner Adam Stout  
Commissioner Roberto Valdizan

**III. Approval of Agenda**

**IV. Approval of Past Minutes**

- A. 04.14.2025 Public Safety Commission Minutes

**V. Presentations and Business Items**

- A. Automated License Plate Readers (ALPR) Policy
- B. Parking Ordinance Review

**VI. Reports and Updates**

- A. March Police Stats

- B. 2025 Use of Force - March and YTD
- C. Preliminary Crime Stat Numbers - April 2025
- D. April Fire Stats and YTD

**VII. Adjournment**



**MINUTES**  
**Public Safety Commission**  
**April 14, 2025 City Hall**  
**Council Chambers 6:30 p.m.**

**I. Call to Order**

The meeting was called to order at 6:30 p.m.

**II. Roll Call:**

Members Present: Commissioners Liza Allen, Kevin Dostal Dauer, Tom Harkins, Mark Jansen, Duncan Potter and Roberto Valdizan.

Members Absent: Commissioners Kena Abdissa and Adam Stout.

Also Present: Director Tony Paetznick, Sergeant Matt Farmer, Community Engagement Officer Austin Sonterre, and Council Member Jeanne Frischman.

**III. Approval of Agenda**

Motion by Allen, seconded by Dostal Dauer to approve the April 14, 2025 agenda as presented. Motion carried 6-0.

**IV. Approval of Minutes**

Motion by Dostal Dauer, seconded by Jansen to approve the March 10, 2025 minutes as presented. Motion carried 6-0.

**V. Presentations and Business Items**

**A. Introduction of New Commissioner – Tony Paetznick, Public Safety Director**

Director Paetznick introduced the new Commissioner to the group.

**B. Automatic License Plate Recognition (ALPR)**

Sergeant Matt Farmer and Community Engagement Officer Austin Sonterre provided the Commission with a presentation on the implementation of a Flock Safety Automatic License Plate Recognition (ALPR) system. Sergeant Farmer described how this new technology assisted officers with capturing the objective, indiscriminate information from vehicles throughout the community, and would be a force multiplier for the department. He discussed how the technology would assist with reducing crime and closing cases, while also providing shared data across other agencies in the metro area. He reviewed the other agencies in the

north metro that were using Flock. He commented on the data retention policies that would have to be followed by the department if a Flock system were put in place. Further information was provided on how the Flock system has been utilized by other departments to solve missing persons, hit and run and stolen vehicle crimes.

Discussion included:

- The Commission questioned why the data had to be destroyed after 30 days when State Statute allowed for data to be stored for 60 days. Staff explained Flock believed within 30 days the department should be able to determine if a suspect can be found. In addition, the 30 days addresses stored data fears.
- Staff spoke to the benefit of moving forward with a Flock system given how surrounding communities were already utilizing this technology.
- The Commission asked if the department was considering a mobile camera. Staff stated they would like to have one mobile camera for use by the department.
- Further discussion ensued regarding how the department will address privacy concerns. It was noted the Flock data would require a yearly audit, as was done with body cam footage.
- The Commission questioned how many cameras the City would need. Staff explained costs were being considered, along with the number of entry points in/out of the community.
- Staff provided further information regarding the cost to use the Flock system.
- It was noted a public/private partnership could be pursued for business or apartment complexes that would like to have their own private Flock cameras.
- Staff commented on the amount of time that would be saved noting having to go through Ring camera data if a Flock system were in place.
- Staff described how the fingerprint technology would assist officers with locating a vehicle based on specific characteristics.
- Staff commented on grant funding that was available through the BCA for this type of system.
- The Commission questioned what the initial ask would be for the number of cameras. Sergeant Farmer stated he would like to have five to ten cameras in the City plus one mobile camera.
- The Commission thanked staff for the detailed presentation on this topic.

### **C. 2025-2026 Work Plan**

Director Paetznick provided a presentation on the 2025-2026 work plan, reviewing the topics of interest and asked for comments or feedback from the Commission. He discussed the new system that was in place called CivicPlus that was being used to populate Commission and City Council agendas.

Discussion included:

- The Commission requested an update on the Ramsey County Appropriate Response Initiative.
- The Commission wanted to learn more about the hot spots and potential hot spots in the community.
- The Commission asked that a presentation be made on cannabis and how this use will potentially impact the community.

## **VI. Reports and Updates**

### **A. City Council Update – Jeanne Frischman, Councilmember**

Councilmember Frischman provided the Commission with an update from the City Council. She thanked the Commission members for their service to the community. She explained she was excited to be serving as the liaison to the Public Safety Commission. She noted her husband was an on-call firefighter in the community. She commented on the strategic priority session the Council held in February with staff and reviewed the draft priorities for the City.

### **B. Public Safety Update – Director Paetznick**

Director Paetznick explained it was National Public Safety Telecommunicators Week this week. He thanked all of the dispatchers that worked diligently to serve this community. He reported the department has added three new officers and the department was now at full strength. He commented the department was also working to fill the civilian public safety officer vacancies. He noted the City Council would be recognizing the retirement of Kip Lamothe. He stated the Public Safety hired their own IT technician who started with the department on March 19.

Further discussion ensued regarding the Flock camera system and it was noted there was support for this system moving forward.

## **VII. Adjournment**

Motion by Allen, seconded by Harkins to adjourn the meeting at 7:57 p.m. Motion carried 6-0.

Respectfully submitted,



Tony Paetznick  
Director of Public Safety



<b>Agenda Section:</b>	<b>Presentations and Business Items</b>
<b>Report Date:</b>	<b>04/28/2025</b>
<b>Meeting Date:</b>	<b>May 12, 2025</b>

**REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY**

**ITEM DESCRIPTION: Automated License Plate Readers (ALPR) Policy**

<b>Action Requested:</b>	
Public Hearing	<b>Motion X</b>
<b>Discussion X</b>	Informational
<b>Form of Action:</b>	
Resolution	Ordinance
Contract/Agreement	N/A or <b>Other X</b>
<b>Votes Needed:</b>	
3 Votes	<b>4 Votes</b>
5 Votes	N/A

<b>Summary Statement:</b>	Commissioners are tasked with reviewing the proposed updated draft of the ALPR policy from the NBDPS Law Enforcement policy manual.
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<b>Recommendations:</b>	Following review and any discussion on the draft document, Commissioners are asked to formally vote on adopting the proposed policy language.
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<b>Applicable Deadlines:</b>	
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<b>Community Impact:</b>	
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<b>Legislative History:</b>	Commissioners were introduced to the proposed implementation of ALPR technologies at their April 14, 2025 meeting.
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<b>Strategic Priority:</b>	Financial Sustainability	Staff Capabilities
	Economic Development	Community Engagement & Belonging
	City Assets	<b>Operational Effectiveness X</b>
		N/A

<b>Fiscal Impact:</b>	<b>Financial Impact: Is there a financial consideration?</b>		No	Yes \$ TBD
	<b>Financing Sources:</b>	Budgeted	Budget Modification	
	New Revenue	Use of Reserves	<b>Other grant money and/or State Public Safety Aid</b>	

## Automated License Plate Readers (ALPR)

### 424.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology (Minn. Stat. § 626.8472).

### 424.2 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the New Brighton Department of Public Safety to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Deputy Director. The Deputy Director will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

### 424.3 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

- (a) An ALPR shall only be used for official law enforcement business.
- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not necessary before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access confidential department, state or federal data unless authorized to do so.
- (f) If practicable, the officer should verify an ALPR response through the Minnesota Justice Information Services (MNJIS) and National Law Enforcement Telecommunications System (NLETS) databases before taking enforcement action that is based solely upon an ALPR alert.

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#### *Automated License Plate Readers (ALPR)*

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##### 424.3.1 RESTRICTIONS, NOTIFICATIONS AND AUDITS

The New Brighton Department of Public Safety will observe the following guidelines regarding ALPR use (Minn. Stat. § 13.824):

- (a) Data collected by an ALPR will be limited to:
  - 1. License plate numbers.
  - 2. Date, time and location of data captured.
  - 3. Pictures of license plates, vehicles and areas surrounding the vehicle captured.
- (b) ALPR data may only be matched with the Minnesota license plate data file, unless additional sources are needed for an active criminal investigation.
- (c) ALPRs shall not be used to monitor or track an individual unless done so under a search warrant or because of exigent circumstances.
- (d) The Bureau of Criminal Apprehension shall be notified within 10 days of any installation or use and of any fixed location of an ALPR.

##### **424.4 DATA COLLECTION AND RETENTION**

The Deputy Director is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from ALPR cameras to the designated storage in accordance with department procedures.

ALPR data received from another agency shall be maintained securely and released in the same manner as ALPR data collected by this department (Minn. Stat. § 13.824).

ALPR data not related to an active criminal investigation must be destroyed no later than 60 days from the date of collection with the following exceptions (Minn. Stat. § 13.824):

- (a) Exculpatory evidence - Data must be retained until a criminal matter is resolved if a written request is made from a person who is the subject of a criminal investigation asserting that ALPR data may be used as exculpatory evidence.
- (b) Safe at Home Program - Data related to a participant of the Safe at Home Program must be destroyed upon the written request of the participant. ALPR data already collected at the time of the request shall be destroyed and future related ALPR data must be destroyed at the time of collection. Destruction can be deferred if it relates to an active criminal investigation.

All other ALPR data should be retained in accordance with the established records retention schedule.

##### 424.4.1 LOG OF USE

A public log of ALPR use will be maintained that includes (Minn. Stat. § 13.824):

- (a) Specific times of day that the ALPR collected data.
- (b) The aggregate number of vehicles or license plates on which data are collected for each period of active use and a list of all state and federal public databases with which the data were compared.

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- (c) For each period of active use, the number of vehicles or license plates related to:
  - 1. A vehicle or license plate that has been stolen.
  - 2. A warrant for the arrest of the owner of the vehicle.
  - 3. An owner with a suspended or revoked driver's license or similar category.
  - 4. Active investigative data.
- (d) For an ALPR at a stationary or fixed location, the location at which the ALPR actively collected data and is installed and used.

A publicly accessible list of the current and previous locations, including dates at those locations, of any fixed ALPR or other surveillance devices with ALPR capability shall be maintained. The list may be kept from the public if the data is security information as provided in Minn. Stat. § 13.37, Subd. 2.

#### **424.5 ACCOUNTABILITY**

All saved data will be closely safeguarded and protected by both procedural and technological means. The New Brighton Department of Public Safety will observe the following safeguards regarding access to and use of stored data (Minn. Stat. § 13.824; Minn. Stat. § 13.05):

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (c) Biennial audits and reports shall be completed pursuant to Minn. Stat. § 13.824, Subd. 6.
- (d) Breaches of personal data are addressed as set forth in the Protected Information Policy (Minn. Stat. § 13.055).
- (e) All queries and responses, and all actions, in which data are entered, updated, accessed, shared or disseminated, must be recorded in a data audit trail.
- (f) Any member who violates Minn. Stat. § 13.09 through the unauthorized acquisition or use of ALPR data will face discipline and possible criminal prosecution (Minn. Stat. § 626.8472).

#### **424.6 POLICY**

The policy of the New Brighton Department of Public Safety is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

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#### *Automated License Plate Readers (ALPR)*

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All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

#### **424.7 RELEASING ALPR DATA**

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures (Minn. Stat. § 13.824):

- (a) The agency makes a written request for the ALPR data that includes:
  - 1. The name of the agency.
  - 2. The name of the person requesting.
  - 3. The intended purpose of obtaining the information.
  - 4. Agreement to adhere to Minn. Stat. § 13.824.
  - 5. A statement that the request is authorized by the head of the requesting law enforcement agency or his/her designee.
- (b) The request is reviewed by the Deputy Director or the authorized designee and approved before the request is fulfilled.
- (c) The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy.



<b>Agenda Section:</b>	<b>Presentations and Business Items</b>
<b>Report Date:</b>	<b>05/07/2025</b>
<b>Meeting Date:</b>	<b>May 12, 2025</b>

**REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY**

**ITEM DESCRIPTION: Parking Ordinance Review**

<b>Action Requested:</b>	
Public Hearing	Motion
<b>Discussion X</b>	<b>Informational X</b>
<b>Form of Action:</b>	
Resolution	Ordinance
Contract/Agreement	<b>N/A</b> or Other
<b>Votes Needed:</b>	
3 Votes	4 Votes
5 Votes	<b>N/A</b>

<b>Summary Statement:</b>	The Public Safety Commission has been tasked with reviewing the current parking ordinance and, along with staff guidance from both Public Safety and the Department of Community Assets and Development (DCAD), making any recommended changes or updates to the existing City Code.
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<b>Recommendations:</b>	After reading the parking ordinance as it relates to prohibitions and enforcement, and the zoning code regarding parking regulations for property development, Commissioners are asked to provide input on
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	what additional background materials or further information they might need for their decision-making and recommendation(s). These might include complaint history, parking citation data, operational purpose of regulations (i.e., snowplowing, emergency vehicle access, etc.), comparison of other municipalities' regulations, neighborhood or demographic issues, or other considerations.
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<b>Applicable Deadlines:</b>	The City Council has scheduled a Work Session to discuss this topic on Tuesday, July 8, 2025.
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<b>Community Impact:</b>	
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<b>Legislative History:</b>	The Commission last reviewed the parking ordinance in June 2012.
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<b>Strategic Priority:</b>	Financial Sustainability	Staff Capabilities
	Economic Development	Community Engagement & Belonging
	City Assets	Operational Effectiveness
		N/A

<b>Fiscal Impact:</b>	<b>Financial Impact: Is there a financial consideration?</b>		No	Yes \$
	<b>Financing Sources:</b>	Budgeted	Budget Modification	
	New Revenue	Use of Reserves	Other	

## *DIVISION 1. GENERALLY*

### **Sec. 36-84. No parking places.**

In addition to M.S.A. § 169.34, at all times it shall be unlawful to permit a vehicle to park in any of the places cited in this section except when necessary to avoid conflict with other traffic or in compliance with the directions of an officer of the public safety department or a traffic control device:

- (1) Between a safety zone and the adjacent curb or within 30 feet of a point of the curb immediately opposite the end of a safety zone.
- (2) Within 30 feet of any intersection or crosswalk.
- (3) At any place where the parking of a vehicle would reduce the useable width of the roadway for moving traffic to less than 18 feet.
- (4) Within 15 feet of a fire hydrant.
- (5) At any place where the vehicle would block the use of a driveway.
- (6) On any parkway.
- (7) At any place where official signs prohibit parking.
- (8) On a sidewalk or that portion of the street right-of-way known as a boulevard lying between the roadway and the private property line.

(Code 1964; Code 1988; Code 2001, § 29-16; Ord. No. 223, 2-23-1967; Ord. No. 383, 1-25-1977; Ord. No. 412, 2-23-1978; altered in 2024 recodification)

State law reference(s)—Similar provisions, M.S.A. § 169.34.

### **Sec. 36-85. Parking at the curb.**

The terms of this section shall apply to parking a vehicle on the street.

- (1) No vehicle shall be parked with the left side of the vehicle next to the curb except on a one-way street.
- (2) Vehicles shall be parked parallel to the curb and with the two right wheels of the vehicle within 12 inches of the regularly established curbline except that upon those streets that have been marked for angle parking.
- (3) When marked for angle parking, the vehicle shall be parked at the angle to the curb indicated by the marks.

(Code 1966; Code 1988; Code 2001, § 29-17; Ord. No. 223, 2-23-1967)

State law reference(s)—Parking limitations, M.S.A. § 169.35.

### **Sec. 36-86. Vehicles for sale.**

No vehicle shall be parked upon any street for the purpose of displaying it for sale or to peddle merchandise.

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(Code 1966; Code 1988; Code 2001, § 29-18; Ord. No. 223, 2-14-1967)

**Sec. 36-87. Loading zone.**

The conditions of this section shall apply to any marked loading zone that has been established by resolution.

- (1) No driver of a passenger vehicle shall park the vehicle for a period of time longer than is necessary for the loading or unloading of passengers. The parking period shall not exceed three minutes.
- (2) No driver of any freight carrying vehicle shall park the vehicle for a period of time longer than is necessary to load, unload, and deliver materials. The parking period shall not exceed 30 minutes.
- (3) At any place not to exceed 75 feet along the curb before the entrance to a hospital or hotel at any time.
- (4) At any place not to exceed 75 feet along the curb before the entrance to a public building between 8:00 a.m. and 6:00 p.m., except on Sunday.

(Code 1966; Code 1988; Code 2001, § 29-19; Ord. No. 223, 2-14-1967)

**Sec. 36-88. Parking limits at night.**

No vehicle shall be parked or allowed to stand unattended on any street or roadway for longer than 30 minutes between the hours of 2:00 a.m. and 5:00 a.m. except a physician on an emergency call.

(Code 1966; Code 1988; Code 2001, § 29-20; Ord. No. 223, 2-14-1967; Ord. No. 535, 12-10-1985)

**Sec. 36-89. Limited day and evening parking.**

No vehicle shall be parked or allowed to stand unattended on any street or roadway for longer than six hours between the hours of 5:00 a.m. and 2:00 a.m. of the next day unless posted otherwise.

(Code 1966; Code 1988; Code 2001, § 29-21; Ord. No. 223, 2-14-1967; Ord. No. 535, 12-10-1985)

**Sec. 36-90. Alleys.**

No person shall park a vehicle within any alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic. No person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

(Code 1966; Code 1988; Code 2001, § 29-22; Ord. No. 223, 2-14-1967)

**Sec. 36-91. Time limit parking.**

Except on Sundays or holidays, no person shall park a vehicle for a longer consecutive period of time than that posted between the hours of 8:00 a.m. to 6:00 p.m. in an area designated as a limited parking area and so marked.

(Code 1966; Code 1988; Code 2001, § 29-23; Ord. No. 223, 2-14-1967)

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**Sec. 36-92. Parking motor vehicles on private property.**

No person shall park a motor vehicle on any private property without the consent of the property owner.  
(Code 1966; Code 1988; Code 2001, § 29-24; Ord. No. 223, 2-14-1967)

**Sec. 36-93. Parking motor vehicles on public property.**

No person shall park a motor vehicle on public property other than streets and alleys except in areas posted and designated as parking areas.  
(Code 1966; Code 1988; Code 2001, § 29-25; Ord. No. 223, 2-14-1967; Ord. No. 412, 2-23-1978)

**Sec. 36-94. Temporary emergency actions.**

- (a) The city may temporarily prohibit or limit vehicular parking or traffic upon any public street to provide for maintenance or the making of improvements to the streets or when necessary for public safety.
- (b) Any person parking or driving a vehicle on a public street after it has been posted with signs prohibiting traffic or parking pursuant to subsection (a) of this section shall be guilty of a misdemeanor.

(Code 1966; Code 1988; Code 2001, § 29-26; Ord. No. 223, 2-14-1967; Ord. No. 535, 12-10-1985)

**Sec. 36-95. Emergency vehicles excepted.**

None of the provisions of this article shall apply to emergency vehicles parking while on official duty.  
(Code 1966; Code 1988; Code 2001, § 29-27; Ord. No. 223, 2-14-1967)

**Sec. 36-96. Signs.**

The city shall cause signs to be posted in all areas covered and defined in this article indicating the parking area where parking is limited, prohibited, or permitted.  
(Code 1966; Code 1988; Code 2001, § 29-28; Ord. No. 223, 2-14-1967)

**Sec. 36-97. Designation of areas.**

The areas included under this article shall be designated from time to time by resolution.  
(Code 1966; Code 1988; Code 2001, § 29-29; Ord. No. 223, 2-14-1967)

**Sec. 36-98. Impoundment.**

- (a) Under the conditions prescribed in this section, the public safety department is authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety or storage.
  - (1) When any vehicle is left unattended upon any bridge, viaduct, causeway, freeway, or in any moving traffic lane of any highway so as to constitute an obstruction to traffic.

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- (2) When any vehicle upon a street or highway is disabled so as to constitute an obstruction to traffic, or the person in charge of the vehicle is, by reason of physical injury, alcohol, narcotics or personal illness, incapacitated to such an extent as to be unable to provide for its custody or removal.
  - (3) When any vehicle is permitted to remain on any public street or highway in the same location for more than 48 hours in succession.
  - (4) When any vehicle is left unattended in any posted fire lane.
- (b) The public safety department shall provide prompt written notice to the owner of the vehicle that the removal has taken place.
- (1) The notice shall advise the owner as to the location of the garage or storage place where the vehicle has been taken.
  - (2) The registration records for the vehicle shall be used to obtain ownership information.
  - (3) In the event that the vehicle is stored in a public garage or other public place of safety or storage, a copy of the notice shall be given to the proprietor of the place.
- (c) A removal report shall be provided to the registrar of motor vehicles of the state when the department is unable to notify the owner and the vehicle remains unclaimed after five days.
- (1) The report shall include a complete description of the vehicle, the date, time, and place from which the vehicle was removed, the reasons for the removal, and the name of the place where the vehicle is stored.
  - (2) A copy of the report shall be given to the proprietor of the place where the vehicle is stored.
- (d) The reasonable costs of impounding and storage of a vehicle shall be paid before the vehicle is returned to the owner.
- (e) A surcharge shall be assessed by the city for impounding services. The surcharge shall be collected before the vehicle is returned to the owner.
- (f) The fees required by this section shall be determined by resolution of the city council.

(Code 1966; Code 1988; Code 2001, § 29-30; Ord. No. 223, 2-14-1967; Ord. No. 535, 12-10-1985; Ord. No. 556, 12-8-1987)

### **Sec. 36-99. Keys in ignition.**

No person shall leave the key to the ignition in the ignition switch or other conspicuous place within a motor vehicle while the motor vehicle is parked and unattended. Whenever any employee of the public safety department shall find any motor vehicle parked in violation of this section, the officer shall be authorized and directed to remove the keys.

(Code 1966; Code 1988; Code 2001, § 29-31; Ord. No. 223, 2-14-1967; Ord. No. 535, 12-10-1985)

### **Sec. 36-100. No parking after snowfall.**

No person shall park or leave standing any vehicle on any street or roadway after a snowfall of at least three inches. Parking may be resumed on the streets or roadways after the snow has been removed or plowed to the curbline.

(Code 1966; Code 1988; Code 2001, § 29-32; Ord. No. 249, 2-11-1969; Ord. No. 535, 12-10-1985)

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**Sec. 36-101. Prima facie evidence.**

The operation, use, or parking of a motor vehicle in violation of the provisions of this article shall be prima facie evidence that the motor vehicle was at the time of such violation, controlled, operated, and used by the owner thereof.

(Code 1988; Code 2001, § 29-33; Ord. No. 535, 12-10-1985)

**Sec. 36-102. Large vehicle on-street parking.**

- (a) Within any residential or mixed-use zoning district (including across a street or ally from any residential or mixed-use district), no vehicle or hitched or unhitched combination, with or without load, which weighs more than 10,000 pounds or is registered for a gross weight of more than 12,000 pounds, nor any commercial vehicle or commercial passenger vehicle, shall be permitted to stop, stand, or park on any street unless one of the following conditions is met:
  - (1) Such vehicle is actually and expeditiously engaged in the loading or unloading of passengers or materials from the vehicle; or
  - (2) Such vehicle is stopped, parked, or standing in compliance with specially posted signals or signs regulating the weight of a vehicle or combination, or at the directions of an authorized traffic control agent or police officer.
- (b) Within all zoning districts, no vehicle or hitched or unhitched combination, with or without load, which weighs more than 26,000 pounds or is registered for a gross weight of more than 26,000 pounds shall be permitted to stop, stand, or park on any street unless one of the following conditions is met:
  - (1) Such vehicle is actually and expeditiously engaged in the loading or unloading of passengers or materials from the vehicle; or
  - (2) Such vehicle is stopped, parked. or standing in compliance with specially posted signals or signs regulating the weight of a vehicle or combination, or at the directions of an authorized traffic control agent or police officer.
- (c) If any vehicle or hitched or unhitched combination is stopped, standing, or parked in violation of the terms of this section, either the driver or the owner of the vehicle or combination, or for a leased vehicle or combination, the driver, lessor or lessee of the vehicle or combination, is guilty of the violation and is subject to the penalty as provided by subsection (d) of this section.
  - (1) No person may be penalized if another person is penalized, convicted for, or pleads guilty to the violation, or if the vehicle or combination was stolen at the time of the violation.
  - (2) This section does not apply to a lessor of a motor vehicle if the lessor keeps a record of the name and address of the lessee.
  - (3) If proven by a preponderance of the evidence, it is an affirmative defense to a violation of this section if the vehicle or hitched or unhitched combination was actually and expeditiously engaged in the providing of bona fide services at the location where parked during the date and time specified in the charging document.
- (d) Any violation of the terms of this section shall be subject to a fine of \$150.00 from January 1, 2024, until December 31, 2024, and \$250.00 thereafter.

(Ord. No. 875, § 1, 5-26-2020; Ord. No. 901, § 1, 7-11-2023; altered in 2024 recodification)

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**Secs. 36-103—36-132. Reserved.**

ORDINANCE NO. 909

STATE OF MINNESOTA  
COUNTY OF RAMSEY  
CITY OF NEW BRIGHTON

**AN ORDINANCE AMENDING THE NEW BRIGHTON ZONING  
CODE TO UPDATE PARKING REGULATIONS**

THE CITY OF NEW BRIGHTON ORDAINS:

**SECTION 1.** Chapter 11 of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows.

The existing Article 1 is deleted in its entirety and is replaced with the following language:

**Article 1. General Conditions, §§ 11-010–11-050**

**Article 1. General Conditions**

**Sec. 11-010. General Requirements.**

- (1) ***Application.*** Off-street parking and loading regulations shall apply to all buildings and land uses established after <the effective date of this ordinance>.
  - A. At the time a property is redeveloped where cumulatively half the property area or more is altered, or whenever an existing parking lot is expanded, the developer and/or property owner shall work with the Department of Community Assets and Development to bring all parking and loading areas into conformance with the regulations of this Chapter as much as possible.
  - B. In the event a property owner is expanding parking through reconfiguration of existing parking areas or is taking actions to decrease an existing nonconformity, regulations from this chapter may be waived, subject to review and approval of the Department of Community Assets and Development.
  - C. Any change in use that requires more parking under this Chapter may only be undertaken if the property owner or developer provides additional spaces to meet parking requirements for the new use.

- (2) **Purpose.** Off-street parking and loading regulations are established to protect the health, safety, and welfare of residents and visitors. Furthermore, the standards of this Chapter promote beneficial and sustainable systems to:
- A. Improve and promote safe, attractive, and efficient parking areas;
  - B. Improve drainage flow and infiltration opportunities to reduce non-point source pollutants, including chlorides;
  - C. Reduce heat-island effects at the local scale;
  - D. Promote alternative modes of transportation and connectivity to local and regional trail systems (transit, ride-share, bicycle/scooter, etc.);
  - E. Increase availability of electric vehicle charging stations and proximity to facility entrances;
  - F. Provide surmountable curb for wildlife migration and improved lighting that complies with dark-sky guidelines
  - G. Improves accessibility and safety through improved line-of-sight and reduced issues due to winter freeze-thaw events
- (3) **Required Plan.** Except for single- and two-family residences, all applications for a building permit or for a certificate of occupancy (CO) shall include a site plan drawn to scale indicating the location of all off-street parking and loading spaces serving the property. Approval of the building permit or CO is subject to available parking being in compliance with this Chapter.
- (4) **Use of Parking or Loading Space.** Unless otherwise permitted by the City, required parking or loading spaces shall not be used for alternative purposes including but not limited to: the storage of goods or trash disposal containers, storage of inoperable vehicles, or the parking of vehicles for sale or lease. Up to 15% of parking spaces in parking areas may be used for snow storage during winter conditions.
- (5) **Location of Parking.** Except as provided elsewhere in this ordinance, required off-street parking spaces shall be provided on the same lot as the principal building. Additionally:
- A. The location of parking in Mixed Use zoning districts shall be in accordance with the provisions of Section 6-530.
  - B. Structured parking shall be placed to minimize impacts on surrounding development and be designed to be compatible – in terms of form, materials, and architectural style – with adjacent development.
  - C. Parking lots are discouraged from locating withing floodplain and flood-prone areas.
- (6) **Buffers and screens.** Off-street parking for single- and two-family residences shall not be required to be screened. Off-street parking areas of four or more spaces and loading areas on properties shall be regulated by the following provisions:
- A. Where a surface parking lot directly abuts a street or public space, a minimum five-foot wide landscape buffer shall be adorned with groundcover plantings and trees located a minimum of thirty (30) feet on center.

- B. In mixed use areas, the required landscape buffer shall also contain a continuous row of shrubs capable of growing to at least four (4) feet tall within 2 years, or a combination of other features (i.e. opaque wall, landscape berm, and smaller shrubs) to achieve the same effect. Walls, if proposed, must be constructed with materials that are compatible with the primary building and are subject to approval by the Department of Community Assets and Development.
- C. Screening shall be setback from parking areas and pedestrian pathways to not create winter shade on saltable surfaces. Deciduous trees shall be exempt from this requirement.

(7) **Landscaping and Vegetation.** Vegetation may be used for natural filtration as part of a site's drainage system where drainage patterns align to flow towards these areas prior to stormwater runoff reaching surface water resources.

A. General Requirements:

- 1. Trees planted on the south side or within parking areas shall be deciduous to improve sunlight reaching paved areas during winter months in order to improve surface melting.
  - 2. Landscaping or plantings shall consist of native vegetation species and not require the use of pesticides, herbicides, insecticides or other, plant treatments, especially neonicotinoids.
- B. Landscaped parking lot islands shall be a minimum of (nine) 9 feet wide and long enough to protect adjacent parking spaces shall be required at the beginning and end of each parking row to break up longer rows. This requirement may be waived if the parking lot design achieves all of the following:
- 1. Consolidates landscape and stormwater management areas into large medians,
  - 2. Demonstrates adequate traffic calming,
  - 3. Implements design techniques for using less salt in winter conditions (Section 11-020 (13), and
  - 4. Medians can function as adequate snow storage as part of a snow storage plan.
- C. Parking spaces and rows shall be organized to provide consolidated landscaped areas and on-site stormwater management.

(8) **Lighting.**

A. Maximum site illumination shall be regulated as follows:

- 1. Site illumination shall not exceed .5 foot-candles at ground level when measured at an adjoining residential property in residential areas and 2.0 footcandles in non-residential areas.
- 2. Lighting on the site and building shall be full cut-off directional lighting directed downward, and installed so as to prevent direct light from being detectable at the lot line of the site on which the light source is located.
- 3. The site plan or alternate design documentation must contain illuminance models showing light levels throughout the site as determined necessary by the city.

- B. Lighting structures shall be located around the perimeter of the parking area and shall not be placed as freestanding structures within the parking area. Lighting structures may be placed within a traffic safety island when the parking area is sufficiently large enough to allow snow plows unimpeded access around and between island during winter snow events.
- C. Light structures within parking lots may not exceed 20 feet in height in vehicular areas and a maximum of 15 feet in height in pedestrian areas.
- D. Lighting as described in this Subsection shall not shine directly into the public right-of-way, onto any residential use, or into any natural areas, including wetlands, ponds, prairies, and forested areas.

**Section 11-020. Construction and Maintenance.**

- (1) **Surfacing.** All off-street driving, loading, and parking areas shall have a paved surface. No vehicle may be parked and no property owner shall allow a vehicle to be parked off-street unless the vehicle is on and over an approved bituminous, concrete, brick, or decorative block surface that spans the entire vehicle. Permeable surfaces are allowed, such as permeable pavers, permeable asphalt, or other approved and improved permeable materials. Permeable surfaces must be designed, constructed, and maintained to allow infiltration or collection of stormwater in order to count as a permeable surface. For the purposes of calculating impervious surfaces, permeable surfaces allowed for parking areas may count against impervious surface maximums found in residential zoning districts and shoreland requirements. The definition of a “vehicle” in Minn. Stats. §169.011 is hereby adopted for the purpose of this ordinance and includes any conveyance with an axle. Parking areas and driveways shall be kept free of dirt, dust, debris and waste. In winter months, required parking areas shall be cleared of snow and ice within a reasonable time.
- (2) **Curbing.** All off-street driving, loading, and parking areas shall be constructed with poured-in-place concrete curb except for single- and two-family residences. Curbs shall be surmountable to allow for better snow management in addition to facilitating wildlife crossing areas to the extent practicable, especially in areas of park setting, natural vegetation, or water resource locations.
- (3) **Striping.** All parking stalls shall be marked with white or yellow painted lines not less than four inches wide except for single- and two-family residences. Such markings shall be maintained in a clearly legible condition.
- (4) **Traffic Safety Islands.** Traffic safety islands shall be used to maintain safe and orderly flow of traffic within the parking lot when deemed necessary by the Department of Community Assets and Development. Where a traffic safety island is installed, a drainage management plan shall be required and the meltwater from snow piled on the island must be controlled. Any lighting located within a parking area must be located within a traffic safety island.
- (5) **Boulevard Parking.** The boulevard portion of the street right-of-way shall not be used for parking except for improved driveways serving single- and two-family residences.

- (6) **Required Setbacks for Parking Areas, Aisles, and Driveways.** No parking area, aisle, or driveway shall be provided in the following setback areas measured to the lot line except for driveways needed to cross the setback area to provide access to a public right-of-way.

	<b>RESIDENTIAL</b>	<b>BUSINESS</b>	<b>INDUSTRIAL</b>
FRONT YARD	30 ft.	30 ft.	40 ft.
SIDE YARD	5 ft. (15 ft. if zoned R-3A or R-3B and abutting on R-1 or R-2 zoned property)	5 ft. (25 ft. if abutting residentially zoned property; shared driveways may have no setback)	5 ft. (60 ft. if abutting residentially zoned property; shared driveways may have no setback)
REAR YARD	5 ft. (15 ft. if zoned R-3A or R-3B and abutting an R-1 or R-2 zoned property)	5 ft. (25 ft. if abutting residentially zoned property)	5 ft. (60 ft. if abutting residentially zoned property)
SIDE STREET YARD	30 ft.	30 ft. *15 ft. by Special Use Permit	40 ft. (60 ft. if across from residentially zoned property) *20 ft. by Special Use Permit

\* May be allowed by the City Council by approval of a Special Use Permit in accordance with the standards of Section 8-130 and where it is determined no adverse impact would be created and would be compatible with the planned and existing characteristics of the surrounding streets and land uses.  
(Ord. No. 756, 2-26-08)

- (7) **Parking Space and Aisle Standards.** All parking spaces and aisles shall comply with the minimum standards specified in this Subsection. Spaces for accessible parking shall conform to US Access Board Guide to the ADA Accessibility Standards, Chapter 5.

<b>Standard Parking</b>			
ANGLE	STALL WIDTH	STALL LENGTH	AISLE WIDTH
(DEGREES)	(FEET)	(FEET)	(FEET)
90	9.0	18	24
60	9	19	15*
45	9	18	13*

\* All angle parking requires one-way aisles.

**(8) Driveway and Curb Cut Standards.**

- A. In all districts except R-1 and R-2 and in all multiple family residential, commercial, and industrial uses, no driveway entrances shall be less than fifty feet from any right-of-way line of a street intersection.
- B. For single- and two-family residences located in R-1 and R-2 districts, no driveway entrances shall be less than twenty feet from any right-of-way line of a street intersection.
- C. Parking stalls may not obstruct access to enclosed parking spaces and be counted toward the minimum number of parking stalls required, except for single-family, two-family, and townhome residences.
- D. The distance between driveways on the same parcel for single family and two family residences shall be no less than forty feet. In a “circle” or “loop” driveway situation, driveways may not be closer to a neighboring driveway than fifty feet along the right-of-way.
- E. In all other cases, the distances between single-family and two-family residential driveways shall be no less than ten (10) feet.
- F. Driveways shall intersect streets at a ninety-degree (90) angle.
- G. No property under common ownership and used as a single unified use shall be entitled to more than two curb cuts or access points, including shared accesses, unless a site plan or site plan amendment for a greater number is approved by the City Council.
- H. For new development along existing streets where curb cuts already exists, the number of curb cuts to the site shall not be increased. Where possible, existing curb cuts should be consolidated, and access points shared as much as possible.
- I. Wherever possible, vehicular access to a site or building shall occur through an alley or on-site private drive aisle rather than by a curb cut from the street.
- J. No curb cut or access point shall be created directly into any street of collector status or greater unless approved by the City or County.
- K. The minimum and maximum widths for curb cuts and driveways shall be as follows:

<b>Single and Two Family Residences</b>			
<b>Driveways (Measured at the property line)</b>			
Minimum	14	Maximum	30
<b>Curb Cuts (Measured along the curb)</b>			
Minimum	14	Maximum	24

<b>Other Residential*</b>					
Driveways & Curb Cuts					
One Way			Two Way		
Minimum	14	Maximum	18	Maximum	30

<b>Non Residential*</b>					
Driveways & Curb Cuts					
One Way			Two Way		
Minimum	14	Maximum	24	Maximum	36

*\* For driveways crossing existing or planned future public trails, along designated safe routes to school, and in areas designated as areas of high pedestrian and cyclist use, the Department of Community Assets and Development may require limiting driveways to the minimum width allowed.*

(9) **Circulation.** Except in the case of single- and two-family residences:

A. For vehicles:

1. Parking areas shall be designed so that circulation between parking stalls or aisles occurs within the designated parking lot and does not depend upon a public street or alley.
2. Parking area designs that require backing into the public street shall be prohibited, with the exception of emergency vehicles or vehicles plowing snow.
3. “Entrance only” and “exit only” signs may be required by the Department of Community Assets & Development where necessary to ensure sufficient circulation and access to a public street.
4. Cross access and circulation across adjoining parcels is required where appropriate and feasible, to be determined by the Department of Community Assets and Development. Joint circulation shall be documented in a cross access and circulation easement and agreement, subject to approval by the city.

B. For pedestrians:

1. Pedestrian access points shall be provided at all pedestrian arrival points to the development including the property edges, adjacent lots, abutting street intersections, crosswalks, and at transit stops if applicable. Pedestrian access shall be coordinated with existing development to provide circulation patterns between developments.
2. Planned trail connections as identified in the City’s Comprehensive Parks Plan shall be accommodated and incorporated into projects as may be necessary by the Department of Community Assets & Development.
3. Pedestrian walkways and trails shall form an on-site circulation system that minimizes the conflict between pedestrians and traffic at all points of pedestrian access to on-site parking and building entrances, and between buildings.

4. Pedestrian access and walkways shall meet the following minimum design standards:
  - i. Access and walkways shall be luminated and physically separated from driveways and parking spaces by landscaping, berms, barriers, grade separation or other means to protect pedestrians from vehicular traffic;
  - ii. Access and walkways shall be a minimum of six (6) feet of unobstructed width and meet City standards for surfacing of walkways or sidewalks;
  - iii. Access shall be usable by mobility-impaired persons and shall be designed and constructed to be easily located by the sight-impaired pedestrian by either grade change, texture or other equivalent means;
  - iv. A clearly delineated crosswalk shall be required when a walkway crosses a driveway or a paved area accessible to vehicles. Raised crosswalks or speed bumps may be required at all points where a walkway crosses the lane of vehicle travel.
  - v. Parking stalls shall not be located where they obstruct doorways, driveways, or pedestrian walkways.
  - vi. In large parking lots of over 60 stalls, a combination of traffic safety islands or landscape medians, with pedestrian circulation, shall be provided to divide the parking lot into sections. No parking stall shall be over two-hundred 200 feet from a median or traffic safety island with pedestrian circulation.
  - vii. Trail designs shall meet requirements as spelled out by the Department of Community Assets & Development.

(10) **Drive-Thru Facilities.** Commercial uses containing drive-in or drive-up facilities shall be permitted only by issuance of a Special Use Permit. Such special use shall be considered in accordance with Section 8-130 and the following standards:

- A. The drive-thru facility does not negatively impact traffic on public rights-of-way.
- B. A stacking lane shall be provided with a minimum of four spaces per lane in addition to the number of required parking spaces.
- C. The stacking lane shall be a minimum of ten feet wide.
- D. The vehicle stacking lane shall not extend beyond the street right-of-way line.
- E. The vehicle stacking lane shall be delineated so that vehicles waiting in line will not unreasonably interfere with the primary driving, entrance, exit, and parking facilities on site. Employee-only designated parking may be considered in an effort to comply with this condition.
- F. The principal pedestrian connection to the entrance of the use from a public sidewalk may not cross the drive through facility stacking lane.
- G. Any pedestrian walkway that is adjacent to or crosses the stacking lane must be marked and clearly indicated with signage or painted crosswalk.

- H. The drive-thru use may be limited so as not to unreasonably interfere with adjacent and nearby uses. Limits of use may include, but is not limited to, prohibition of certain uses that may be inappropriate due to their demand on parking and stacking needs, such as fast-food establishments.
- I. The following hours of operation shall be imposed:
  1. For properties abutting R-1, R-1A and R-2: Sunday – Thursday 7:00 AM – 9:00 PM and Friday – Saturday 7:00 AM – 10:00 PM.
  2. For properties abutting all other zoning districts: Sunday – Thursday 6:00 AM – 11:00 PM and Friday – Saturday 6:00 AM – 12:00 PM.

The City Council may impose different hours of operation based upon specific characteristics of adjacent and nearby uses.
- J. Any menu/ordering signage interior to the site with an intercom shall not be audible from residentially zoned property and if illuminated shall be directed away from residentially zoned property.
- K. Fencing and or landscaping may be required to shield head-light illumination from adjacent and nearby areas but shall not shade saltable surfaces.

**(11) *Drainage and Stormwater Management.***

- A. All developments with parking lots, with the exception of single- and two-family residences, shall include plans and details of proposed drainage patterns.
- B. Parking lots must incorporate drainage standards to reduce non-point source pollution and improve capturing stormwater. Improved drainage should also include infiltration and/or natural treatment processes prior to outflow to creek, stream, wetland or other area.

**(12) *Electric Vehicle (EV) Charging.***

- A. All developments with parking lots, with the exception of single- and two-family residences, may include one or more locations to allow for electric vehicle charging, or place infrastructure nearby to facilitate future station installation.
- B. The thresholds for adding EV charging spaces to new developments are as follows:

<b>EV Charging Space Thresholds</b>	
<b><i># of Parking Spaces Planned/Existing</i></b>	<b><i>Required # of EV Spaces and Level of Charging</i></b>
29 or fewer	None Required
30-49	Multi-family: 5% at Level 1 or greater Non-residential: 2 spaces at Level 2 charging or greater
50+	Multi-family: 10% at Level 1 or greater; 1 space at Level 2 or greater Non-residential: 5% at Level 2 charging or greater

(13) ***Snow and Snowmelt Management.*** All developments with parking lots, with the exception of single- and two-family residences, may include locations of proposed drainage patterns for snowmelt and adequate snow storage areas, subject to the following requirements:

- A. Parking lots must have a location for storing snow in a low area of the property towards areas of existing or proposed native vegetation for infiltration. An area for snow storage must be 15% the size of parking areas and walkways to be maintained in winter conditions.
- B. Drainage and stormwater management infrastructure and designated snow storage areas may not overlap with or impede the use of accessible spaces, transit stops, sidewalks, or other pedestrian access areas.
- C. Parking lots must incorporate drainage standards to reduce non-point source pollution and improve snow melt footprint to reduce salting. Drainage should also include infiltration and/or natural treatment processes prior to outflow to creek, stream, wetland or other area.

(14) ***Parking Structure Design.*** All parking structures in developments shall conform to the following provisions:

- A. Parking garage design should be compatible with adjacent buildings in terms of form, massing, scale, materials, and façade articulation. Pedestrian-level lighting must be included on facades abutting pedestrian walkways.
- B. Spandrel panels or opaque screening systems, such as louvers, at least thirty-six (36) inches in height shall be used to screen vehicles from view on all levels.
- C. Any parking garage façade that is visible from public view shall be designed such that the internal ramping system is not visible.
- D. Wherever possible, especially for parking garage façades that face a public street, the ground floor of the parking structure should incorporate retail, commercial, or other nonresidential uses to help activate the street.
- E. Any ground-level façade of a parking garage that is visible from the street and does not provide retail, commercial, or other active ground floor uses shall include at least two (2) of the following design features:
  - 1. Façade articulation through change in vertical plane or a change in building material.
  - 2. The use of windows or false windows defined by frames, lintels, or sills.
  - 3. Integration of multiple building entrances.
  - 4. Buffering along the street edge with landscaping, street trees, green walls, or trellises with vines.
- F. Vehicular entrances to buildings and parking garages that contain a ramp shall be screened from view of the street or adjacent public space in as much as possible. Where a vehicular entrance or ramp directly abuts a pedestrian walk, appropriate cautionary signs shall be used to alert pedestrians of the presence of vehicles and to inform drivers that pedestrians have the priority.

**Sec.11-030. Minimum Number of Off-Street Parking Spaces Required.**

- (1) **Computing Requirements.** In computing the number of parking or loading spaces required the following rules shall govern:
  - A. Gross floor area of the specific use is calculated on the basis of the exterior floor area dimensions of the building, structure or use, multiplied by the number of floors.
  - B. When determining the number of off-street parking spaces, fractional results are rounded up to the nearest whole number.
  - C. Except as provided for under joint parking and shopping centers, if a structure contains two or more types of use, the area of each use shall be calculated separately in determining the total number of off-street parking stalls required.
  
- (2) **Accessible Parking.** For all uses where automobile parking spaces are provided except single- and two-family residences, accessible parking facilities for persons with disabilities must be provided for accessible parking, and shall be identified for such use in accordance with all applicable state regulations.
  - A. The number and type of accessible parking spaces to be provided shall be based upon the US Access Board Guide to the ADA Accessibility Standards, Chapter 5. Accessible parking spaces are required for each parking facility on a site, such as lots and garages. Requirements apply equally to public and employee or restricted parking. On sites with multiple parking facilities, the minimum number of accessible spaces must be calculated separately for each parking facility instead of on the combined total of parking spaces provided on the site.
  - B. At least one of every six (6) accessible spaces, or fraction of six (6), in each parking facility must be sized to accommodate vans.
  - C. Such parking shall be located as close as practicable to a building entrance providing improved accessible ingress into the main lobby or corridor of the building. A continuous, permanently designated pathway at grade shall be provided which links the parking spaces to the building entrance. Such pathway shall be made of concrete, asphalt paving, or similar permanent material with a slip-resistant surface, at least forty-eight (48) inches wide and with a slope not to exceed one vertical to twenty horizontal.
  - D. No parking area drainage patterns shall flow towards or be placed within accessible parking areas.
  - E. See Minnesota State Building Code, Chapter 1240.1900, for information regarding accessible parking symbols and signage.

(3) *Number of Spaces Required.*

A. The following table is the minimum required number of parking spaces per use.

<b>Land Use</b>	<b># of Spaces/Unit Ratio</b>
<b><u>Residential</u></b>	
Single-Family	2/DU
Two-Family	2/DU (1 Enclosed)
Townhouses	2.25/DU (Included: 1 Enclosed; .25 for Visitor Parking)
Multi-Family	1.85/DU (Included: 1 Enclosed; .25 for Visitor Parking)
Senior Housing	1.25/DU (Included: .5 Enclosed; .25 for Visitor Parking)
Sanitarium, Convalescent Home, Rest Home, Nursing Home, Congregate Care/Assisted Living	0.25/Bed (Visitors); 1/Employee on Shift
Group Homes, Nursing Homes, Boarding and Lodging Houses	0.5/Bed
<b><u>Community and Institutional</u></b>	
Places of Public Assembly	0.33/Seat
School (K-12, Primary/Secondary/Post-Secondary)	Parking Study Needed
Hospitals	3/Bed and 0.75/Employee
Libraries, Museums, Post Offices, Art Galleries	2/Employee and 2/1,000 sq ft GFA
Municipal Administration Buildings	1/200 sq ft Floor Space
Undertaking Establishments	20/Chapel or Parlor; and 1/Employee
<b><u>Commercial</u></b>	
Auto/Motor Fuel Stations and Convenience Stores	5/1000 sq ft GFA
Auto Repair, Auto Sales, Trailer Sales, Marine, Garden Center Sales	2/Employee
Beauty Shops, Barber Shops, Tanning Salons	2 Minimum and 1/Chair
<i>(continued on next page)</i>	

<b>Commercial (continued)</b>	
Bowling Alleys	2/Lane
Car Wash (Automatic Drive-Through Service)	2 Minimum and 1/Attendant
Car Wash (Self-service)	10 Minimum and 1/Attendant
Cinemas and Theaters	0.33/seat
Clinics (Medical, Veterinary, Animal Hospital)	5/1000 sq ft Floor Space
Day Care/Montessori	0.3/Person
Motels and Hotels	1.25/Room; add 10/1000 sq ft GFA for lounge/restaurant; add 30/1,000 sq ft GFA for conference/banquet facilities
Banks, Offices	3.5/1,000 sq ft GFA
Restaurants (Drive-in/Fast Food)	15/1,000 sq ft GFA
Restaurants (Sit Down Full Service)	15/1,000 sq ft GFA
Nightclubs/Bars	20/1000 sq ft Floor Space
Retail	3/1,000 sq ft GFA
Shopping Centers	4/1,000 sq ft GFA
Supermarkets	4/1,000 sq ft GFA
<b>Industrial</b>	
Warehouse & Wholesale	1/1,000 sq ft GFA
Warehouse (30%-65% office or showroom space)	1/1,000 sq ft GFA and 1/Employee
Manufacturing or Processing Plants	2.5/1000 sq ft Floor Space or 1/Employee on Shift (Whichever is Greater); and 1/Company Vehicle
Light Industrial/Accessory Manufacturing	2.5/1,000 sq ft GFA
Indoor/Outdoor Self Storage	1.5/50 storage units

- B. The maximum parking allowed for non-residential and mixed-use developments shall be 10% over the minimum. Developments proposing more than the allowed maximum shall submit a parking study and provide parking area enhancements per section Sec. 11-040 (2) E and be approved by City Council.
- C. Non-residential uses may count on-street parking spaces in public right-of-way abutting the site towards satisfying off-street parking requirements. One on-street parking space credit may be taken for each twenty (20) linear feet of abutting street where on-street parking is allowed. Only spaces on the same side of the street as the site may be counted.

- D. Non-residential uses and mixed-use developments not providing a minimum number of spaces within ten percent (10%) of the minimum number of parking shall submit a parking study. The parking study shall include documenting that the number of spaces provided will not require off-site parking, not covered under joint parking and shopping centers, or on-street parking away from the property. Approval of the proposed parking ratio is subject to City Council approval, along with constructing elements and/or enhancements to parking areas per section Sec. 11-040 (2).
- E. Residential uses not providing the minimum amount of parking shall submit a parking study documenting the number of spaces needed for the development, along with elements and/or enhancements to parking areas per section Sec. 11-040 (2). Approval of the proposed parking ratio is subject to City Council approval.

(4) ***Bicycle and Scooter Parking.*** For all uses where automobile parking spaces are provided except single- and two-family residences, parking facilities for bicycles and scooters must be provided and shall be regulated by the following provisions:

A. The number bicycle and scooter spaces to be provided shall be based upon the following chart:

LAND USE	NUMBER OF SPACES
A. Residential	1.0 per Two (2) Dwelling Units
B. Non-residential	Minimum of 1.0; and 1.0 per 20 vehicle parking spaces

- B. A bicycle or scooter space is equal to one-half (.5) bicycle rack. When calculating the number of spaces, the total number is rounded up to the nearest whole number. Long-term bicycle storage indoors may count towards no more than 80% of the required bicycle and scooter spaces.
- C. An acceptable bicycle rack is an inverted U shape made of bent metal with two points of contact with the ground. The rack must have a concrete footing or foundation, or similar method of installation affixing it to the ground. Long-term bicycle storage provided indoors is not restricted to a U-shaped rack.
- D. The area around bicycle or scooter spaces must have three (3) feet of clearance measured from the furthest extent of the bicycle rack. This clearance may not conflict with pedestrian pathways or circulation. The area within this clearance and underneath the bicycle rack must be paved.
- E. Parking for bicycles and scooters must be luminated at night with a dedicated lighting fixture and be located within 100 feet of the main public building entrance on the same property.

(5) ***On-demand and Ride-hailing Transportation Services.*** For all uses where automobile parking spaces are required except single-family, two-family, and townhome residences, parking facilities for transportation services using on-demand methods or platforms for ride-hailing and deliveries and shall be regulated by the following provisions:

- A. A business or single residential building may utilize one off-street parking spaces dedicated to ride-hailing and deliveries. A shopping center, residential complex, mixed-use development, or joint facility may utilize two off-street parking spaces dedicated to ride-hailing and deliveries.
- B. Businesses and commercial areas within a 1,000 ft radius may organize and designate a total of one on-street space per participating business, where available, for ride-hailing and delivery services.

**Sec. 11-040. Special Circumstances.**

- (1) ***Proof of Parking for Delayed Construction.*** The City may approve a proof of parking plan that proposes to install initially only a portion of the required parking but that demonstrates that the full complement of required parking could be installed on the property in accordance municipal standards at a later date as determined by the City. In all instances where proof of parking is permitted, a legal instrument which is satisfactory to the City as to form and manner of execution shall be entered into by the parties concerned for a proof of parking agreement. Such instrument must be filed with the City and recorded with Ramsey County.
- (2) ***Parking Space Reductions and Enhancements.*** The following off-street parking reductions may be utilized except as indicated otherwise, subject to a parking analysis and plan adopted by City Council, with a recorded agreement to ensure stipulations for reductions and enhancements are maintained and subject to a maximum reduction of fifteen percent (15%) of required minimum parking spaces:
  - A. Off-street parking facilities for existing uses as of <the effective date of this ordinance> shall not be reduced to an amount less than that required under this Chapter.
  - B. Transit. The minimum number of required spaces for use(s) may be reduced by five percent (5%) if the building is located within one-quarter of a mile from a qualified transit stop; to qualify, the transit stop must be served by regular transit service on all days of the week and adequate pedestrian access must be available between the transit stop and the use(s). Information about transit routes and schedules should be posted in public spaces within the building to encourage the use of transit.
  - C. Car-share parking. A reduction of up to one required space per reserved parking space for car-share vehicles or five percent (5%) of the required parking spaces, whichever is greater, may be granted for any development that provides reserved parking for car-share vehicles. Reserved parking spaces for car-share vehicles may be provided in any required or non-required off-street parking space. Parking spaces for car-share vehicles shall be provided in convenient, accessible locations within one hundred (100) feet of a public entrance to a principal building.
  - D. Ridesharing and Car Pooling. The City recognizes the benefit of ridesharing and carpooling. Any non-residential use that offers rideshare or carpooling to its employees may reduce the number of required spaces by five percent (5%).
  - E. Parking Enhancements. A percentage increase or decrease, depending on the use, in parking may be approved by the City, utilized jointly or separately except as indicated otherwise, provided that one of the following conditions are met. The following enhancements may be used to the benefit of the development:
    1. Incorporation of EV charging stations or installation of infrastructure for future installation, compliant with Sec.11-020 (12), modifies the parking ratio by five percent (5%).
    2. Incorporation of snow and snowmelt management design principles for all surface parking areas, compliant with Sec.11-020 (13), modifies the parking ratio by five percent (5%).
    3. Construction of structures covering fifty percent (50%) or more of provided surface parking spaces, when the structure is designed and built to hold solar panels and passively generate electricity, modifies the parking ratio by five percent (5%).

4. The area which would have been occupied by the eliminated parking spaces in items (1) to (3) above must be devoted to pervious surfaces, stormwater facilities, tree retention or native landscaping as directed by the Department of Community Assets and Development.
- (3) **Other Uses.** Parking requirements for unique uses or unique circumstances not specifically mentioned in this Chapter shall be determined on an individual basis. Factors to be considered shall include: size of building, type of use, number of employees, peak demand hour, expected volume and turnover of customer traffic, and expected frequency and number of delivery or service vehicles. The applicant shall be responsible for collecting, assimilating and presenting the data to support the request. The data must be documented to the City's satisfaction.
- (4) **Joint Facilities.** The City may approve a special use permit for one or more uses to provide the required off-street parking facilities by joint use of one or more sites if the total number of spaces provided is less than the sum of the total required for each business had they provided them separately. The City shall not approve such a permit unless the following conditions exist:
  - A. No more than fifty percent of the parking facilities required for a theater, bowling alley, dance hall, bar or restaurant may be supplied by the off-street parking facilities provided by types of use specified as primarily daytime in Section 11-030 (3) A.
  - B. No more than fifty percent of the off-street parking facilities required in this Section 11-030 (3) A as primarily daytime uses may be supplied by the parking facilities provided by the following nighttime or Sunday uses: auditoriums incidental to public or parochial schools, churches, bowling alleys, dance halls, theaters, bars, or restaurants.
  - C. No more than eighty percent of the parking facilities required by this section for churches or for auditoriums incidental to public or parochial schools may be supplied by the off-street parking facilities provided by uses specified in Section 11-030 (3) A as primarily daytime.
  - D. For the purpose of this section, the following may be determined by the City Council to be primarily daytime uses: banks, business offices, manufacturing, wholesale and similar uses.
  - E. Required accessible parking spaces and required parking for residential uses may not be located off site.
  - F. Off-site parking areas must be located within a 1,000-foot radius of the use served by such parking, measured from the nearest public entrance door of the use.
- (5) **Conditions Required for Joint Use.** The following conditions shall apply in all instances in which joint use of parking is permitted:
  - A. The building or use for which an application is being made to utilize the off-street parking facilities provided by another building or use shall be located adjacent to such parking facilities.
  - B. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.
  - C. A legal instrument, satisfactory to the City as to form and manner of execution, shall be executed by the parties concerned for joint use of off-street parking facilities and filed with the City. Such instrument also shall be recorded with Ramsey County.

- (6) **Setback exception.** Joint or combined parking facilities or adjoining parking facilities on separate lots as authorized and when constructed adjacent to a common lot line separating two or more parking areas are not required to observe the parking area or driveway setback from the common lot line.

**Sec.11-050. Off-Street Loading/Unloading.**

(1) **Location.**

- A. All loading/unloading areas shall be off-street and located on the same lot as the building or use to be served.
- B. All loading/unloading space curb cuts shall be located a minimum of fifty feet from the intersection of two or more street right-of-ways.
- C. All loading/unloading spaces serving an industrial use shall not be located closer than 100 feet to a residential district.
- D. All loading/unloading spaces shall be in the side or rear yards.
- E. All loading/unloading docks and vehicular doors shall be, when facing a public right-of-way, fifty feet or more from said right-of-way.
- F. Each loading/unloading space shall be located so that it will not block or interfere with any traffic flow.
- G. On the same premises with commercial or industrial uses that require the shipping or receiving of goods or supplies, loading/unloading space shall be provided as follows:

2.0 spaces	Up to 10,000 sq. ft. floor space
+1.0 space	Each additional 15,000 sq. ft. floor space

- (2) **Accessory Use, Parking and Storage.** Any space allocated as a required loading/unloading space or access drive shall not be used for the storage of goods, inoperable vehicles or snow and shall not be included as part of the space required for off-street parking.

**SECTION 2.** Chapter 4, Article 1, Section 4-030, subdivision (7), of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

- (7) Licensed day care facilities located within a church having a minimum of 5,000 square feet of non-residential building area, 1 acre of lot area, and ~~50 off-street parking stalls~~ meeting parking requirements of Section 11.

**SECTION 3.** Chapter 4, Article 6, Section 4-482, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

~~Sec. 4-482. Parking in an R-4 District.~~

~~Each dwelling unit shall have two paved or concrete off-street parking spaces no closer than fifteen feet to the street right-of-way and not less than five feet from any dwelling.~~

Sec. 4-482 Reserved.

**SECTION 4.** Chapter 4, Article 6, Section 4-490, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

Subsection (1) is incorporated herein unchanged.

Subsection (2), subsections 1. through 4. are incorporated herein unchanged.

~~5. Parking Areas.~~

~~a. Detached garages shall be prohibited. Underground or attached parking shall be required at a ratio of one space per dwelling unit. Such parking shall be in fully enclosed buildings of a building type, material and color that is compatible with the principle structure. Additionally, all applicable parking requirements in Section 11-010 through 11-040 of the Zoning Ordinance shall be met. (Ord. No. 726, 2-8-05).~~

~~b. A landscaped buffer area at least ten feet (10') in width shall be provided between any parking area and adjacent side or rear property lines.~~

~~c. No parking area or drive shall be closer than fifteen feet (15') to any portion of a building other than a garage entrance or loading apron. This fifteen foot (15') area shall be used for walkways and landscaping consisting of at least fifty percent (50%) vegetative coverage.~~

~~d. Where parking spaces are located so that the headlights of vehicles shine onto a wall containing ground level windows, a year-round landscaping or other means shall be provided to eliminate light shining through the windows. Techniques used to control headlights shining into windows should not create safety problems.~~

~~e. Outside storage of boats, campers, trailers, and other recreational vehicles shall be prohibited.~~

~~6-5.~~ Signage and Lighting.

**SECTION 5.** Chapter 5, Article 1, Section 5-030, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

Subsections (1) through (4) are incorporated herein unchanged.

(5) Racquet clubs, subject to the following:

- A. The racquet club building shall be designed as to have an appearance compatible with a residential area.
- B. Only such buildings as are necessary for the racquet courts and associated activities shall be permitted on the premises. No buildings or additions to buildings for additional accessory uses shall be permitted.

~~C. A surfaced parking lot shall be located in conformance with the standards of this Chapter and Chapter 6 of the Zoning Code except that it shall be of sufficient size to accommodate the required number of parking spaces per court. The number of required parking spaces shall be seven spaces per court.~~

~~D.~~ Sales of goods and services shall be permitted only upon the following conditions:

- 1. All sales shall be conducted within the clubhouse building.
- 2. Sales shall be limited to the following:
  - a. Services necessary or incidental to the teaching and playing of the game.
  - b. Equipment, clothing and supplies necessary or incidental to the playing of the game.
  - c. Food, beverages, and confections for the convenience of those playing the game.

~~E.~~ Plantings, berming and/or other types of landscaping treatment shall be provided to buffer surrounding residential areas and to ensure the compatibility of the racquet club.

~~F.~~ The special use permit for the racquet club may include as a condition the conduct of indoor recreational, educational, and artistic activities that are special events of a temporary nature and may be permitted with the authorization of the City Council. This authorization is separate from and in addition to the permit for a racquet club and may be granted on the following conditions: 1. Authorization by the City Council shall specify each separate activity permitted. 2. Authorization by the City Council may limit the dates, times, and maximum number of participants. 3. Such activity will not create objectionable sound or sight to neighboring lands.

**SECTION 6.** Chapter 6, Article 3, Section 6-230, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

**Sec. 6-230. Permitted Uses in a I-3 District.**

- (1) Any use permitted in the Business District.
- (2) Any use permitted in the Light Industrial District excluding those uses that the City Council determines do not meet the following requirements:
  - A. Development and/or uses shall have no adverse effect on adjacent land due to unsightliness, noise, odor, dust, smoke, glare, air pollution, excessive or heavy vehicular traffic, bulk chemical storage, or fire or safety hazards.
  - B. There shall be only one outside storage area of materials, products, etc., and commercial semi trucks not to exceed twenty percent of the gross floor area of the building on the site. The storage area shall be screened with an opaque six to eight foot fence. This storage area shall be located only in the rear yard.
  - C. There shall be no external bulk chemical storage for either use or sale except as necessary for auxiliary heating.
  - D. There shall be no more than six trips per day of commercial trucks with six or more wheels per vehicle per 10,000 square feet of building gross floor area.
  - E. There shall be no excessive vehicular traffic between 8:00 p.m. and 6:00 a.m. as from shift changes.
  - F. The buildings and grounds shall be of an appearance that is in harmony with surrounding land uses.
  - ~~G. All parking, maneuvering, driveway, and storage areas shall be surfaced with asphalt or concrete.~~

**SECTION 7.** Chapter 6, Article 5, Section 6-710, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

**Sec. 6-710. Site Standards.**

- (1) Lot Area, Lot Width, and Yard Requirements.
  - A. Minimum lot width: 100 feet
  - B. Minimum lot area: 20,000 square feet
  - C. Setback – Principal Structure:
    1. Front: 10 feet minimum, 40' maximum unless a greater front setback is authorized by Special Use Permit
    2. Side: 0 (zero) feet
    3. Corner Side: same as Front
    4. Rear: 15 feet minimum
  - D. Setback – Accessory Structure:
    1. Front: At least 5 feet greater than Principal Structure setback
    2. Side: 0 (zero) feet
    3. Corner Side: same as Front

4. Rear: 5 feet minimum

~~E. Setback Parking~~

~~1. Front: 10 feet~~

~~2. Side: 0 (zero) feet~~

~~3. Corner Side: same as Front~~

~~4. Rear: 5 feet minimum~~

Subsections (2) through (4) are incorporated herein unchanged.

**SECTION 8.** Chapter 6, Article 5, Section 6-740, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows as follows:

~~Sec. 6-740. Parking Requirements.~~

~~(1) Off-street parking shall be provided at a ratio of four spaces per thousand square feet of floor area of retail, commercial and office development. For the purposes of this section net floor area shall mean floor area minus hallways, bathrooms, lobby, lunch/break rooms and the like.~~

~~(2) Parking for residential units in the NBE District shall be provided on site, and shall be calculated as follows:~~

~~A. Townhouses: two spaces per unit plus one visitor space per four units, so that there are at least two visitor spaces within 200 feet of every unit.~~

~~B. Other multi-story multi-family: 1.5 spaces per unit, plus one visitor space per four units.~~

~~C. Multi-family devoted exclusively to seniors aged 55 years and older: 1.1 spaces per unit, plus one visitor space per four units, located so that the majority of visitor spaces are within 100 feet of the entrance to the building.~~

~~D. One family detached dwelling units: 2 enclosed per unit.~~

~~(3) Residential parking spaces shall be specifically reserved for the use of residents and visitors only, separate from any commercial, office, or other uses on site or nearby, and shall not be counted as part of any shared parking or joint parking arrangement.~~

~~(4) Parking for restaurants shall be calculated as required in Chapter 11 of this code.~~

~~(5) If present, on-street parking directly in front of a given building or lot shall count toward fulfilling the total parking requirement.~~

Sec. 6-740 Reserved.

**SECTION 9.** Chapter 7, Article 1, Section 7-060, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows as follows:

Subsections (1) through (7) are incorporated herein unchanged.

~~(8) There shall be a minimum of two off-street parking spaces per dwelling unit in a planned residential development serviced by a private road. In addition, a minimum of 1/2 space per dwelling unit shall be provided for visitor parking and visitor parking shall be posted "visitor parking only". Reserved.~~

Subsections (9) through (19) are incorporated herein unchanged.

**SECTION 10.** Chapter 8, Article 1, Division 2 (Landscaping), of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

Subsections (A) through (B) are incorporated herein unchanged.

C. Minimum Landscaping Requirements for New Developments:

1. A minimum of one canopy tree per lot shall be planted within the boulevard area. In situations where there is only one lot, one deciduous tree and one coniferous tree shall be required in the boulevard area.
2. One canopy tree for every 1,000 square feet of building floor area or one canopy tree per 50 feet of site perimeter, whichever is greater.
3. Up to 25% of the required number of canopy trees may be substituted with ornamental trees at a ratio of two ornamental trees to one canopy tree.
4. The makeup of all canopy trees must be at least one-half deciduous and one-half coniferous. In the event there are an odd number of trees required, the applicant may choose either deciduous or coniferous to make up the difference.
5. Not more than 30% of the required number of trees shall be composed of a single species.
6. Preservation of an existing tree shall be credited towards 2 new trees with the greatest credit not to exceed 25% of the total required number of trees.
7. One shrub shall be provided for each 300 square feet of building area or every 30 feet of site perimeter, whichever is greater.
8. At least 10% of the total site area shall be landscaped.
- ~~9. Surface parking lots of 100 stalls or greater shall include one raised island for every 25 parking stalls, with the island being at least 150 SF in area and containing at least one canopy tree.~~
- ~~10.~~ 9. All existing dead or diseased plant materials shall be removed.
- ~~11.~~ 10. Heightened screening shall be implemented on commercial or industrially zoned properties when an adjacent use is residential. Heightened screening shall consist of a berm, fence, or wall, or combination thereof so as to prohibit eye-level vision.
- ~~12.~~ 11. Special consideration for drought-tolerant plant species shall be implemented in areas not irrigated.

D. Minimum Landscaping Requirements for Expansions:

1. One canopy tree for every 1,000 square feet of expanded building floor area.
2. Up to 25% of the required number of canopy trees may be substituted with ornamental trees at a ratio of two ornamental trees to one canopy tree.
3. The makeup of all canopy trees must be at least one-half deciduous and one-half coniferous. In the event there are an odd number of trees required, the applicant may choose either deciduous or coniferous to make up the difference.
4. Not more than 30% of the required number of trees shall be composed of a single species.
5. One shrub shall be provided for each 300 square feet of added building floor area.
- ~~6. Surface parking lot expansions of 50 stalls or greater shall include one raised island for every 50 stalls, with the island being at least 150 SF in area and containing at least one canopy tree.~~
- ~~7.6.~~ Heightened screening shall be implemented to the greatest practical extent on commercial or industrially zoned properties when an adjacent use is residential. Heightened screening shall consist of a berm, fence, or wall, or combination thereof so as to prohibit eye-level vision.
- ~~8.7.~~ Special consideration for drought-tolerant plant species shall be implemented in areas not irrigated.

Subsections (E) through (G) are incorporated herein unchanged.

**SECTION 11.** Chapter 2, Article 1, Section 2-020, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

All existing definitions shall be incorporated herein unchanged, but shall be renumbered to accommodate the following new definitions to be added in alphabetical order with existing definitions.

**Electric vehicle (EV) charging stations.** Stations installed in a parking area to replenish the charge of an electric vehicle's battery. Different levels EV charging stations include:

A. Level 1 (or I), which is comparable to a normal 120V outlet.

B. Level 2 (or II), which is approximately 6-19.2 kW or 240 volts and three to four times the amperage of a Level 1 station (24 amps to 80 amps).

C. Level 3 (or III), or DC fast-chargers, are approximately 50-350 kW or typically 400-800 volts.

**Non-residential Use.** Land, buildings or structures or portions thereof not to be used as a residence or living accommodation.

**Permeable surface.** A surface that allows water to percolate into the soil to filter out pollutants and recharge the water table.

**Residential Use.** Land, buildings or structures or portions thereof used, designed, or intended to be used principally (or primarily) as living accommodation for one or more individuals.

Surmountable curb. Surmountable or mountable curbs, sometimes referred to as roll curbs, have sloping faces that allow vehicle, pedestrians, and wildlife to encroach.

Saltable surfaces. A hard surface used for vehicle, pedestrian, or other forms of circulation and travel.

Snow storage area. A topographically low area within or adjacent to a parking area for placing snow during or after winter snow events.

The existing definition for “parking space” is amended as follows:


**Parking Space.** An designated area ~~of not less than 180 square feet that measures at least 9 feet by 20 feet, exclusive of access or maneuvering area,~~ to be used exclusively as a temporary storage space for a private motor vehicle.

**SECTION 12. Effective Date**


This ordinance shall take effect upon its adoption by the City Council, its publication in the City’s official newspaper.

ADOPTED this 9<sup>th</sup> day of January 2024, by the New Brighton City Council with a vote of 4 ayes and 0 nays. *(Abdulle Absent)*

  
\_\_\_\_\_  
Kari Niedfeldt-Thomas, Mayor

  
\_\_\_\_\_  
Devin Massopust, City Manager

ATTEST:

  
\_\_\_\_\_  
Terri Spangrud, City Clerk

CRIMINAL ACTIVITY  
PART I OFFENSES  
(Actual and Attempts)

MONTH OF: March 2025	Cases This Month	This Month Clearances	Cases Year-to-Date	Cases Last Year-to-Date
Homicide	0	0	0	0
Rape	0	0	0	0
Robbery	0	0	0	0
Agg. Assault	1	1	5	2
Burglary	2	0	4	4
Theft (includes shoplifting and bike)	11	0	41	42
Auto Theft	3	0	8	4
Arson	0	0	0	1
<b>TOTALS</b>	17	1	58	53

TRAFFIC ACTIVITY

	This Month	Year-to-Date	Last Year-to-Date
Motor Vehicle Crashes:	25	75	75
Property Damage	24	72	69
Personal Injury	1	3	6
Fatal	0	0	0
DWI	16	34	22
Parking Violations	2	3	173
Hazardous Moving Violations	16	33	74
Non-Hazardous Moving Violations	31	73	52
Traffic Stops – No Citation	175	471	515

MISCELLANEOUS POLICE ACTIVITY

	This Month	This Month Last Year	Year-to-Date	Last Year-to-Date
CFS by Complaint Number	650	714	1,886	2,088
CFS by Officers' Response	1,087	1,247	3,146	3,341
Adult Arrests (not including traffic)	29	24	66	57
Juvenile Arrests (not including traffic)	0	1	2	3
Warrant Arrests	2	8	9	16
Non-Traffic Citations	6	5	21	26

## 2025 Use of Force - By Month

	<u>#</u>	<u>YTD</u>
January	11	11
February	1	12
March	6	18
April		
May		
June		
July		
August		
September		
October		
November		
December		

## Use of Force Statistics

### March

<u>Year</u>	<u># for Month</u>	<u>Year-to-Date</u>
<b>2025</b>	<b>6</b>	<b>18</b>
<b>2024</b>	<b>5</b>	<b>17</b>
<b>2023</b>	<b>2</b>	<b>4</b>
<b>2022</b>	<b>9</b>	<b>20</b>
<b>2021</b>	<b>4</b>	<b>22</b>



Preliminary Crime Stats for:

April 2025

Homicide	0
Rape	0
Robbery	1
Agg Assault	0
Burglary	1
Theft	10
Auto Theft	0
Arson	0
Total	12

## Incident Type Report (Summary)

Incident Type	Total Incidents	Total Incidents % of Incidents	Total Property Loss	Total Content Loss	Total Loss
<b>Incident Type Category: 1 - Fire</b>					
111 - Building fire	4	12.5%	303,000	201,000	504,000
113 - Cooking fire, confined to container	2	6.3%			
114 - Chimney or flue fire, confined to chimney or flue	1	3.1%			
	<b>Total: 7</b>	<b>Total: 21.9%</b>	<b>Total: 303,000</b>	<b>Total: 201,000</b>	<b>Total: 504,000</b>
<b>Incident Type Category: 3 - Rescue &amp; Emergency Medical Service Incident</b>					
311 - Medical assist, assist EMS crew	1	3.1%			
321 - EMS call, excluding vehicle accident with injury	1	3.1%			
353 - Removal of victim(s) from stalled elevator	1	3.1%			
	<b>Total: 3</b>	<b>Total: 9.4%</b>	<b>Total: 0</b>	<b>Total: 0</b>	<b>Total: 0</b>
<b>Incident Type Category: 4 - Hazardous Condition (No Fire)</b>					
412 - Gas leak (natural gas or LPG)	1	3.1%			
424 - Carbon monoxide incident	1	3.1%			
444 - Power line down	3	9.4%			
445 - Arcing, shorted electrical equipment	2	6.3%			
	<b>Total: 7</b>	<b>Total: 21.9%</b>	<b>Total: 0</b>	<b>Total: 0</b>	<b>Total: 0</b>
<b>Incident Type Category: 5 - Service Call</b>					
531 - Smoke or odor removal	1	3.1%			
552 - Police matter	1	3.1%			
	<b>Total: 2</b>	<b>Total: 6.3%</b>	<b>Total: 0</b>	<b>Total: 0</b>	<b>Total: 0</b>
<b>Incident Type Category: 6 - Good Intent Call</b>					
611 - Dispatched and cancelled en route	1	3.1%			
651 - Smoke scare, odor of smoke	2	6.3%			
	<b>Total: 3</b>	<b>Total: 9.4%</b>	<b>Total: 0</b>	<b>Total: 0</b>	<b>Total: 0</b>
<b>Incident Type Category: 7 - False Alarm &amp; False Call</b>					
715 - Local alarm system, malicious false alarm	1	3.1%			
735 - Alarm system sounded due to malfunction	3	9.4%			
743 - Smoke detector activation, no fire - unintentional	1	3.1%			
745 - Alarm system activation, no fire - unintentional	5	15.6%			
	<b>Total: 10</b>	<b>Total: 31.3%</b>	<b>Total: 0</b>	<b>Total: 0</b>	<b>Total: 0</b>
	<b>Total: 32</b>	<b>Total: 100.0%</b>	<b>Total: 303,000</b>	<b>Total: 201,000</b>	<b>Total: 504,000</b>

## Report Filters

Basic Incident Date Time: is between '04/01/2025' and '04/30/2025'

Agency Name: is equal to 'NEW BRIGHTON'

## Report Criteria

Incident Type (Fd1.21): Is Not Blank

## Incident Type Report (Summary)

Incident Type	Total Incidents	Total Incidents % of Incidents	Total Property Loss	Total Content Loss	Total Loss
<b>Incident Type Category: 1 - Fire</b>					
111 - Building fire	7	5.8%	313,002	206,002	519,004
113 - Cooking fire, confined to container	13	10.7%			
114 - Chimney or flue fire, confined to chimney or flue	1	0.8%			
118 - Trash or rubbish fire, contained	1	0.8%	500		500
131 - Passenger vehicle fire	2	1.7%	9,000	1,000	10,000
142 - Brush or brush-and-grass mixture fire	1	0.8%			
163 - Outside gas or vapor combustion explosion	1	0.8%			
	<b>Total: 26</b>	<b>Total: 21.5%</b>	<b>Total: 322,502</b>	<b>Total: 207,002</b>	<b>Total: 529,504</b>
<b>Incident Type Category: 3 - Rescue &amp; Emergency Medical Service Incident</b>					
311 - Medical assist, assist EMS crew	3	2.5%			
321 - EMS call, excluding vehicle accident with injury	1	0.8%			
322 - Motor vehicle accident with injuries	3	2.5%			
352 - Extrication of victim(s) from vehicle	1	0.8%			
353 - Removal of victim(s) from stalled elevator	2	1.7%			
	<b>Total: 10</b>	<b>Total: 8.3%</b>	<b>Total: 0</b>	<b>Total: 0</b>	<b>Total: 0</b>
<b>Incident Type Category: 4 - Hazardous Condition (No Fire)</b>					
412 - Gas leak (natural gas or LPG)	10	8.3%			
422 - Chemical spill or leak	2	1.7%			
424 - Carbon monoxide incident	1	0.8%			
440 - Electrical wiring/equipment problem, other	1	0.8%			
442 - Overheated motor	1	0.8%			
444 - Power line down	4	3.3%			
445 - Arcing, shorted electrical equipment	3	2.5%			
	<b>Total: 22</b>	<b>Total: 18.2%</b>	<b>Total: 0</b>	<b>Total: 0</b>	<b>Total: 0</b>
<b>Incident Type Category: 5 - Service Call</b>					
520 - Water problem, other	3	2.5%			
531 - Smoke or odor removal	3	2.5%			
552 - Police matter	3	2.5%			
553 - Public service	2	1.7%			
	<b>Total: 11</b>	<b>Total: 9.1%</b>	<b>Total: 0</b>	<b>Total: 0</b>	<b>Total: 0</b>
<b>Incident Type Category: 6 - Good Intent Call</b>					
611 - Dispatched and cancelled en route	2	1.7%			
651 - Smoke scare, odor of smoke	10	8.3%			
652 - Steam, vapor, fog or dust thought to be smoke	1	0.8%			
671 - HazMat release investigation w/no HazMat	1	0.8%			
	<b>Total: 14</b>	<b>Total: 11.6%</b>	<b>Total: 0</b>	<b>Total: 0</b>	<b>Total: 0</b>
<b>Incident Type Category: 7 - False Alarm &amp; False Call</b>					
711 - Municipal alarm system, malicious false alarm	1	0.8%			
715 - Local alarm system, malicious false alarm	2	1.7%			
731 - Sprinkler activation due to malfunction	2	1.7%			
733 - Smoke detector activation due to malfunction	4	3.3%			
735 - Alarm system sounded due to malfunction	5	4.1%			
740 - Unintentional transmission of alarm, other	6	5.0%			
743 - Smoke detector activation, no fire - unintentional	3	2.5%			
745 - Alarm system activation, no fire - unintentional	15	12.4%			
	<b>Total: 38</b>	<b>Total: 31.4%</b>	<b>Total: 0</b>	<b>Total: 0</b>	<b>Total: 0</b>
	<b>Total: 121</b>	<b>Total: 100.0%</b>	<b>Total: 322,502</b>	<b>Total: 207,002</b>	<b>Total: 529,504</b>

Incident Type	Total Incidents	Total Incidents % of Incidents	Total Property Loss	Total Content Loss	Total Loss
					<b>529,504</b>

<b>Report Filters</b>	
Basic Incident Date Time:	is between '01/01/2025' and '04/30/2025'
Agency Name:	is equal to 'NEW BRIGHTON'

<b>Report Criteria</b>	
Incident Type (Fd1.21):	Is Not Blank