

DRAFT ORDINANCE

CHANGES TO THE RIVER HEIGHTS CITY CODE

September 21, 2016

**3-1-3: Definitions:**

Home Occupation: A legal use or business, conducted within a dwelling or upon residential property. Business activity shall be clearly and obviously subordinate to the main purpose of the home as a residence. The owner of the home must live in the home as a primary residence for at least six (6) months of the year.

**3-4-4: Definitions:**

Adult Oriented Business: An adult motion picture theater, adult bookstore, adult video store, or any business providing sexually-oriented products or services which are illegal to minors ~~and which constitute at least fifteen percent of the floor space~~, unless exempt under the provision of Section 3-4-8 of this Chapter.

(Also add this definition to the Adult-Oriented Business Chapter as 3-3-2. Bump other sections down.)

**7-2-3: Sidewalks at Existing Locations:**

Installation of sidewalks at legally existing non-conforming lots at the time of the adoption of this ordinance shall be governed as set forth below.

~~A. Where the City deems appropriate, installation of sidewalks at existing residential lots will be required where none exists. It is the intention of River Heights City to pay for fifty percent (50%) of the current installation costs, with the property owner being required to pay the balance of the current installation costs. Modifications to this policy will be at the sole discretion of the City Council. Sidewalks determined by the city to be damaged and unsafe will be replaced in a like manner. (4-2013, 10-24-13)~~

A. Damage: When any citizen, contractor or person damages the sidewalks, curbs or gutters of the City, that individual or person shall repair and/or replace the same within a reasonable time at their own cost pursuant to specification set

forth by the city. Any expenses incurred by the City in providing specifications or inspecting the same shall also be paid by said citizen, contractor or person. If the City damages any sidewalks, curbs or gutters, the same shall be repaired and/or replaced by the City within a reasonable amount of time at no cost to the property owners.

~~B. Where the city has installed sidewalks along the frontage of a proposed building lot within ten years prior to the issuance of a building permit, then one-hundred percent (100%) of the current installation costs shall be paid to the City by the property owner or their agent. Where the city has installed sidewalks along the frontage of a proposed building lot more than ten years prior to the issuance of a building permit, then compensation not to exceed fifty percent (50%) of current installation costs shall be paid to the City by the property owner or their agent.~~

B. Age and General Wear: Each year the City may select certain sidewalks, curbs, or gutters for replacement and/or repair when the same have deteriorated due to age and general wear and tear and how and when such repairs or replacements will occur. If a property owner requests a sidewalk repair that is not selected by the City, the City may choose to participate in the repair. In such cases, the City may participate up to 50% of the cost.

C. Specifications: The City, through its engineering or building department, and/or its retention of outside engineering consultants, shall provide specifications for sidewalks, curbs and gutters, inspection for such construction and replacement or repair and approval thereof.

#### **10-2-1: Definitions**

*Add*

Cantilevers: Overhanging structure with or without external bracing.

*Revise*

Setback: The shortest distance between the property line and the foundation wall, vertical supports, cantilevers, porches or steps over thirty inches (30") in height or the main frame of the building.

### **10-13-14: Clear View of Intersecting Streets**

Obstruction of vision on corner lots within ~~thirty~~ forty feet (30' 40') of ~~said corner right of way~~ edge of pavement of intersection shall not be permitted from two feet (2') to ten feet (10') above finished grade. Trunks of trees, fence posts, light or telephone poles or other small vertical protrusions not more than twelve inches (12") in diameter shall be permitted.

*Add*

### **10-13-15 Rear Lot Fences**

Fences on rear yards must also conform to clear view calculations indicated above. Any fence constructed on said owner's lot cannot exceed (6') feet in height, and may be constructed (1') from the side yard property line of said lot or one (1) foot from the sidewalk, if the sidewalk is placed within the property. If the rear lot is adjacent to a public road the fence may not be built closer than one (1') from the sidewalk and the property owner is responsible to maintain the section between fence and sidewalk. Refer: 10-12-2. (Bump other sections down.)

### **10-14-2: Off-Street Residential Parking**

- D. ~~Distance to Another Driveway: Adjacent driveways shall not be closer than twelve feet (12') to each other;~~
- E Width: In residential zones, driveways approach shall be not more than twenty-eight feet (28') in width and shall be a minimum of six feet (6') from property line.