

# **City of Eden Prairie**

## **THE ZONING BRIEF**



City Center  
8080 Mitchell Road  
Eden Prairie, MN 55344  
Telephone # (952) 949-8300  
TDD # (952) 949-8399  
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### **COMMUNITY DEVELOPMENT PHONE NUMBERS**

Sixth Edition: 10-09-09  
Current as 10-09-09

General phone line – (952) 949-8485  
8:00 am - 4:30 p.m.

### **Information includes:**

- Driveway and Parking information
- Landscaping information
- Fence information
- Lawn Maintenance
- RV parking
- Home Occupation
- Garage Sale Signs
- Temporary signs
- Refuse, yard waste and wetlands

Questions regarding zoning ordinances or codes are handled through the Division of Community Development at the City Center. Chapter 11 is that portion of the City Code relating to Land Use Regulations and covers a variety of information relating to land use in residential, commercial, office, industrial and public property. A sampling of topics found in Chapter 11 include: required setbacks for buildings or structures from lot lines; sign information; permitted use in different zoning districts; information on Home Occupations; and information on fences.

The Division of Community Development is open from 8:00 a.m. to 4:30 p.m. Monday through Friday to answer questions you have related to your property or surrounding property. Below is a list of the most commonly asked questions. Should you need to know additional information on a piece of property or have a concern please call the Division of Community Development at (952) 949-8485.

**• GENERAL RESIDENTIAL SETBACKS.** - All residential structures and accessory structures which include sheds, pools, outbuildings, play structures, and gazebos, are subject to specific setbacks from a lot line based on the zoning district your property is located. All structure setbacks are taken from the property line. The setback from a front, rear or side yard may vary based on the zoning district in which your property is located. You will need to call (952) 949-8485 to find out what your property is zoned and what the required setbacks are between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday.

• **DRIVEWAY INFORMATION.** In the residential R1 zoning districts all driveways must be of cement or asphalt. The driveway must be at least 3' from a side lot line and shall not cross the extension of a property line to the curb line. There is traditionally 10' to 12' from the back of the curb to your lot line. It is suggested a driveway not be placed in the drainage and utility easement of your property as utility lines including cable TV, electric, sewer, water and gas may be in the easement area. No permit is required to install or replace a driveway unless a new curb cut is being created. Circular driveways with two street entrances are permitted provided there is no conflict at the street intersections. Crushed rock or stone is not a permitted driveway surface. Maximum driveway width is 30 feet at the curb.

▪ **VEHICULAR PARKING ON PRIVATE PROPERTY OR IN THE STREET.**

Private Property - All vehicles parked on private property must have current license tabs, be operable, and registered. All parking must occur on a hard surfaced area of cement or asphalt. No parking may occur on grass or snow covered areas. Vehicles that are not operable or licensed may be stored inside a garage. In the Residential districts trucks with commercial licenses or over a certain weight may not be parked on private property.

Parking on the public street – Unless there is a sign stating “no parking” vehicles may park in the street. All vehicles parked on a public street must have current license tabs, be operable, and registered. Vehicles must be moved every 24 hours. No vehicles may be marked “for sale” and be parked in the public street. Recreational vehicles may not be parked on any public street for more than 24 consecutive hours. In the Residential districts trucks with commercial licenses or over a certain weight may not be parked in the public street except for delivery purposes.

• **LANDSCAPING.** Plant material and sod may be located on your lot. It is suggested plant materials, that is, trees, bushes, shrubs not be placed within a drainage and utility easement. If plant material has been placed in the drainage and utility easement and the City or public utility service needs to access the easement area, removal or trimming of plant material may be necessary. To find out if any utility lines are in an easement you may call Gopher State One at (651) 454-0002. Certain lots in Eden Prairie may be subject to a Conservation Easement. As a property owner you should be aware if your property is subject to a Conservation Easement. No plant material may be placed in or removed from a Conservation Easement area until the City Forester has been notified. If you do not know if your property is subject to a Conservation Easement, you may call the City Forester at (952) 949-8445. When installing plant material, please keep in mind that to have complete control of the plant material at full growth it cannot grow over the lot line. It is suggested to place plant material in such a way that at maturity, maintenance of the plant material can occur from the lot on which it is located. No plant material may be placed in street right-of-way which is usually 10' to 12' from the back of the curb. Plant material may not interfere with vision of traffic.

• **FENCES.** No permits are required for construction of fences. Maximum height for a fence is 6 feet. Fence height is measured from the ground below a fence to the top of the fence. Fences may be located up to a property line. However if the fence is placed up to the lot line you may need to go on your neighbors property for installation, repairs or maintenance. The fence may be placed in on your lot several feet if you desire to have the area for maintenance purposes. If a fence is placed on the corner of a lot that abuts an intersection or abuts a street, that is, Public Right-of-Way, contact the Engineering Department at 952-949-8339. Request an appointment for a sight line distance review. The fence will need to be placed or setback to allow for safe

views and not block pedestrian or vehicular views at an intersection. It is suggested to have a copy of the property survey prior to fence installation to indicate location of lot lines. The curb line is not the property line. The City has no architecture control standards for fences. Private covenants and restrictions through a homes owner's association may prohibit fences or indicate some architectural controls. Should the City or a public service utility have to enter a drainage and utility easement the City or service utility may not be responsible for replacement of the fence in all cases. Call Gopher State One at (651) 454-0002 before you dig!

• **FENCES AROUND POOLS.** All in-ground swimming pools located outside are required to have a fence surrounding the pool of at least 4' in height and a maximum height of 6'. The fence must be located at least 4' from the pools edge. The bottom of the fence or wall around the pool shall be no higher than 4" above the surface of the ground. Fence openings or points of entry to the pool area shall be equipped with self-closing and self-latching lockable gates. Temporary fences are required during construction if the pool not secured with a fenced area. Call Gopher State One at (651) 454-0002 before you dig!

• **LAWN MAINTENANCE.** All ground in a residential zoning district, not covered by a building, patio, or driveway, must be covered in grass or ornamental landscaping including rock material. Ground cover may grow to a height of 10". Once the yard exceeds 10" code requires cutting. Should you identify a property in which grass is over 10" in height between the months of June through September you may contact Parks, Recreation and Natural resources at (952) 949-8442.

• **RECREATIONAL VEHICLE PARKING.** Parking or storing a recreational vehicle (RV) is permitted in the residential zoning district provided:

1) Not more than two RV'S may be stored outside. 2) Recreational vehicles may not be more than 12' in height. 3) If RV's are parked in front of the house, they must be parked on a hardsurfaced driveway of asphalt or cement and must be at least 15' from the curb. 4) If RV's are parked in the rear or the side of a home they must be setback at least 10' from the side or rear lot line. 5) RV's parked outside for more than 14 days must be owned by the property owner. 6) RV's may not be used for living quarters or connected to water/sanitary sewer. 7) RV's must have current licenses, registration or tags. 8) No RV may be parked on any public street for more than 24 consecutive hours. Complete code can be found in City Code, Chapter 11, Section 11.03, subdivision 3,J.3.

It is suggested you talk with your neighbors prior to placement of an RV on your lot. In addition, your neighborhood or lot may have private covenants or agreements which prohibit or limit the parking of RV's. This covenant or agreement would supersede the City regulations.

• **HOME BASED BUSINESS.** A home occupation may occur in the Rural, Single Family or Multiple zoning districts provided the following code regulations are maintained:

1) A home occupation shall be conducted in a dwelling and shall be clearly incidental or secondary to the use of the structure as a dwelling. Not more than 25% of the dwelling may be dedicat4d to a home business use. 2) No home occupation shall be conducted in an accessory structure or outbuilding. 3) No equipment or supplies associated with a home occupation shall be stored outside. 4) There shall be no external alteration of the dwelling in which the home occupation is conducted. 5) One sign of not more than 1 square foot is permitted which must be 10' from the property line. No off-site signs are permitted. 6) The home occupation shall be carried on only by members of a family residing in the dwelling and not more than one non-

resident of the dwelling. 7) Not more than one truck of more than 3/4 ton capacity associated with a home occupation and no semi-trailers may be stored on site. Vehicles with ladders, pipes, buckets or limousines shall be parked in an enclosed attached garage. Complete code can be found in City Code, Chapter 11, Section 11.65 Entitled "Home Occupation".

• **GARAGE SALE SIGNS.** One temporary garage sale sign of six square feet may be placed on the lot where the sale is occurring. Two off-site signs of six square feet may be placed on private property one day prior to the garage sale and removed one day after the garage sale. No sign shall be up for more than 5 days. Signs may not be placed in public Right-of-Way. City crews may remove signs if in public Right-of-Way. It is suggested you request permission from the lot owner where a sign is to be placed. Signs may not be attached to utility poles, street sign posts, utility boxes, or street light posts. Call Gopher State One at (651) 454-0002 before you dig!

• **TEMPORARY OFF-SITE DIRECTIONAL SIGNS FOR SELLING OR LEASING SINGLE PROPERTIES.** Two off-site signs may be placed on private property from 10:00 p.m. on Friday to 6:00 a.m. on Monday. Signs may not be greater than six square feet. Maximum height for a sign is six feet. Each sign shall have the name and telephone number of the owner of the sign. A sign may not be placed more than two miles from the property being sold or leased. Remember there is usually ten feet from the back of the curb to a property line. Signs placed in a public Right-of-Way may be removed by City crews. Areas where sidewalks or trails exist or close to street pole names/stop signs is public Right-of-Way. Call Gopher State One at (651) 454-0002 before you dig!

▪ **REFUSE AND YARD WASTE.** Refuse must be removed on a weekly basis. Storage of refuse shall be in five to one hundred gallon metal or plastic containers with tight-fitting covers. No furniture, appliances or auto parts may be stored outside. Yard waste must be removed on a weekly basis or placed in a compost according to City Code. **YARD WASTE MAY NOT BE DISPOSED ON CITY PROPERTY OR IN PUBLIC RIGHT OF WAY.**

▪ **SOLID WASTE CONTAINERS.** Storage containers for Single Family dwellings, Multiple Family dwellings or Commercial establishments must be stored at least twenty(20) feet from the property line. Storage containers stored within the front yard must be screened from the public street with an opaque fence or coniferous landscape material. For the purposes of this ordinance, a corner lot shall be defined as having two front yards.

Storage containers for solid waste, recyclable materials or yard waste may be set curbside 24 hours prior to the scheduled pickup. The storage containers must be removed from curbside within 24 hours after scheduled pickup.

▪ **WETLAND.** Wetlands are protected in the City of Eden Prairie. No yard waste may be disposed in a wetland area. For questions related to wetland please call the City Engineering Department at (952) 949-8330.

**BEFORE YOU DIG CALL "GOPHER STATE ONE CALL" AT (651) 454-0002  
CALL TWO (2) DAYS BEFORE YOU DIG**

IDENTIFIES:

- Electric
- Water
- Temporary Survey Markings
- Gas-Oil-Steam
- Sewer
- Proposed Excavation

