

CITY OF APPLE VALLEY
ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, AMENDING
CHAPTER 155-APPENDIX F OF THE CITY CODE ENTITLED “APPENDIX
F: PLANNED DEVELOPMENT DESIGNATIONS” BY AMENDING
ARTICLE A28 REGULATING PLANNED DEVELOPMENT DESIGNATION
NO. 703

The City Council of Apple Valley ordains:

Section 1. Article A2 of the Apple Valley City Code, is hereby amended by revising
Section A28-2 (F) to read as follows:

§ A28-2 PERMITTED USES.

* * * *

(F) ~~This zone is reserved and intended for area within the Cobblestone Lake development where high density townhouses and apartment dwelling units are expected at an overall maximum density of 24 units per acre.~~ Within this zone, no structure or land shall be used except for one or more of the following uses or uses deemed similar by the City Council:

- (1) Multiple-residential dwellings, provided they are served by public sanitary sewer and water systems and provided no single structure contains in excess of 20 dwelling units.
- (2) Community based family care home, day care home, or such home for the care of the mentally or physically handicapped licensed by the state.
- (3) Public utility buildings and structures.
- (4) Home occupation as defined in § 155.003.
- (5) Parks and playgrounds.

Section 2. Article A2 of the Apple Valley City Code is hereby amended by adding Section A28-3 (E) to read as follows:

§ A28-3 CONDITIONAL USES.

* * * *

(E) *Zone 5.* Within this zone, no structure or land shall be used except for one or more of the following uses or use deemed similar by the City Council, without a conditional use; permit

(1) Community-based family care home, day care home not licensed under Minnesota state statute or a community-based residential care facility or day care facility in a multiple dwelling unit when:

(a) Facility meets all existing health, fire, building and housing codes.

(b) Separation of one-quarter mile exists between such facilities. The city council may grant exception to the one-quarter mile rule when strong community support exists, program effectiveness is closely tied to particular cultural resources in the community, or an effective natural or manmade barrier exists between facilities.

(c) Such conditional use permit shall be reviewed at one-year intervals.

Section 3. Article A2 of the Apple Valley City Code is hereby amended by adding Section A28-4 (F) to read as follows:

§ A28-4 PERMITTED ACCESSORY USES.

(F) *Zone 5.* Within this zone, the following uses or uses deemed similar by the City Council shall be permitted accessory uses:

* * * *

(1) Buildings, construction and sales trailers, trash dumpsters, or portable storage units temporarily located on the subject lot only for the purposes of construction on the premises for a period of time not to exceed time necessary for such construction, or for the leasing of multi-family dwellings in a new development. Trash dumpsters shall be removed from the subject lot when full.

(2) Private recreational buildings, facilities, community centers and swimming pools, when accessory to the multiple-dwelling use, for use by the occupants of the premises.

(3) Off-street parking as regulated in the zoning chapter.

- (4) Refuse storage as regulated in the zoning chapter.
- (5) Decorative landscape features.
- (6) Detached garages
- (7) Maintenance buildings
- (8) Private on-site parking at a minimum rate of 1.1 surface spaces and one garage space per dwelling unit.
- (9) Essential public service facilities provided all requirements are met.
- (10) Garage sales not to exceed three (3) per calendar year.

Section 4. Article A2 of the Apple Valley City Code is hereby amended by adding Zone 5 to Section A28-5 (B) (1), the Table of Minimum Area Standards and Requirements, to read as follows:

§ A28-5 MINIMUM AREA STANDARDS AND REQUIREMENTS.

(A) The following minimum area standards and requirements shall be met and no improvements shall be placed on such lands unless the lands to be used or improved shall meet the following area and dimensional requirements:

- (1) *Table of Minimum Area Standards and Requirements.*

* * * *

<i>Specification</i>	<i>Zone 5</i>
Maximum Units Per Acre	24
Minimum Units Per Acre	12
Maximum Number of Stories	3
Minimum building setbacks (feet)	
Along principal arterial or minor expander streets	35
Along Pilot Knob Road right-of-way reserve area	25
Along 160 th Street West right-of-way reserve area	10
Along community or neighborhood collector streets	15

Along local streets	15
Along any side or rear yard	10
From multiple-residential buildings on the same lot	15
Minimum parking lot setbacks	
Along principal arterial or minor expander streets	15
Along 160th Street West right-of-way reserve area	
Along community or neighborhood collector streets	10
Along local streets	10
Along any side or rear yard	10
Minimum garage/accessory building setbacks	
Along principal arterial or minor expander streets	25
Along 160th Street West right-of-way reserve area	15
Along community or neighborhood collector streets	10
Along local streets	25
Along any side or rear yard	10
Maximum building coverage	35%
Maximum building height (feet)	35

Section 5. Effective date. This ordinance shall take effect upon its passage and publication of its title and official summary.

PASSED by the City Council this 12th day of July, 2018.

Mayor Hamann-Roland, Mayor

ATTEST:

DRAFT