CITY OF APPLE VALLEY
ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF APPLE VALLEY AMENDING CHAPTER 155--APPENDIX F ARTICLE 2, OF THE CITY CODE REGULATING PLANNED DEVELOPMENT 290

The City Council of Apple Valley Ordains:

Section 1. The City of Apple Valley official zoning map is amended to re-designate the zoning for the following property from Planned Development Designation No. 290, Zone 1 to Planned Development Designation No. 290, Zone 5:

Lot 1 Block 2, APPLE VALLEY COMMERCIAL ADDITION

Section 2. Apple Valley City Code, Chapter 155, Appendix F, Article 2, is amended by adding Section A2-2 (E) to read as follows:

§ **A2-2 PERMITTED USES**.

* * * *

(E) *Zone 5*: 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) Any permitted use specified for Zone 4, except retail business uses. Notwithstanding retail business uses are not permitted, accessory and ancillary retail sales of any service or any product, goods or material produced at or related to the principle use on site is a permitted use, provided retail sales are subordinate to the principle use; the gross floor area used for the retail sales is not more than 15 percent of the total gross floor area of the principle use; and the retail sales are owned and operated solely by the principle user/occupant of the subject site.

Section 3. Apple Valley City Code, Chapter 155, Appendix F, Article 2, is amended by adding Section A2-3 (D) to read as follows:

§ A2-3 CONDITIONAL USES.

* * * *

(D) *Zone 5*: Within this zone, no structure or land shall be used for the following use or uses deemed similar by the City Council except through the granting of a conditional use permit:

(1) Any conditional use specified for Zone 4.

Section 3. Apple Valley City Code, Chapter 155, Appendix F, Article 2, is amended by revising Section A2-4 to read as follows

§ A2-4 PERMITTED ACCESSORY USES.

Zones 1, 2, 3, 4 and 5. Within these zones, the following uses or uses deemed similar by the City Council shall be permitted accessory uses:

* * * *

Section 4. Apple Valley City Code, Chapter 155, Appendix F, Article 2, is amended by revising Section A2-5 (A)(1) to read as follows:

§ A2-5. MINIMUM BUSINESS AREA STANDARDS AND REQUIREMENTS.

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

(1) Table of minimum area requirements and standards.

MINIMUM BUSINESS AREA STANDARDS AND REQUIREMENTS FOR DESIGNATION NO. 290

		Zone 2				
	Zone 1	"1" Uses	All Other Uses	Zone 3	Zone 4	Zone 5
Minimum Lot Dimensions						
Lot area (square feet)	10,000	10,000	130,000	10,000	10,000	10,000
Lot width (feet)	100	100	150	100	100	100
Minimum Building Setbacks						
Along principal or minor arterial streets (feet)	40	40	60	40	40	20
Along all other streets (feet)	30	30	60	30	30	20
Side lot line (feet)	10	10	10	10	10	10
Rear lot line (feet)	20	20	20	10	20	20
Abutting R district (feet)	20	--	--	--	20	--
Minimum Parking Setbacks						
Along principal or minor arterial streets (feet)	20 [1]	20	15	20	5	5
Along all other streets (feet)	20	20	15	20	10	10
Side or rear lot line (feet)	5	5	5	5	5	5
Abutting R district (feet)	10	--	--	--	10	--
Maximum Building Coverage						
Coverage of lot (percentage)	20	20	30	20	20	20
Maximum Building Height						
Maximum height (feet)	30	30	45	30	30	35
If all minimum setbacks are increased by ten feet (feet)	45	45	--	--	--	45
If minimum setbacks are	--	--	--	100	--	--

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increased 1½ feet for every one foot over 30 feet and a minimum building separation of one-half times the combined height of adjacent building faces is maintained (feet)						
Minimum Retail Floor Area						
Initial building (square feet)	--	--	20,000	--	--	--
Dwelling Unit Density/						
One or two story	--	--	3,960* (11)**	--	--	--
Three or four story	--	--	2,720* (16)**	--	--	--
Sign Setbacks						
Along principal or minor arterial streets (feet)	***	***	***	***	5	***

NOTES TO TABLE

* Square feet on land per unit.
** Units per acre.
*** As required in Chapter 154 of the City Code, Sign Regulations
[1] The parking lot setback may be reduced to ten feet when the one-half right-of-way dedication of the principal or minor arterial street is a minimum of 90 feet.

Section 5. Summary approved. The City Council hereby determines that the text of the summary marked "Official Summary of Ordinance No. ____, a copy of which is attached hereto, clearly informs the public of the intent and effect of the ordinance. The City Council further determines that publication of the title and such summary will clearly inform the public of the intent and effect of the ordinance.

Section 6. Filing. The City Clerk shall file a copy of this ordinance in her office, which copy shall be available for inspection by any person during regular office hours.

Section 7. Publication. The City Clerk shall publish the title of this ordinance and the official summary in the official newspaper of the City with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the office of the City Clerk.

Section 8. Effective date. This ordinance shall take effect upon its passage and publication of its title and official summary.

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PASSED by the City Council this ___th day of _____, 2018.

_____
Mary Hamann-Roland, Mayor

ATTEST:

_____
Pamela J. Gackstetter, City Clerk

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The following is the official summary of Ordinance No. ____ approved by the City Council of Apple Valley on _____ ___, 2018.

Lot 1 Block 2, APPLE VALLEY COMMERCIAL ADDITION, addressed as 14750 Cedar Avenue, is re-designated from Zone 1 to Zone 5 of Planned Development Designation No. 290. Apple Valley City Code, Chapter 155 Appendix F, Article 2 governing Planned Development Designation No. 290 is amended by adding setbacks and area requirements for Zone 5 in the table Minimum Business Area Standards and Requirements for Designation No. 290.

A printed copy of the ordinance is available for inspection by any person during regular office hours at the office of the City Clerk at the Apple Valley Municipal Center, 7100 - 147th Street West, Apple Valley, Minnesota 55124.