

CITY OF APPLE VALLEY  
ORDINANCE NO. ---

AN ORDINANCE OF THE CITY OF APPLE VALLEY, AMENDING  
CHAPTER 155, APPENDIX F, ARTICLE 33 OF THE CITY CODE ENTITLED  
PLANNED DEVELOPMENT DESIGNATION NO. 856 BY ADDING ZONE 3  
USE AND PERFORMANCE STANDARD REGULATIONS

The City Council of Apple Valley ordains:

Section 1. Chapter 155, Appendix F, Article 33 of the Apple Valley City Code, is hereby amended by adding Section A33-2(C) to read as follows:

**§ A33-2 PERMITTED USES.**

\* \* \* \*

(C) *Zone 3.* 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) Day-care centers
- (2) On-sale wine and/or 3.2% liquor in conjunction with a restaurant facility.
- (3) Class III restaurant.
- (4) Comprehensive, intensive, or full care living facility where a resident lives and receives 24-hour personal and medical care from on-site medical and personal assistance staff.
- (5) Offices for doctors, dentists, lawyers, realtors, veterinarians (no outdoor animal pens allowed), insurance agents, and similar uses to serve the adjoining residential area. Individual professional office buildings shall not exceed 3,000 square feet in gross building area.
- (6) Banks, credit unions and other financial institution in a freestanding building, not to exceed 3,000 square feet in gross building area.

Section 2. Chapter 155, Appendix F, Article 33 of the Apple Valley City Code is hereby amended by adding Section A33-3(C) to read as follows:

**§ A33-3 CONDITIONAL USES.**

\* \* \* \*

(C) *Zone 3.* 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, except by conditional use permit :

- (1) Class I restaurant.
- (2) On-sale liquor in conjunction with a restaurant facility

Section 3. Chapter 155, Appendix F, Article 33 of the Apple Valley City Code is hereby amended by adding Section A33-4(C) to read as follows:

**§ A33-4 PERMITTED ACCESSORY USES.**

\* \* \* \*

(C) *Zone 3.* Within this zone, the following use or uses deemed similar by the City Council shall be permitted accessory uses.

- (1) Off-street parking as regulated in the zoning chapter;
- (2) Outdoor play area and play apparatus in conjunction with a day-care operation;
- (3) Buildings temporarily located for purposes of construction on the premises for a period not to exceed the time necessary for the construction; and
- (4) Outdoor dining areas in conjunction with a Class I or Class III restaurant. Outdoor dining areas shall be reviewed by the Planning Commission and City Council pursuant to §155.402.

Section 4. Chapter 155, Appendix F, Article 33 of the Apple Valley City Code is hereby amended by adding Zone 3 provisions to Section A33-5(A)(1) Table of Minimum Area Standards and Requirements to read as follows:

**§ A33-5 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 3</i>
<b>Minimum square feet of land per unit:</b>	
Single loaded building	-
<b>Minimum units per acre</b>	-
Single loaded building	-
<b>Minimum lot dimensions:</b>	
Lot area (square feet)	15,000
Interior lot	-
Corner lot	-
Lot Width	100
Interior lot	-
Corner lot	-
<b>Minimum building setbacks (feet):</b>	
Along principal or arterial streets	50
Along Embry Path	30
Along collector streets	30
Along all other streets	30
Dwelling unit	
Garage	
Along private streets	-
Front	
Side	
Side lot line	
Rear lot line	
Side yard setback on a corner lot	
Street side	
Interior side	
Between structures	
<b>Minimum parking setbacks</b>	
Along principal, arterial, or collector streets	15
Along all other public streets	5
Along private streets or drives	5
Side or rear lot line	5
<b>Maximum building coverage (percent):</b>	30
<b>Maximum building height (feet)</b>	35
<b>Maximum number of stories</b>	<b>2</b>

(2) Lighting, see §155.353

Section 5. Chapter 155, Appendix F, Article 33 of the Apple Valley City Code is hereby amended by adding Section A33-5(F) to read as follows:

\* \* \* \*

(F) *Architectural form, scale and materials.* The following design elements shall be incorporated into all building plans:

- (1) Sloped roofs shall be utilized on the main structure.
- (2) Mechanical equipment on building exteriors, roofs or parking areas shall be screened from view from all public streets and adjoining properties.
- (3) Trash shall be screened and enclosed in masonry faced enclosures or shall be stored completely within the main structure.

\* \* \* \*

Section 6. 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 7. Filing. A copy of the ordinance shall be filed in the office of the City Clerk. This copy shall be available for inspection by any persons during regular office hours.

Section 8. 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.

PASSED by the City Council this ---- day of-----, 2020.

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Mayor Hamann-Roland, Mayor

ATTEST:

\_\_\_\_\_  
Pamela Gackstetter, City Clerk

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The following is the official summary of Ordinance No. --- passed by the City Council of Apple Valley on -----, 2020:

Chapter 155, Appendix F Article 33, governing Planned Development 856 is amended by adding Zone 3 and regulations therein. The amendment sets forth the permitted, conditional, and accessory uses; area requirements; and special performance standards for Zone 3 of Planned Development No. 856.

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