

CITY OF APPLE VALLEY
ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 155, APPENDIX F OF THE CITY CODE BY ADDING ARTICLE _____, ESTABLISHING PLANNED DEVELOPMENT DESIGNATION NO. _____, IN THE CITY OF APPLE VALLEY, DAKOTA COUNTY, MINNESOTA

The City Council of Apple Valley Ordains:

Section 1. The City of Apple Valley official zoning map is amended to add Planned Development Designation No. ____ and the following property to be included therein:

Zone 1: Lot 2, Block 1 HOPE ALLIANCE 2ND ADDITION

Section 2. Apple Valley City Code, Chapter 155, Appendix F, is amended by adding Article ____ to read as follows:

ARTICLE ____ . PLANNED DEVELOPMENT DESIGNATION NO. _____.

§ A__-1 PURPOSE.

The purpose of this designation is to amend the zoning chapter by establishing specific performance standards in compliance with § § 155.260 through 155.271 for property so designated on the official zoning map. This zoning district is located at the periphery of a residential neighborhood and is intended to provide a limited range of office, professional service and neighborhood service uses.

§ A__-2 PERMITTED USES.

(A) *Zone 1:* 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) Professional and general offices.
- (2) Banks, savings and loan, credit unions and other financial institutions.
- (3) Clinics for human care limited to a maximum of 4,000 square feet each.
- (4) Class III restaurant not to exceed 2,500 square feet. Drive-thru window service in conjunction with a Class III restaurant is subject to a conditional use permit as set forth elsewhere in this Article.
- (5) On-sale wine and 3.2% malt liquor in conjunction with a Class III restaurant facility.

(6) The following neighborhood service uses as limited to the following uses, unless otherwise specifically approved by the City Council: art and school supplies in connection with an art studio, lab or maker space; bakeries; barbershop and hair salons; custom dressmaking and tailoring; dry cleaning “Drop and Go” (no drive-thru or on-site treatment permitted); florists; interior decorating studio (no on-site retail furniture sales); jewelry and watch repair; locksmith shop; music and musical instrument instruction; photography studio; pottery studio; shoe repair; toys/candy made on site; and electronic device repair and service for computers, cell phones, tablets, gaming consoles, drones and similar devices limited to 2,500 sq. ft.

§ A___-3 CONDITIONAL USES.

(A) *Zone 1.* No structure or land shall be used for the following uses or uses deemed similar by the City Council, except by conditional use permit:

- (1) Funeral homes and mortuaries (no on-site crematory).
- (2) Animal hospital or clinic when contained within a building (no outdoor pet relief area).
- (3) Drive-thru window service for bank or similar financial institution (limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday, no Sunday hours). No 24-hour drive-up ATMs permitted, subject to the following condition:
 - (a) No more than one (1) drive-through window with related exterior drive-through facilities is permitted for each building on a lot of record.
- (4) License daycare facility.
- (5) Health or fitness facility, day spa or yoga studio provided all activities are conducted inside the building. No outdoor cross-training or similar outdoor classes or training allowed on the premises.
- (6) Drive-thru window services in conjunction with a Class III Restaurant, subject to the following conditions:
 - (a) No more than one (1) drive-through window with related exterior drive-through facilities is permitted for each building on a lot of record.
 - (b) Noise, headlights, traffic volume and emissions from idling vehicles resulting from the operation of the window shall not negatively impact surrounding residential and institutional uses and shall be mitigated as required by the City.
 - (c) The drive-thru lane shall not impede or conflict with vehicular, bicycle or pedestrian traffic circulation on the site as determined by the City Traffic Engineer.

(d) When a Class III restaurant is located less than 1,000 feet from a residential or institutional use, the City Council may restrict the hours of operation of a drive-thru window from 7:00 a.m. to 10:00 p.m. to mitigate any adverse impacts caused by noise, headlights, traffic volume and emissions from idling vehicles.

(e) If the installation of the drive-through facilities results in the loss of parking spaces, then the remaining parking spaces available for the entire site shall meet the parking requirements set forth in this Chapter.

§ A___-4 PERMITTED ACCESSORY USES.

(A) *Zone 1.* Within this zone, the following uses or uses deemed similar by the City Council shall be permitted accessory uses:

(1) Off-street parking, refuse storage and loading spaces, as regulated by this chapter.

(2) Buildings, trailers, unscreened 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. Trash dumpsters shall be removed from the subject lot when full.

(3) Public telephone booths and other essential public service facilities provided all yard requirements are met.

(4) Outdoor dining area in conjunction with Class III restaurant, subject to the regulations set forth in this chapter.

§ A___-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.**

	Zone 1
Minimum Lot Dimensions	
Lot Area (square feet)	10,000
Lot Width (feet)	100
Minimum Building Setbacks	
Along principal or minor arterial streets (feet)	25
Along all other streets (feet)	20
Minimum Parking Setbacks	
Along principal or minor arterial streets (feet)	10

Along all other streets (feet)	0
Maximum Building Coverage Coverage of lot (percentage)	21
Maximum Building Height (feet)	25
(2) Lighting; see 155.353	
(3) Off-street loading; see § 155.354	
(4) Building Design and Screening; see § § 155.346 and 155.348	
(5) Landscaping; see § 155.349	
(6) Parking; see § § 155.370 through 155.379	

§ A ___-6. SPECIAL PERFORMANCE STANDARDS

(A) In order to ensure a properly integrated design within the planned development, all uses shall comply with the following special performance standards:

- (1) Hours of operation shall be limited to 6:30 a.m. to 10:00 p.m.
- (2) No overnight parking of vehicles.
- (3) No outside storage of merchandise or other materials.

Section 3. Summary approved. The City Council hereby determines that the text of the summary marked "Official Summary of Ordinance No. [REDACTED], 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 4. 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 5. 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 6. Effective date. This ordinance shall take effect upon its passage and publication of its title and official summary.

PASSED by the City Council this _____th day of _____, 2021.

Clint Hooppaw, Mayor

ATTEST:

Pamela J. Gackstetter, City Clerk

DRAFT

CITY OF APPLE VALLEY
ORDINANCE NO. ____

AN ORDINANCE REZONING CERTAIN LAND AND AMENDING CHAPTER 155 APPENDIX F OF THE CITY CODE BY ADDING ARTICLE ____, ESTABLISHING PLANNED DEVELOPMENT DESIGNATION NO. [REDACTED], IN THE CITY OF APPLE VALLEY, DAKOTA COUNTY, MINNESOTA

The following is the official summary of Ordinance No. ____ approved by the City Council of Apple Valley on _____, 2021

Chapter 155 of the City Code is amended by adding Article ____ to Appendix F establishing PD- [REDACTED] which provides a limited range of office, professional service and neighborhood service uses. The PD allows drive-thru window service in connection with a Class III restaurant as a conditional use.

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.