

CITY OF APPLE VALLEY
ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 155 OF THE CITY CODE BY ADDING ARTICLE --APPENDIX A OF THE CITY CODE BY ADDING ARTICLE A__ FOR PLANNED DEVELOPMENT DESIGNATION NO. ____, APPLEWOOD POINTE OF APPLE VALLEY

The City Council of Apple Valley Ordains:

Section 1. That the official zoning map be amended to include under Planned Development Designation No. ____:

Zone 1: Lot 1, Block 1, Applewood Pointe of Apple Valley.

Zone 2: Outlot A, Applewood Pointe of Apple Valley.

Section 2. That the Code of Ordinances be adding Section A-__ as follows:

§ A--_ PURPOSE.

The purpose of this article is to establish specific performance standards in compliance with §§ 155.260-155.271 for property designated by Ordinance No.---- on the official zoning map. The purpose of this zone is to provide for apartments, condominiums, and residential cooperatives for persons 55 years of age or older; and townhomes.

§ A--_ PERMITTED USES.

(A) *Zone 1.* Within this zone no structure or land use shall be used except for one or more of the following uses or uses deemed similar by the city council:

(1) Condominiums, apartment, and residential cooperative multiple dwellings in which exclusively persons 55 years of age or older reside, provided the building is serviced by public sanitary sewer and water systems and having a maximum density of no greater than 14 units per acre.

(2) Home occupation as defined in § 155.003

(3) Public utility buildings and structures.

(B) *Zone 2.* Within this zone no structure or land use shall be used except for one or more of the following uses or uses deemed similar by the city council:

(1) Townhouse dwellings, provided they are serviced by public sanitary sewer and water systems and having a maximum density of no greater than six (6) units per acre.

- (2) Home occupation as defined in § 155.003
- (3) Public utility buildings and structures.
- (4) Community based family care, day care home licensed under M.S. § 245.812 or such home for the care of the mentally or physically handicapped licensed by the state.

§ A--_ CONDITIONAL USES.

(A) *Zone 1.* There are no conditional uses provided.

(B) *Zone 2.* Within this zone no structure or land use shall be used except for one or more of the following uses or uses deemed similar by the city council except through granting of a conditional use:

(1) Community-based family care home, day care not licensed under M.S. § 245.812 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 an 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 the facilities; and
- (c) Such conditional use permit shall be reviewed at one-year intervals.

§ A--_ PERMITTED ACCESSORY 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 shall be permitted accessory uses:

- (1) Buildings temporarily located for the purposes of construction of the premises for a period not to exceed the time necessary to complete said construction.
- (2) Temporary sales office.
- (3) Essential public facilities provided all requirements are met.
- (4) Off-street parking as regulated in this chapter.
- (5) Putting greens, shuffleboard courts, picnic area, fire pit, outdoor patio and similar recreational or service areas for use by the residents of the premises.
- (6) Decorative landscape features.
- (7) Keeping of domestic animals commonly referred to as “house pets” for noncommercial purposes.

(B) *Zone 2.* 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 shall be permitted accessory uses:

- (1) Buildings temporarily located for the purposes of construction of the premises for a period not to exceed the time necessary to complete said construction.
- (2) Temporary sales office.
- (3) Essential public facilities provided all requirements are met.
- (4) Off-street parking as regulated in this chapter.
- (5) Parks and playgrounds.
- (6) Decorative landscape features.
- (7) Garage sales not to exceed three per calendar year.
- (8) Keeping of domestic animals commonly referred to as “house pets” for noncommercial purposes.

§ A--_ MINIMUM AREA STANDARDS AND REQUIREMENTS.

(A) The following minimum area standards and requirements shall be met. 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 REQUIREMENTS AND STANDARDS

| Requirements | Zone 1 | Zone 2 |
|---|---------------|---------------|
| Lot Dimensions | | |
| Lot area | | - |
| Lot width | | - |
| Dwelling Unit Density | | |
| Maximum units per acre | 14 | 5 |
| Minimum Building Setbacks (measured in feet) | | |
| Along principal or minor arterial street | 40 | 40 |
| Along any private street or drive | 25* | 20* |
| Side lot line | - | 20 |
| Rear lot line | 30 | 50 |
| Between buildings | 10 | - |
| Minimum Parking Setbacks | | |
| Along principal or minor arterial street | - | - |
| Along any private street or drive | - | 20* |
| Side lot line | - | - |
| Rear lot line | - | - |
| Driveway setback from principal or arterial street | 40 | 50 |
| Maximum Impervious Surface | See § 155.350 | See § 155.350 |
| Maximum Building Height (measured in feet) | 35 | 60 |
| Maximum Number of Stories | 2 | 4 |

*Setback shall be measured from the back of the curb along the private street

- (2) Building and site design, see § 155.346
- (3) Screening, see § 155.348
- (4) Landscaping, see § 155.349
- (5) Lighting, see § 155.353

(6) Parking, see § 155.370 through 155.379

§ A--_ SPECIAL PERFORMANCE STANDARDS.

In order to ensure quality building and site design within this planned development, special standards are necessary. These include regulations governing site design, streetscape design, building materials, landscaping, screening and parking.

(A) *Residential site design.* The following shall be incorporated into Zones 1 and 2 of the planned development to assure an overall harmony.

(1) The private street shall be 26 feet wide, as measured face to face with parking allowed on one side of the street

(2) Paths and sidewalks, a minimum of five feet in width shall be installed along all private streets, and in other areas necessary to ensure that all pedestrians can move safely and conveniently on site and between site and neighborhood, and between the site and adjacent streets.

(3) Sidewalks located adjacent to parking areas shall have a minimum width of six and one-half feet to allow for the overhang of vehicles into sidewalk spaces.

(B) *Building design and materials.*

(1) All building elevations in zone 1 shall be considered a front for the purpose of exterior building material use and appearance.

(2) Building materials shall be those normally used in this part of the country for permanent type construction, which are found in what is generally accepted as good architectural design, and which are compatible with other buildings in the planned development area. Non-combustible materials such as brick, stone, stucco and the like shall be integrated into building elevations.

(3) All mechanicals, meters, and the like shall be appropriately screened from view.

(C) *Landscape design.* The following design elements shall be incorporated into all site plans. The goal of these regulations is to assure an overall harmonious theme will be created for all projects within this planned development. A master landscape plan shall be submitted to the city and the following design elements shall be incorporated:

(1) All plant materials to be utilized shall be identified on the plan and a landscape materials list provided.

(2) Provide screening of undesirable views.

(3) Enhance storm water ponding areas with native plantings.

(D) *Parking design.* The following design elements for on-site parking for condominiums, apartment, and residential cooperative multiple dwellings in which exclusively persons 55 years of age or older residents shall be allowed:

(1) The minimum parking spaces shall be provided at a rate of 1.7 spaces per unit, of which a minimum of one space per dwelling unit shall be enclosed.

(2) Enclosed underground parking spaces shall not be less than nine feet wide and 18 feet in length, and all spaces shall be served by a two-way drive aisle with a minimum drive aisle width of 20 feet.

Section 3. 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 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 ___ day of ____, 2022.

Clint Hooppaw, Mayor

ATTEST:

Pamela J. Gackstetter, City Clerk

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DEVELOPMENT DESIGNATION NO. ____, APPLEWOOD POINTE OF APPLE VALLEY

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

The Code of Ordinances is amended by adding Article A__ establishing planned development zoning district number ____. This amendment provides for multi-family residential cooperatives, condominium, and apartment buildings for residents 55 years of age and older; and townhouse dwellings units, and creates performance standards regulating building size and bulk, setbacks, and appearance. The overall district is bounded by Pilot Knob Road on west, McAndrews Road on the south and Valleywood golf course on the east and north, containing approximately 10.9 acres of land.

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 City Hall, 7100 147th Street West, Apple Valley, Minnesota 55124.