



AGENDA

Planning Commission

July 2, 2020, 7:00PM
Council Chambers

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF MINUTES**
 - a. JUNE 4, 2020 PLANNING COMMISSION MEETING
- 5. PUBLIC HEARINGS:**
 - a. CONDITIONAL USE PERMIT FOR A 204 SF ACCESSORY BUILDING AT 614 GREENE AVENUE NORTH (PRAY)
 - b. ZONING ORDINANCE TEXT AMENDMENT: ACCESSORY APARTMENTS
- 6. INFORMATIONAL ITEMS**
 - a. PLANNING AND DEVELOPMENT UPDATE
- 7. ADJOURNMENT**

**The next regular Planning Commission meeting will be held
August 6, 2020, 7:00PM, Council Chambers**

**REGULAR MEETING
OAKDALE PLANNING COMMISSION
June 4, 2020**

The Oakdale Planning Commission held a meeting on Thursday, June 4, 2020 at Oakdale City Hall, 1584 Hadley Avenue North, Oakdale, Minnesota. The meeting began at 7 PM with the Pledge of Allegiance.

CALL OF ROLL

On a call of roll, the following were present:

Chairperson: Dallas Pierson

Commissioners: Bob Boullianne
Christopher Campbell
Emily Milles
Lee Stolarski

Absent: Yaya Diatta
Marty Jurgensen

Others Present: Emily Shively, City Planner
Mary Cutrufello, Associate Planner
Linnea Graffunder-Bartels, Senior Community Development Specialist
Jake Ingebrigtsen, Council Member

APPROVAL OF MINUTES

A MOTION WAS MADE BY COMMISSIONER STOLARSKI, SECONDED BY COMMISSIONER BOULLIANNE, TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MAY 7, 2020, AS PRESENTED.

6 AYES

PUBLIC HEARINGS

a. OAKDALE MARKETPLACE PLANNED UNIT DEVELOPMENT. DETAILED DEVELOPMENT/OVERALL SITE PLAN AMENDMENT; SITE PLAN REVIEW; PRELIMINARY/FINAL PLAT (AUTO ZONE.)

Associate Planner Cutrufello presented several application requests from AutoZone, Inc. AutoZone would like to construct a new single-story, 7,485 square-foot auto parts store on 2.25 acres of land between 7520 32nd Street North and 7630 33rd Street North. The site will include a new driveway, parking, utility connections, landscaping, path along 33rd Street North and storm-water features. In order to accomplish this, the applicant has requested: 1) the Oakdale Marketplace PUD Detailed Development Plan be amended to change the use from Restaurant to Retail; 2) site plan approval; 3) preliminary/final plat approval to create a new lot for the store. Ms. Cutrufello stated that the property is guided Mixed Use in the City's 2040 Comprehensive Plan. It is zoned PUD with underlying zoning of C-2 Community Commercial.

Ms. Cutrufello explained that the AutoZone proposal requires an amendment to the 2005 PUD Detailed Development Plan for Oakdale Marketplace to address the change in designated use from Restaurant to Retail. The amendment to change the designation from Restaurant to Retail is consistent with the overall intent of the PUD and the Comprehensive Plan as it is contributing to the character of the development which is mixed use retail.

Associate Planner Cutrufello stated that the Site Plan Review considers the relationship between the plan elements and the conditions both on and off site and ensures conformance with the comprehensive plan, zoning code and design standards. She stated that Staff looks at nine different criteria during the Site Plan Review: 1) Setbacks and Height, 2) Lot Coverage, 3) Trash Enclosure, 4) Parking and Circulation, 5) Landscape Plan, 6) Exterior Design Standards, 7) Site Lighting, 8) Signage, 9) Other Regulatory Review. Staff determined that the Site Plan meets or exceeds all zoning requirements and is also in conformance with the Comprehensive Plan and Subdivision Ordinances.

In regards to the Preliminary and Final Plat Approval, Ms. Cutrufello shared that subdivision of land is reviewed to ensure compliance with the Comprehensive Plan, subdivision standards, zoning regulations and impact on infrastructure. She showed the preliminary plat with existing conditions and the final plat showing the lot lines, dimensions, easements and legal description for the proposed subdivision. The final plat, the Oakdale Marketplace Fifth Addition, will be recorded at Washington County to establish the new lots. Staff has reviewed the proposed subdivision and has determined that the proposed preliminary and final plat meets the subdivision regulations.

Ms. Cutrufello explained that all three items, the PUD amendment, Site Plan approval and preliminary/final plat approval while all separate items, work together to enable this development to move forward.

In response to a question from Chair Pierson, Ms. Cutrufello shared that in regards to the proposed stormwater management, AutoZone has submitted plans for preliminary review to the Valley Branch Watershed District.

Chair Pierson opened the Public Hearing for comments from the audience. There being no comments, he closed the public hearing.

In response to a question from Commissioner Campbell, Ms. Cutrufello explained that there is no future development planned to the west of the building as there is a pipeline easement.

COMMISSIONER STOLARSKI MADE A MOTION, SECONDED BY COMMISSIONER BOULLIANNE TO RECOMMEND APPROVAL OF THE OAKDALE MARKETPLACE PLANNED UNIT DEVELOPMENT DETAILED DEVELOPMENT/OVERALL SITE PLAN AMENDMENT (AUTOZONE).

5 AYES

CITY COUNCIL UPDATE

Council Member Ingebrigtsen shared that any resident with questions, comments or concerns please reach out to him, or any other member of the City Council.

PLANNING COMMISSION REVIEW

a. SITE PLAN REVIEW FOR A BUILDING ADDITION AT 5115 HADLEY AVENUE NORTH (PARK TOOL)

Senior Community Development Specialist Graffunder-Bartels presented a request for a Site Plan Review for a building addition at Park Tool located at 5115 Hadley Avenue North. The proposed addition will be a 19,867 square-foot one story building to allow expansion for their warehouse capacity. Site Plan Review includes review of the building location, parking, exterior materials, and other site characteristics against ordinance requirements. If the Site Plan meets the ordinance criteria, the Site Plan is granted. The Park Tool property is guided for industrial office use and zoned for the same.

Ms. Graffunder-Bartels stated that the location of the proposed 19,867 square-foot addition and new parking areas meet the ordinance set-back requirements and the structure is in compliance with the ordinance height limit and matches the height of the existing building. Additional parking for the expansion is provided as proof of parking and meets the ordinance requirements for the number of stalls and dimensional standards. The exterior materials will match the existing building to ensure consistency and meet the ordinance requirements for design standards. The proposed landscaping plan, lighting plan, and screening of rooftop utilities all also meet ordinance requirements. The Building Official, the Fire Chief, the City Engineer and Watershed District have all done preliminary review of the plans and don't have any outstanding concerns at this time.

Ms. Graffunder-Bartels mentioned that Staff has reviewed the Site Plan and has found it meets all ordinance requirements and recommends approval of the site plan.

Chair Pierson opened the meeting for comments from the audience. There being no comments, he closed the public comment period.

COMMISSIONER STOLARSKI MADE A MOTION, SECONDED BY COMMISSIONER MILLES TO RECOMMEND APPROVAL OF THE SITE PLAN TO ALLOW FOR THE CONTRUCTION OF BUILDING ADDITON ONTO THE EXISTING BUILDING AT 5115 HADLEY AVENUE NORTH (PARK TOOL).

5 AYES

OLD BUSINESS

a. Site Plan Review for a new Elementary School at 7850 15th Street North (Eagle Point Elementary – ISD 622)

Planner Shively reminded the Commission that this Site Plan Review was discussed at length at the May 7, 2020 meeting and there was one outstanding issue with regard to access and circulation for bus traffic at the site which will be discussed tonight before it goes to the City Council.

City Staff has recommended that regular bus traffic enter and exit the site via 15th Street North. The school district has asked that they utilize Upper 16th Street North for bus access. The primary goal for access and circulation in Site Planning is that it is safe and functional at its most basic level. This is accomplished utilizing several elements: 1) the capacity of the road network; 2) access points to the site; 3) internal circulation within the site.

Ms. Shively explained that 15th Street North is a collector street and is designed to handle a higher volume of traffic and is built with the capacity for heavier vehicles. Local roads are designed to have lower traffic volumes and are not designed to act as collector roads.

Planner Shively shared the Eagle Point site plan as two separate access points on 15th Street North which provide access for different types of traffic. They are over 200 feet apart which exceeds the ordinance requirements.

ISD 622 provided a circulation document showing how different types of traffic, including bicycles and pedestrians, will utilize the site. The easterly access drive is only used for deliveries and bus access and the westerly access drive is only used for the parent drop off/pick up. The buses are not interacting at separated from circulation for the drop off vehicles and walkers and bikers.

The School District provided written documentation for additional consideration (dated May 21, 2020 and included in the packet materials). Staff reviewed the information and concluded that the goal of safe and functional separation of bus and parent traffic to and from the site is better met via the two access points on 15th Street North. This solution exceeds current City design standards and keeps traffic off local roads by taking traffic directly from the site to 15th Street North, a collector street.

Planner Shively stated Staff is recommending approval of the new elementary site plan with two conditions: Construction traffic will utilize 15th Street North for the delivery of equipment, materials and contractors; and that daily bus traffic access the site via 15th Street North.

There being no questions from the Commissioners, Chair Pierson opened the meeting for public comment.

Randy Anderson, Director of Business Operations ISD622 stated that he has some concerns with the safety of kids and how the site flows. He introduced Shawn Bromeland, Principal of Eagle Point. Principal Bromeland expressed concerns that Eagle Point Elementary will be almost doubling in student size, so he is concerned about added traffic. To address issues at the school currently, they utilize the parking lot at Hope Church to the east of the school for parent drop off.

In response to a question from Commissioner Campbell regarding whether a traffic study had been completed in coordination with planned boundary changes, Principal Bromeland stated that

Randy Anderson can address the traffic analysis study and, due to the attendance boundary change, there will be added regular and special education buses to accommodate the increased students in both areas. Mr. Anderson shared that they have not completed a traffic study, as they are currently looking at enrollment and boundaries. He stated that in the morning most of the traffic is coming in from the west and in the evening most of the traffic is leaving to the west.

In response to a question from Commissioner Campbell, Ms. Shively stated that currently parents are dropping off at Hope Church on Hydram Avenue North and buses enter the school parking lot to provide separation of different types of traffic. When construction is completed, buses and parent vehicles will utilize different driveways on 15th Street North, separated by over 200 feet, which exceeds the ordinance requirements.

In response to a question from Chair Pierson and Commissioner Campbell, Ms. Shively explained that a planned connection is remaining at Upper 16th Street North, which also is also a benefit for emergency access. If conditions in the future warrant, the access and circulation may be reevaluated. Staff is not recommending that this connection be eliminated, but rather that regular daily bus traffic utilize 15th Street North for reasons stated previously.

There being no further public comments, Chair Pierson closed the public comment period.

In response to a question from Commissioner Campbell, Planner Shively stated that as the proposal stands now there is a gate at the Upper 16th Street North connection. Mr. Anderson also stated that the bus lot itself will also be used as a recess place for kids, and was always intended to be gated for security.

A MOTION WAS MADE BY COMMISSIONER STOLARSKI, SECONDED BY COMMISSIONER MILLES, TO RECOMMEND APPROVAL OF THE SITE PLAN REVIEW FOR A NEW ELEMENTARY SCHOOL AT 7850TH STREET NORTH (EAGLE POINT ELEMENTARY – ISD 622), SUBJECT TO THE FOLLOWING CONDITIONS: 1. MAIN ACCESS FOR DAILY BUS TRAFFIC SHALL BE OFF 15TH STREET NORTH, NOT UPPER 16TH STREET NORTH; 2. CONSTRUCTION TRAFFIC SHALL BE OFF 15TH STREET NORTH, NOT RESIDENTIAL STREETS OF HYDRAM AVENUE NORTH, UPPER 16TH STREET NORTH OR UPPER 17TH STREET NORTH. DELIVERY OF EQUIPMENT SHALL ALSO BE OFF 15TH STREET NORTH.

5 AYES

INFORMATIONAL ITEMS

a. Planning and Development Update

Planner Shively mentioned that Peaceful Lodge is continuing their progress in their construction project.

Ms. Shively mentioned that the Planning Commission agenda for July has not been set, so there may or may not be a meeting; and the Willowbrooke applications are expected to come in August.

In response to a question from Chair Pierson regarding the Willowbrooke site, Ms. Shively explained initially, the Planning Commission will be looking at a plat to subdivide the property initially for sale from the developer to the builder, who will be constructing the single family neighborhoods in phases. The developer who owns the entire site currently will be holding on to the multi-family sites until he finds a builder for those. She stated the next piece will be a Planned Unit Development, a special set of neighborhood standards that has been created with some flexibility with regard to lot size and placement to preserve that interconnected open space throughout the neighborhood with curvilinear streets, intended to be very park like. The City will use a set of special standards for those similar to what was done at Tartan Crossing and Helmo Station.

ADJOURNMENT

A MOTION WAS MADE BY COMMISSIONER STOLARSKI, SECONDED BY COMISSIONER BOULLIANNE, TO ADJOURN THE JUNE 4, 2020 MEETING OF THE OAKDALE PLANNING COMMISSION AT 7:59 PM.

6 AYES

Respectfully submitted,

Jackie Knutson
Recording Secretary



PLANNING COMMISSION REPORT

To:	Oakdale Planning Commission
Meeting Date:	07/02/2020
Applicant:	Dylan and Dakota Pray
Location:	614 Greene Ave North
Request(s):	Conditional Use Permit for a 204 square foot Accessory Building
Prepared/Presented:	Mary Cutrufello, Associate Planner

INTRODUCTION

Dylan and Dakota Pray would like to build an accessory building on their property at 614 Greene Avenue North (See Attachment A: Location Map). The structure would measure 17’ x 12’ (204 square feet) and would be located in the rear yard (see Attachment B: Site Plan). The applicants are planning to use the structure for storage of personal effects.

Single-family homes in the R-3 Low-Density Residential District are permitted one accessory building up to 150 square feet (Sec. 25-36(b)(1)a)). Accessory buildings exceeding the size requirements may be allowed via Conditional Use Permit (Sec. 25-154(e)). This allows the City to review the request to ensure the general and specific criteria in the ordinance are met so that a larger building than is permitted by right is determined to be suitable for the area.

COMPREHENSIVE PLAN DESIGNATION

The subject property is guided Low-Density Residential in the City’s Comprehensive Plan.

ZONING DISTRICT REQUIREMENTS

The subject property is zoned R-3 Low-Density Residential. Accessory buildings up to 150 square feet are a permitted accessory use. Accessory buildings larger than 150 square feet may be permitted via CUP.

The designations of the surrounding property are displayed in the table below:

Orientation	Comprehensive Plan	Zoning District	Existing Use
North	Low-Density Residential	R3 – Low-Density Residential	Residential
South	Low-Density Residential	R3 – Low-Density Residential	Residential
East	Low-Density Residential	R3 – Low-Density Residential	Residential
West	Low-Density Residential	R3 – Low-Density Residential	Residential

ANALYSIS

The zoning ordinance states the following (Sec. 25-3-900(a)):

A conditional use is a permitted use that is allowed only when it is shown that the use meets certain general and specific standards related to the proposed conditional use.

All conditional uses must meet seven general criteria in order for a permit to be approved. This allows the City to review the potential impact(s) the use may have and ensure that the use is consistent with what is envisioned for the area in the City's Comprehensive Plan.

In addition, some conditional uses have specific criteria that must be met which are intended to address potential issues that may arise associated with that type of use. If an application meets all of the criteria in the ordinance, then a conditional use permit shall be granted.

General Criteria for Granting a Conditional Use Permit. The general criteria for granting a conditional use permit (applicable to all conditional use permit requests) are listed in Section 25-3-900(g) of the Zoning Code. The conditional use is evaluated according to the following criteria:

(1) The conditional use will be in conformity with the City's comprehensive plan and with the purpose, intent and applicable standards of this Ordinance.

The proposed use is in conformity with the city's comprehensive plan as the property is guided low-density residential and accessory buildings are permitted residential accessory uses. This condition is met.

(2) The conditional use shall be located, designated, maintained and operated to be compatible with the existing or intended character of that zoning district in which it is located.

The lot at 614 Greene Avenue North exceeds R-3 lot area requirements by approximately 525 square feet. There is sufficient area for a larger accessory building on this property. This condition is met.

(3) The use shall not be hazardous, detrimental or disturbing to present and potential surrounding land uses due to noise, glare, smoke, dust, odor, fumes, water pollution, vibration, general unsightliness or other nuisances.

The applicant has stated that the structure will be used for storage of personal effects. This condition is met.

(4) The use shall not create traffic congestion, unsafe access or parking needs that will cause inconveniences to the adjoining properties.

No additional traffic will be generated by this use. This condition is met.

(5) The use shall be served adequately by essential public services, such as streets, police, fire protection and utilities.

The existing home is served adequately by public services and the proposed accessory building will not require additional services beyond those that can be provided by existing utilities. This condition is met.

(6) The use shall not create excessive additional requirements at public cost for public facilities and services and shall not be detrimental to the economic welfare of the city.

The proposed use does not require any additional requirements at public cost. This condition is met.

(7) The use shall preserve and incorporate the site's natural and scenic features into the development design and cause minimal adverse environmental effects.

The proposed accessory building will not impact any natural features on the site and is not anticipated to cause any adverse environmental effects. This condition is met.

Specific Conditional Use Permit Criteria for Accessory Buildings Exceeding the Number and Size in the Ordinance. The specific criteria for granting a conditional use permit is listed in Section 25-23(c)(9) of the Zoning Code; staff evaluation of the application follows the citations:

(a) The property where the structure is to be located cannot be reduced through subdividing as long as the building remains on the site.

The parcel is not eligible for subdivision due to lot width. This condition is met.

(b) The building shall not be of a pole building type construction (defined as a structure that utilizes treated lumber buried in the ground that serves as the building foundation).

The accessory building will have a gravel pad foundation. This condition is met.

(c) No door or other access opening shall exceed ten (10) feet in height.

No doors or other access will be greater than 10 feet in height. This condition is met.

(d) The structure shall not be used for commercial or industrial activities, except as allowed by the regulations governing home occupations.

The applicant has stated that the accessory building will be used for storage of personal effects. This condition is met.

Additional Considerations. Applications for a Conditional Use Permit require notification of neighbors within 100 feet of the subject property. The applicant has fulfilled the requirement.

60-DAY RULE

Application Complete: June 8, 2020

60-Day Review Deadline: August 7, 2020

Planning Commission Meeting: July 2, 2020

Expected City Council Action: July 28, 2020

ROLE OF THE PLANNING COMMISSION

The role of the Planning Commission is to review the Conditional Use Permit request as it relates to the Comprehensive Plan and Zoning Ordinance requirements and provide a recommendation to the City Council.

RECOMMENDATION

Staff has determined that the request for a Conditional Use Permit for a large accessory building meets the requirements of the zoning ordinance. Staff recommends approval of the Conditional Use Permit.

MOTION

Motion to recommend approval of the Conditional Use Permit for a 204 square foot accessory building at 614 Greene Avenue North.

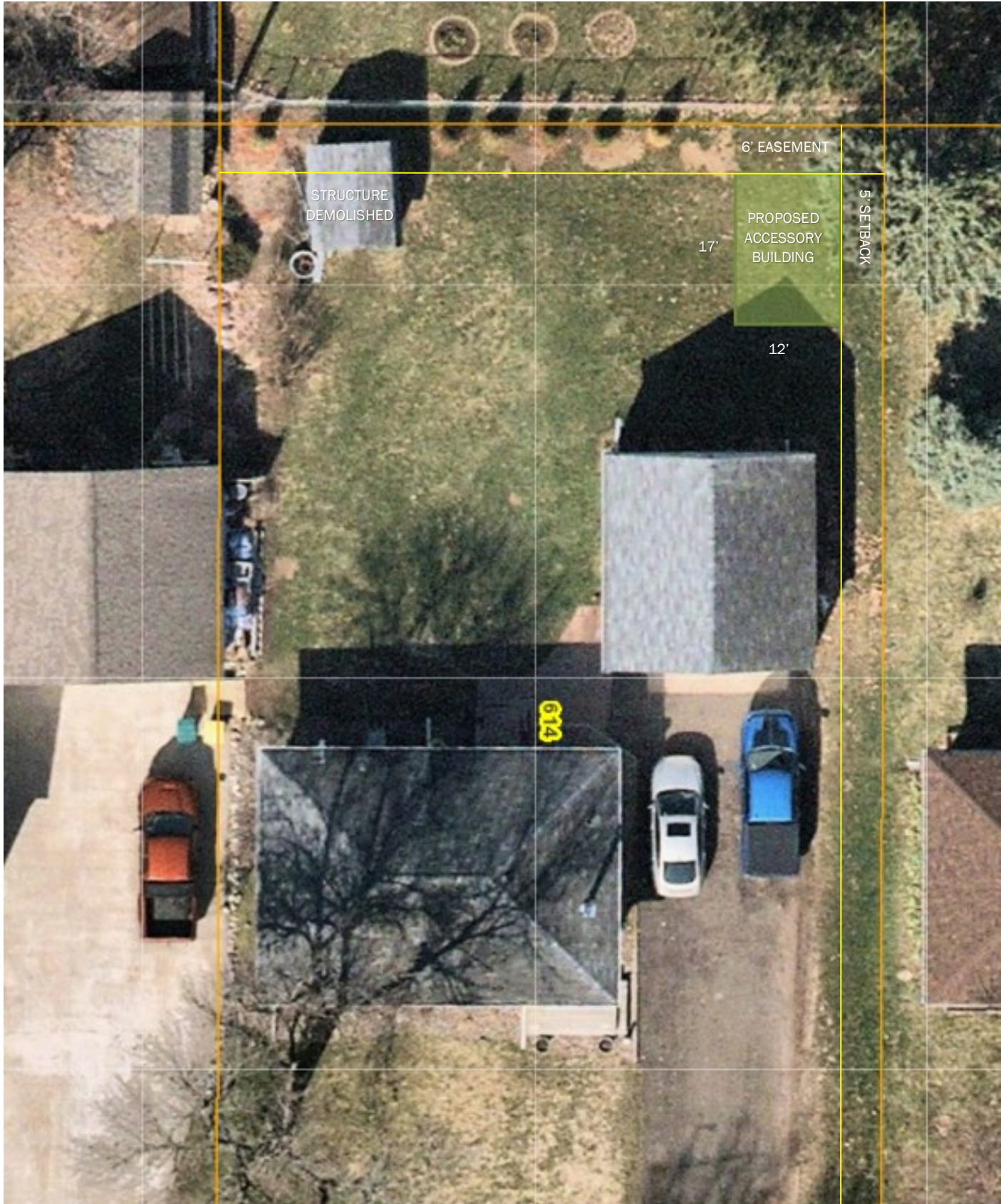
ATTACHMENTS

Attachment A: Location Map

Attachment B: Site Plan

Attachment C: Draft City Council Resolution

Attachment B - Site Plan



Attachment C - Draft City Council Resolution

CITY OF OAKDALE RESOLUTION NO. 2020-xx

APPROVING A CONDITIONAL USE PERMIT FOR A 204 SQUARE FOOT ACCESSORY BUILDING AT 614 GREENE AVENUE NORTH.

At a meeting of the City Council of the City of Oakdale held on Tuesday, July 28, 2020, at Oakdale City Hall, 1584 Hadley Avenue North, Oakdale, Minnesota, with the following members present: Mayor Paul Reinke; Councilmembers Jake Ingebrigtsen, Susan Olson, Colleen Swedberg, and Kevin Zabel and the following members absent: None, the Oakdale City Council resolved:

WHEREAS, Dylan and Dakota Pray have requested a conditional use permit to construct a 204 square foot accessory building in the rear yard at 614 Greene Avenue North (Legal Description: Tanners Lake Heights Plat No. 3 Lot 9 Block 15), and

WHEREAS, the property is zoned R-3 Low-Density Residential and accessory buildings exceeding the size requirements are allowed via conditional use permit, per Section 25-154(e), and

WHEREAS, the proposal for an accessory structure that exceeds the size requirements in the ordinance meets the four specific standards (Sec. 25-23(c)(9)) and the seven general criteria for granting a conditional use permit (Sec. 25-3-900), and

WHEREAS, the applicant meets all performance and setback requirements established in the ordinance, and

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Oakdale hereby approves a Conditional Use Permit for a 204 square foot accessory building at 614 Greene Avenue North.

Voting in Favor:

Voting Against:

Resolution duly seconded and passed this 28th day of July, 2020.

Paul Reinke, Mayor

Susan Barry, City Clerk



PLANNING COMMISSION MEMORANDUM

To:	Oakdale Planning Commission
From:	Emily Shively, City Planner
Meeting Date:	July 2, 2020
Subject:	Zoning Ordinance Text Amendment – Accessory Apartments (Sec.25-23(c)(3))

INTRODUCTION

Staff has received several inquiries over the last few months from residents interested in adding onto their home to provide a separate space for family members to live in a way that was close by, but independent from the main home. Others have been interested in creating a small apartment as part of a building addition that would be available to rent.

ISSUE

The ordinance allows an accessory apartment as part of a residence via Conditional Use Permit and subject to performance standards. Staff has found two issues with the current ordinance:

1. The ordinance requires that the owner of the home reside in one of the units. This is not required for any other single or two-family dwellings in the City.
2. The ordinance limits the size of an addition for an accessory apartment to 10% of the square footage of the existing home. Typically, building additions are limited by setback requirements and total impervious coverage on the lot. There are no other ordinance requirements limiting residential construction to a percentage of existing square footage.

Based upon review of the ordinance and the recent inquiries, staff recommends that the ordinance should be updated.

ANALYSIS

To address a discrepancy in the treatment of like properties and to facilitate reasonable requests for accessory apartments, staff is recommending two changes to the current ordinance.

Owner-occupancy requirement

The ordinance requires that the owner of the residence occupy at least one of the dwelling units and that this be verified every two years. Staff is recommending that those provisions be deleted for the following reason:

- This treats similar properties differently. Other two-family residences and rental properties are not subject to this requirement.
- This provision deters investment in property; if the owner sells the property, they may be required to remove the accessory apartment.
- This ordinance was established prior to the City instituting a rental licensing program. The City’s Rental Licensing Program requires annual inspections for license renewal to ensure building and property maintenance codes are in compliance for all rental units.

Limitation of size of building additions

The ordinance limits an addition for an accessory apartment to no more than 10 percent of the square footage of the existing home. Staff considers this to be problematic for the following reasons:

- The average home size in Oakdale is approximately 1,200-1,500 square feet; that would limit an addition for an accessory apartment to 120-150 square feet. Typical studio apartments are around 600 square feet and one-bedroom apartments average about 800 square feet.

- Other types of additions to single-family homes are not limited to a percentage of the existing square footage. The size of an addition on any particular property is prescribed by setbacks and limitations on total impervious coverage. Accessory apartments are considered part of the principal structure and are subject to those same performance standards. This is more appropriate than an arbitrary percentage limitation.
- The other Conditional Use Permit criteria ensure that the single-family character of the home is maintained.

SUMMARY TABLE

STANDARD	ACCESSORY APARTMENTS	ALL OTHER RESIDENTIAL PROPERTY
OWNER OCCUPANCY REQUIRED	YES	NO
BUILDING ADDITION STANDARDS	ADDITIONS LIMITED TO 10% OF EXISTING SQUARE FOOTAGE	MUST MEET SETBACK AND IMPERVIOUS COVERAGE LIMITATIONS; NO PERCENTAGE LIMITATION
RENTAL LICENSE REQUIRED	YES	YES

RECOMMENDATION

Staff is recommending that the accessory apartment ordinance be updated to facilitate reasonable requests and treat similar properties in the same manner.

ROLE OF THE PLANNING COMMISSION

Proposed amendments to the zoning ordinance require a public hearing before the Planning Commission. The role of the Planning Commission is to hold the public hearing, consider the proposed amendment as it relates to the Comprehensive Plan and other sections of the Zoning Ordinance, and provide a recommendation to the City Council.

MOTION

Motion to recommend approval of the zoning ordinance text amendment regarding Accessory Apartments.

ATTACHMENTS

Attachment A: Draft Accessory Apartment Ordinance

Attachment A – Draft Accessory Apartment Ordinance

CITY OF OAKDALE ORDINANCE NO. XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF OAKDALE, CHAPTER 25 – ZONING, ARTICLE 6 – VERY LOW DENSITY HOUSING, SECTION 25-23(C), SPECIAL USES, ACCESSORY APARTMENTS.

The City Council of the City of Oakdale ordains:

Section 1. The Oakdale Code of Ordinances, Chapter 25, Article 6, Section 25-23(c) is amended to read as follows:

(3) Accessory apartments according to the following conditions:

- (a) The apartment will be a complete, separate housekeeping unit that can be isolated from the original unit.
- (b) Only one apartment will be created within a single-family house.
- (e) ~~The owner(s) of the residence in which the accessory unit is created shall occupy at least one of the dwelling units on the premises, except for bonafide temporary absences.~~
- (d)(c) The accessory apartment shall be designated so that, to the degree reasonably feasible, the appearance of the building remains that of a one-family residence. In general, any new entrances shall be located on the side or in the rear of the building, and any additions shall not increase the square footage of the original house by more than ten (10) percent.
- (e)(d) The design and size of the apartment conforms to all applicable standards in the health, building, and other codes.
- (f)(e) At least three (3) off-street parking spaces are available for use by the owner-occupant(s) and tenants(s).
- (g) ~~The effective period of the special exception use shall be two (2) years. At the end of every two (2) years, renewal shall be automatically granted upon receipt of certification by the City Administrator that the property remains the principal residence of the owner and that all other conditions met at the time of the original application remain unchanged. The City Administrator in his sole discretion, may require a new application and a demonstration of compliance with all conditions necessary for a Special Use Permit.~~
- (h)(f) Any other appropriate or more stringent conditions deemed necessary by the City Council to protect public health, safety, and welfare, and the single-family dwelling character of the neighborhood.

Section 2. This Ordinance shall take effect and be in full force from and after its adoption and publication, as provided by law.

Paul Reinke, Mayor

AYES:

NAYS:

Adopted this 28th day of July, 2020 by the Oakdale City Council.

Attest:

Susan Barry, City Clerk