

**Ordinance No. 2007-43**

**AN ORDINANCE AMENDING THE CITY ZONING CODE AS IT APPLIES TO  
SETBACKS FOR INDUSTRIAL ZONED PROPERTY**

**WHEREAS**, the City Council of the City of Rockville adopted official zoning controls (“Zoning Code”) pursuant to the authority granted in Minnesota Statutes, Chapter 462 in April 2003 which replaced all pre-existing official controls; and

**WHEREAS**, the City Council amended the Zoning Code by Ordinance Numbers 2003-06, 2004-18, 2004-19, 2004-20, 2004-25, 2004-26, 2006-30, 2007-40, 2007-41, 2007-42; and

**WHEREAS**, the City Council has the authority pursuant to Minnesota Statutes, Chapter 462 to amend the official zoning controls; and

**WHEREAS**, the Planning Commission seeks to amend and clarify the official controls relating to accessory buildings, and has recommended the following amendment be adopted at its meeting on November 20, 2007; and

**WHEREAS**, public hearing was held on December 5, 2007 in front of the City Council, and members of the public were given an opportunity to comment on the proposed amendment. Notice of the public hearing was published in the Cold Spring Record on November 27, 2007 and December 4, 2007.

**NOW, THEREFORE, the City Council does ordain:**

**SECTION 1:**

Section 22, Subdivision 5(1) of the Zoning Code (as amended) is deleted and replaced with the following:

**1.     Setbacks.**

- A.     Front yard setback. There shall be a twenty-five foot front setback.
- B.     Side yard and rear yard setback. There shall be a twenty foot side or rear setback, except as provided below.
  - 1.     Setbacks from R-2 and R-3 Zoning Districts, Churches and Schools. A landscaped strip of at least sixty (60) feet in width shall be provided along the boundary of any adjoining property guided to duplex or multi-family residential development, in the future land use map, or where a multi-family residence, church or school is located
  - 2.     Setbacks from R-1 Zoning Districts. A landscaped strip of at least one-hundred (100) feet in width shall be provided along the boundary of any adjoining property guided single-family residential

development, in the future land use map, or where a single-family residence is located.

3. Residential Setback Standards. This landscaped strip shall be landscaped as a Buffer Yard, pursuant to Section 9A, Subd. 5(D).
4. Application to Section 9A. Nothing in the paragraph shall exempt the property from a greater setback if required to meet the requirements of Section 9A.

## **SECTION 2:**

Section 23, Subdivision 5(1) of the Zoning Code (as amended) is deleted and replaced with the following:

### **2. Setbacks.**

- A. Front yard setback. There shall be a twenty-five foot front setback.
- B. Side yard and rear yard setback. There shall be a twenty foot side or rear setback, except as provided below.
  1. Setbacks from R-2 and R-3 Zoning Districts, Churches and Schools. A landscaped strip of at least sixty (60) feet in width shall be provided along the boundary of any adjoining property guided to duplex or multi-family residential development, in the future land use map, or where a multi-family residence, church or school is located
  2. Setbacks from R-1 Zoning Districts. A landscaped strip of at least one-hundred (100) feet in width shall be provided along the boundary of any adjoining property guided single-family residential development, in the future land use map, or where a single-family residence is located.
  3. Residential Setback Standards. This landscaped strip shall be landscaped as a Buffer Yard, pursuant to Section 9A, Subd. 5(D).
  4. Application to Section 9A. Nothing in the paragraph shall exempt the property from a greater setback if required to meet the requirements of Section 9A.

## **SECTION 3:**

This Ordinance shall be effective immediately upon its passage and publication.

*(Signature page to follow)*

Adopted this 5th day of December, 2007.

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Brian Herberg, Mayor

ATTEST:

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Verena Weber, City Administrator-Clerk