

ORDINANCE 02-2023

COUNTY OF WASHINGTON
CITY OF AFTON

AN ORDINANCE AMENDING SECTIONS 12-55 AND 12-201 TO ADD A REVISED DEFINITION OF DWELLING UNIT AND TO ADD PERFORMANCE STANDARDS FOR DWELLING UNITS IN COMMERCIAL BUILDINGS IN THE VHS-C DISTRICT

THE CITY COUNCIL OF THE CITY OF AFTON, MINNESOTA HEREBY ORDAINS:

The following sections of the Afton Code of Ordinances shall be amended by adding the **bold and underlined** language and deleting the strike-through language.

Sec. 12-55 Definitions

Dwelling unit means a residential accommodation, which is arranged, designed, used ~~and~~ or intended for use exclusively as living quarters for a **maximum occupancy of five, with each unit equipped with its own separate sleeping, cooking, eating, living and bathroom sanitation facilities, not shared with any other dwelling units.**

Sec. 12-201. Dwelling units in commercial and **Industrial** zoning districts.

A. Industrial Districts. A dwelling unit for a watchman, alone or with family, shall be considered an accessory use and shall conform to all applicable regulations for the zoning district in which it is located, except as herein modified:

1. No detached dwelling unit shall be permitted in the Industrial zoning district.
2. A dwelling unit in ~~an commercial or~~ industrial building shall not contain more than one bedroom
3. A dwelling unit that is part of the principal building shall be provided with two exits; one shall be a direct outside exit.
4. All buildings shall conform to the building code and applicable fire codes.

B. VHS-C District. The following are performance standards for dwelling units in a commercial building in the VHS-C district.

1. A dwelling unit in the VHS-C~~commercial~~ district located in a commercial structure may be located **above the main floor and in the rear of the main floor, but** shall not occupy the front half of the ground floor or **be located in** the basement.
2. **A maximum of two dwelling units are allowed in a commercial building in the VHS-C District.**
3. A dwelling unit in a commercial building shall not contain more than **two one-bedrooms.**
4. **An office use is allowed to be located above the main floor of a commercial building**
5. **A dwelling unit cannot be located in a commercial building unless there is a commercial use on the main floor**
6. **A minimum of one off-street parking space shall be provided for each dwelling unit in a commercial building.**
7. **A dwelling unit in a commercial building shall require a Conditional Use Permit.**

ORDINANCE 02-2023

8. The approval of a dwelling unit in a commercial building shall be subject to sufficient capacity in the municipal wastewater treatment facility. Each dwelling unit shall be considered one sewer unit.

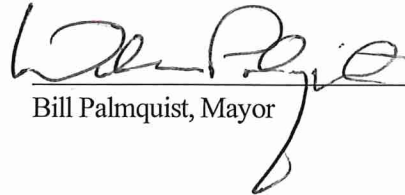
9. If a commercial building is not connected to the municipal sanitary sewer system, the addition of a residential unit to the building shall trigger the requirement to connect to the sanitary sewer system within 60 days, subject to weather conditions.

10. A dwelling unit that is part of the principal building shall meet Building and Fire Code requirements for exits.

11. A commercial building in which a dwelling unit is located shall conform to the building code and applicable fire codes on an on-going basis.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 21ST DAY OF MARCH, 2023

SIGNED:


Bill Palmquist, Mayor

ATTEST:


Ronald J. Moorse, City Administrator