

CITY OF APPLE VALLEY  
ORDINANCE NO. ----

AN ORDINANCE OF THE CITY OF APPLE VALLEY, AMENDING  
CHAPTER 155 OF THE CITY CODE BY ADDING THE LOW DENSITY  
FLEX RESIDENTIAL ZONING DISTRICT

The City Council of Apple Valley ordains:

Section 1. Chapter 155 of the Apple Valley City Code, is hereby amended to add the following:

**§ 155.--- PURPOSE.**

This district is for the purpose of providing a transition in housing density and styles between low density single-family and multi-family areas by allowing for a mix of housing types that would include single-family residential dwellings, duplexes, twin homes and detached and attached townhomes. The district is intended for those areas which are designated “Low Density Flex” in the comprehensive guide plan, with the specific district relating to the natural features and characteristics of the site and the surrounding property.

**§ 155.--- PERMITTED USES.**

Within the LDF district, no structure or land shall be used, except for one or more of the following uses or uses deemed similar by the City Council:

- (A) Any permitted use in the R, single-family district as regulated therein;
- (B) Two-family residential dwelling;
- (C) Single-family detached townhome; and
- (D) Townhome dwellings, provided they are serviced by public sanitary sewer and water systems and provided no single structure in excess of 12 dwelling units.

**§ 155.--- CONDITIONAL USES.**

Within the LDF district, no structure or land shall be used for the following uses or uses deemed similar by the City Council, except by a conditional use permit:

- (A) Any conditional use in the R, single-family district as regulated therein; except accessory unit dwellings (AUDs) shall not be allowed as a permitted, conditional or accessory use;

(B) Community-based family-care home or daycare home not licensed by the state under M.S. § 245.812, when:

(a) Facility meets all existing health, fire, building and housing codes; and

(b) Separation of one-quarter mile exists between the facilities. The City Council may grant exception to the one-quarter mile rule when either 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 facilities.

(C) Wireless communication towers and small wireless facilities as regulated elsewhere in this chapter.

**§ 155.--- PERMITTED ACCESSORY USES.**

Within the LDF district, no accessory structures or use of land shall be permitted, except for one or more of the following uses or uses deemed similar by the City Council:

(A) Any accessory use permitted in the R district as regulated therein; and

(B) Recreational building, equipment or service area for use by the residents of a detached or attached townhome unit, which shall be owned by a homeowners' association and erected on a common area lot or outlot.

**§155.--- AREA REQUIREMENTS AND STANDARDS**

(A) The following minimum area standards and requirements shall be met and 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) Only one- and two-family dwellings shall be allowed on parcels directly abutting existing one- and two-family dwellings.

(2) The maximum density of any particular acreage may be increased in areas not directly abutting existing one- and two-family dwellings, so long as the overall designation of the properties do not exceed eight (8) units per acre.

(3) *Table of Minimum Area Standards and Requirements*

|  | <i>One-Family Residential</i>                                  | <i>Two-Family Residential</i>                 | <i>Single-Family Detached Townhome</i>                     | <i>Attached Townhome Dwelling</i>                          |
|--|--|---|--|--|
| <b>Lot Area</b>                                | Interior Lot<br>11,000 sq. ft.<br>Corner lot<br>12,500 sq. ft. | 15,000 sq. ft.<br>(7,500 sq. ft.<br>per unit) | 7,260 sq. ft. of<br>land per unit<br>(4 units per<br>acre) | 5,445 sq. ft. of<br>land per unit<br>(8 units per<br>acre) |
| <b>Lot width (in feet)</b>                     | 80   | 100 (50 feet<br>per unit)                     | 40   | -  |
| <b>Minimum Building Setbacks (in feet)</b>     |  |   | 30   | 10   |
| Along community neighborhood collector streets | 40   | 40  | 40   | 40   |
| Along all other public streets                 | 30   | 30  | 30   | 30   |
| Along private streets or drives                | -  | -   | 25   | 25   |
| Side Yard                                      | Dwelling<br>Unit 10<br>Garage 5                                | Dwelling<br>Unit 10<br>Garage 7.5             | 30   | 30   |
| Rear Yard                                      | 30   | 30  | 30   | 30   |
| Between Buildings                              | -  | -   | 10   | 15   |
| <b>Maximum Number of Stories</b>               | 2  | 2   | 2  | 2  |
| <b>Maximum Height</b>                          | 35   | 35  | 35   | 35   |
| <b>Maximum Impervious Surface Coverage</b>     | 35%  | 35%   | 35%  | 35%  |

(4) Minimum setbacks between sides of multiple-residential buildings shall be 15 feet or a distance equal to half the combined height of the adjacent building faces, whichever is greater.

(5) Minimum setbacks between front or rear of multiple-residential buildings shall be 50 feet or a distance equal to the combined height of the adjacent building faces, whichever is greater. This requirement also applies to situations where a front or rear faces a side.

Section 2. 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 3. Filing. A copy of the ordinance shall be filed in the office of the City Clerk. This copy shall be available for inspection by any persons during regular office hours.

Section 4. 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.

PASSED by the City Council this 22nd day of December, 2020.

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Mayor Hamann-Roland, Mayor

ATTEST:

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Pamela Gackstetter, City Clerk

CITY OF APPLE VALLEY  
ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA  
AMENDING CHAPTER 155 OF THE CITY CODE GOVERNING  
ZONING REGULATIONS BY ESTABLISHING THE LOW DENSITY FLEX  
RESIDENTIAL ZONING DISTRICT TO THE CITY CODE OF ORDINANCES

The following is the official summary of Ordinance No. ---- approved by the City Council of Apple Valley on December 22, 2020.

This ordinance amends Chapter 155 of the City Code of Ordinances governing zoning regulations by adding Section 155. --- establishing the “LDF” (Low Density Flex) residential zoning district. This amendment provides for the uses and area requirements and standards in the new residential district.

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.