PLANNING COMMISSION - HEARING NOTICE

1777 N Meadowlark Dr, Apple Valley
Wednesday, January 03, 2024 at 6:00 PM

HEARING NOTICE

Public Notice is given that the Planning Commission of the Town of Apple Valley, Washington County, Utah will hold Public Hearings on **Wednesday, January 03, 2024** at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Public Hearing will be held on the following topics:

1. Consider Recommendation of Approval to Amend Title 10.10.090 MH Manufactured Housing Park Zone, Ordinance-O-2024-02.
2. Consider Recommendation of Approval to Amend Title 10.10.110 Cabins Or Tiny Home Parks Zone, Ordinance-O-2024-03.
3. Consider Recommendation of Approval to Amend Title 10.10.030 C Commercial Zones, Ordinance-O-2024-04.
4. Consider Recommendation of Approval to Amend Title 11.08.040 Street Improvements, Ordinance-O-2024-05.

Interested persons are encouraged to attend public hearings to present their views or present their views in writing at least 48 hours prior to the meeting by emailing clerk@applevalleyut.gov.

CERTIFICATE OF POSTING: I, Jenna Vizcardo, as duly appointed Town Clerk and Recorder for the Town of Apple Valley, hereby certify that this Hearing Notice was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website http://pmn.utah.gov, and the Town Website www.applevalleyut.gov on the 19th day of December, 2023.

Dated this 19th day of December, 2023

Jenna Vizcardo, Town Clerk and Recorder

Town of Apple Valley

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS
In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Town at 435-877-1190 at least three business days in advance.

APPLE VALLEY
ORDINANCE O-2024-02

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "10.10.090 MH Manufactured Housing Park Zone" of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.10.090 MH Manufactured Housing Park Zone

A. Purpose: The purpose of this zone is to provide for the development of manufactured home parks in a quality environment. Manufactured home parks are not intended for the isolated lot, but shall be for use in areas where larger tracts of land are available for development, and can be developed to a high standard of quality with landscaping, recreation facilities, etc., and are designed and intended from the beginning of development as manufactured homes only. The minimum zone size shall be approximately five (5) acres.
B. Permitted Uses: Uses permitted in this zone, following the issuance of a building permit for a permanent dwelling, are as follows:
    1. Accessory buildings and uses.
    2. Horticulture and gardening for personal use.
    3. Household pets.
    4. Park or playground.
    5. Manufactured homes at a minimum of 1,000 square feet on main level.
    6. Other uses similar to the above and judged by the planning commission to be in harmony with the intent and character of this zone, which will require a conditional use permit.
    7. Any use not specifically allowed under permitted or conditional uses, shall be prohibited unless the zoning administrator determines the use is substantially the same as a permitted use.
C. Height Regulations: No building shall be erected to a height greater than fifteen ~~thirty five~~ (15 ~~35~~) feet. No accessory building shall be erected to a height greater than eighteen ~~twenty five~~ (18 ~~25~~) feet.
D. Manufactured Home Park Development Standards:
    1. Density: The maximum density for a manufactured home park shall not exceed six (6) units per acre.
    2. Access Roads: Each manufactured home park shall be provided with hard surface (concrete or asphalt) roadways of at least twenty five (25) feet in width to serve each manufactured home space and parking area.
    3. Park Access: Access to all manufactured home parks shall be from a dedicated

and approved public street at an approved access point or points. No manufactured home space shall have direct access from a public street. Any access road connecting two (2) or more public streets shall be arranged to prohibit or discourage through traffic.

4. Off Street Parking: Parking spaces shall be provided for the parking of motor vehicles in the ratio of at least two (2) parking spaces for each manufactured home space.
5. Recreation Space: Recreation space shall be provided for each manufactured home park. A minimum usable area of five thousand (5,000) square feet shall be set aside and developed for each manufactured home park having at least ten (10) units and one hundred (100) square feet additional space for each unit above ten (10) units.
6. Manufactured Home Space: Each manufactured home space shall have a minimum of five thousand (5,000) square feet and a minimum width of fifty (50) feet.
7. Permanent Foundation: A manufactured home must be put on a permanent foundation and converted to real property.
8. Minimum Yard Clearances for Manufactured Home Park: Each manufactured home shall have the following minimum yard clearances:
    a. Front or side yard on a public street, twenty five (25) feet.
    b. Side yard bordering adjacent property, ten (10) feet.
    c. Rear yard bordering adjacent property, ten (10) feet.
    d. A six (6) foot sight obscuring fence shall be erected along all side and rear property lines, unless otherwise approved by the planning commission.
9. Minimum Yard Clearances for Manufactured Home Space: Each manufactured home shall have the following minimum yard clearance which may also be included in and a part of the setbacks required in subsection H of this section:
    a. Front yard on a private street or access road, fifteen (15) feet in back of curb.
    b. Side yard on main door side of manufactured home, fifteen feet (15).
    c. Side yard on "no access" side of manufactured home, ten (10) feet.
    d. Rear yard, ten (10) feet.
    e. No two (2) manufactured homes shall be closer than twenty (20) feet.
10. Utilities Required: All sewage and water proposals shall be required to have approval from the Utah state department of environmental quality and Ash Creek Special Service District. All buildings, electrical, plumbing and fire protection construction shall comply with state and Town requirements and codes, including applicable standards found in the Town subdivision ordinance (including, but not limited to, fire protection), the building code, and this title.
11. A dwelling proposed to be moved onto a site in the town shall be less than ten (10) years of age at the time of moving unless otherwise approved by the Planning Commission. Rehabilitation of such dwelling limited to a 6 month

duration.

E. Modifying Regulations:
    1. Perimeter Fence: Unless otherwise approved by the planning commission, each manufactured home park shall be fenced at the perimeter with a six (6) foot high sight obscuring fence.
    2. Building Code; Permit: Installation of any manufactured unit shall be done in conformance with the requirements of the current edition of the building code following approval of the building department, and the issuance of a building permit.
    3. Street Construction: All streets in a manufactured home park shall be paved according to the construction standards of the Town and shall be bounded by curb and gutter approved by the planning commission.
    4. All lighting shall comply with AVLU 10.26 Outdoor Lighting Ordinance.
F. Subdivision Requirements: Any use approved in the MH zone in which the sale of any lot or parking space is proposed, shall be subject to all applicable requirements of the AVS 11 subdivision ordinance.

SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from February 20, 2024.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL _____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor | Michael Farrar	_____	_____	_____	_____
Council Member | Kevin Sair	_____	_____	_____	_____
Council Member | Robin Whitmore	_____	_____	_____	_____
Council Member | Barratt Nielson	_____	_____	_____	_____
Council Member | Janet Prentice	_____	_____	_____	_____

Attest

_____
Jenna Vizcardo, Town Clerk, Apple Valley

Presiding Officer

_____
Michael Farrar, Mayor, Apple Valley

APPLE VALLEY
ORDINANCE O-2024-03

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "10.10.110 Cabins Or Tiny Home Parks Zone" of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.10.110 Cabins Or Tiny Home Parks Zone

A. Purpose: The purpose of this zone is to provide for the development of Cabin or Tiny Home Parks (CTP). Cabin or Tiny Home Parks are not intended for the isolated lot, but shall be for use in areas where larger tracts of land are available for development, and can be developed to a high standard of quality with landscaping, recreation facilities, etc.

   Cabins or Tiny Homes Parks, are designed and intended from the beginning to serve the transient or traveling public with small cabins or Tiny Homes, placed or built on a permanent foundation with the structure containing sleeping, bathing and kitchen facilities. The Minimum zone size shall be five (5) Acres.

   The primary location for a Cabin or Tiny Home Park is close to Highway 59 or other major roadway or may be located more remotely if utilities and proper road access is available or will be available. It shall not be located immediately next to a residential zone.

B. Permitted Uses: Uses permitted in this zone are as follows:
   1. Accessory buildings and uses
   2. Household pets
   3. Cabins or Tiny Homes as defined in AVLU 10.04 or subsection E below
   4. Park, playground, swimming pool and tennis courts or alike
   5. Other uses similar to the above and approved by the Planning Commission to be in harmony with the intent and character of this zone.
   6. Clubhouse, sales or registration office, or on-site managers dwelling.

C. Conditional Uses:
   1. Restaurant
   2. Coffee Shop
   3. Rental Shop
   4. Tour Guide Business
   5. Higher Density of Cabins
   6. Size of Cabins

7. Other businesses in support of this zone

D. Height Regulations: No cabins/tiny home shall be erected to a height greater than fifteen ~~eighteen~~ (15 ~~18~~') feet.

No accessory building shall be erected to a height greater than eighteen ~~fifteen~~ (18 ~~15~~') feet.

No club house/office or other approved buildings, may be erected to a height greater than fifteen ~~twenty five~~ (15') feet.

E. Cabins or Tiny Home Park Development Standards: Definitions:

A Cabin is a small stick built or small manufactured home, built or placed on a permanent foundation and is less than 600 Sq Feet of living space.

A Tiny Home is a stick built or small manufactured home, built or placed on a permanent foundation, and is less than 600 Sq. Feet of living space.

Any Cabin or Tiny Home that has wheels or skids and not placed on a permanent foundation shall be considered a Recreational Vehicle and may not be placed or used in this zone. But it shall be placed in a Recreational Vehicle Park zone.

1. Minimum Size: Each Cabin or Tiny Home Park shall have a minimum size of five (5) acres
2. Roads:
    a. Width: All roads shall be constructed to meet fire code.
    b. Construction Specifications: All Units shall be served by roads constructed to meet the fire code and approved by the Town.
3. Park Access: Access to all Cabin or Tiny Home Parks shall be from a dedicated and approved public street at an approved point or points. No units shall have direct access from a public street nor may traffic enter or exit through a residential neighborhood.
4. Off Street Parking: Parking spaces that meet fire code standards for roads shall be provided for the minimum parking of two (2) vehicles for each unit.
5. Recreation Space: Recreation space shall be provided for each Cabin or Tiny Home Park having ten (10) or more units and shall be maintained for such use. A minimum usable area of five thousand (5,000) square feet shall be set aside and developed for each such park and an additional one hundred (100) square feet shall be provided for each unit above ten (10) units. This is in addition to the outdoor living space mentioned in AVLU 10C-6-G. This recreation space is not the open space behind or between units or streets. It is a separate facility common to all units in the development, such as a clubhouse.
6. Density: The maximum density for a Cabin or Tiny Home Park shall not exceed six (6) units per gross acre.
7. Distance of Units: No unit shall be closer than twenty feet (20'). No unit in a Cabin or Tiny Home Park shall be located closer than the distance required herein.

8. Minimum Yard Clearances for each unit:
    a. Front or side yard on a public street, fifty feet (50').
    b. Side yard bordering adjacent property, fifty feet (50').
    c. Rear yard bordering adjacent property, fifty feet (50').

F. Other Requirements:
1. Perimeter Fence: A Cabin or Tiny Home park shall provide a minimum fifty-foot (50') setback/landscaped buffer along any property boundary including a public right-of-way. Decorative fencing is preferred, such as split rail or ranch style wood fencing, though six foot high privacy fencing or block wall may be more appropriate and required in some applications. The project's topography may always be considered in perimeter fencing requirements. For example, a property with a cliff at it's rear or sides may not require any fencing for that area. A property with a wash along it's rear or side property line may require a solid fence installed to provide greater safety to guests. A lower profile fence may also be used to provide better views as long as this does not pose a safety hazard to guests. All structures of fencing proposed within washes or the 100-year flood plain are discouraged and must be designed to meet current and applicable town and state standards.
2. Building Code; Permit: Installation of infrastructure and any Cabin or Tiny Home Park structures shall be done in conformance with the requirements of the current edition of the building code and with approval of the building department, and the issuance of a building permit.
3. Utilities Required: Each unit shall be connected to water, sewer and electricity. All utility connections shall be located underground. Water plans shall be approved by the Big Plains Water Special Service District and the Town's Public Works Department, and sewer plans shall be approved by Ash Creek Special Service District.
4. Street Construction: All streets in a Cabin and Tiny Home Park shall meet road standards in the fire code.
5. All lighting shall comply with AVLU 10.26 Outdoor Lighting Ordinance.
6. Landscape Plan: A detailed landscape plan shall be submitted for each Cabin or Tiny Home Park, and shall be approved by the Planning Commission.
7. Outdoor Living Space: Each Cabin or Tiny Home Park unit shall be provided with a minimum of three hundred (300) square feet of "outdoor living" space located adjacent to each unit. Said outdoor living space shall be maintained in a clean and weed free manner and shall be kept free from garbage or debris of any kind.
8. No tents of any kind may be used in this zone.
9. All Cabin or Tiny Home Parks shall require a full time (24/7) on-site manager, who shall be responsible for ensuring compliance with the rules and regulations of the Town and safety of the property.

G. Subdivision Requirements: If the Cabin or Tiny Home Park is not intended to be in a single ownership, rather is intended to be sold as individual lots, the subdivision shall then be subject to all applicable requirements of the Town's subdivision ordinance.

H. Site Plan: A site plan shall be required:

1. The site plan shows the development plan for an individual building site within a specific phase. If there is to be only one phase to the project and all buildings are to be located on one legal lot, a single site plan for the entire project will be permitted.
2. Site plans must meet all of the requirements for site plan review submittal, including all the Town Standards. Site plans shall be submitted for individual lots within a phase. More than one building may be contained on an individual lot. Site plans shall be submitted to the planning commission and shall meet all of the criteria for site plans as required. Site plan submittals must also contain the following items:
    a. Provide a landscaping plan;
    b. Provide a plan showing how the lot relates to the approved Phase Plan including previously developed sites in the project, the location, required open space, ingress and egress to the lot from the rest of the phase and other adjacent land;
    c. Location of building(s); and
    d. Typical elevations.

SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

EFFECTIVE DATE This Ordinance shall be in full force and effect from February 20, 2024.

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Council Member | Kevin Sair	_____	_____	_____	_____
Council Member | Robin Whitmore	_____	_____	_____	_____
Council Member | Barratt Nielson	_____	_____	_____	_____
Council Member | Janet Prentice	_____	_____	_____	_____

Attest

_____
Jenna Vizcardo, Town Clerk, Apple Valley

Presiding Officer

_____
Michael Farrar, Mayor, Apple Valley

APPLE VALLEY
ORDINANCE O-2024-04

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "10.10.030 C Commercial Zones" of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.10.030 C Commercial Zones

A. Purpose:
    1. C-1 Convenience Commercial Zone:
        a. The C-1 convenience commercial zone has been established for the purpose of providing shopping facilities within the various neighborhoods of the town, primarily for the convenience of people living in the neighborhood. The types of goods and services which may be offered for sale have been limited to "convenience goods" such as groceries, drugs, personal services such as hair cutting and hair dressing, distinguished by the fact that the principal patronage of the establishments originates within the surrounding neighborhood. Consequently, automobiles, furniture, appliances and other stores, the principal patronage of which originates outside the surrounding neighborhood, have been excluded from the C-1 zone.
        b. Inasmuch as this zone is usually surrounded by dwellings, it is intended that residential amenities be maintained as much as possible. Stores, shops or businesses shall be retail establishments only and shall be permitted only under the following conditions:
            (1) Such businesses shall be conducted wholly within an enclosed building except for the parking of automobiles and service to persons in automobiles, unless otherwise permitted.
            (2) No entertainment except music shall be permitted in any C-1 zone.
            (3) All uses must be free from objections because of odor, dust, smoke, noise, vibration or other similar offensive nuisances to adjacent neighborhood areas.
    2. C-2 Highway Commercial Zone:
        a. The principal objective in establishing the C-2 highway commercial zone is to provide areas within the town where facilities that serve the traveling public can be most appropriately located.
        b. Other purposes for establishing the C-2 highway commercial zone are

to promote safety on the highways, to promote the convenience of the traveling public, to promote beauty in the appearance of intersections and interchanges in the town and to prohibit uses which will tend to be contrary to the use of the land for its primary purposes or which would be unsightly to the traveling public. In general, this zone is located close to freeway interchanges and at the intersections of important transportation routes.

3. C-3 General Commercial Zone:
    a. The objective of the C-3 general commercial zone is to provide space within the town where nearly all types of commercial goods and services may be provided.

       Since the zone permit s such a wide variety of uses, the protective features which zoning normally affords to adjacent properties are mostly nonexistent. Owners should develop and maintain their property in recognition thereof.
    b. The C-3 general commercial zones should be located principally in existing communities and not along major highways. To maximize traffic safety, property owners should shall provide access in a manner that will minimize the hazard of traffic leaving and entering roadways.

       To maximize traffic safety, a traffic impact study must be performed.

       As this zone primarily serves the traveling public, all traffic should enter and exit any commercial property in this zone from the highway, major and arterial roads, and not through residential roads if located adjacent to residential areas.

B. Permitted Uses: In the following list of possible uses, those designated as being permitted and conditional in a zone will be identified unless the planning commission determines the use is substantially the same as a permitted or conditional use as provided in 10-7-180-E4 with the letter "P" or "C" respectively. Uses designated with the letter "N" will not be allowed in that zone. The following list is not intended to be all inclusive, but rather, indicative of uses permitted in the zone. Any uses not specified as permitted shall be prohibited.

Art Gallery, Bicycle sales and service, Bowling alley, Coal and fuel sales office store, Egg and poultry store (retail sales only), no live bird slaughtering permitted, Farm implement sales, Fence sales and service, Interior decorating and designing establishment, Library Lumber yard, Museum Photographic supplies, Pool hall, Popcorn or nut shop, Radio and television sales and service, Reception center or wedding chapel, Rental agency for home and garden equipment store, Trailer sales and service

	C-1	C-2	C-3
Air conditioning,			

sales and service	N	N	P			
Altering, pressing and repairing of wearing apparel	P	P	P			
Amusement	N	P	P			
Animal hospital	N	P	P			
Antique, import or souvenir shop	N	P	P			
Arcade	N	P	P			
Assisted living facility	C	N	N			
Athletic and sporting goods store, excluding sale or repair of motor vehicles, motor boats or motors	N	P	P			
Athletic club	P	P	P			
Auction establishment (retail goods only)	N	N	P			
Automobile, new or used sales and service	N	P	P			
Automobile parts sales (new)	N	P	P			
Automobile rental	N	P	P	N	P	P
Automobile repair including paint, body, fender, brake,						

muffler, upholstery or transmission (completely enclosed building)	N	N	P			
Bakery manufacture limited to foods retailed on premises	P	P	P			
Bank or financial institution	P	P	P			
Barber shop	P	P	P			
Beauty shop	P	P	P			
Bed and breakfast inn	P	P	P			
Bar Pub, Tavern	N	P	P			
Billiard parlor	N	P	P	N	P	P
Boat sales and service	N	N	P			
Bookbinding	P	P	P			
retail	P	P	P	N	P	P
Building materials sales	N	N	P			
Bus terminal	N	P	P			
Cabinet shop	N	N	P			
Cabins	N	N	N			
Cafe or cafeteria	P	P	P			
Camera store	P	P	P			
Candy store, confectionery	P	P	P			

Campgrounds	N	N	N				
Car wash	N	P	P				
Caretakers dwelling, incidental to a commercial use	N	P	P				
Carpet and rug cleaning	N	N	P				
Catering establishment	N	P	P				
Child nursery	P	N	P				
Clinics, medical or dental	N	P	P				
Clothing and accessory store	N	P	P	N	N	P	
Convenience markets (including sale of gasoline)	P	P	P				
Crematorium	N	N	P				
Dairy product store	P	P	P				
Department	Dance hall	N	P	P			
Delicatessen	P	P	P				
N	P	P					
Drapery and curtain store	N	P	P				
	N	P	P				
Department	Educational institutions	N	P	P	P	P	P
Electrical and heating appliances and fixtures sales and	N	N	P				

services									
Electronic equipment sales and service	N	P	P						
Employment agency	N	P	P						
Fabric and textile store	N	P	P	N	P	P	N	N	P
Florist shop	P	P	P						
Fruit store (enclosed)	P	P	P						
Furniture sales and repair	N	P	P						
Garden supplies and plant material sales	N	P	P						
	P	P	P						
Government buildings or uses, no industrial	N	P	P						
Gas and Fuel, Storage and Sales	N	N	C						
Greenhouse and nursery, soil and lawn service	N	P	P						
Grocery store	P	P	P						
Gunsmith	N	P	P						
Gift store Hardware stores	N	P	P						
Gift store Gift store Health club	P	P	P						
Health food store	P	P	P						

Hobby and crafts store	N	P	P	N	P	P
Hospitals						
Hotel	N	P	P			
Household appliance sales and service	N	P	P			
Ice cream parlor	P	P	P			
manufacture and storage	N	N	P			
Ice store or vending station	P	P	P			
Health	N	P	P	N	P	P
Janitor						
service and supply	N	N	P			
Jewelry store sales and service	N	P	P			
Laboratory, dental or medical	N	P	P			
Laundry or dry cleaners, Laundromat	P	P	P			
Kennel, Commercial	C	N	C			
Legal office	N	P	P	N	P	P
Liquor store	N	P	P			
Locksmith	N	P	P			
Lodge or social hall	N	P	P			
Lodging Hotel, Motel	N	P	P			
	N	P	P			
Metal Building	C	C	C	N	N	P

Manufactured home sales lot and service	N	P	P			
Medical office	N	P	P			
Monument works and sales	N	N	P			
Mortuary	N	P	P	N	P	P
Music store	N	P	P			
Needlework, embroidery or knitting store	N	P	P			
Newsstand	P	P	P			
Nursery school	P	N	P			
Office supply, office machines sales and service	N	P	P			
Optometrist, optician or oculist	N	P	P			
Paint or wallpaper store	N	P	P			
Park and playground	P	P	P			
Pawnshop	N	P	P			
Pet and pet supply store	N	P	P			
Pharmacy	N	P	P	N	P	P
or surgeon office clinic	N	P	P			

Plumbing shop	N	P	P	N	P	P	N	P	P
Professional office	N	P	P						
Printing, lithographing, publishing or reproduction sales and service	N	P	P						
Professional office	N	P	P	N	P	P			
Real estate agency	N	P	P	N	P	P			
Recreation center	N	P	P	N	P	P			
Restaurant	P	P	P						
Restaurant, drive-in	P	P	P						
Roller skating rink	N	P	P						
Shoe	Secondhand store	N	P	P					
Service station, handi-mart	P	P	P						
Shoe repair and shoe shine shop	N	P	P						
N	P	P							
Sign painting	N	P	P						
Travel sales	N	P	P						
Storage rental units	N	P	P						
Supermarket	N	N	P						
Theater, indoor	N	P	P						
Theater, outdoor	N	P	P						

Tire recapping or retreading	N	P	P			
Tire sales and service	N	N	P			
Toy store, retail	N	P	P	N	P	P
Travel agency	N	P	P			
Tourist Tours Operations	P	P	P			
Used car lot	N	P	P			
Variety store	N	P	P			
Vegetable stand	P	P	P			
Winery	P	P	P			

C. General Requirements:

Rear Minimum

	C-1	C-2	C-3			
Minimum lot area	None	None	None			
Maximum zone area	None	None	None			
Minimum yard setbacks from property line (in feet)						
Front	25	25	25			
Side	10	10	10			
Side facing a street on a corner lot	25	25	25	10	10	10
Building heights (in feet)				8	8	8
Maximum	~~35~~15	~~35~~15	~~35~~15			
Heights are maximum unless specifically approved to a greater height by the planning						

commission			
Minimum distance between buildings	10	10	10

1. Site Plan Approval:
    a. A site plan shall be submitted, drawn to scale, and of sufficient size and detail to show building locations, yard setbacks, ingress and egress drives, parking areas, landscaped areas and such other improvements as may be required relating to the specific use proposed.
    b. The site plan, or an additional plan drawn to the same scale, shall show utility locations, including water, power, drainage, telephone; cable TV, sewer or septic tank location, fire hydrants, street improvements and such other public improvements as may be required.
    c. Planning commission review and Town Council approval shall precede the issuance of any permit for site improvement, or construction permit for utility systems. No building permits shall be issued until all underground site improvements have been installed and construction authorized by the building inspector.

D. Special Provisions:
1. Storage Of Materials And Merchandise: All materials and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight obscuring fence or wall of not less than six (6') feet in height, and no material or merchandise shall be stored to a height greater than that of the enclosing fence or wall.
2. Trash, Combustible Materials, Junk and Debris: No trash, rubbish, weeds or other combustible material shall be allowed to remain on any lot outside of approved containers in any commercial zone. No junk, debris, or similar material shall be stored or allowed to remain on any lot in any commercial zone.
3. Solid Waste Storage Facilities: All solid waste storage facilities shall be located at the rear of the main building or else behind a sight obscuring fence or wall which will prevent the facility from being seen from a public street.
4. Protection Of Adjoining Residential Property: Where a commercial development adjoins any lot or parcel of ground in any residential zone, there shall be provided along the adjoining property line a decorative, sight obscuring fence, or a ten (10') foot wide planting strip, or any combination of fencing and landscaping which adequately protects the adjoining residential property.
5. Residential Dwellings: No residential dwelling of any kind is permitted in any commercial zoning district.
6. Lighting: all lighting shall be directed away from any residential use to protect neighboring properties from light pollution, and shielded from the night sky

with no light emitted above a horizontal plane. Reference AVLU 10.26.

7. All lodging located in a commercial zone, shall require an on-site manager.
8. Permitted and conditional uses set forth in this section shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.
    a. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this title.
    b. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established.
9. Greater size and height: Notwithstanding the height and size limitations shown in this section, a greater building and accessory height and size may be allowed pursuant to a conditional use permit.

E. Abandoned, Wrecked, or Junk Vehicles:

1. Abandoned Vehicles Prohibited: It shall be unlawful to park or permit the parking of any licensed or unlicensed motor vehicle or parts thereof in an abandoned condition upon any public or private property within the Town for longer than seventy two (72) hours, except as follows:
    a. In a commercial or industrial zone, the number of such vehicles is determined by permit, and:
        (1) Such use is authorized in the zone where the use is located, and
        (2) Vehicles and parts thereof are stored within a building or are completely screened by a six (6) foot high, opaque, sight obscuring fence.
    b. Nuisance: The accumulation and storage of more than the permitted number of vehicles or parts thereof on private or public property except as set forth above shall constitute a nuisance, detrimental to the health, safety, and welfare of the inhabitants of the Town. It shall be the duty of the owner of such vehicle or parts thereof, or lessee, or other person in possession of private property upon which such vehicle or parts thereof is located, to remove the same from such property.

SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from February 20, 2024.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL _____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor | Michael Farrar	_____	_____	_____	_____
Council Member | Kevin Sair	_____	_____	_____	_____
Council Member | Robin Whitmore	_____	_____	_____	_____
Council Member | Barratt Nielson	_____	_____	_____	_____
Council Member | Janet Prentice	_____	_____	_____	_____

Attest

_____
Jenna Vizcardo, Town Clerk, Apple Valley

Presiding Officer

_____
Michael Farrar, Mayor, Apple Valley

APPLE VALLEY
ORDINANCE O-2024-05

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "11.08.040 Street Improvements" of the Apple Valley Subdivisions is hereby *amended* as follows:

AMENDMENT

11.08.040 Street Improvements

A. Prior to start of any work on a subdivision the sub divider shall furnish to the Town Engineer, a complete set of construction plans and profiles of all streets, existing and proposed, within the subdivision. Plans are to be prepared by a licensed Engineer and shall be accompanied by the final plat. If the plans are not approved, they shall be returned to the sub divider with the reasons for non-approval, and upon correction, shall be re-submitted in the same manner as required herein. Such plans and profiles shall include but are not limited to the following; (see Town Subdivision Design Standards):
    1. The designation of limits of work to be done.
    2. The location of the benchmark and its true elevation according to County datum, all profiles to be referred to that datum.
    3. Construction plans which include the details of curb and gutter (if applicable) and street cross sections, locations and elevations of manholes, catch basins and storm sewers, elevations and locations of fire hydrants and any other details necessary to simplify construction.
    4. Adequate horizontal and vertical survey control shall be established as required by the engineer; sufficient survey monuments shall be permanently set so that lot boundaries can be established from points within the subdivision.
    5. Complete data for field layouts and office checking.
    6. On curb returns, at least two additional controls points of curvature. Control points shall be staked in the fields to insure drainage of intersections.
B. Grades of all streets shall not be in excess of eight percent on major collector's streets or in excess of ten (10) percent on all other streets.
C. All streets within the town shall be improved in accordance with the Design Standards, rules and regulations adopted by the Town Council. Examples of such plans and profiles shall include but are not limited to Exhibit A, B & C. (see Town Subdivision Design Standards), The Design Standards shall prevail, if any of the example in Exhibit A, B, & C conflicts with the Design Standards.:

EXHIBIT A. TABLE 1 MINOR, MAJOR & ARTERIAL STREET DESIGN STANDARDS

Street Type	Maximum	Right of way	Pavement Widths	Number of lanes	Lane Widths	Shoulder Widths	Borrow Ditch
Minor Collector (100-200 Units)	10%	60'	34'	2	11'	2'	5'
Major Collector (201-600 Units)	10%	70'	44'	2	12'	2'	5'
Minor Arterial (6,000-20,000)	8%	90'	64'	5	11'	5'	5'
Major Arterial (20,000 Plus)	8%	106'	80'	5	12'	5'	5'

D. All roads shall be constructed as per the Town Design Standards and the actual road profiles to be used in a subdivision shall be determined by the Town Engineer. Curb, Gutter and Sidewalks shall be required in all zones, except in Agricultural zones, where the Rural Road Standards may be applied if recommended by the Town Engineer and approved by the Town Council.

Sidewalks, Curb, and Gutter may be required instead of Borrow Ditches as required by the Town Council.

EXHIBIT B. Table 1A RESIDENTIAL STREET STANDARDS

Street Type	Maximum Grade	Right of way	Pavement Widths	Number of lanes	Land Widths	Shoulder Widths	Borrow Ditch
Residential Minimum (10 or less Units)	10%	41'	26'	2	11'	2'	5'

Residential Minimum Alternate	10%	49'	26'	2	11'	2'	5'
Residential Local (11-50 Units)	10%	45'	30'	2	10'	5'	5'
Residential Local Alternate	10%	53'	30'	2	10'	5'	5'
Residential Standard (51+ Units)	10%	52'	37'	2	11'	7.5	5'
Residential Standard Alternate	10%	60'	37'	2	11'	7.5	5'

In subdivision with 1 acre or larger lots, sidewalks, curb and gutter may be replaced by borrow ditches, as required by the Town Council.

In subdivision with less than 1 acre lots and in all commercially zoned areas of town and roads bordering such areas, sidewalk, curb & gutter shall be installed instead of borrow ditches and pavement shall be required.

A.
1. No intersections shall be closer than 150 feet, unless otherwise noted in the standards of the American Association of state highway and transportation official's manual for street and intersection design.
2. If curbs and gutters are required, it shall be of concrete and shall meet the standard and specifications adopted by the town.
3. If sidewalks are required, it shall be of concrete and shall meet the standard and specifications adopted by the town.
4. Storm water inlets and catch basins shall be provided within the roadway improvements at points specified by the engineer.
5. All curb corners shall have a radius of not less than 15 feet and at intersections involving collector or major streets, of not less than 25 feet.
6. Local streets shall approach collector or arterial streets at as near ninety degrees as possible, not to exceed a fifteen degree variance.

B. Street name signs, conforming to the design and specifications, and in the number

necessary for proper identification of all streets, shall be provided for and installed by the developer.

C. Traffic control signs including stop or yield right of way sign, shall be installed to ensure a smooth flow of traffic through the town.
D. No subdivision shall be approved unless the area to be subdivided shall have frontage, with a width as required by the land use code, on a dedicated street, improved to town standards, unless otherwise approved by the Town Council. On cul-de-sac street, the required width of any lot in the cul-de-sac shall be measured at the setback line instead of the street lot line.
E. Access to a major arterial street may be limited by one of the following means:
    1. No lot access shall be provided from the arterial directly to any lot in the subdivision, and screening or fencing may be required in a landscaped strip along or side property line of said lots.
    2. A series of cul-de-sacs of U shaped streets sharing access to such street.
    3. A service road separated from the primary arterial by a planting strip and having access thereto a suitable point.
F. The arrangement of streets shall provide for continuation of principal streets between adjacent properties when such continuation is in accordance with the master plan of streets. If the adjacent property is undeveloped and the street must be a temporarily a dead end street, the right of way shall be extended to the property line, and a temporary turnaround shall be provided. Dead end streets shall be avoided, and dead-end streets of more than eight hundred (800) feet shall require town approval.
G. The inspection and written recommendations for approval of streets shall be done by the town engineer. Final acceptance for dedication after (2) years of maintenance shall be accepted by the Town Council following a favorable recommendation from the engineer.

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SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from February 20, 2024.

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	AYE	NAY	ABSENT	ABSTAIN
Mayor | Michael Farrar	_____	_____	_____	_____
Council Member | Kevin Sair	_____	_____	_____	_____
Council Member | Robin Whitmore	_____	_____	_____	_____
Council Member | Barratt Nielson	_____	_____	_____	_____
Council Member | Janet Prentice	_____	_____	_____	_____

Attest

_____
Jenna Vizcardo, Town Clerk, Apple Valley

Presiding Officer

_____
Michael Farrar, Mayor, Apple Valley