

**APPLE VALLEY
ORDINANCE O-2020-12**

AMENDMENTS TO CABIN OR TINY HOME PARK ZONE

WHEREAS, the Planning Commission of the Town of Apple Valley found it necessary to amend the Cabins or Tiny Home Parks Zone; and,

WHEREAS, the Planning Commission held a public hearing on the tenth day of June, 2020; and,

WHEREAS, the Planning Commission recommended to the Town Council that changes should be made to the Cabins or Tiny Home Parks Zone; and,

WHEREAS, the Town Council of the Town of Apple Valley adopted the changes in a public meeting duly noticed and held on the 15th day of July, 2020.

NOW THEREFORE, be it ordained by the Council of 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:

A M E N D M E N T

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 ~~ten (10)~~fifteen (15) 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 ~~should~~shall not be located immediately next to a residential ~~neighborhood~~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 ~~judged~~ 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: Uses requiring a conditional use permit in this zone are as follows: Add to Permitted Uses~~

- ~~1. Clubhouse, sales or registration office, or on-site managers dwelling.~~
- ~~2. Other uses approved by the planning commission as being in harmony with the intent of the zone and similar in nature to the above listed uses.~~

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

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

No club house/office may be erected to a height greater than twenty five (25') feet.

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

A Cab-in is a small stick built or small manufactured home, built or placed on a permanent foundation and is less than 600 Sq Feet ~~under roof~~ 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 400 Sq. Feet ~~under roof~~ of living space.

Any Cabin or Tiny Home that has wheels or skids and not placed on a ~~permanant~~ 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 fifteen (15) ~~ten (10)~~ acres, ~~unless smaller is allowed by a development agreement (see AVLU 10C-6-J).~~
2. Roads:
 - a. Width: Each Cabin or Tiny Home Park shall have roads of at least twenty-four five feet (2425') in width and single one way driveway may be fourteen (14) 16 feet (14') in width.-

Construction Specifications: All Units shall be served by paved roads constructed to Town standards ~~and bounded by curb and gutter~~ 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: Hard surface (Concrete or paved) parking spaces 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 ten (10) units per gross acre.
7. ~~Unit size: Each unit shall be less than 400 sq ft under roof.~~
8. 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.
9. Minimum Yard Clearances for each unit:
 - a. Front or side yard on a public street, ~~twenty five~~ fifty feet (~~25~~50').
 - b. Side yard bordering adjacent property, ~~fifty ten~~ fifty feet (~~10~~50').
 - c. Rear yard bordering adjacent property, ~~ten~~ fifty feet (~~10~~50').

F. Other Requirements:

1. Perimeter Fence: A Cabin or Tiny Home park shall ~~be fenced at the~~ 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 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. ~~minimum fifty-foot (50') setback/landscaped buffer along any property boundary including a public street 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 projects topography shall 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 project with a wash along it's rear or side property line may need 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 guest. All structures or 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.~~

~~perimeter with a six foot (6') high block wall fence.~~

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 and sewer plans shall be approved by the Big Plains Water and Sewer Special Service District and the Town's Public Works Department.
4. Street Construction: All streets in a Cabin and Tiny Home Park shall be paved according to the construction standards of the Town ~~and shall be bounded by curb and gutter.~~
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.

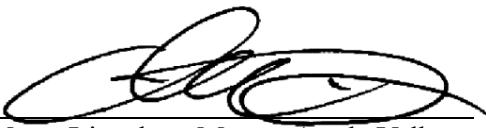
~~10. A~~

- 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.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL JULY 15, 2020.

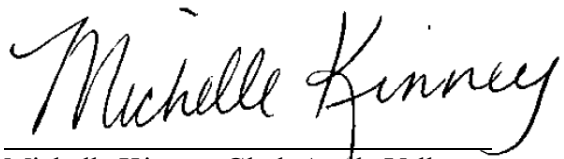
	AYE	NAY	ABSENT	ABSTAIN
Councilmember Bass	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember McLaughlin	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Kopp	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Mayor Lisonbee	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Edwardsen	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer



Marty Lisonbee, Mayor, Apple Valley

Attest



Michelle Kinney, Clerk Apple Valley