

**APPLE VALLEY TOWN
ORDINANCE NO. 2018-10**

**AN ORDINANCE TO REPEAL AND REPLACE TITLE 10, CHAPTER 8 RE RESIDENTIAL ESTATES ZONE AND
CHAPTER 9 SF SINGLE FAMILY RESIDENTIAL ZONE**

WHEREAS, the ordinances of the Town of Apple Valley provide for land use regulation of property; and

WHEREAS, on July 25, 2018, the Apple Valley Planning Commission, held a public hearing to consider comments to repeal and replace the Apple Valley Ordinance Title 10, Chapter 8 RE Residential Estates Zone and Title 10, Chapter 9 SF Single Family Residential Zone; and

WHEREAS, the Planning Commission has recommended the proposed amendments and adoptions to the Town Council; and

WHEREAS, Town Council has reviewed the Planning Commission's recommendation and has determined that these ordinances are in the best interest of the health, safety, and welfare of the citizens of the Town of Apple Valley; and

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 5th day of September, 2018, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that Apple Valley Town repeals and replaces the Apple Valley Ordinance Title 10, Chapter 8 RE Residential Estates Zone and Title 10, Chapter 9 SF Single Family Residential Zone as attached.

EFFECTIVE DATE. This amendment shall be effective upon passage, without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 5th day of September, 2018.


Marty Lisonbee, Mayor

ATTEST:


Jauna M. McGinnis, Town Recorder

Mayor Marty Lisonbee	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Council Member Debbie Kopp	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Council Member Michael McLaughlin	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Council Member Paul Edwardsen	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Council Member Denny Bass	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>

TITLE 10
CHAPTER 8
RE RURAL ESTATES ZONE

- 10-8-1: Purpose
- 10-8-2: Permitted Uses
- 10-8-3: Height Regulations
- 10-8-4: Minimum Area, Width, and Yard Regulations
- 10-8-5: Modifying Regulations

SECTION 8-1 PURPOSE

The purpose of this zone is to provide permanent area for small farms, hobby farms and limited agricultural development for personal use.

SECTION 8-2 PERMITTED USES

Uses permitted in this zone are as follows:

Single-family dwellings not less than 1250 sq.ft. on the main floor;

Accessory buildings and uses, following issuance of a building permit for a permanent dwelling;

Home occupations;

Traditional household pets (dogs, cats), provided they are not kept, bred, or maintained for any commercial purposes. Pets are expected to be fenced/leashed, sheltered from the weather, and trained to not be a noise nuisance;

Raising of crops, gardens, and horticulture;

Residential facility for persons with a disability (see Chapter 15 for supplementary information);

Residential facility for the elderly (see Chapter 15 for supplementary information);

Churches;

Park or playgrounds;

The keeping of animals and fowl for family food production, but not for commercial use.

A. Animal Allowances/Restrictions:

SECTION 8-5 MODIFYING REGULATIONS

- A. Side Yards: The side yard setback on a "street side" yard shall be the same as a front yard setback. Accessory buildings located at least ten (10) feet away from the main building must have a side or rear property setback of at least ten (10) feet on interior lot lines.
- B. Distance Between Buildings: No two (2) buildings on the same property shall be located closer together than ten (10) feet. No building, structure, or pen/corral/coop/kennel housing animals or fowl shall be constructed closer than fifty (50) feet to a dwelling unit on an adjacent lot, or thirty (30) feet from property line, whichever is further. Animal enclosures shall be behind the main dwelling and shall be no closer than thirty (30) feet to main dwelling.
- C. Prohibited Materials and Storage: No trash, rubbish, weeds, or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, debris, or junk cars shall be stored or allowed to remain on any lot in any residential zone.
- D. All lighting shall comply with Chapter 24 Outdoor Lighting Ordinance.
- E. No industrial-looking building such as pre-engineered steel or pole barns are allowed, unless specifically approved by the planning commission.
- F. For additional restrictions and clarifications in this zone, see Chapter 15 Supplementary and Qualifying Regulations for Land Use and Building.

TITLE 10

CHAPTER 9

SF SINGLE – FAMILY RESIDENTIAL ZONE

10-9-1: Purpose

10-9-2: Permitted Uses

10-9-3: Height Regulations

10-9-4: Area, Width and Yard Regulations

10-9-5: Modifying Regulations

SECTION 9-1 PURPOSE

The purpose of this zone is to provide appropriate locations where low density residential neighborhoods may be established, maintained and protected. The regulations also permit the establishment, with proper controls, of public and semipublic uses such as churches, schools, libraries, parks and playgrounds which serve the requirements of families. The regulations are intended to prohibit uses that would be harmful to a single-family residential neighborhood.

SECTION 9-2 PERMITTED USES

Uses permitted in this zone are as follows:

- A. Single Family dwelling with a minimum of 1250 sq ft. on the main level
- B. Accessory use and buildings; permitted simultaneously or after obtaining a building permit and construction and occupancy of a residential dwelling.
- C. Home gardens and trees, keeping of household dogs, cats and chickens (up to six (6) per lot). No roosters allowed.
- D. Residential facility for persons with a disability (see Chapter 15 for supplementary information)
- E. Residential facility for the elderly (see Chapter 15 for supplementary information)
- F. Churches
- G. Group homes

H. Home occupation

I. Parks and playground

Any use not specifically allowed under permitted uses shall be prohibited.

SECTION 9-3 HEIGHT REGULATIONS

No building shall be erected to a height greater than thirty five (35'). No accessory building shall be erected to a height greater than twenty five (25') feet.

Section 09: 4 Area Width and Yard Regulations:

District	Area	Width in Feet	Yards in Feet		
			Front	Side	Rear
SF-.25	10,000 sq. ft.	80	25	10	10
SF-.50	20,000 sq. ft.	80	25	10	10
SF-1.0	40,000 sq. ft.	80	25	10	10
SF-2.5	2.5 acres	150	25	25	25
SF-5.0	5.0 acres	200	25	25	25
SF-10.0	10.0 acres	300	25	25	25

SECTION 9-5 MODIFYING REGULATIONS

- A. Side Yards: The side yard setback on a "street side" yard shall be fifteen (15) feet
- B. Private Garages and Accessory Buildings: Private garages and accessory buildings located at least 10' behind the main dwelling on lots less than ½ acre may have a side yard of three feet (3'), all others must be ten feet (10'), provided that all corner lots shall maintain fifteen feet (15') on the street side.
- C. Prohibited Materials and Storage: No trash, rubbish, weeds or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, debris, or junk cars shall be stored or allowed to remain on any lot in any residential zone.
- D. Location of Required Parking: Required parking shall not be located in the front yard setback.
- E. All lighting shall comply with Chapter 24 Outdoor Lighting Ordinance.
- F. For additional restrictions and clarifications in this zone, see Chapter 15 Supplementary and Qualifying Regulations for Land Use and Building.

G. No industrial-looking buildings such as pre-engineered steel or pole barns allowed, unless specifically approved by the planning commission.

Any use not specifically allowed under permitted uses shall be prohibited.