

APPLE VALLEY TOWN
ORDINANCE NO. 2018-08

AN ORDINANCE AMENDING TITLE 10, CHAPTER 6 AND ADOPTING TITLE 10, CHAPTERS 5.5, 10-B, AND
10-C

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

WHEREAS, on April 11, 2018, the Apple Valley Planning Commission, held a public hearing to consider comments to amend the Apple Valley Ordinance Title 10, Chapter 6 OST Open Space Transition Zone and adopt Title 10, Chapter 10-B RVP Recreational Vehicle Park Zone and Title 10, Chapter 10-C CTP Cabin and Tiny Home Park Zone; and

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

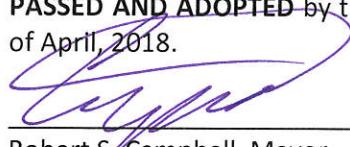
WHEREAS, Town Council has reviewed the Planning Commission's recommendation and has determined that these ordinances are in the best interest of the health, safety, and welfare of the citizens of the Town of Apple Valley; and

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 18th day of April, 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 amends Title 10, Chapter 6 and adopts Title 10, Chapter 10-B RVP Recreational Vehicle Park Zone and Title 10, Chapter 10-C CTP Cabin and Tiny Home Park 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 18th day of April, 2018.



Robert S. Campbell, Mayor

ATTEST:



Jauna M. McGinnis, Town Recorder

Mayor Robert Campbell	Aye <input checked="" type="checkbox"/> Nay ____
Debbie Kopp	Aye <input checked="" type="checkbox"/> Nay ____
Michael McLaughlin	Aye <input checked="" type="checkbox"/> Nay ____
Trevor Black	Aye <input checked="" type="checkbox"/> Nay ____
Paul Edwardsen	Aye <input checked="" type="checkbox"/> Nay ____

TITLE 10

CHAPTER 6

OPEN SPACE TRANSITION ZONE

10-6-1: PURPOSE

10-6-2: PERMITTED USES

10-6-3: CONDITIONAL USES

10-6-4: HEIGHT REGULATIONS

10-6-5: AREA WIDTH AND YARD REGULATIONS

10-6-6: MODIFYING REGULATIONS

SECTION 6-1: PURPOSE:

The purpose of this zone is to provide for protection of primarily undeveloped private land.

SECTION 6-2: PERMITTED USES:

Uses permitted in this zone are as follows:

- A. Bona fide farm buildings
- B. Livestock grazing
- C. Raising of crops, horticulture and gardening
- D. Undeveloped private land
- E. Trails and trail rides, non-motorized

SECTION 6-3: CONDITIONAL USES:

Uses requiring a conditional use permit in this zone are as follows:

- A. Cemeteries
- B. Private recreation grounds and facilities
- C. Public utilities and transmission lines
- D. Riding stables and training arenas
- E. Single Family dwellings, 1200 square feet minimum size, used in connection with a permitted use, including household pets
- F. Trails and trail rides, motorized
- G. Wireless communications facilities
- H. Farming operations

SECTION 6-4: HEIGHT REGULATIONS:

No residential building shall be erected to a height greater than thirty five (35') feet without a conditional use permit.

SECTION 6-5: AREA WIDTH AND YARD REGULATIONS:

<u>District</u>	<u>Area</u>	<u>Width in Feet</u>	<u>Yard Setbacks in Feet</u>		
			<u>Front</u>	<u>Side</u>	<u>Rear</u>
OST	3 Acres	400	25	50	50

{25' setback on corner and street side lots}

SECTION 6-6: MODIFYING REGULATIONS:

The following modifying regulations may be established by the land use authority relative to a specific use.

- A. Distance of Animal Housing: no corral, stable or kennel may be located within one hundred feet (100') of any dwelling or residential building lot
- B. Application of Minimum acreage: The three (3) Acre minimum applies only to the construction of buildings for residential purposes
- C. Trails for motorized ORV shall be no closer than 1000' from any residential dwelling
- D. No accessory building to be higher than 20'

TITLE 10

CHAPTER 5.5

OPEN SPACE ZONE

10-5.5-1: PURPOSE

10-5.5-2: PERMITTED USES

10-5.5-3: CONDITIONAL USES

10-5.5-4: HEIGHT REGULATIONS

10-5.5- 5: AREA WIDTH AND YARD REGULATIONS

10-5.5- 6: MODIFYING REGULATIONS

SECTION 5.5-1: PURPOSE:

The purpose of this zone is to provide for protection of undeveloped private land.

SECTION 5.5-2: PERMITTED USES:

Uses permitted in this zone are as follows:

- A. Raising of crops, horticulture and gardening
- B. Undeveloped private land
- C. Trails and trial rides, non-motorized

SECTION 5.5-3: CONDITIONAL USES:

Uses requiring a conditional use permit in this zone are as follows:

- A. Bona fide farm buildings
- B. Public utilities and transmission lines
- C. Wireless communications facilities
- D. Farming operations
- E. Livestock grazing
- F. Trails and trail rides, motorized

SECTION 5.5-4: HEIGHT REGULATIONS:

No building shall be erected to a height greater than twenty five (25') feet without a conditional use permit.

SECTION 05.5-5: AREA, WIDTH AND YARD REGULATIONS:

<u>District</u>	<u>Area</u>	<u>Width in Feet</u>	<u>Yard Setbacks in Feet</u>		
			<u>Front</u>	<u>Side</u>	<u>Rear</u>
OS	20 Acres	400	25	25	25

{25' setback on corner and street side lots}

SECTION 5.5-6: MODIFYING REGULATIONS:

The following modifying regulations may be established by the land use authority relative to a specific use.

- A. Distance of Animal Housing: No corral, stable or kennel may be located within one hundred feet (100') of any adjacent dwelling or residential building lot.
- B. Application of Minimum Acreage: The twenty (20) acre minimum applies only to the construction of farm buildings.
- C. Trails for motorized ORV shall be no closer than 1000' from any residential dwelling.

TITLE 10

CHAPTER 10-B

RECREATIONAL VEHICLE PARK ZONE

10-10B-1: PURPOSE

10-10B-2: PERMITTED USES

10-10B-3: CONDITIONAL USES

10-10B-4: HEIGHT REGULATIONS

10-10B-5: RECREATIONAL PARK DEVELOPMENT STANDARDS

10-10B-6: OTHER REQUIREMENTS

10-10B-7: SUBDIVISION REQUIREMENTS

SECTION 10B-1: PURPOSE

The purpose of this zone is to provide for the development of a Recreational Vehicle Park (RVP) in a quality environment. Recreational Vehicle 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.

The Recreational Vehicle Parks are designed and intended from the beginning to serve the transient or traveling public that travels with their own recreational vehicles, needing a place to hook-up their own recreational vehicles to utilities and services. The Minimum zone size shall be ten (10) Acres.

The primary location for a Recreational Vehicle Park is close to Highway 59 or other major roadways and should not be located immediately next to a residential neighborhood.

SECTION 10B-2: PERMITTED USES

Uses permitted in this zone are as follows:

- A. Accessory buildings and uses
- B. Household pets
- C. Recreational Vehicle rental spaces
- D. Park, playground, Swimming Pool and Tennis courts or alike
- E. Other uses similar to the above and judged by the Planning Commission to be in

harmony with the intent and character of this zone.

SECTION 10B-3: CONDITIONAL USES

Uses requiring a conditional use permit in this zone are as follows:

- A. Clubhouse, sales or registration office, or on-site manager dwelling
- B. 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

SECTION 10B-4: HEIGHT REGULATIONS

No building shall be erected to a height greater than twenty five (25'). No accessory building shall be erected to a height greater than fifteen (15') feet.

SECTION 10B-5: RECREATIONAL VEHICLE PARK DEVELOPMENT STANDARDS

- A. Minimum Size: Each recreational vehicle park shall have a minimum size of ten (10) acres.
- B. Roads:
 1. Width: Each recreational vehicle park shall be provided with roadways of at least twenty five feet (25') in width.
 2. Construction Specifications: All recreational vehicle parks shall be served by paved roads constructed to Town standards and bounded by curb and gutter approved by the Town.
- C. Park Access: Access to all recreational vehicle parks shall be from a dedicated and approved public street at an approved point or points. No RV space shall have direct access from a public street nor may they exit or enter through a residential neighborhood.
- D. Off Street Parking: Hard surface (concrete or Paved) parking spaces shall be provided for the parking of each recreational vehicle, and two (2) additional spaces for vehicles.
- E. Recreation Space: Recreation space shall be provided for each recreational vehicle 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.

F. Density: The maximum density for a recreational vehicle park shall not exceed ten (10) units per gross acre.

G. Space Width: Each recreational vehicle space shall have a minimum width of thirty feet (30') and all recreational vehicles shall be able to park in designated spaces and no portion of a driveway or roadway may be used for recreational vehicle parking.

H. Distance of Units: No RV space shall be designed to allow RV units to be parked closer than twenty feet (20'). This requirement shall apply to overnight, extended stay and park model units. No unit in an RV park shall be located closer than the distance required herein.

I. Minimum Yard Clearances for Recreational Vehicle Park:

1. Front or side yard on a public street, twenty five feet (25').
2. Side yard bordering adjacent property, ten feet (10').
3. Rear yard bordering adjacent property, ten feet (10').
4. A six foot (6') block wall fence shall be erected along all side and rear property lines unless otherwise approved by the Planning Commission.

J. Utilities Required: Each recreational vehicle parking space shall have connections available for 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.

K. Outdoor Living Space: Each recreational vehicle parking space shall be provided with a minimum of three hundred (300) square feet of "outdoor living" space located adjacent to the vehicle parking space. 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.

L. Landscape Plan: A detailed landscape plan shall be submitted for each recreational vehicle park, and shall be approved by the Planning Commission.

SECTION 10B-6: OTHER REQUIREMENTS

- A. Perimeter Fence: Each Recreational Vehicle Park shall be fenced at the perimeter with a six foot (6') high block wall fence.
- B. Building Code; Permit: Installation of infrastructure and any Recreational Vehicle Park structures 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.

- C. Street Construction: All streets in a Recreational Vehicle Park shall be paved according to the construction standards of the Town and shall be bounded by curb and gutter.
- D. All lighting shall comply with Title 28 Chapter 24 Outdoor Lighting Ordinance.
- E. No tents of any kind may be used in this zone, unless included in a planned development agreement.
- F. All Recreational Vehicle 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. A Recreational Vehicle Park and Tiny Home or Cabin Park may be combined in one park, and the minimum size of park may be smaller than 10 acres with details of such mixed zoning and park size variations being outlined in a Development Agreement.

SECTION 10B-7: SUBDIVISION REQUIREMENTS

If the Recreational Vehicle Park is not intended to be in a single ownership, rather intended to be sold as individual lots, the subdivision shall then be subject to all applicable requirements of the Town's subdivision ordinance.

TITLE 10

CHAPTER 10-C

CABINS OR TINY HOME PARKS ZONE

10-10C-1: PURPOSE

10-10C-2: PERMITTED USES

10-10C-3: CONDITIONAL USES

10-10C-4: HEIGHT REGULATIONS

10-10C-5: CABINS OR TINY HOME PARK DEVELOPMENT STANDARDS

10-10C-6: ADDITIONAL REGULATIONS

10-10C-7: SUBDIVISION REQUIREMENTS

SECTION 10C-1: 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) 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 not be located immediately next to a residential neighborhood.

SECTION 10C-2: PERMITTED USES:

Uses permitted in this zone are as follows:

- A. Accessory buildings and uses
- B. Household pets
- C. Cabins or Tiny Homes as defined in Title 10 Chapter 3 or Section 10C-5 below
- D. Park, playground, swimming pool and tennis courts or alike

E. Other uses similar to the above and judged by the Planning Commission to be in harmony with the intent and character of this zone.

SECTION 10C-3: CONDITIONAL USES:

Uses requiring a conditional use permit in this zone are as follows:

- A. Clubhouse, sales or registration office, or on-site managers dwelling.
- B. 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.

SECTION 10C-4: 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.

SECTION 10C-5: 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 400 Sq Feet under roof.

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.

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.

A. Minimum Size: Each Cabin or Tiny Home Park shall have a minimum size of ten (10) acres, unless smaller is allowed by a development agreement (see Section 10C-6-J).

B. Roads:

1. Width: Each Cabin or Tiny Home Park shall have roads of at least twenty five feet (25') in width.

2. 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.

- C. 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.
- D. Off Street Parking: Hard surface (Concrete or paved) parking spaces shall be provided for the minimum parking of two (2) vehicles for each unit.
- E. 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 Section 10C-6-G of this ordinance. 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 club house.
- F. Density: The maximum density for a Cabin or Tiny Home Park shall not exceed ten (10) units per gross acre.
- G. Unit size: Each unit shall be less than 400 sq ft under roof.
- H. 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.
- I. Minimum Yard Clearances for each unit:
 - 1. Front or side yard on a public street, twenty five feet (25').
 - 2. Side yard bordering adjacent property, ten feet (10').
 - 3. Rear yard bordering adjacent property, ten feet (10').

SECTION 10C-6: OTHER REQUIREMENTS:

- A. Perimeter Fence: A Cabin or Tiny Home park shall be fenced at the perimeter with a six foot (6') high block wall fence.
- B. 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.
- C. 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.

- D. 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.
- E. All lighting shall comply with ~~title 28~~ Chapter 24 Outdoor Lighting Ordinance.
- F. Landscape Plan: A detailed landscape plan shall be submitted for each Cabin or Tiny Home Park, and shall be approved by the Planning Commission.
- G. 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.
- H. No tents of any kind may be used in this zone.
- I. 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.
- J. A Recreational Vehicle Park and Cabin or Tiny Home Park may be combined in one park, and the minimum size of park may be smaller than 10 acres with details of such mixed zoning and park size variations being outlined in a Development Agreement.

SECTION 10C-7: 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.