



PLANNING COMMISSION - HEARING NOTICE

1777 N Meadowlark Dr, Apple Valley
Wednesday, April 10, 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, April 10, 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.](#) Recommendation of Approval to Amend Title 10.10.020 A Agricultural Zone, Ordinance-O-2024-14.
- [2.](#) Recommendation of Approval to Adopt Title 10.10.05 Temporary Ordinance For Zone Change to A-X Agricultural Zone, Ordinance-O-2024-15.
- [3.](#) Recommendation of Approval to Amend Title 10.10.121 Purpose and Objectives of the Planned Development Overlay Zone, Ordinance-O-2024-16.

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 26th day of March, 2024.

Dated this 26th day of March, 2024

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-2024-14**

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

SECTION 1: **AMENDMENT** “10.10.020 A Agricultural Zone” of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.10.020 A Agricultural Zone

- A. Purpose: The purpose of this zone is to preserve appropriate areas for permanent agricultural use, actively devoted to agricultural use. Uses normally and necessarily related to agriculture are permitted and uses inimical to the continuance of agricultural activity are not allowed.
- B. Permitted Uses: Uses permitted in this zone are as follows:
 - 1. Crop production, horticulture and gardening
 - 2. Farm buildings and uses
 - 3. Household pets
 - 4. Farming livestock
 - 5. Stands for sale of produce grown and sold on premises
 - 6. Veterinarian
 - 7. Weaner Pigs
 - 8. Residential Dwelling
- C. Conditional Uses: Uses requiring a conditional use permit in this zone are as follows:
 - 1. Agritourism
 - 2. Agricultural Industry
 - 3. Animal Specialties
 - 4. Kennel, Commercial
 - 5. Metal Building
 - 6. Recreation and Entertainment, Outdoor (A-10, A20, A-40 only)
 - 7. Stable, Public
- D. Any use not specifically allowed under permitted or conditional uses shall be prohibited unless the planning commission determines the use is substantially the same as a permitted or conditional use as provided in 10-7-180-E4.
- E. Development Standards in Agricultural Zones:

	<u>Zones</u>				
	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> </tr> </table>				

Development Standard	<u>A-X</u>	A-40	A-20	A-10	A-5
Lot standards					
Minimum lot area	<u>Any Size above 5 acres*</u>	40 acres*	20 acres*	10 acres*	5 acres*
Minimum lot width	<u>400 feet</u>	400 feet	400 feet	300 feet	300 feet
Building standards					
Maximum height, main building ¹	<u>35 feet</u>	35 feet	35 feet	35 feet	35 feet
Maximum height, accessory building	<u>35 feet</u>	35 feet	35 feet	35 feet	35 feet
Setback standards - front yard					
Any building ²	<u>30 feet</u>	30 feet	30 feet	30 feet	30 feet
Setback standards - rear yard					
Main building	<u>30 feet</u>	30 feet	30 feet	30 feet	30 feet
Accessory building	<u>No requirement</u>	No requirement	No requirement	No requirement	No requirement
Setback standards - interior side yard					
Main building	<u>15 feet</u>	15 feet	15 feet	15 feet	15 feet
Accessory building of 100 square feet or less	<u>No requirement</u>	No requirement	No requirement	No requirement	No requirement
Accessory building greater than 100 square feet	<u>20 feet</u>	20 feet	20 feet	20 feet	20 feet
Setback standards - street side yard					
Main building	<u>20 feet</u>	20 feet	20 feet	20 feet	20 feet
Main building on corner lot with yard that abuts the side yard of another lot	<u>20 feet</u>	20 feet	20 feet	20 feet	20 feet
Accessory building	<u>Not permitted</u>	Not permitted	Not permitted	Not permitted	Not permitted
ADD Animals permitted	<u>-</u>				
*Required minimum size may be calculated prior to a required road dedication.					

**No more than one (1) primary home on a property.

Notes:

F. Modifying Regulations:

1. Fur farms, silos, fish farms or the keeping of exotic animals may not be approved in the A-5 district.
2. Location of Corral or Stable: No corral or stable shall be located closer than one hundred feet (100') from any dwelling unit in an adjacent zone.
3. The housing of weaner pigs is subject to the following requirements:
 - a. "Weaner pigs" shall be defined as pigs that will be one year of age or less and do not weigh more than three hundred fifty (350) pounds at the end of the five (5) month period in which the weaner pig is kept.
 - b. Agricultural parcels adjacent to residential zoned parcels are not eligible for the raising of weaner pigs.
 - c. All weaner pigs shall be kept only during the months of December through April.
 - d. Setbacks for pens for weaner pigs shall be the same as required for other animals.
 - e. No weaner pig shall be allowed to run loose (not in a restricted environment, such as a pen) unless attended by the owner or keeper of the pig.
 - f. All pens shall be cleaned regularly, a minimum of three (3) times weekly.
 - g. No mud bogs shall be allowed in the pens. All pens shall have drainage to keep water from pooling within the pen.
4. 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.
5. 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.
6. For additional restrictions and clarifications in this zone, see AVLU 10.28 Supplementary and Qualifying Regulations for Land Use and Building.
7. On large lots 5 Acre and larger the minimum lot size may be smaller than required, by the amount needed for road dedications.

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 immediately after the required approval.

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

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
ORDINANCE O-2024-15**

WHEREAS,

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

SECTION 1: ADOPTION “10.10.05 Temporary Ordinance For Zone Change to A-X Agricultural Zone” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.10.05 Temporary Ordinance For Zone Change to A-X Agricultural Zone(*Added*)

The Town Council of Apple Valley has adopted a temporary fee schedule change for land owners desiring to change their current zone to an agricultural zone designation.

This section of code contains the procedural rules and regulations related to this zone change.

- This ordinance is in effect for four months from the date of passage and posting.
- Parcels containing a minimum of five acres may apply for a zone change under this ordinance.
- This code does not guarantee approval of the zone change to Agricultural land.
- Applicants shall fill out a Zone Change Application as found on the town website and submit to the town clerk within the four month period. This application must include all application requirements except requirements E and H.

This zone change will follow all applicable law including, but not limited to, application, and appearance before the Planning Commission with a recommendation to the Town Council, Town Council approval, and public hearing.

There is no limit to the number of parcels an applicant/owner may bring to the planning commission for recommendation to the town council.

Agricultural land will be designated within Agricultural zone lot standards by the A-X zone and will not be based on acreage.

When a change does not follow the current General Plan, a General Plan amendment is not required at the time of the zone change. At the end of the four month period a general plan review, public hearing, and amendment will be adopted after review of all zone changes pertaining to this ordinance in accordance with state law.

This temporary ordinance does not guarantee approval of water service or supply, nor does it signify any building-approvals. Any application for zone change related to this ordinance are at the discretion of the landowner. The Town of Apple Valley does not assume any liability in relation to this zone change.

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 immediately after the required approval.

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

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
ORDINANCE O-2024-16**

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

SECTION 1: **AMENDMENT** “10.10.121 Purpose And Objectives” of the Apple Valley Land Use is hereby *amended* as follows:

A M E N D M E N T

10.10.121 Purpose And Objectives

- A. Purpose. The planned development overlay zone is a floating zone that is unmapped until applied to specific property in accordance with the provisions of this chapter. It is intended to allow development design flexibility, integration of mutually compatible uses, consolidation of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than is possible under conventional zone regulations. To achieve these purposes, a planned development should be planned as one complex land use with a common architectural design theme that provides variety with architectural compatibility, rather than as an aggregation of individual, unrelated buildings located on separate, unrelated lots. A Planned Development Overlay Zone change once approved by Town Council is not complete or final until a Development Agreement has been signed and executed.
- B. Objectives. Objectives to be accomplished under the provisions of this chapter include:
1. Create more attractive and desirable environments within the Town.
 2. Allow a variety of housing types in one development project.
 3. Encourage variety in physical development patterns, including flexibility in building location.
 4. Preserve open space for visual enjoyment and recreational use.
 5. Encourage development on a large scale, since the purposes of a planned development can be best realized in large scale developments.

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 immediately after the required approval.

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 Janet Prentice	_____	_____	_____	_____
Council Member Vacant	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley