



# PLANNING COMMISSION MEETING AND HEARING (RESCHEDULED FROM APRIL 3, 2024)

1777 N Meadowlark Dr, Apple Valley  
Wednesday, April 10, 2024 at 6:00 PM

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## AGENDA

Notice is given that a meeting of the Planning Commission of the Town of Apple Valley will be held on **Wednesday, April 10, 2024**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

**Chairman** | Bradley Farrar

**Commissioners** | Lee Fralish | Richard Palmer | Garth Hood | Annie Spendlove

Please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting:

<https://us02web.zoom.us/j/82661513795>

if the meeting requests a password use 1234

To call into meeting, dial (253) 215 8782 and use Meeting ID 8266151 3795

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### CONFLICT OF INTEREST DISCLOSURES

### HEARING ON THE FOLLOWING

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.

### DISCUSSION AND POSSIBLE ACTION ITEMS

- [4.](#) Recommendation of Approval to Amend Title 10.10.020 A Agricultural Zone, Ordinance-O-2024-14.
- [5.](#) Recommendation of Approval to Adopt Title 10.10.05 Temporary Ordinance For Zone Change to A-X Agricultural Zone, Ordinance-O-2024-15.
- [6.](#) Recommendation of Approval to Amend Title 10.10.121 Purpose and Objectives of the Planned Development Overlay Zone, Ordinance-O-2024-16.

### APPROVAL OF MINUTES

- [7.](#) Minutes: March 6, 2024.

### ADJOURNMENT

CERTIFICATE OF POSTING: I, Jenna Vizcardo, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this Agenda 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](http://www.applevalleyut.gov).

### 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>					
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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 <sup>1</sup>	<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 <sup>2</sup>	<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

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Mayor   Michael Farrar	_____	_____	_____	_____
Council Member   Kevin Sair	_____	_____	_____	_____
Council Member   Robin Whitmore	_____	_____	_____	_____
Council Member   Janet Prentice	_____	_____	_____	_____
Council Member   _____	_____	_____	_____	_____

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.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Mayor   Michael Farrar	_____	_____	_____	_____
Council Member   Kevin Sair	_____	_____	_____	_____
Council Member   Robin Whitmore	_____	_____	_____	_____
Council Member   Janet Prentice	_____	_____	_____	_____
Council Member   _____	_____	_____	_____	_____

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:

AMENDMENT

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

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Mayor   Michael Farrar	_____	_____	_____	_____
Council Member   Kevin Sair	_____	_____	_____	_____
Council Member   Robin Whitmore	_____	_____	_____	_____
Council Member   Janet Prentice	_____	_____	_____	_____
Council Member   _____	_____	_____	_____	_____

Attest

Presiding Officer

\_\_\_\_\_  
Jenna Vizcardo, Town Clerk, Apple Valley

\_\_\_\_\_  
Michael Farrar, Mayor, Apple Valley



## PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley  
Wednesday, March 06, 2024 at 6:00 PM

### MINUTES

**Chairman** | Bradley Farrar

**Commissioners** | Lee Fralish | Richard Palmer | Garth Hood | Annie Spendlove

**CALL TO ORDER-** Chairman Farrar called the meeting to order at 6:00 p.m.

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

#### PRESENT

Chairman Bradley Farrar

Commissioner Lee Fralish

Commissioner Richard Palmer

Commissioner Garth Hood

Commissioner Annie Spendlove

#### CONFLICT OF INTEREST DISCLOSURES

None declared.

Chairman Farrar provided an update, stating that agenda items number two and four was removed from the agenda, Additionally, a small change was made to agenda item number three, reinstating the 300-foot requirement.

#### HEARING ON THE FOLLOWING

1. Recommendation of Approval to Amend Title 10.14 Short Term Vacation Rental, Ordinance-O-2024-11.  
Chairman Farrar opened the public hearing.  
No public comments.  
Chairman Farrar closed the public hearing.
2. Recommendation of Approval to Amend Title 10.10.05 Temporary Ordinance For Zone Change To A Agricultural Zone, Ordinance-O-2024-12.  
Removed from the agenda.

#### DISCUSSION AND POSSIBLE ACTION ITEMS

3. Recommendation of Approval to Amend Title 10.14 Short Term Vacation Rental, Ordinance-O-2024-11.  
Chairman Farrar explained that a new short-term rental license with a higher fee would be required, replacing the current business license. Existing short-term rentals would transition to the new license



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### MINUTES

upon expiration of their current business license. The new fee would be \$1,000 per year, pending approval by the Town Council.

The Planning Commission discussed amending title 10.14 regarding short-term vacation rentals. Initially, they planned to remove the amendment but decided to keep it. An updated Ordinance was presented to the Commission. The main change is the introduction of a new short-term rental license with a much higher fee than the previous business license fee. The Planning Commission is proposing a \$1,000 fee for the new license, pending Town Council approval. Existing short-term rentals will need to transition to the new license when their current business license expires. The goal of the fee increase is to cover the costs of additional complaints, labor, and inspections related to short-term rentals.

**MOTION:** Commissioner Hood motioned that we approve O-2024-11 10.14 Short Term Vacation Rental as amended here.

**SECOND:** The motion was seconded by Commissioner Fralish.

**VOTE:** Chairman Farrar called for a vote:

Commissioner Spendlove - Aye

Commissioner Hood - Aye

Chairman Farrar - Aye

Commissioner Palmer - Aye

Commissioner Fralish - Aye

The vote was unanimous and the motion carried.

4. Recommendation of Approval to Amend Title 10.10.05 Temporary Ordinance For Zone Change To A Agricultural Zone, Ordinance-O-2024-12.

Removed from the agenda.

### APPROVAL OF MINUTES

5. Minutes: February 7, 2024.

**MOTION:** Commissioner Fralish motioned we approve the minutes of 2/7/2024.

**SECOND:** The motion was seconded by Commissioner Palmer.

**VOTE:** Chairman Farrar called for a vote:



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Commissioner Spendlove - Aye  
Commissioner Hood - Aye  
Chairman Farrar - Aye  
Commissioner Palmer - Aye  
Commissioner Fralish - Aye

The vote was unanimous and the motion carried.

#### TRAINING

6. Open and Public Meeting Training 2024.

#### ADJOURNMENT

**MOTION:** Commissioner Hood motioned to adjourn the meeting.

**SECOND:** The motion was seconded by Commissioner Palmer.

**VOTE:** Chairman Farrar called for a vote:

Commissioner Spendlove - Aye  
Commissioner Hood - Aye  
Chairman Farrar - Aye  
Commissioner Palmer - Aye  
Commissioner Fralish - Aye

The vote was unanimous and the motion carried.

The meeting was adjourned at 6:15 p.m.



# PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley  
Wednesday, March 06, 2024 at 6:00 PM

## MINUTES

Date Approved: \_\_\_\_\_

Approved BY: \_\_\_\_\_  
Chairman | Bradley Farrar

Attest BY: \_\_\_\_\_  
Town Clerk/Recorder | Jenna Vizcardo

DRAFT