

**APPLE VALLEY
ORDINANCE O-2024-71**

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

SECTION 1: **AMENDMENT** “10.42.1 Purpose Of Chapter” of the Apple Valley Land Use is hereby *amended* as follows:

A M E N D M E N T

10.42.1 Purpose Of Chapter

The purpose of this Chapter is to ensure responsible growth, ensure the town grows at a pace that does not outgrow its infrastructure, ensure the town has adequate staff/facilities to accommodate the growth and process permits/plans, ensure the town does not overgrow its aquifer/water supply, control the rate and distribution of residential development on a year-to-year basis in the interest of advancing the public welfare by ensuring that the Town is maintained as a healthy, spacious, clean, well balanced, carefully-controlled community primarily by preserving its small-town atmosphere and character and avoidance of uncontrolled and rapid growth and to accomplish that purpose by:

- A. Maintaining the Town separate and distinct geographically from other communities;
- B. Emphasizing the preservation of existing open spaces and agricultural land;
- C. Maintaining a balance and mix of housing and building types and values and thus providing a range of prices and rents in order to accommodate a variety of housing needs;
- D. Providing and maintaining parks and recreational areas; and
- E. Maintaining and augmenting as needed public utilities and services without detriment to existing dwellings.

SECTION 2: **AMENDMENT** “10.42.6 Number Of Allotments For Construction Year” of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.42.6 Number Of Allotments For Construction Year

A. The total number of allotments for dwellings for each construction year shall be limited to twenty (20) dwellings. This total number of allotment can be reviewed yearly by Town Council and increased accordingly.

SECTION 3: AMENDMENT “10.42.10 Planning Commission Evaluation”
of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.42.10 Planning Commission Evaluation

Proposed developments determined by the Planning Commission or the Town Council to conform to the development control plan shall be evaluated and given a recommendation by the Planning Commission.

A. All applicants for allotments or their representatives must appear before the Planning Commission at the meeting at which their application is being evaluated and rated.

B. Each proposed development shall be examined by the Planning Commission to determine its effect upon Town facilities and services. If the development is found to be inadequately served by public facilities or services, the application shall be rejected in writing and the reasons therefor.

C. A review of the applications by the Planning Commission shall consist of the following factors:

1. The capacity of the water system to provide for the requirements of the proposed development, without system extensions beyond those which the developer agrees to provide.
2. The capacity of the sewer system to handle the wastes of the proposed development without system extensions beyond those which the developer agrees to provide.
3. The capacity of the proposed drainage facilities to adequately dispose of the surface runoff of the proposed development without system extensions beyond those which the developer agrees to provide.
4. The ability of the fire and police departments to provide protection according to the response standards of the city without the necessity of establishing additional stations or equipment.
5. The capacity of major street linkages to provide for the traffic needs of the proposed

development without substantially altering existing traffic patterns or overloading the existing street system and the availability of other public facilities (such as parks and playgrounds) to meet the additional demands for vital public services, without system extensions beyond those which the developer agrees to provide.

6. The capacity of the current town staffing, facility, and engineering contractors.

D. The town staff shall review the application with regard to architectural continuity and appropriateness of the area and other existing construction. This review will include, but is not limited to, color usage, landscaping, building placement and all other considerations as are deemed necessary to assure an overall conformance with purposes of this chapter.

E. The Planning Commission shall examine each application for dwellings and give a recommendation to the Town Council, who will make the final decision regarding the applicant's award of allotments.

SECTION 4: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 5: **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 6: **EFFECTIVE DATE** This Ordinance shall be in full force and effective 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 Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley