

**APPLE VALLEY
ORDINANCE O-2022-64**

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

SECTION 1: **ADOPTION** “10.10.130 Institutional Zone” of the Apple Valley Land Use is hereby *added* as follows:

BEFORE ADOPTION

10.10.130 Institutional Zone (Non-existent)

AFTER ADOPTION

10.10.130 Institutional Zone(*Added*)

- A. Purpose: The purpose of this zone is to provide for the development of public structures and uses and accommodate institutional development in a scale that integrates sensitively with surrounding residential neighborhoods, which includes uses of a public, nonprofit, or charitable nature generally providing local service on-site to local people.
- B. Permitted Uses
 - 1. Government buildings
 - 2. Cemeteries
 - 3. Churches and other buildings for the purpose of religious worship
 - 4. Convalescent homes, nursing homes, and homes for the aged
 - 5. Convents, seminaries and retreat centers
 - 6. Libraries
 - 7. Lodging, hospitality and care for the infirmed, disadvantaged, handicapped or abused (children, youth and adults)
 - 8. Museums and art galleries
 - 9. Nursery schools and day care centers
 - 10. Orphanages
 - 11. Police and fire stations
 - 12. Publicly owned and/or operated parks, playgrounds, community recreation centers and swimming pools
 - 13. Schools, elementary and secondary (grades K-12) and continuing education adult enrichment centers
 - 14. Summer camps
- C. Accessory Uses
 - 1. Customary accessory buildings and uses
 - 2. Fences and walls (AVLU 10.36)

3. Signs (AVLU 10.22)
4. Uses provided in conjunction with a permitted or conditional use, primarily as a convenience to its occupants, its customers, patients, and employees, and located within the same building as the permitted or conditional use

D. Conditional Uses

1. Hospitals, clinics and health maintenance organizations
2. Colleges, universities, vocational, trade schools or other specialized educational facilities
3. Educational and medical related research facilities

E. Area and Height Regulations for Permitted and Conditional Uses

1. Minimum Lot Area - one (1) acre
2. Front Yard Setback - One hundred fifty (150) feet, only where the property abuts an arterial or collector street
3. Setback from any Adjacent Residential Zone - One hundred (100) feet
4. Internal Setbacks - Fifty (50) feet unless otherwise approved in accordance with a Site Plan as provided for in Subsection F(4) of this section
5. Maximum Height - Five (5) stories
6. In the case of this zone, more than one principal building as defined herein, may be permitted on one lot

F. Other Development Controls

1. Off-street parking and loading and/or unloading facilities shall be provided in accordance with AVLU 10.16.
2. No outdoor storage of any material (usable or waste) except firewood neatly stacked, shall be permitted in this zone except within enclosed containers.
3. No lighting shall be permitted which is not in accordance with AVLU 10.26.
4. No building shall be erected, or structurally altered, nor shall any grading take place on any lot or parcel in the Institutional Zone until a Site Plan Layout has been submitted and approved . Where development is proposed on a parcel of land that is a part of a larger tract of land which is under one ownership, the developer shall also be required to submit a plan for the entire property under said ownership, unless specifically waived by the town, in accordance with the plan requirement. Said plan shall show how the proposed development will be developed as an integral part of the much larger tract, including the coordination of land use and circulation (vehicular and pedestrian) with adjacent tracts of land.
5. A minimum of 20% of the total acreage of each site for a permitted use shall be set aside for open space use, exclusive of streets, parking areas, and buildings.

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 from December 14, 2022.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Frank Lindhardt	_____	_____	_____	_____
Council Member Andy McGinnis	_____	_____	_____	_____
Council Member Barratt Nielson	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Robin Whitmore	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Frank Lindhardt, Mayor,, Apple Valley