

**APPLE VALLEY  
ORDINANCE O-2022-10**

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

**SECTION 1:**        **AMENDMENT** “11.12.020 Design Standards” of the Apple Valley Subdivisions is hereby *amended* as follows:

**BEFORE AMENDMENT**

11.12.020 Design Standards

The design of the preliminary and final plat of a subdivision in relation to streets, blocks, lots, open spaces and other design factors shall be improved in accordance with the Design Standards, rules and regulations adopted by the Town Council. Such plans and profiles shall include but are not limited to (see Town Subdivision Design Standards):

- A. The minimum area and dimensions of all lots shall conform to the requirements of the zone district in which the lot is located.
- B. All lots or parcels created by a subdivision shall have direct access with frontage on a dedicated street improved to standards herein after required, or a private street if approved by the Town Council. Private streets shall be permitted only as recommended by the planning commission and approved by the Town Council. Land designated as public right of way shall be separate and distinct from lots adjoining such right of ways and shall not be included in the area of such lots.
- C. All subdivisions shall result in the creation of lots that are developable and capable of being built upon. A subdivision shall not create lots and no building permits shall be issued for any lots that would make building or access impractical due to size, shape, steepness of terrain, location of watercourses, problems of sewage or driveway grades, or other physical conditions except where such lots are suitable and dedicated for a common open space, private utility, or public purpose as determined by the planning commission.
- D. The side lines to all lots, so far as possible, shall be right angles to each street on which the lot faces or approximately radial to the center of curvatures. Exceptions may be made to this requirement where considerations for solar orientation are involved.
- E. Corner lots for residential use shall be planned wider than interior lots to permit conformance with the required front setback requirements of both streets.
- F. A city boundary line shall not divide a lot; each boundary line shall be made on a lot line.
- G. Lot numbers shall begin with the number #1 and shall continue consecutively through the subdivision with no omissions or duplications; no block designations shall be used.
- H. Except as specifically authorized by this chapter, not more than one dwelling unit shall

occupy any one lot.

- I. No area needed to meet the minimum width, yard area, parking, or other requirements of this chapter for a lot or building may be sold or leased away from such lot or building for the purpose of installing any kind of structure.
- J. No portion of a lot may be cut off from another portion of a lot that has been created through a subdivision action.
- K. Blocks shall not exceed approximately eight hundred (800) feet in length.
- L. Blocks shall be wide enough to adequately accommodate two tiers of lots, unless the Land Use Authority, because of topography, approves a modification or other unusual conditions as provided for by this Code.
- M. Access from Major Arterial and Collector Streets. Lots shall not derive access exclusively from a major arterial. Access shall be limited on collector streets except where approved by the Town Council. In such cases driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic.
- N. After determination by the commission that standard lots are not feasible, the commission may, in order to encourage more efficient use of land, allow flag lots to be developed subject to the following conditions:
  - 1. The property cannot be subdivided with Public Street and standard size lots, either at the present or in the future.
  - 2. The staff portion of said lot shall front a dedicated public or private street. The minimum width of the staff portion of the lot shall be 25 feet.
  - 3. No building or construction, except for driveways, shall be allowed on the staff portion of said lot.
  - 4. The front side of the flag lot shall be deemed to be the side nearest the dedicated public or private street up on which the staff portion front.
  - 5. All lot size and set back requirements shall be the same as may be required the zone in which the lot is located.
  - 6. No more than five (5) flag lots may be served by one staff portion of said lot.
  - 7. The land use authority shall specifically approve each flag lot.
  - 8. The twenty five (25) foot access easement shall be improved with an all-weather surface to allow access to emergency vehicles.

## AFTER AMENDMENT

### 11.12.020 Design Standards

The design of the preliminary and final plat of a subdivision in relation to streets, blocks, lots, open spaces and other design factors shall be improved in accordance with the Design Standards, rules and regulations adopted by the Town Council. Such plans and profiles shall include but are not limited to (see Town Subdivision Design Standards):

- A. The minimum area and dimensions of all lots shall conform to the requirements of the zone district in which the lot is located.
- B. All lots or parcels created by a subdivision shall have direct access with frontage on a dedicated street improved to standards herein after required, or a private street if approved by the Town Council. Private streets and gated communities shall be

permitted only as specifically recommended by the planning commission and approved by the Town Council. Land designated as public right of way shall be separate and distinct from lots adjoining such right of ways and shall not be included in the area of such lots.

- C. All subdivisions shall result in the creation of lots that are developable and capable of being built upon. A subdivision shall not create lots and no building permits shall be issued for any lots that would make building or access impractical due to size, shape, steepness of terrain, location of watercourses, problems of sewage or driveway grades, or other physical conditions except where such lots are suitable and dedicated for a common open space, private utility, or public purpose as determined by the planning commission.
- D. The side lines to all lots, so far as possible, shall be right angles to each street on which the lot faces or approximately radial to the center of curvatures. Exceptions may be made to this requirement where considerations for solar orientation are involved.
- E. Corner lots for residential use shall be planned wider than interior lots to permit conformance with the required front setback requirements of both streets.
- F. A city boundary line shall not divide a lot; each boundary line shall be made on a lot line.
- G. Lot numbers shall begin with the number #1 and shall continue consecutively through the subdivision with no omissions or duplications; no block designations shall be used.
- H. Except as specifically authorized by this chapter, not more than one dwelling unit shall occupy any one lot.
- I. No area needed to meet the minimum width, yard area, parking, or other requirements of this chapter for a lot or building may be sold or leased away from such lot or building for the purpose of installing any kind of structure.
- J. No portion of a lot may be cut off from another portion of a lot that has been created through a subdivision action.
- K. Blocks shall not exceed approximately eight hundred (800) feet in length.
- L. Blocks shall be wide enough to adequately accommodate two tiers of lots, unless the Land Use Authority, because of topography, approves a modification or other unusual conditions as provided for by this Code.
- M. Access from Major Arterial and Collector Streets. Lots shall not derive access exclusively from a major arterial. Access shall be limited on collector streets except where approved by the Town Council. In such cases driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic.
- N. After determination by the commission that standard lots are not feasible, the commission may, in order to encourage more efficient use of land, allow flag lots to be developed subject to the following conditions:
  - 1. The property cannot be subdivided with Public Street and standard size lots, either at the present or in the future.
  - 2. The staff portion of said lot shall front a dedicated public or private street. The minimum width of the staff portion of the lot shall be 25 feet.
  - 3. No building or construction, except for driveways, shall be allowed on the staff portion of said lot.
  - 4. The front side of the flag lot shall be deemed to be the side nearest the

dedicated public or private street up on which the staff portion front.

5. All lot size and set back requirements shall be the same as may be required the zone in which the lot is located.
6. No more than five (5) flag lots may be served by one staff portion of said lot.
7. The land use authority shall specifically approve each flag lot.
8. The twenty five (25) foot access easement shall be improved with an all-weather surface to allow access to emergency vehicles.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Council Member / Mayor Pro Tem Kevin Sair	_____	_____	_____	_____
Council Member Robin Whitmore	_____	_____	_____	_____
Council Member Andy McGinnis	_____	_____	_____	_____
Council Member Barratt Nielson	_____	_____	_____	_____

Attest

Presiding Officer

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

\_\_\_\_\_  
Kevin Sair, Council Member / Mayor  
Pro Tem Apple Valley