

**APPLE VALLEY
ORDINANCE O-2022-35**

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

SECTION 1: AMENDMENT “10.10.060 SF Single Family Residential Zone” of the Apple Valley Land Use is hereby *amended* as follows:

BEFORE AMENDMENT

10.10.060 SF Single Family Residential Zone

- A. Purpose: The purpose of this zone is to provide appropriate locations where low density residential neighborhoods may be established, maintained and protected. The regulations also pennit the establishment, with proper controls, of public and semipublic uses such as churches, schools, libraries, parks and playgrounds which serve the requirements of families. The regulations are intended to prohibit uses that would be harmful to a single-family residential neighborhood.
- B. Permitted Uses: Uses permitted in this zone are as follows:
1. Single Family dwelling with a minimum of 1250 sq ft. on the main level
 2. Accessory use and buildings; permitted simultaneously or after obtaining a building permit and construction and occupancy of a residential dwelling.
 3. Home gardens and trees, keeping of household dogs, cats and chickens (up to six (6) per lot). No roosters allowed.
 4. Residential facility for persons with a disability (see AVLU 10.28 for supplementary information)
 5. Residential facility for the elderly (see AVLU 10.28 for supplementary information)
 6. Churches
 7. Group homes
 8. Home occupation
 9. Parks and playground

Any use not specifically allowed under permitted uses shall be prohibited.

- C. Height Regulations: No building shall be erected to a height greater than thirty five (35'). No accessory building shall be erected to a height greater than twenty five (25') feet.
- D. Area Width and Yard Regulations:

District	Area	Width in Feet	Yards in Feet		
	Minimum		Front	Side	Rear
SF-.25	10,000 sq. ft.	80	25	10	10
SF-.50	20,000 sq. ft.	80	25	10	10
SF-1.0	40,000 sq. ft.	80	25	10	10
SF-2.5	2.5 acres	150	25	25	25
SF-5.0	5.0 acres	200	25	25	25
SF-10.0	10.0 acres	300	25	25	25

E. Modifying Regulations:

1. Side Yards: The side yard setback on a "street side" yard shall be fifteen (15) feet
2. Private Garages and Accessory Buildings: Private garages and accessory buildings located at least 10' behind the main dwelling on lots less than ½ acre may have a side yard of three feet (3'), all others must be ten feet (10'), provided that all corner lots shall maintain fifteen feet (15') on the street side.
3. Prohibited Materials and Storage: No trash, rubbish, weeds or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, debris, or junk cars shall be stored or allowed to remain on any lot in any residential zone.
4. Location of Required Parking: Required parking shall not be located in the front yard setback.
5. All lighting shall comply with AVL 10.26 Outdoor Lighting Ordinance.
6. For additional restrictions and clarifications in this zone, see AVL 10.28 Supplementary and Qualifying Regulations for Land Use and Building.
7. No industrial-looking buildings such as pre-engineered steel or pole barns allowed, unless specifically approved by the planning commission.

Any use not specifically allowed under permitted uses shall be prohibited.

AFTER AMENDMENT

10.10.060 SF Single Family Residential Zone

Purpose: The purpose of this zone is to provide appropriate locations where low density residential neighborhoods may be established, maintained and protected. The regulations also pennit the establishment, with proper controls, of public and semipublic uses such as churches, schools, libraries, parks and playgrounds which serve the requirements of families. The regulations are intended to prohibit uses that would be harmful to a single-family residential neighborhood.

A. Permitted Uses: Uses permitted in this zone, following the issuance of a building permit for a permanent dwelling.

are as follows:

1. Single Family dwelling with a minimum of ~~+250~~ 1000 sq ft. on the main level.
2. Accessory use and buildings; permitted simultaneously or after obtaining a building permit and construction and occupancy of a residential dwelling.
3. Home gardens and trees, keeping of household dogs, cats and chickens (up to six (6) per lot). No roosters allowed.
4. Residential facility for persons with a disability (see AVLU 10.28 for supplementary information).
5. Residential facility for the elderly (see AVLU 10.28 for supplementary information), no permanent residence required.
6. Churches, no permanent residence required.
7. Group homes, no permanent residence required.
8. Home occupation
9. Parks and playground

B. Conditional Uses: Uses requiring a conditional use permit in this zone are as follows:

1. Assisted living facility (SF-5, SF-10 only)
2. Metal buildings

C. Any use not shown in this section shall be prohibited unless the planning commission determines the use is substantially the same as a permitted or conditional use as provided in subsection 10-7-180-E4 of this title.

D. Height Regulations: No building shall be erected to a height greater than thirty five (35'). No accessory building shall be erected to a height greater than twenty five (25') feet.

E. Area Width and Yard Regulations:

District	Area	Width in Feet	Yards in Feet		
	Minimum		Front	Side	Rear
SF-.25	+10,000 sq. ft.	80	25	10	10
SF-.50	20,000 sq. ft.	80	25	10	10
SF-1.0	40,000 sq. ft.	80	25	10	10
SF-2.5	2.5 acres	150	25	25	25
SF-5.0	5.0 acres	200	25	25	25
SF-10.0	10.0 acres	300	25	25	25

F. Modifying Regulations:

1. Side Yards: The side yard setback on a "street side" yard shall be fifteen (15) feet
2. Private Garages and Accessory Buildings: Private garages and accessory buildings located at least 10' behind the main dwelling on lots less than ½ acre

may have a side yard of three feet (3'), all others must be ten feet (10'), provided that all corner lots shall maintain fifteen feet (15') on the street side.

3. Prohibited Materials and Storage: No trash, rubbish, weeds or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, debris, or junk cars shall be stored or allowed to remain on any lot in any residential zone.
4. Location of Required Parking: Required parking shall not be located in the front yard setback.
5. All lighting shall comply with AVL 10.26 Outdoor Lighting Ordinance.
6. For additional restrictions and clarifications in this zone, see AVL 10.28 Supplementary and Qualifying Regulations for Land Use and Building.
- ~~7. No industrial-looking buildings such as pre-engineered steel or pole barns allowed, unless specifically approved by the planning commission.~~

~~Any use not specifically allowed under permitted uses shall be prohibited.~~

8. 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.
9. 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.
10. 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 from November 16, 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