

**APPLE VALLEY
ORDINANCE O-2023-09**

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

SECTION 1: AMENDMENT “10.10.090 MH Manufactured Housing Park Zone” of the Apple Valley Land Use is hereby *amended* as follows:

BEFORE AMENDMENT

10.10.090 MH Manufactured Housing Park Zone

- A. Purpose: The purpose of this zone is to provide for the development of manufactured home parks in a quality environment. Manufactured home parks are not intended for the isolated lot, but shall be for use in areas where larger tracts of land are available for development, and can be developed to a high standard of quality with landscaping, recreation facilities, etc., and are designed and intended from the beginning of development as manufactured homes only. The minimum zone size shall be approximately five (5) acres.
- B. Permitted Uses: Uses permitted in this zone, following the issuance of a building permit for a permanent dwelling, are as follows:
 - 1. Accessory buildings and uses.
 - 2. Horticulture and gardening for personal use.
 - 3. Household pets.
 - 4. Park or playground.
 - 5. Manufactured homes at a minimum of 1,000 square feet on main level.
 - 6. Other uses similar to the above and judged by the planning commission to be in harmony with the intent and character of this zone, which will require a conditional use permit.
 - 7. Any use not specifically allowed under permitted or conditional uses, shall be prohibited unless the zoning administrator determines the use is substantially the same as a permitted use.
- C. Height Regulations: No building shall be erected to a height greater than thirty five (35) feet. No accessory building shall be erected to a height greater than twenty five (25) feet.
- D. Manufactured Home Park Development Standards:
 - 1. Density: The maximum density for a manufactured home park shall not exceed six (6) units per acre.
 - 2. Access Roads: Each manufactured home park shall be provided with hard surface (concrete or asphalt) roadways of at least twenty five (25) feet in width to serve each manufactured home space and parking area.
 - 3. Park Access: Access to all manufactured home parks shall be from a dedicated

- and approved public street at an approved access point or points. No manufactured home space shall have direct access from a public street. Any access road connecting two (2) or more public streets shall be arranged to prohibit or discourage through traffic.
4. Off Street Parking: Parking spaces shall be provided for the parking of motor vehicles in the ratio of at least two (2) parking spaces for each manufactured home space.
 5. Recreation Space: Recreation space shall be provided for each manufactured home park. A minimum usable area of five thousand (5,000) square feet shall be set aside and developed for each manufactured home park having at least ten (10) units and one hundred (100) square feet additional space for each unit above ten (10) units.
 6. Manufactured Home Space: Each manufactured home space shall have a minimum of five thousand (5,000) square feet and a minimum width of fifty (50) feet.
 7. Permanent Foundation: A manufactured home must be put on a permanent foundation and converted to real property.
 8. Minimum Yard Clearances for Manufactured Home Park: Each manufactured home shall have the following minimum yard clearances:
 - a. Front or side yard on a public street, twenty five (25) feet.
 - b. Side yard bordering adjacent property, ten (10) feet.
 - c. Rear yard bordering adjacent property, ten (10) feet.
 - d. A six (6) foot sight obscuring fence shall be erected along all side and rear property lines, unless otherwise approved by the planning commission.
 9. Minimum Yard Clearances for Manufactured Home Space: Each manufactured home shall have the following minimum yard clearance which may also be included in and a part of the setbacks required in subsection H of this section:
 - a. Front yard on a private street or access road, fifteen (15) feet in back of curb.
 - b. Side yard on main door side of manufactured home, fifteen feet (15).
 - c. Side yard on "no access" side of manufactured home, ten (10) feet.
 - d. Rear yard, ten (10) feet.
 - e. No two (2) manufactured homes shall be closer than twenty (20) feet.
 10. Utilities Required: All sewage and water proposals shall be required to have approval from the Utah state department of environmental quality and Big Plains Water and Sewer Special Service District. All buildings, electrical, plumbing and fire protection construction shall comply with state and Town requirements and codes, including applicable standards found in the Town subdivision ordinance (including, but not limited to, fire protection), the building code, and this title.
 11. A dwelling proposed to be moved onto a site in the town shall be less than ten (10) years of age at the time of moving unless otherwise approved by the Planning Commission. Rehabilitation of such dwelling limited to a 6 month

duration.

E. Modifying Regulations:

1. Perimeter Fence: Unless otherwise approved by the planning commission, each manufactured home park shall be fenced at the perimeter with a six (6) foot high sight obscuring fence.
2. Building Code; Permit: Installation of any manufactured unit shall be done in conformance with the requirements of the current edition of the building code following approval of the building department, and the issuance of a building permit.
3. Street Construction: All streets in a manufactured home park shall be paved according to the construction standards of the Town and shall be bounded by curb and gutter approved by the planning commission.
4. All lighting shall comply with AVL 10.26 Outdoor Lighting Ordinance.

F. Subdivision Requirements: Any use approved in the MH zone in which the sale of any lot or parking space is proposed, shall be subject to all applicable requirements of the AVS 11 subdivision ordinance.

AFTER AMENDMENT

10.10.090 MH Manufactured Housing Park Zone

- A. Purpose: The purpose of this zone is to provide for the development of manufactured home parks in a quality environment. Manufactured home parks are not intended for the isolated lot, but shall be for use in areas where larger tracts of land are available for development, and can be developed to a high standard of quality with landscaping, recreation facilities, etc., and are designed and intended from the beginning of development as manufactured homes only. The minimum zone size shall be approximately five (5) acres.
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3. Park Access: Access to all manufactured home parks shall be from a dedicated and approved public street at an approved access point or points. No manufactured home space shall have direct access from a public street. Any access road connecting two (2) or more public streets shall be arranged to prohibit or discourage through traffic.
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and Town requirements and codes, including applicable standards found in the Town subdivision ordinance (including, but not limited to, fire protection), the building code, and this title.

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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 January 18, 2023.

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