

**APPLE VALLEY TOWN
ORDINANCE 2018-18**

**AN ORDINANCE TO AMEND TITLE 10, CHAPTER 26 SECTION 10, BUILDING SETBACK AND
ADDITIONAL DESIGN STANDARDS**

WHEREAS, the ordinances of the Town of Apple Valley provide for land use regulation of property;
and

WHEREAS, on November 14th, 2018, the Apple Valley Planning Commission, held a public hearing
to consider comments to amend the Apple Valley Ordinance Title 10, Chapter 26 SECTION 10; and

WHEREAS, the Planning Commission has recommended the proposed amendments and adoptions
to the Town Council; and


WHEREAS, Town Council has reviewed the Planning Commission's recommendation and has
determined that these ordinances are in the best interest of the health, safety, and welfare of the
citizens of the Town of Apple Valley; and

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on
November 20th, 2018, and upon motion duly made and seconded:

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF
APPLE VALLEY, UTAH**, that Apple Valley Town amends the Apple Valley Ordinance Title 10,
Chapter 26 Section 10, Building Setback and Additional Design Standards. The setback standard is
changed from 50 feet to 75 feet on hillsides.

EFFECTIVE DATE, This amendment shall be effective upon passage, without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this
20th, day of November, 2018.


Marty Lisonbee, Mayor

ATTEST:


Michelle Kinney, Town Recorder

Mayor Marty Lisonbee	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Debbie Kopp	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Michael McLaughlin	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Denny Bass	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Paul Edwardsen	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>

Changes for Hillside Development Ordinance 2018-18 are as follows:

Section 10:26:10 Building Setbacks and Additional Design Standards

A. Front Setback along Public Streets: The front setback along public streets where the slope of the adjacent property to the street is over ten percent (10%) a minimum setback of forty feet (40') from property line is allowed.

B. Setbacks:

1. Ridgelines & Plateaus: All ridgelines shall be subject to the setback provisions contained herein. On mesa plateaus or ridgelines, the setback from the ridgeline shall be a minimum of **seventy five feet (75')** or greater as recommended in the geotechnical report. Ridgelines shall remain undisturbed.

2. Cuesta: Where a ridgeline occurs on a cuesta, the minimum setback shall be one hundred feet (100') measured normal (perpendicular) to the closest point of the ridge, unless a greater setback is recommended in the geotechnical report)

C. Additional Design Standards:

1. Retaining walls shall be colored to match the surrounding natural landscaping. Retaining wall height shall be limited to the heights set forth in section 16 of the Apple Valley Land Use Ordinance.

2. Building exterior colors shall be earth tone and blend with the surrounding natural landscape.

3. In residential zones, "no disturbance" areas shall not be included within lots (unless approved by the planning commission and town council) but should be part of the "common area" of a project. Common areas shall be owned and maintained by the project's homeowners' association or may be deeded to the city when accepted by the city.

In nonresidential zones, the "no disturbance" area shall be identified on the final site plan or final plat, whichever is applicable.

Any required no disturbance area shall be identified on the ground with temporary fencing or other approved means to prevent accidental disturbance of the area during construction and such fencing shall be installed prior to issuance of a grading permit.

4. The building site shall be located on the flattest portion of the parcel unless otherwise approved by the town council.