

# CHAPTER 27 OVERLAY ZONES

## SECTION: 10-27-1: PURPOSE

The purpose of an overlay zone is to apply certain additional requirements that are superimposed upon a base zoning district. In the instance of conflicting requirements, the stricter of the conflicting requirement shall apply.

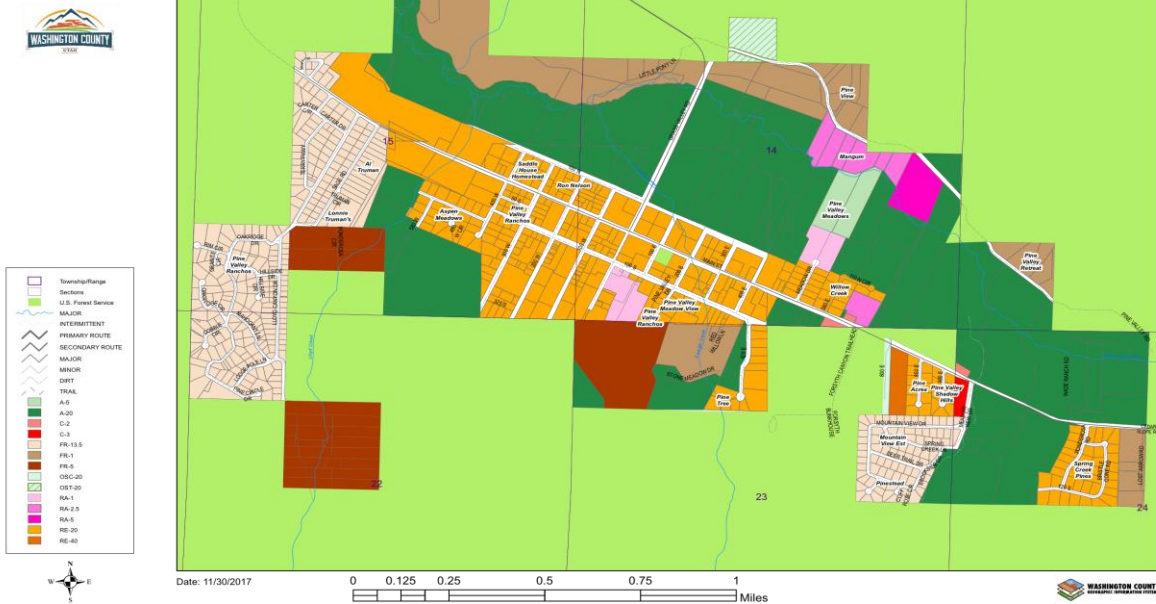
### Article A- Pine Valley Overlay Zone

#### 10-27A-1: Purpose:

To guide future development in a way that maintains the rural, historical and mountain village characteristics of Pine Valley and to preserve its open meadows, agricultural lands, and scenic vistas.

**10-27A-2 Area Defined:** The regulations for the Pine Valley Overlay Zoning (PVOV) shall apply to the bounded area depicted on the official Washington County General Plan and Zoning maps for Pine Valley.

Zoning Map  
Pine Valley



#### 10-27A-3 Zoning Districts within the PVOZ

The following zoning districts are existing underlying districts for the Pine Valley Overlay Zone. The C-2 Highway Commercial Zone (C-2) and C-3 General Commercial Zone (C-3) are limited to the existing zoned parcels, and will not be allowed for future zone changes. Any newly proposed commercial parcels, if rezoned, shall be Neighborhood Commercial. Manufacturing and Industrial zoning and uses are prohibited. Commercial campgrounds and commercial recreation including but not limited to lodges and dude ranches, fractionalized ownership, and Planned Developments for Short Term Rentals (STR) uses are prohibited in all zoning districts. Agricultural Tourism is only allowed in the RA Districts on lots that are 10 acres or greater. Other zoning districts allowed in Washington County may be considered through the zoning amendment process established in the Washington County Code, by seeking an amendment to the PVOZ, so long as the proposed zoning meets the minimum lot size requirements and intent of this overlay zone.

A-5– Agricultural 5 acre minimum- The purpose of this zone is to preserve appropriate areas for permanent agricultural uses. Permitted and Conditional uses for this district are found in Sections 10-7-2 and 10-7-3.

A-20- Agricultural 20 acre minimum- The purpose of this zone is to preserve appropriate areas for permanent agricultural uses. Permitted and Conditional uses for this district are found in Title 10-7-2 and 10-7-3 of this Code.

C-2- Highway Commercial Zone- Commercially zoned property currently existing and located within the Pine Valley Overlay Zone shall be oriented toward the community needs and for essential services to its residents, and for their health and safety. All future commercial uses shall be community focused. Tourist uses shall be ancillary to the community, neighborhood commercial uses.

The scale and design of the commercial uses shall be in harmony with the surrounding uses. Permitted uses for this district are found in Title 10-10-2. Prohibited commercial uses within the Pine Valley Overlay Zone include the following:

- Athletic Clubs
- Automobile, new or used sales and service
- Automobile rental
- Automobile repair including paint, body, fender, brake, muffler, upholstery, or transmission (completely enclosed building)
- Bank or Financial Institution
- Boat Sales and Service
- Car wash
- Convenience Markets in conjunction with gas stations, or stand alone, with the exception of a Country Store defined by this overlay code, which is permitted.

- Gas station
- Laundry or dry cleaners, laundromat
- Liquor Store
- Manufactured home sales lot and service
- Mortuary
- Pharmacy
- Recreational vehicle parks
- Shuttle Service
- Theatre
- Tire sales and service
- Trailer sales and service
- Truck terminal

To maintain the rural nature of the Pine Valley community, additional commercially zoned property and uses is strongly discouraged.

C-3- General Commercial Zone - Commercially zoned property currently existing and located within the Pine Valley Overlay Zone shall be oriented toward local community needs, for essential services to its residents, and for their health and safety, All future commercial uses shall be community focused. Tourist uses shall be ancillary to the community, Neighborhood Commercial uses.

The scale and design of the commercial uses shall be in harmony with the surrounding uses. To maintain the rural nature of the Pine Valley community, additional commercially zoned property and uses is strongly discouraged. Permitted uses for this district are found in Title 10-10-2. Prohibited Commercial uses within the Pine Valley Overlay Zone include the following:

- Athletic Clubs
- Automobile, new or used sales and service
- Automobile rental
- Automobile repair including paint, body, fender, brake, muffler, upholstery, or transmission (completely enclosed building)
- Bank or Financial Institution
- Boat Sales and Service
- Building Materials Sales
- Car wash
- Coal and Fuel Sales
- Convenience Markets in conjunction with gas stations, or stand alone, with the exception of a Country Store defined by this overlay code, which is permitted Department Store
- Employment Agency
- Gas station

- Grocery Store
- Health Club
- Laboratory, Dental or Medical
- Laundry
- Liquor Store
- Lumberyard
- Manufactured home sales lot and service
- Mortuary
- Pawn Shop
- Pharmacy
- Recreational vehicle parks
- Rental Agency for Home and Garden Equipment
- Shuttle Service
- Sign Sales
- Storage rental units
- Theatre
- Tire recapping or retreading
- Tire sales and service
- Trailer sales and service
- Truck terminal

To maintain the rural nature of the Pine Valley community, any additional commercially zoned property and uses, including Neighborhood Commercial is strongly discouraged.

FR-13.5- Forest Residential Zone 13,500 square foot minimum- The purpose of this zone is to permit the necessary development of identified mountain areas for non-commercial recreation, seasonal residential living, and other activities to the extent compatible with the protection of the natural and scenic resources of the areas for the benefit of present and future generations. (Ord. 2018-1120-O, 8-21-2018) Permitted and Conditional uses for this district are found in Title 10-8A-2 and 10-8A-3 of this Code.

FR-1 Forest Residential Zone 1 acre minimum- The purpose of this zone is to permit the necessary development of identified mountain areas for non-commercial recreation, seasonal residential living, and other activities to the extent compatible with the protection of the natural and scenic resources of the areas for the benefit of present and future generations. (Ord. 2018-1120-O, 8-21-2018) Permitted and Conditional uses for this district are found in Title 10-8A-2 and 10-8A-3 of this Code.

FR-5 Forest Residential Zone 5 acre minimum- The purpose of this zone is to permit the necessary development of identified mountain areas for non-commercial recreation, seasonal residential living, and other activities to the extent compatible with the

protection of the natural and scenic resources of the areas for the benefit of present and future generations. (Ord. 2018-1120-O, 8-21-2018) Permitted and Conditional uses for this district are found in Title 10-8A-2 and 10-8A-3 of this Code.

OSC-20 Open Space Conservation Zone- The purpose of this zone is to permit the use of open space land within the county for uses compatible with the protection of the natural and scenic resources of the county for the benefit of present and future generations. (Ord. 2001-815-O, 12-17-2001, eff. 12-17-2001; and. 2004 Code) This zoning designation with the Pine Valley Overlay is to allow for the preservation of the Pine Valley Meadows. No development is allowed within this zoning district. Permitted uses for this district are found in Title 10-6A-2. The Conditional Uses described in 10-6A-3 are not permitted in the Pine Valley Overlay Zone.

OST-20 Opens Space Transition Zone 20 acre minimum- The purpose of this zone is to provide for the protection of primarily undeveloped private land. Permitted and Conditional uses for this district are found in Title 10-6B-2. The Conditional Uses described in 10-6B-3 are not permitted in the Pine Valley Overlay Zone.

RA-1 Residential Agricultural Zone 1 acre minimum- The purpose of this zone is to provide permanent areas for small farms, hobby farms and small agricultural developments. (Ord. 2018-1120-O, 8-21-2018) Permitted and Conditional uses for this district are found in Title 10-8C-2 and 10-8C-3 of this Code.

RA-2.5 Residential Agricultural Zone 2.5 acre minimum- The purpose of this zone is to provide permanent areas for small farms, hobby farms and small agricultural developments. (Ord. 2018-1120-O, 8-21-2018) Permitted and Conditional uses for this district are found in Title 10-8C-2 and 10-8C-3 of this Code.

RA-5 Residential Agricultural Zone 5 acre minimum- The purpose of this zone is to provide permanent areas for small farms, hobby farms and small agricultural developments. (Ord. 2018-1120-O, 8-21-2018) Permitted and Conditional uses for this district are found in Title 10-8C-2 and 10-8C-3 of this Code.

RE-20- Residential Estate Zone 20,000 square foot minimum- The purpose of this zone is to provide permanent area for small farms, hobby farms and limited agricultural development for personal use. (Ord. 2018-1120-O, 8-21-2018).

RE-40- Residential Estate Zone 40,000 square foot minimum- The purpose of this zone is to provide permanent area for small farms, hobby farms and limited agricultural development for personal use. (Ord. 2018-1120-O, 8-21-2018).

#### **10-27A-4 General Standards and Requirements**

##### **a. Neighborhood Commercial Standards**

Neighborhood Commercial is a zoning designation unique to Pine Valley, and regulates all commercial development within the Pine Valley Overlay Zone. All commercial zoning shall be Neighborhood Commercial, rural or historical in character and shall be in harmony with the surrounding development. Neighborhood Commercial development should be oriented to the community and the needs of the community. It shall provide areas where low impact commercial and service uses can be harmoniously integrated with rural and residential uses at a village scale. It shall have a lesser impact than normally associated with commercial development, and shall be lower in density to preserve a feeling of open space and preservation of public views compatible with the area's natural and scenic beauty. Buildings shall be limited to a maximum size of 5,000 square feet and must be single story. The creation of additional commercially zoned property is strongly discouraged. Any zoning amendment to change the zoning to a Neighborhood Commercial zoning or use will require a community meeting noticed per section 10-2-3 of the Washington County Code prior to the application submittal to Washington County and be required to be Neighborhood Commercial with a minimum lot size of one (1) acre. Zoning requests to Neighborhood Commercial will need to meet the following standards:

- It meets a fundamental need of the community
- It provides an essential service for the community
- It promotes safety for the residents, including among other things, the lessening of congestion in the streets and roads, securing safety from fire and other dangers
- Single story in height

All future commercial uses shall be community focused. Tourist uses shall be ancillary to the community, Neighborhood Commercial uses.

Neighborhood Commercial Uses are as follows:

- Country Store
- Financial Services
- Medical, or professional office
- Office, professional
- Personal Care Service
- Personal Instruction
- Religious facility
- Restaurant, rural or historic architectural style

## b. Residential Standards

In order to preserve the rural nature and feel of Pine Valley, any new subdivided lots created for development shall be a minimum of 1 acre in size. To maintain the rural

nature and feel of Pine Valley and to provide for appropriately sized homes on lots, lot coverage standards are included in this overlay zone.

The combined square footage of all detached accessory structures, with the exception of barns, shall not exceed 15% of the total lot area if the structure is entirely within the setbacks for the principal structure, or 10% of the total lot area if the structure is located elsewhere on the lot. Barns except in Agriculture districts, may have a lot coverage up to 25% so long the use is incidental to the primary residential use. In Agriculture district's where agricultural uses are operating, barns are permitted without a primary residential use.

Fractional home ownership is not permitted within the Pine Valley Overlay Zone.

Existing District	Acres	Front Setback	Side Setback	Rear Setback	Lot Width	Building Height	Lot Coverage	Accessory Structure Lot Coverage
A-5	5	25	25	25	300	35	50%	15%/10%
A-20	20	25	25	25	400	35	50%	15%/10%
C-2	None	25	10	10	None	35	50%	15%/10%
C-3	None	25	10	10	None	35	50%	15%/10%
FR-13.5	13,500 sf	25	10	10	80	35	50%	15%/10%
FR-1	1	25	10	10	140	35	50%	15%/10%
FR-5	5	25	25	25	300	35	50%	15%/10%
OSC-20	20	25	25	25	400	35	50%	15%/10%
OST-20	20	25	25	25	400	35	50%	15%/10%
RA-1	1	25	10	10	140	35	50%	15%/10%
RA-2.5	2.5	25	25	25	250	35	50%	15%/10%

RA-5	5	25	25	25	300	35	50%	15%/10%
RE-20	20,000 sq.	25	10	10	80	35	50%	15%/10%
RE-40	40,000 sq.	25	10	10	100	35	50%	15%/10%

New residential developments shall have a minimum lot size of one acre. Parcels five (5) acres or more may receive approval of a Planned Development Residential (PDR) allowing 1/4 acre lots or larger to be clustered together with 75% of the lot remaining as open space, or 1/2 acre lots or larger if the open space land is not contiguous.

PDR Cluster Requirements		
Acres	Maximum number of 1/4 acre lots	Required open space in acres
5	4	4
10	8	8
15	12	12
20	16	16

1. Buildings:

Recommended and mandatory building standards are found in the table below:



Mandatory	Recommended	Standard
	X	Buildings shall be designed to follow natural contours rather than modifying the land to accept a building design not tailored to the site
X		Slopes that are greater than thirty percent (30% shall require building designs where all corners of the building on the ground surface). Hillside Development Standards in the code also apply.
	X	The massing or grouping of buildings shall be scaled to harmonize and achieve balance with the natural features of the specific site.
	X	Roof lines and building mass shall echo the angles and shapes repeated in the natural landscape. Flat roofs are strongly discouraged due to snow loads.
	X	Building mass and wall lines shall be broken up to complement natural settings and slopes.
	X	The use of building materials in colors that blend harmoniously with the surrounding natural settings is recommended. Brash, contrasting color combinations are strongly discouraged.
X		Flammable wood roofing shingles are prohibited.

## 2. Mobile and Manufactured Housing

Mobile Homes are not permitted within the Pine Valley Overlay Zone. Manufactured housing is discouraged in order to preserve the rural character of Pine Valley. Manufactured housing may be allowed with the following standards:

Mandatory	Recommended	Standard
X		Built to HUD Standards

	X	Be manufactured within the five years immediately preceding the date which it is affixed to the residential lot.
	X	Shall be new construction and not a home relocated from another property.
	X	Consist of more than one section
	X	Include at least 1,400 square feet of living area.
	X	Consist of at least five sides or corners with the smallest side or corner measuring a minimum of five feet; and
	X	Have a minimum width and depth of 20 feet.
	X	The exterior finish shall be architecturally integrated with the homes in the immediate vicinity, including roofing and building design.
X		Attached to a permanent foundation, and any elevated foundation must be masked with the same exterior finished used on the home or decorative masonry. All masking must be extended to within six inches of grade.
	X	Roofing material shall be asphalt shingles, tile, or metal roofing panels.
	X	Roofing material must be different in color and material than that of the exterior finish of the house to create contrast.
X		Flammable wood roofing shingles are prohibited.
X		Roofs shall maintain a minimum pitch of 3:12.

3. Accessory Dwelling Units:

Accessory Dwelling Units (ADU) are allowed within the Pine Valley Overlay Zone under Section 10-13-18: ACCESSORY DWELLING UNIT (ADU). Setbacks for ADUs will correspond with the underlying zoning district, in which the ADU is located and be compliant with Title 10 Chapter 8.

4. Short term rentals:

Short-Term Rentals (STR) are allowed when compliant with Section 10-13-23, with the exception of any Planned Development STR zoning. Short-Term Rental housing will be limited to a maximum of 5% of the existing housing supply. If the home is not owner occupied, then a Property Manager must live within one hour of Pine Valley to be able to promptly resolve matters that may arise.

Those with existing licenses when the Overlay Zone goes into effect, will be included in the ratio number. Any applicants, who are compliant with Section 10-13-23, and granted a license by the County, will be included until the ratio for the licenses is met. Any subsequent applicants will go on a wait list in order of the date of receipt. Licenses can also be revoked by the County for non-compliance. When a license becomes available, the first applicant on the waiting list shall be notified of the license availability, and the applicant shall have 60 days from the date to complete the licensing process, if eligible. If they fail to obtain a license within that timeframe, the application shall be deemed rejected, and the next applicant will be notified of the license availability, and the same procedure shall apply. PVLAC will review number of homes each year and provide an updated ratio number to the Community Development Office by January 31 of each year.

5. Home Occupations:

Home Occupations are allowed within the Pine Valley Overlay Zone pursuant to Section 10-4-1: TERMS DEFINED: HOME OCCUPATION.

**c- General Standards**

1-Streets

a. Rural Street Section

In order to preserve the rural character of Pine Valley, as defined with the community general plan maps, street improvements shall be exempt from curb, gutter, and sidewalks requirements pursuant to Washington County Municipal Code Section 11-5-3(C)(2)(a).

b. All-Terrain Vehicles (ATVs)/ Off Highway Vehicles (OHV)

All-Terrain Vehicles (ATVs)/ Off Highway Vehicles (OHV) are permitted within the Pine Valley Overlay Zone pursuant to Washington County Municipal Code Section 6-1-3: OFF HIGHWAY VEHICLES

c. Speed limits

To improve air quality and minimize dust, recommended speed limits for all vehicles within the Pine Valley Overlay Zone on all unpaved roads be limited to 15mph, unless otherwise posted.

2-Trees/Landscaping/Fencing

a. Fencing

All perimeter fencing, including the front yard, within the Pine Valley Overlay Zone, of a parcel or lot, as well as along roadways, shall be non-sight obscuring fencing and have a maximum height of six (6) feet. Fencing on corner lots shall comply with the Washington County Municipal Code section 10-15-3: CORNER LOT REQUIREMENTS. Sight obscuring fencing is allowed within building setbacks and yard for privacy, but may not be used along the perimeter of the parcel.

b-Landscaping

In order to preserve the rural nature of Pine Valley, it is recommended that landscaping incorporates local Utah native plants. Due to the proximity of the Dixie National Forest, plants listed from their website [https://www.fs.usda.gov/main/dixie/learning/plant database](https://www.fs.usda.gov/main/dixie/learning/plant_database) are encouraged.

Borrow ditches are to be maintained with natural materials and remain open.

It is encouraged to create a defensible space around residential buildings by keeping twigs, leaves, shrubs, dead grasses and brush away from the perimeter of the structures.

Washington County Community Fire Planning recognizes that many communities are at-risk for wildland fires and provides the following link to reduce the risk around your home. <https://www.nfpa.org/Public-Education/Fire-causes-and-risks/Wildfire/Firewise-USA>.

3- Signs

Signs should be in harmony with the rural character of Pine Valley and are subject to Section 10-19 SIGNS, unless otherwise stated in this Overlay Zone.

Commercial signs are only permitted on parcels that the commercial use is located. Off premise signs are prohibited. Pole signs are not permitted within the Pine Valley Overlay Zone. One monument or low-profile sign per commercial lot is allowed with the following standards:

- a. Shall be limited to a maximum of six feet (6') in height from finished grade.

- b. Shall be limited to thirty-two (32) square feet in area.
- c. Shall be limited to only one sign per business constructed in lieu of, and not in addition to, any freestanding sign.
- d. Shall contain no animation or lighting except for one spotlight directed at the face of the sign, and not into the air or into the face of oncoming traffic or onto adjacent property. A double face sign may be lighted in this manner from both sides or from indirect lighting located inside the sign in lieu of spotlights.
- e. Shall contain no animation, video, reader boards, sound, odor, flashing message lighting, or components of any kind that move, shimmer, reflect or are electronic. No lighting of any kind shall be approved unless compliant with subsection d of this section.

Wall Signs are allowed per Section 10-19-3-B.8.

#### 4 -Outdoor Lighting and Glare

**PURPOSE.** It is the intent of this Subsection to establish lighting practices and systems to minimize light pollution, glare, and light trespass; conserve energy and resources while maintaining nighttime safety, utility, and security; and curtail the degradation of the nighttime visual environment.

It is recognized that the rural nature of Pine Valley is unique and valuable to the community. The enjoyment of a starry night is an experience the community desires to preserve. The Pine Valley Overlay Zone promotes the reduction of light pollution that interferes with enjoyment of the night sky.

If public lighting fixtures are required for safety, rural or historical style fixtures shall be used.

The functional objectives in providing outdoor lighting are to illuminate areas necessary for safe, comfortable, and energy-efficient use. Outdoor lighting shall be shielded and limited to provide for safe entry and egress

The following standards shall apply to new lighting:

1. **SHIELDING.** All non-exempt outdoor lighting shall be fully shielded.
2. **BUILDING CANOPY, SOFFIT, AND WALL MOUNTED LIGHTING.** Lighting fixtures mounted on a Canopy or soffit shall be recessed so that the lighting is flush with the bottom surface and fully shielded by the fixture or the edge of the Canopy or soffit. Wall-mounted fixtures shall not be mounted above eighteen feet (18') as measured from the top of the fixture to the adjacent Grade or horizontal plane being lit by the fixture.

3. **CONSTRUCTION LIGHTING.** All commercial construction sites shall shield lighting to minimize glare on adjacent parcels.
4. **PATHWAY LIGHTING.** The intent of pathway lighting is to provide pools of light to help direct pedestrians along the path, not to fully illuminate the path. Pathway intersections should be illuminated for safety. Pathway lighting and public trails, when required, shall not be mounted more than ten feet (10') above finished grade. Residential pathways must be shielded to minimize the glare on adjacent properties.
5. **SEASONAL LIGHTING.** Winter seasonal lights that do not cause light trespass or interfere with the reasonable use and enjoyment of property are permitted from the first of November to the first of February. Seasonal lights are exempt from the fully shielded requirement and any color of lights may be used; however, seasonal lights shall not be used to create advertising messages or signs. Digital displays are prohibited. Spelling out the name of a Business with seasonal lights is prohibited.
  - a. Residential seasonal lights shall comply with zone-required Setbacks and be turned off by midnight. Flashing, blinking, intermittent lights, or other lights that move or give the impression of movement are prohibited except during holidays, including permanent year-round programmable lighting.
  - b. Commercial seasonal lights shall be turned off by midnight.
  - c. **EXCEPTIONS.**
    1. String Lights are exempt from the fully shielded requirement and may be used year-round to illuminate decks, porches, and patios, gazebos, and pergolas, but are prohibited from wrapping the entire roofline of the house and illuminating landscaping or outlining structures.
6. **LIGHTING THAT IS DISCOURAGED**
  - a. Architectural lighting;
  - b. Landscaping lighting
7. **PROHIBITED LIGHTING.** Unless otherwise exempted, the following are prohibited:
  - a. Up-lighting;
  - b. Unshielded Floodlights;
  - c. Unshielded Spotlights;
  - d. Search lighting, laser source lights, or high intensity lighting except by police and fire personnel or at their discretion.

- e. Flashing, blinking, intermittent, or other lights that move or give the impression of movement, except for seasonal lighting; this includes permanent year-round programmable lighting.
  - f. Neon or luminous tube lighting;
  - g. Lighting fixtures affixed to commercial buildings for the purposes of lighting parking areas or sales display lot areas. Fully shielded fixtures may be attached to building to light walkways and parking spaces adjacent to buildings.
8. **LIGHT TRESPASS.** Light trespass is artificial light that falls beyond the legal boundaries of the property it is intended to illuminate. Outdoor lighting shall be aimed and fully shielded so that the direct illumination shall be confined to the property boundaries of the source.
9. **EXEMPTIONS.** The following are exempt from this Subsection:
- a. Gas Lights. All outdoor light fixtures producing light directly by the combustion of natural gas or other fossil fuels are exempt from the requirements of this Code.
  - b. Up-lighting. Up-lighting is permitted in limited circumstances: for government funded or owned statues, public monuments, ground-mounted Public Art, or flags of the United States of America.
    - i. All up-lighting shall be shielded and/or have beam-angle control and shall be aimed to limit the directed light to the illuminated object only.
    - ii. Up-lighting is permitted thirty (30) minutes before sunset and until 11:00 p.m.; or, one hour after the close of location based on normal hours of operations, whichever is later.
  - c. Temporary lighting for outdoor filming and outdoor performance venues.
  - d. Underwater lighting in swimming polls, hot tubs, and other water features.
  - e. Traffic control signals and devices.
  - f. Streetlights. See rural street section

## 5-Fire protection

Due to the proximity of the National Forest land that surrounds the community, Fire protection is a high priority for the Pine Valley Overlay Zone.

Fire Hydrants- The Pine Valley Fire Department is responsible for fire hydrants. Newly developed area will require additional fire hydrants that meet Washington County standards. Additional hydrants in already developed areas will be located as necessary. The Washington County Code is responsible for fire hydrant locations and will determine acceptable distance of hydrant from the home.

Fire Pits- Pine Valley Overlay Zone is a high-risk area for fire. Small recreational fire pits are allowed in residential zones and shall be allowed per the adopted Wildland Urban Interface Code. Permanently installed firepits are recommended for increased fire safety. It is recommended that firepits be located at least fifteen feet away from any structure, plants, trees or anything flammable. Burning is limited to dry, clean, natural materials. No garbage, plastics, rubber, oils, or construction waste.

Defensible Space- It is encouraged to create a defensible space around residential buildings by keeping twigs, leaves, shrubs, dead grasses and brushes away from the perimeter of the structures. Trim trees and remove branches away from any structure.

## 6-Meadow Protection

Preserving the meadows in Pine Valley has been a long-term goal. Working with the Virgin River Land Preservation Association, Pine Valley property owners have protected 100 acres of historic meadowlands (as of March 2022), using conservation easements that allows them to either sell or donate their development rights. These easements protect agricultural uses and minimize development; they are crafted individually with each landowner.

Future policy should accommodate this voluntary effort between the individual landowners and the land trust.

It is recommended that no development take place in the meadows beyond a depth of one block north of the main east-west road through the community.



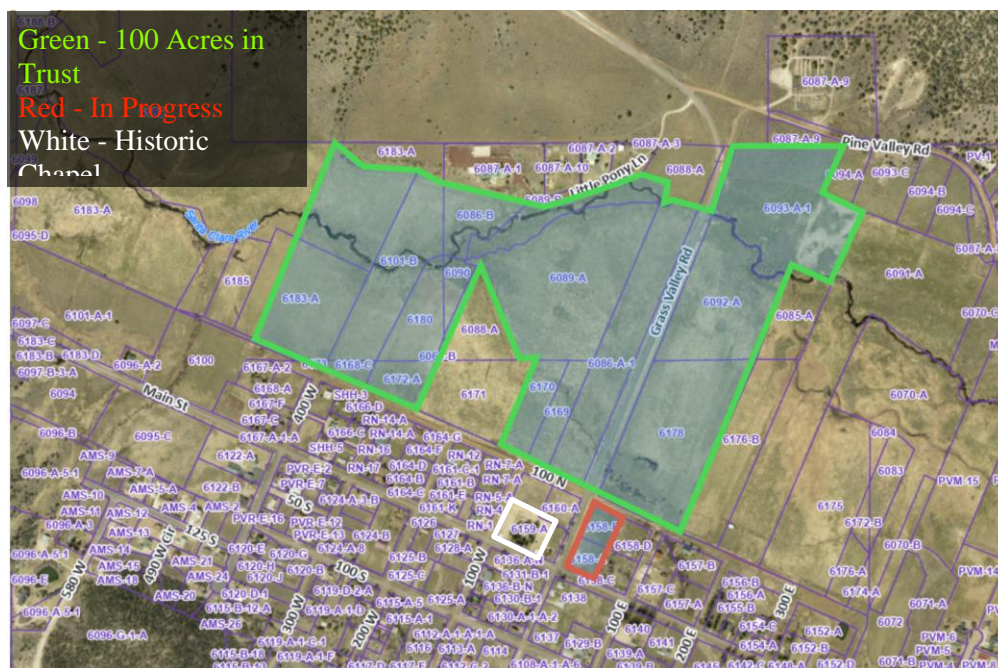
To further the meadow protection, seeking out financial opportunities is encouraged through local, state, or federal grants.

## 7-Dumping or Disposal

Dumping or disposal of construction materials or other materials shall be subject to Section 10-13-20 of the Washington County Code and is prohibited in any public right of way.

## 8- Cell Towers

To preserve the rural nature of Pine Valley, co-location of wireless communication antennas is encouraged to minimize the number of tower structures. A Conditional Use Permit will be required for all Wireless Facilities. Facilities located on buildings is encouraged. Wireless communication facilities with lattice are prohibited. All wireless facilities shall be fully enclosed. Equipment required to support the wireless communication facility shall be fully



enclosed. Height shall be limited to no more than 10 feet higher than the permitted height for structures in the zoning district it is located within.

Alternative tower structures/stealth facility are also encouraged to camouflage or conceal a wireless communication tower. Alternative tower structures may be designed to appear as trees, chimneys on a structure, or similar projections that blend in with the rural nature of the community.

Locational and additional standards for wireless facilities are found in Chapter 21 of the Washington County Municipal Code.

### **10-27A-5 Definitions**

The following terms are defined as follows. Terms used in the present tense include the future tense. Terms defined in the singular number include the plural and the plural the singular. Terms that have not been defined herein but are separately defined in the building code and/or other sections of the zoning code shall be construed as defined therein:

**ACCESSORY USE:** An allowed land use that is subordinate and incidental to the main use on the lot or parcel.

**COUNTRY STORE:** a store that is community oriented and sells staple food items such as bread and milk, where 75% of the gross sale is dedicated to food items. Building size is limited to 5,000 square feet. Hours of operation are limited to 18 hours per day. The character of the building shall be rural or historic architectural style.

**DARK SKY:** A nighttime sky that is substantially free of interference from artificial light.

**FENCE, NON-OBSCURING:** A fence which does not obstruct views or sight lines.

**FINANCIAL SERVICES:** Professional services involving the investment, lending, and management of money and assets. This includes tax preparation, insurance coverage, and investment portfolios. It does not include banks or credit unions.

**PERSONAL CARE SERVICE:** An establishment primarily engaged in the provision of frequently recurring needed services of a personal nature. Typical uses include but are not limited to beauty and barber shops, massage therapy, custom tailoring and seamstress shops, esthetician, portrait studios, shoe repair shops, and tanning and nail salons.

**PERSONAL INSTRUCTION SERVICE:** An establishment primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include but are not limited to art and music schools, driving and computer instruction, handicraft or hobby instruction, health, and fitness studios.

### **10-27A-6 Application Procedures and Process**

Prior to an application for development is submitted to Washington County Community Development, a Pine Valley community meeting shall be held to review the development proposal. The notice of the meeting shall be held to review the development proposal. The notice of the meeting shall be in conformance with section 10-2-3 of the Washington County Code.

The Pine Valley community will provide feedback to the applicant to help ensure the proposal complies with the Pine Valley Overlay Zone regulations prior to the applicant submitting a complete land use application to County.

A. Review Recommendation Committee: After an applicant submits a complete land use application to the County, the Pine Valley Local Administrative District (PVLAD) shall function as the overlay zone review recommendation committee.

B. Recommendation of Committee: The PVLAD shall review complete applications submitted to the community development department pertaining to the Pine Valley overlay zone and provide a written narrative and recommendation to the community development department for each such application. The designated land use authority may consider the PVLAD's failure to make a recommendation as a negative recommendation. The recommendation of the PVLAD is non binding, and the County land use authority is responsible for applying and enforcing Title 10, including the provisions in the Pine Valley Overlay Zone.

C. Approval Required: The site plan and exterior design of all buildings and development proposed for the Pine Valley Overlay zone shall be reviewed by the PVLAD, prior to submission to the Community Development Department. The County makes all final site plan, design, and development approval decisions.

D. Denial – Further Consideration/Appeals: An applicant who has been denied a permit or approval by the Community Development Department may seek further consideration by following the process outlined in Title 10 Chapter 2 of the Washington County Code.