

**APPLE VALLEY
ORDINANCE O-2023-36**

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

SECTION 1: **AMENDMENT** “10.10.070 Open Space Zone” of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.10.070 Open Space Zone

- A. Purpose: The purpose of this zone is to provide for protection of undeveloped private land.
- B. Permitted Uses: Uses permitted in this zone are as follows:
 - 1. Raising of crops, horticulture and gardening
 - 2. Undeveloped private land
 - 3. Trails and trail rides, non-motorized
- C. Conditional Uses: Uses requiring a conditional use permit in this zone are as follows:
 - 1. Bona fide farm buildings
 - 2. Public utilities and transmission lines
 - 3. Wireless communications facilities
 - 4. Farming operations
 - 5. Livestock grazing
 - 6. Trails and trail rides, motorized
- D. Height Regulations: No building shall be erected to a height greater than twenty five (25') feet without a conditional use permit.
- E. ~~Area, Width And Yard~~ Farm Building Regulations:

District	Area	Width in Feet	Yard <u>Farm Building</u> Setbacks in Feet		
			Front	Side	Rear
OS	20 Acres	400	25	25	25

(25' setback on corner and street side lots)

- F. Modifying Regulations: The following modifying regulations may be established by the land use authority relative to a specific use.
 - 1. Distance of Animal Housing: No corral, stable or kennel may be located within one hundred feet (100') of any adjacent dwelling or residential building lot.
 - 2.

Application of Minimum Acreage: ~~The~~ Twenty (20) acre minimum lot size applies only to the construction of farm ~~an~~ buildings.

- 3. Trails for motorized off-road vehicles (ORV) shall be no closer than 1000' from any residential dwelling.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.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 December 20, 2023.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Frank Lindhardt	_____	_____	_____	_____
Council Member Jarry Zaharias	_____	_____	_____	_____
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