

**APPLE VALLEY
ORDINANCE O-2022-17**

AN ORDINANCE AMENDING THE AGRICULTURAL ZONE

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

SECTION 1: **AMENDMENT** “10.10.020 A Agricultural Zone” of the Apple Valley Land Use is hereby *amended* as follows:

BEFORE AMENDMENT

10.10.020 A Agricultural Zone

- A. Purpose: The purpose of this zone is to preserve appropriate areas for permanent agricultural use. Uses normally and necessarily related to agriculture are permitted and uses inimical to the continuance of agricultural activity are not allowed.
- B. Permitted Uses: Uses permitted in this zone are as follows:
 - 1. Crop production, horticulture and gardening
 - 2. Farm buildings and uses
 - 3. Household pets
 - 4. Farming livestock
 - 5. Stands for sale of produce grown and sold on premises
 - 6. Veterinarian
 - 7. Weaner Pigs
 - 8. Residential Dwelling
- C. Conditional Uses: Uses requiring a conditional use permit in this zone are as follows:

SPACE LEFT BLANK INTENTIONALLY

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

- D. Development Standards in Agricultural Zones:

	Zones			
Development Standard	A-40	A-20	A-10	A-5
Lot standards				
Minimum lot area	40 acres	20 acres	10 acres	5 acres
Minimum lot width	400 feet	400 feet	300 feet	300 feet
Building standards				
Maximum height, main building ¹	35 feet	35 feet	35 feet	35 feet
Maximum height, accessory building	35 feet	35 feet	35 feet	35 feet
Setback standards - front yard				
Any building ²	30 feet	30 feet	30 feet	30 feet
Setback standards - rear yard				
Main building	30 feet	30 feet	30 feet	30 feet
Accessory building	No requirement	No requirement	No requirement	No requirement
Setback standards - interior side yard				
Main building	15 feet	15 feet	15 feet	15 feet
Accessory building of 100 square feet or less	No requirement	No requirement	No requirement	No requirement
Accessory building greater than 100 square feet	20 feet	20 feet	20 feet	20 feet
Setback standards - street side yard				
Main building	20 feet	20 feet	20 feet	20 feet
Main building on corner lot with yard that abuts the side yard of another lot	20 feet	20 feet	20 feet	20 feet
Accessory building	Not permitted	Not permitted	Not permitted	Not permitted
ADD Animals permitted				

Notes:

E. Modifying Regulations:

1. Fur farms, solos, fish farms or the keeping of exotic animals may not be approved in the A-5 district.
2. Location of Corral or Stable: No corral or stable shall be located closer than one hundred feet (100') from any dwelling unit in an adjacent zone.
3. Housing Of Weaner Pigs: The housing of weaner pigs may be approved by conditional use permit, subject to the following requirements:
 - a. "Weaner pigs" shall be defined as pigs that will be one year of age or less and do not weigh more than three hundred fifty (350) pounds at the end of the five (5) month period in which the weaner pig is kept.
 - b. All weaner pigs shall be kept only during the months of December through April, or for a different five (5) month period of time if approved by the planning commission.
 - c. Setbacks for pens for weaner pigs shall be the same as required for other animals.
 - d. No weaner pig shall be allowed to run loose (not in a restricted environment, such as a pen) unless attended by the owner or keeper of the pig.
 - e. All pens shall be cleaned regularly, a minimum of three (3) times weekly.
 - f. No mud bogs shall be allowed in the pens. All pens shall have drainage to keep water from pooling within the pen.
4. For additional restrictions and clarifications in this zone, see AVL 10.28 Supplementary and Qualifying Regulations for Land Use and Building.

AFTER AMENDMENT

10.10.020 A Agricultural Zone

- A. Purpose: The purpose of this zone is to preserve appropriate areas for permanent agricultural use, actively devoted to agricultural use. Uses normally and necessarily related to agriculture are permitted and uses inimical to the continuance of agricultural activity are not allowed.
- B. Permitted Uses: Uses permitted in this zone are as follows:
 1. Crop production, horticulture and gardening
 2. Farm buildings and uses
 3. Household pets
 4. Farming livestock
 5. Stands for sale of produce grown and sold on premises
 6. Veterinarian
 7. Weaner Pigs
 8. Residential Dwelling
- C. Conditional Uses: Uses requiring a conditional use permit in this zone are as follows:

~~SPACE LEFT BLANK INTENTIONALLY~~

1. Agritourism

2. Agricultural Industry
3. Animal Specialties
4. Kennel, Commercial
5. Metal Building
6. Recreation and Entertainment, Outdoor (A-10, A20, A-40 only)
7. Stable, Public

D. Any use not specifically allowed under permitted or conditional uses shall be prohibited unless the planning commission determines the use is substantially the same as a permitted or conditional use as provided in 10-7-180-E4.

E. Development Standards in Agricultural Zones:

	Zones			
Development Standard	A-40	A-20	A-10	A-5
Lot standards				
Minimum lot area	40 acres*	20 acres*	10 acres*	5 acres*
Minimum lot width	400 feet	400 feet	300 feet	300 feet
Building standards				
Maximum height, main building ¹	35 feet	35 feet	35 feet	35 feet
Maximum height, accessory building	35 feet	35 feet	35 feet	35 feet
Setback standards - front yard				
Any building ²	30 feet	30 feet	30 feet	30 feet
Setback standards - rear yard				
Main building	30 feet	30 feet	30 feet	30 feet
Accessory building	No requirement	No requirement	No requirement	No requirement
Setback standards - interior side yard				
Main building	15 feet	15 feet	15 feet	15 feet
Accessory building of 100 square feet or less	No requirement	No requirement	No requirement	No requirement
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Setback standards - street side yard				
Main building	20 feet	20 feet	20 feet	20 feet
Main building on corner lot with yard that abuts the side yard of another lot	20 feet	20 feet	20 feet	20 feet
Accessory building	Not permitted	Not permitted	Not permitted	Not permitted
ADD Animals permitted				
*Required minimum size may be calculated prior to a required road dedication.				

Notes:

F. Modifying Regulations:

1. Fur farms, solos, fish farms or the keeping of exotic animals may not be approved in the A-5 district.
2. Location of Corral or Stable: No corral or stable shall be located closer than one hundred feet (100') from any dwelling unit in an adjacent zone.
3. ~~Housing Of Weaner Pigs:~~ The housing of weaner pigs ~~may be approved by conditional use permit,~~ is subject to the following requirements:
 - a. "Weaner pigs" shall be defined as pigs that will be one year of age or less and do not weigh more than three hundred fifty (350) pounds at the end of the five (5) month period in which the weaner pig is kept.
 - b. Agricultural parcels adjacent to residential zoned parcels are not eligible for the raising of weaner pigs.
 - c. All weaner pigs shall be kept only during the months of December through April, ~~or for a different five (5) month period of time if approved by the planning commission.~~
 - d. Setbacks for pens for weaner pigs shall be the same as required for other animals.
 - e. No weaner pig shall be allowed to run loose (not in a restricted environment, such as a pen) unless attended by the owner or keeper of the pig.
 - f. All pens shall be cleaned regularly, a minimum of three (3) times weekly.
 - g. No mud bogs shall be allowed in the pens. All pens shall have drainage to keep water from pooling within the pen.
4. 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.
5. 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.
6. For additional restrictions and clarifications in this zone, see AVL 10.28 Supplementary and Qualifying Regulations for Land Use and Building.
7. 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