

**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	<del>20 Acres</del>	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 ~~mm~~ 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         **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.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.

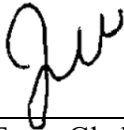
**SECTION 4:**            **EFFECTIVE DATE** This Ordinance shall be in full force and effect from December 20, 2023.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL DECEMBER 20, 2023.

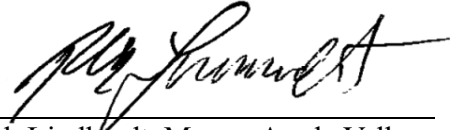
	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Mayor   Frank Lindhardt	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Council Member   Jarry Zaharias	<u>      </u>	<u>      </u>	<u>  X  </u>	<u>      </u>
Council Member   Barratt Nielson	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Council Member   Kevin Sair	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Council Member   Robin Whitmore	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

Attest

Presiding Officer



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Jenna Vizcardo, Town Clerk, Apple Valley



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Frank Lindhardt, Mayor, Apple Valley

