



PLANNING COMMISSION - HEARING NOTICE

1777 N Meadowlark Dr, Apple Valley
Wednesday, December 06, 2023 at 6:00 PM

HEARING NOTICE

Public Notice is given that the Planning Commission of the Town of Apple Valley, Washington County, Utah will hold Public Hearings on **Wednesday, December 06, 2023 at 6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Public Hearing will be held on the following topics:

- [1.](#) Consider Recommendation of Approval of Amending Title 10.10.070 Open Space Zone, Ordinance-O-2023-36.
- [2.](#) Consider Recommendation of Approval of Amending Title 10.10.080 Open Space Transition Zone, Ordinance-O-2023-37.

Interested persons are encouraged to attend public hearings to present their views or present their views in writing at least 48 hours prior to the meeting by emailing clerk@applevalleyut.gov.

CERTIFICATE OF POSTING: I, Jenna Vizcardo, as duly appointed Town Clerk and Recorder for the Town of Apple Valley, hereby certify that this Hearing Notice was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town Website www.applevalleyut.gov on the 20th day of November, 2023.

Dated this 20th day of November, 2023

Jenna Vizcardo, Town Clerk and Recorder

Town of Apple Valley

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Town at 435-877-1190 at least three business days in advance.

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

**APPLE VALLEY
ORDINANCE O-2023-37**

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

SECTION 1: AMENDMENT “10.10.080 Open Space Transition Zone” of the Apple Valley Land Use is hereby *amended* as follows:

AMENDMENT

10.10.080 Open Space Transition Zone

- A. Purpose: The purpose of this zone is to provide for protection of primarily undeveloped private land.
- B. Permitted Uses: Uses permitted in this zone are as follows:
 - 1. Bona fide farm buildings
 - 2. Farming operations
 - 3. Livestock grazing
 - 4. Raising of crops, horticulture and gardening
 - 5. Undeveloped private land
 - 6. Trails and trail rides
- C. Conditional Uses: SPACE LEFT BLANK INTENTIONALLY

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

- D. Height Regulations: No building shall be erected to a height greater than thirty five (35') 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
OST	3 Acres	400	25	25	25

(25' setback on corner and street side lots)

- F. Modifying Regulations: As 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 dwelling or residential building lot.
 - 2. Application of Minimum Acreage: Twenty (20) acre minimum lot size applies

only to the construction of farm 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.

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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