



PLANNING COMMISSION HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, September 09, 2026 at 6:00 PM

AGENDA

Notice is given that a meeting of the Planning Commission of the Town of Apple Valley will be held on **Wednesday, September 09, 2026**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Chairman | Bradley Farrar

Commissioners | Garth Hood | Stewart Riding | Dan Harsh

Please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting:

<https://us02web.zoom.us/j/82661513795>

if the meeting requests a password use 1234

To call into meeting, dial (253) 215 8782 and use Meeting ID 8266151 3795

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CONFLICT OF INTEREST DISCLOSURES

HEARING ON THE FOLLOWING

1. Ordinance O-2026-19, Zone Change for parcel AV-1354-D-1 from Open Space Transtion Zone (OST) to Agricultural 5 Acres Zone (AG-5) for applicant: Randall and Marilyn Pemberton Trustees.
2. Ordinance O-2026-20, Zone Change for parcel AV-1354-D-2 from Open Space Transtion Zone (OST) to Agricultural 5 Acres Zone (AG-5) for applicant: Randall and Marilyn Pemberton Trustees.
3. Ordinance O-2026-21, Amend Title 10.18.020 Residential Lots; Access.

DISCUSSION AND POSSIBLE ACTION ITEMS

4. Ordinance O-2026-19, Zone Change for parcel AV-1354-D-1 from Open Space Transtion Zone (OST) to Agricultural 5 Acres Zone (AG-5) for applicant: Randall and Marilyn Pemberton Trustees.
5. Ordinance O-2026-20, Zone Change for parcel AV-1354-D-2 from Open Space Transtion Zone (OST) to Agricultural 5 Acres Zone (AG-5) for applicant: Randall and Marilyn Pemberton Trustees.
6. Ordinance O-2026-21, Amend Title 10.18.020 Residential Lots; Access.

APPROVAL OF MINUTES

7. Minutes: July 8, 2026 - Planning Commission Hearing and Meeting.

ADJOURNMENT

CERTIFICATE OF POSTING: I, Jenna Vizcardo, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this Agenda 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.

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.



Proposal: Zone Change

Current Zone: OST

Proposed Zone: AG-5

Acres: 5.01

Project location: AV-1354-D-1

Number of Lots: 1

Report prepared by Eldon Gibb, Planning Consultant with Shums Coda

The applicant is proposing to change the zoning from the current OST to a proposed AG-5. The property is located at approximately 421 South Coyote Road (AV-1354-D-1) and is 5.01 acres in size. As stated in the application the purpose for the zone change is to build a single family residence.

The property is currently zoned OST. Surrounding zoning is RE-5 to the north, A-10 to the east, OST to the south and A-5 to the west. The General Plan for this property is Agricultural. The applicant is asking to change the zone from OST to AG-5 which is in line with the General Plan map.

When looking at Section 2 of the General Plan, it is apparent that this zone change is in line with section 2.3 - Major Land Use Themes - as this proposal would require lots to be 5 acres in size or larger. Furthermore, in section 2.4 - Land Use Goals it is stated as a goal, "Maintain the small-town, rural feel of Apple Valley". It appears this zone change application is in line with the intent of the General as it would create larger lot sizes and help preserve the agricultural and historic heritage of Apple Valley. Access to the property is off of Coyote Road which this property fronts.



Town of Apple Valley
1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

See Fee Schedule Page 2

Item 4.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: Randall and Marilyn Pemberton Trustees		Phone: 435-979-2452	
Address: [REDACTED]		Email: [REDACTED]	
City: [REDACTED]	State: [REDACTED]	Zip: [REDACTED]	
Agent: (If Applicable)		Phone:	
Address/Location of Property: 421 S Coyote Road		Parcel ID: AV-1354-D-1	
Existing Zone: OST - Open Space Transition		Proposed Zone: A-5 - Agricultural > 5 acres	
For Planned Development Purposes: Acreage in Parcel 5.01		Acreage in Application 5.01	
Reason for the request Comply with zoning ordinances and the construction of a single-family residence.			

Submittal Requirements: The zone change application shall provide the following:

- ☐ A. The name and address of owners in addition to above owner.
- ☐ B. An accurate property map showing the existing and proposed zoning classifications
- ☐ C. All abutting properties showing present zoning classifications
- ☐ D. An accurate legal description of the property to be rezoned
- ☐ E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- ☐ F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- ☐ G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- ☐ H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature <i>Randall Pemberton</i>	Date 5 August 2026
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Official Use Only	Amount Paid: \$ 1200.40	Receipt No:
Date Received: 8/7/2026	Date Application Deemed Complete:	
By: <i>JV</i>	By:	



Town of Apple Valley
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Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

Parcel ID#

AV-1354-D-1

Item 4.

ACKNOWLEDGEMENT OF WATER SUPPLY

I/We, Randall & Marilyn Pemberton Trustees am/are the applicant(s) of the application known as
421 S Coyote Road Apple Valley, UT located on parcel(s)
AV-1354-D-1 within the Town of Apple Valley, Washington County, Utah.

By my/our signatures(s) below, I/we do hereby acknowledge and agree to the following:

1. Approval of a development application by the Town does not guarantee that sufficient water will be available to serve the zone, project, subdivision, or development for which this application is being submitted; and
2. Prior to receiving approval for the application, the applicant shall be required by the Town of Apple Valley to provide a Preliminary Water Service letter from the Big Plains Water Special Service District ("District") which verifies the conditions required to provide services to the project, subdivision or development; and
3. The applicant assumes the entire risk of water availability for the project, subdivision or development and/or application.

Signature(s):

Randall Pemberton

Name

Marilyn Pemberton

Name

Name

Randall Paul Pemberton
Marilyn Pemberton

Applicant/Owner

Applicant/Owner

Applicant/Owner

08/05/2026

Date

08/05/2026

Date

Date

State of Utah)

County of Washington)§

On this 5th day of August, in the year 2026, before me, Spring Johnson a notary public, personally appeared Randall Paul Pemberton and Marilyn Pemberton, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

Spring Johnson
(notary signature)

(seal)

Notarized online using audio-video communication technology



Spring Johnson
Notary Public
State of Utah
My Commission Expires
June 30, 2027
Commission Number 731280



August 5, 2026

Apple Valley
1777 North Meadowlark Drive
Apple Valley, UT 84737

Subject: Parcel AV-1354-D-1: Randall Pemberton

Ash Creek Special Service District takes no exception to the proposed zone change for Parcel AV-1354-D-1.

Owners understand and agree that a septic agreement with the Ash Creek Special Service District will need to be signed before a home is built on the property. Owners understand and agree that a septic permit will also need to be obtained from Southwest Utah Public Health Department.

After approval, Owners agree to pay all costs associated with construction and installation of the septic system.

Please let us know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Amber Gillette".

Amber Gillette, P.E.
Engineer
Ash Creek Special Service District



Dixie Service Center
Estimating Dept.
455 N. Old Hwy 91
Hurricane, UT 84737

August 5, 2026

Randall Pemberton
[REDACTED]

Re: Zone Change

Located: Parcel #'s AV-1354-D-1 & AV-1354-D-2

Dear Randall Pemberton:

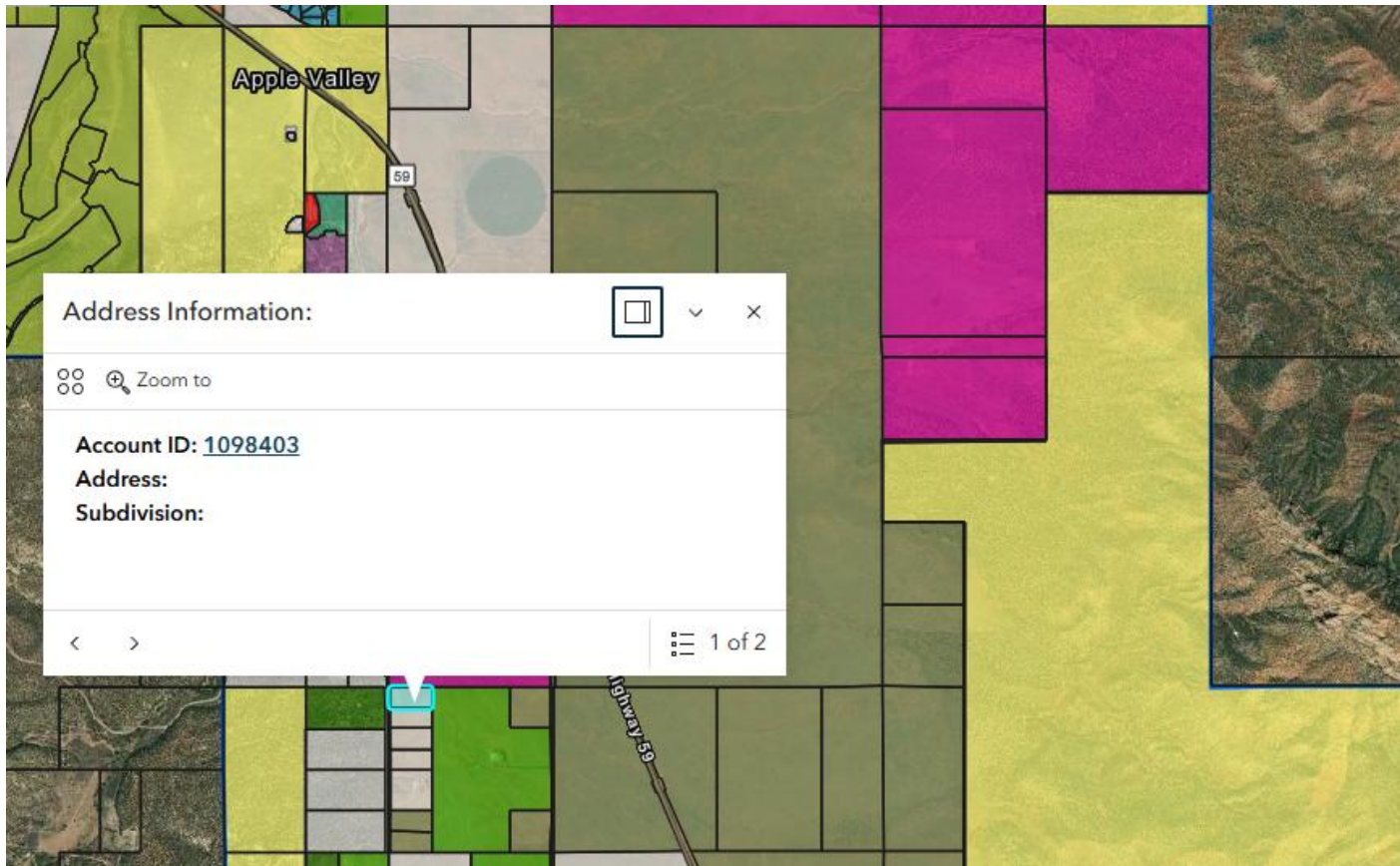
After reviewing the proposed plans for the above-mentioned project, I have determined that power is available within a near proximity. Rocky Mountain Power intends to serve the project with electrical service based on load requirements and specifications that still need to be submitted and reviewed. All electrical installations will be provided in accordance with the "Electric Service Regulations, as filed with the Utah Public Service Commission after receiving an approved plat showing easements approved by Rocky Mountain Power.

For additional consultation in this matter, please contact me.

Sincerely,

Ruston Jenson
Estimator
Dixie Service Center
435-688-3708

An accurate property map showing the existing and proposed zoning classification:



Washington County Parcels



Zoning Viewer

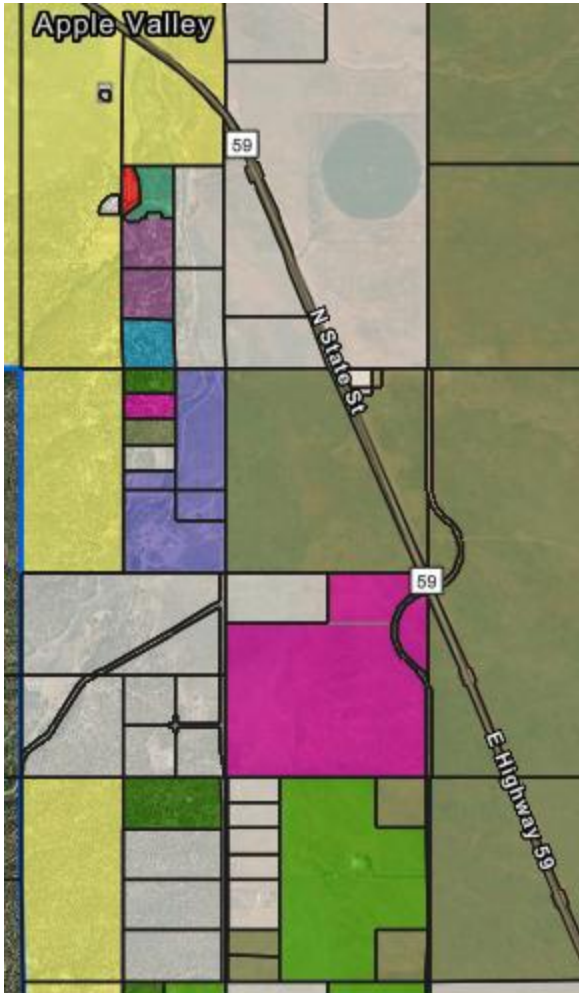
Town Boundary



Zoning Districts

- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- A-20 - Agricultural > 20 Acres
- A-40 - Agricultural > 40 Acres
- A-X - Agriculture
- SF-.5 - Single-Family Residential > .5 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- CTR - Center or Town Home Park Zone

All abutting properties showing present zoning classifications:



An accurate legal description of the property to be rezoned:

Account 1098403

<u>Location</u>		<u>Owner</u>
Account Number 1098403		Name PEMBERTON RANDALL P TRUSTEES
Parcel Number AV-1354-D-1		
Tax District 45 - Apple Valley Town		
Acres 5.01		
Situs 0, 0		
Legal S: 8 T: 43S R: 11W COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S88°42'44"E, ALONG THE SECTION LINE, 33.00 FEET TO THE POINT OF BEGINNING; SAID POINT BEING LOCATED ON THE EAST RIGHT-OF-WAY LINE OF 7400 EAST STREET (COYOTE ROAD); THENCE DEPARTING SAID RIGHT-OF-WAY LINE AND CONTINUING S88°42'44"E, ALONG THE SECTION LINE, 660.00 FEET; THENCE DEPARTING SAID LINE AND RUNNING S01°11'55"W, 330.32 FEET; THENCE N88°42'41"W, 660.00 FEET TO A POINT LOCATED ON THE EAST RIGHT-OF-WAY LINE OF SAID 7400 EAST STREET (COYOTE ROAD); THENCE N01°11'55"E, ALONG SAID RIGHT-OF-WAY LINE, 330.31 FEET TO THE POINT OF BEGINNING. SUBJ TO & TOG W/ EASEMENT (INST. NO. 20210004355)		
Parent Accounts 0697584		
Parent Parcels AV-1354-D		
Child Accounts		
Child Parcels		
Sibling Accounts		
Sibling Parcels		

**TOWN OF APPLE VALLEY
ORDINANCE O-2026-19**

Item 4.

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1354-D-1 FROM OPEN SPACE TRANSITION ZONE (OST) TO AGRICULTURAL 5 ACRES ZONE (AG-5)

WHEREAS, the Town of Apple Valley ("Town") has petitioned to rezone parcel AV-1354-D-1 from Open Space Transition Zone (OST) to Agricultural 5 Acres Zone (AG-5); and

WHEREAS, the Planning Commission held a duly noticed public hearing on September 9, 2026, to consider the request and, in a meeting on the same date, voted to recommend approval of the zone change; and

WHEREAS, the Town Council has reviewed the Planning Commission's recommendation and finds that the proposed zone change serves a rational public interest, creating larger lot sizes, helping preserve the agricultural and historic heritage of Apple Valley; and

WHEREAS, on September 23, 2026 the Town Council of Apple Valley, Utah, convened in a duly noticed and held meeting to consider the proposed amendment;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, AS FOLLOWS:

SECTION I: Zoning Amendment

The zoning designation for parcel AV-1354-D-1 is hereby changed from Open Space Transition Zone (OST) to Agricultural 5 Acres Zone (AG-5).

SECTION II: Official Zoning Map Update

The Official Zoning Map shall be amended to reflect this zoning change.

SECTION III: Effective Date:

This ordinance shall take effect immediately upon passage and adoption.

PASSED AND ADOPTED by the Town Council of the Town of Apple Valley, Utah, this 23rd day of September, 2026.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

VOTE RECORD:	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____
Council Member Richard Palmer	_____	_____	_____	_____
Council Member _____	_____	_____	_____	_____



Proposal: Zone Change

Current Zone: OST

Proposed Zone: AG-5

Acres: 5.01

Project location: AV-1354-D-2

Number of Lots: 1

Report prepared by Eldon Gibb, Planning Consultant with Shums Coda

The applicant is proposing to change the zoning from the current OST to a proposed AG-5. The property is located at approximately 481 South Coyote Road (AV-1354-D-2) and is 5.01 acres in size. As stated in the application the purpose for the zone change is to build a single family residence.

The property is currently zoned OST. Surrounding zoning is OST to the north with an application under review to change to AG-5, A-10 to the east, OST to the south and A-5 to the west. The General Plan for this property is Agricultural. The applicant is asking to change the zone from OST to AG-5 which is in line with the General Plan map.

This zone change is in line with section 2.3 of the General Plan - Major Land Use Themes - as this proposal would require lots to be 5 acres in size or larger. Furthermore, in section 2.4 - Land Use Goals it is stated as a goal, "Maintain the small-town, rural feel of Apple Valley". It appears this zone change application is in line with the intent of the General as it would create larger lot sizes and help preserve the agricultural and historic heritage of Apple Valley. Access to the property is off of Coyote Road which this property fronts.



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www.applevalleyut.gov

See Fee Schedule Page 2

Item 5.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner:		Phone: [REDACTED]	
Address: [REDACTED]		Email: [REDACTED]	
City: [REDACTED]	State: [REDACTED]	Zip: [REDACTED]	
Agent: (If Applicable)		Phone:	
Address/Location of Property: 481 S Coyote Road		Parcel ID: AV-1354-D-2	
Existing Zone: OST - Open Space Transition		Proposed Zone: A-5 - Agricultural > 5 acres	
For Planned Development Purposes: Acreage in Parcel 5.01		Acreage in Application 5.01	
Reason for the request Comply with zoning ordinances and the construction of a single-family residence.			

Submittal Requirements: The zone change application shall provide the following:

- ☐ A. The name and address of owners in addition to above owner.
- ☐ B. An accurate property map showing the existing and proposed zoning classifications
- ☐ C. All abutting properties showing present zoning classifications
- ☐ D. An accurate legal description of the property to be rezoned
- ☐ E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- ☐ F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- ☐ G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- ☐ H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature <i>Randall Pemberton</i>	Date 5 August 2026
---	-----------------------

Official Use Only	Amount Paid: \$ 1200.40	Receipt No:
Date Received: 8/7/2026	Date Application Deemed Complete:	
By: <i>[Signature]</i>	By:	



Town of Apple Valley
1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

Parcel ID#

AV-1354-D-1

Item 5.

ACKNOWLEDGEMENT OF WATER SUPPLY

I/We, Randall & Marilyn Pemberton Trustees am/are the applicant(s) of the application known as
481 S Coyote Road Apple Valley, UT located on parcel(s)
AV-1354-D-2 within the Town of Apple Valley, Washington County, Utah.

By my/our signatures(s) below, I/we do hereby acknowledge and agree to the following:

1. Approval of a development application by the Town does not guarantee that sufficient water will be available to serve the zone, project, subdivision, or development for which this application is being submitted; and
2. Prior to receiving approval for the application, the applicant shall be required by the Town of Apple Valley to provide a Preliminary Water Service letter from the Big Plains Water Special Service District ("District") which verifies the conditions required to provide services to the project, subdivision or development; and
3. The applicant assumes the entire risk of water availability for the project, subdivision or development and/or application.

Signature(s):

Randall Pemberton

Name

Marilyn Pemberton

Name

Name

Randall Paul Pemberton

Applicant/Owner

Marilyn Pemberton

Applicant/Owner

Applicant/Owner

08/05/2026

Date

08/05/2026

Date

Date

State of Utah)

County of Washington)§

On this 5th day of August, in the year 2026, before me, Spring Johnson a notary public, personally appeared Randall Paul Pemberton and Marilyn Pemberton, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

Spring Johnson
(notary signature)

(seal)

Notarized online using audio-video communication technology



Spring Johnson
Notary Public
State of Utah
My Commission Expires
June 30, 2027
Commission Number 731280



August 5, 2026

Apple Valley
1777 North Meadowlark Drive
Apple Valley, UT 84737

Subject: Parcel AV-1354-D-2: Randall Pemberton

Ash Creek Special Service District takes no exception to the proposed zone change for Parcel AV-1354-D-2.

Owners understand and agree that a septic agreement with the Ash Creek Special Service District will need to be signed before a home is built on the property. Owners understand and agree that a septic permit will also need to be obtained from Southwest Utah Public Health Department.

After approval, Owners agree to pay all costs associated with construction and installation of the septic system.

Please let us know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Amber Gillette".

Amber Gillette, P.E.
Engineer
Ash Creek Special Service District

1350 South Sandhollow Road, Hurricane, UT 84737
phone: 435.635.2348
email: ashcreek@infowest.com



Dixie Service Center
Estimating Dept.
455 N. Old Hwy 91
Hurricane, UT 84737

August 5, 2026

Randall Pemberton
[REDACTED]

Re: Zone Change

Located: Parcel #'s AV-1354-D-1 & AV-1354-D-2

Dear Randall Pemberton:

After reviewing the proposed plans for the above-mentioned project, I have determined that power is available within a near proximity. Rocky Mountain Power intends to serve the project with electrical service based on load requirements and specifications that still need to be submitted and reviewed. All electrical installations will be provided in accordance with the "Electric Service Regulations, as filed with the Utah Public Service Commission after receiving an approved plat showing easements approved by Rocky Mountain Power.

For additional consultation in this matter, please contact me.

Sincerely,

Ruston Jenson
Estimator
Dixie Service Center
435-688-3708

Special Warranty Deed Page 1 of 4
Gary Christensen Washington County Recorder
04/09/2026 03:53:04 PM Fee \$40.00 By BACKMAN
STG

MAIL TAX NOTICE TO
Randall Pemberton

1467 S. 1100 E
Blanding, UT 84511
AV-1354-D-2
Order No. 8-007158

Special Warranty Deed

(Limited Liability Form)

G & R PROPERTY INTERESTS, LLC, a Utah Limited Liability Company, a Utah Limited Liability Company

Of State of UTAH, Grantor, hereby CONVEYS and WARRANTS against all persons claiming by, through or under it to

Randall P. Pemberton and Marilyn B. Pemberton, as Trustees of the RANDALL AND MARILYN PEMBERTON TRUST, dated July 16, 2025

Of State of UT Grantee for the sum of Ten Dollars and Other Good and Valuable Consideration the following described tract(s) of land in Washington County, State of UTAH:

SEE ATTACHED LEGAL DESCRIPTION.

SUBJECT TO: County and/or City Taxes not delinquent; Bonds and/or Special Assessments not delinquent and Covenants, Conditions, Restrictions, Rights-of-Way, Easements, and Reservations now of Record.

ACCOMMODATION: Backman Title Services makes no representation as to the condition of title and assumes no responsibility for validity, sufficiency or effect of this document on property.

Legal Description Attached to that Special Warranty Deed between **G & R Property Interest, LLC** and **Randall P. Pemberton and Marilyn B. Pemberton, as Trustees of the RANDALL AND MARILYN PEMBERTON TRUST**, dated July 16, 2025

Commencing at the North Quarter Corner of Section 8, Township 43 South, Range 11 West, of the Salt Lake Base and Meridian; thence South 88°42'44" East along the section line, 33.00 feet to a point located on the East Right-of-Way line of 7400 East Street (Coyote Road); thence departing said section line and running South 01°11'55" West, along said Right-of-Way line, 330.31 feet to the point of beginning; thence departing said line and running South 88°42'41" East, 660.00 feet; thence South 01°11'55" West, 330.32 feet; thence North 88°42'37" West, 660 feet to a point located on the East Right-of-Way line of said 7400 East Street (Coyote Road); thence North 01°11'55" East, along said Right-of-Way line, 330.31 feet to the point of beginning.

Subject to and together with a 10.00 foot wide Apple Valey Town Utility Easement along the West property line, adjacent to 7400 East Street (Coyote Road).

Parcel No. AV-1354-D-2

WITNESS, the hand(s) of said Grantor(s), this 3rd of April AD., 2026

G & R PROPERTY INTERESTS, LLC, a Utah
Limited Liability Company

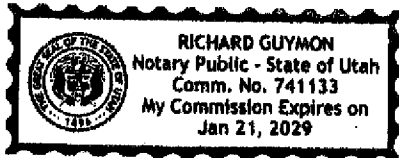
[Signature]
By: Grant Pemberton, Manager

STATE OF Utah)
) SS.
County of Washington)

The foregoing instrument was acknowledged before me this 3rd day of April 2026
By Grant Pemberton
the Manager of G & R PROPERTY INTERESTS, LLC, a Utah Limited Liability Company

[Signature]
Notary Public
My Commission Expires: 1/21/29

Residing at: 123 S River Rd



WITNESS, the hand(s) of said Grantor(s), this 5 of March AD., 2026

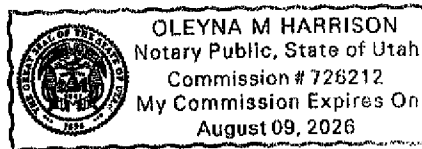
G & R PROPERTY INTERESTS, LLC, a Utah
Limited Liability Company

[Signature]
By: Randall Pemberton, Manager

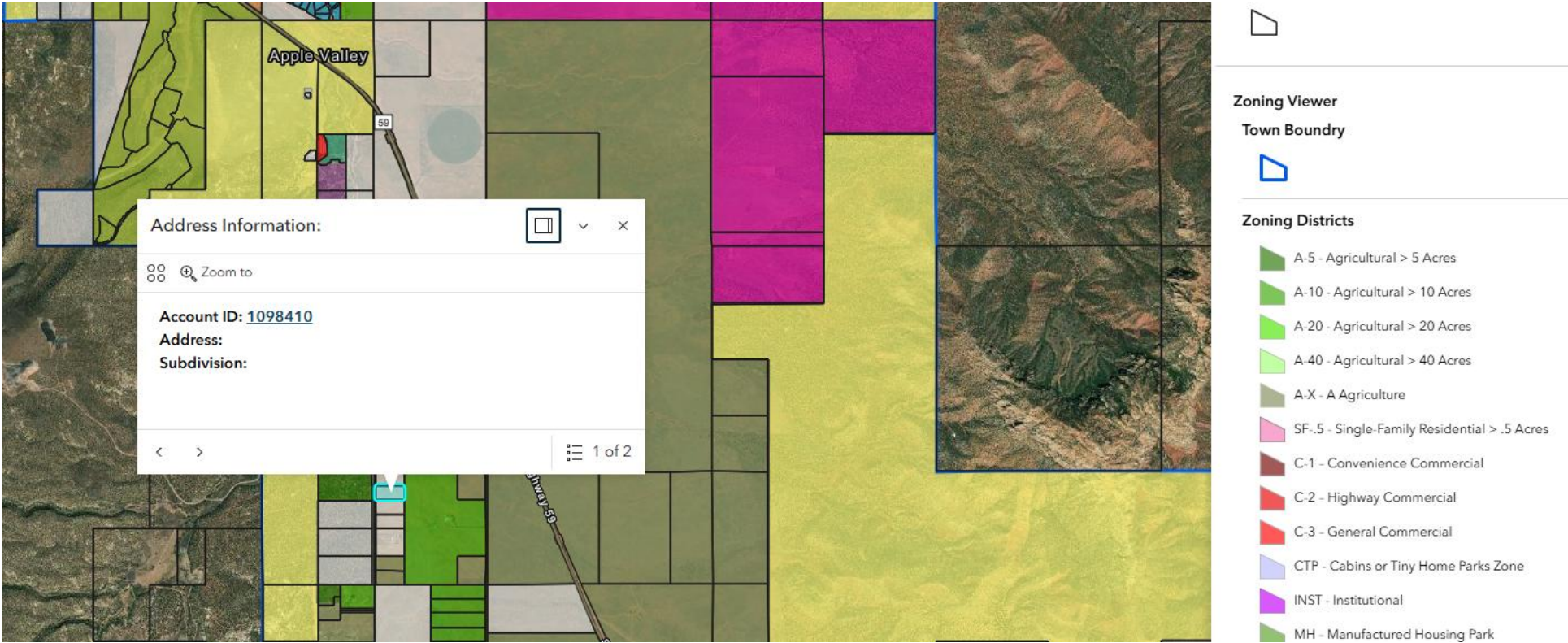
STATE OF Utah)
) SS.
County of San Juan)

The foregoing instrument was acknowledged before me this 5th day of March 2026
By Randall Pemberton
the Manager of G & R PROPERTY INTERESTS, LLC, a Utah Limited Liability Company

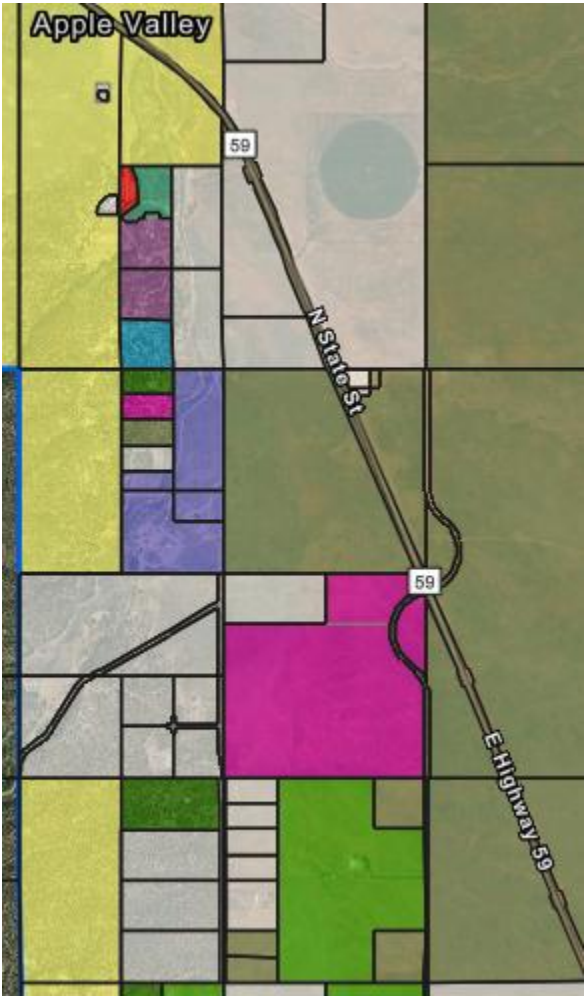
Oleya M. Harrison
Notary Public
My Commission Expires: August 01, 2026 Residing at: San Juan County, Utah



An accurate property map showing the existing and proposed zoning classification:



All abutting properties showing present zoning classifications:



An accurate legal description of the property to be rezoned:

Account 1098410

Location	Owner
Account Number 1098410 Parcel Number AV-1354-D-2 Tax District 45 - Apple Valley Town Acres 5.01 Situs 0, 0 Legal S: 8 T: 43S R: 11W COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S88°42'44"E, ALONG THE SECTION LINE, 33.00 FEET TO A POINT LOCATED ON THE EAST RIGHT-OF-WAY LINE OF 7400 EAST STREET (COYOTE ROAD); THENCE DEPARTING SAID SECTION LINE AND RUNNING S01°11'55"W, ALONG SAID RIGHT-OF- WAY LINE, 330.31 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID LINE AND RUNNING S88°42'41"E, 660.00 FEET; THENCE S01°11'55"W, 330.32 FEET; THENCE N88°42'37"W, 660.00 FEET TO A POINT LOCATED ON THE EAST RIGHT-OF-WAY LINE OF SAID 7400 EAST STREET (COYOTE ROAD); THENCE N01°11'55"E, ALONG SAID RIGHT-OF-WAY LINE, 330.31 FEET TO THE POINT OF BEGINNING. SUBJ TO & TOG W/ EASEMENT (INST. NO. 20210004355) Parent Accounts 0697584 Parent Parcels AV-1354-D Child Accounts Child Parcels Sibling Accounts Sibling Parcels	Name PEMBERTON RANDALL P TRUSTEES 1997 G 1100 E [REDACTED]

**TOWN OF APPLE VALLEY
ORDINANCE O-2026-20**

Item 5.

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1354-D-2 FROM OPEN SPACE TRANSITION ZONE (OST) TO AGRICULTURAL 5 ACRES ZONE (AG-5)

WHEREAS, the Town of Apple Valley ("Town") has petitioned to rezone parcel AV-1354-D-2 from Open Space Transition Zone (OST) to Agricultural 5 Acres Zone (AG-5); and

WHEREAS, the Planning Commission held a duly noticed public hearing on September 9, 2026, to consider the request and, in a meeting on the same date, voted to recommend approval of the zone change; and

WHEREAS, the Town Council has reviewed the Planning Commission's recommendation and finds that the proposed zone change serves a rational public interest, creating larger lot sizes, helping preserve the agricultural and historic heritage of Apple Valley; and

WHEREAS, on September 23, 2026 the Town Council of Apple Valley, Utah, convened in a duly noticed and held meeting to consider the proposed amendment;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, AS FOLLOWS:

SECTION I: Zoning Amendment

The zoning designation for parcel AV-1354-D-2 is hereby changed from Open Space Transition Zone (OST) to Agricultural 5 Acres Zone (AG-5).

SECTION II: Official Zoning Map Update

The Official Zoning Map shall be amended to reflect this zoning change.

SECTION III: Effective Date:

This ordinance shall take effect immediately upon passage and adoption.

PASSED AND ADOPTED by the Town Council of the Town of Apple Valley, Utah, this 23rd day of September, 2026.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

VOTE RECORD:	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____
Council Member Richard Palmer	_____	_____	_____	_____
Council Member _____	_____	_____	_____	_____

**APPLE VALLEY
ORDINANCE O-2026-21**

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

SECTION 1: **AMENDMENT** “10.18.020 Residential Lots; Access” of the Apple Valley Land Use is hereby *amended* as follows:

BEFORE AMENDMENT

10.18.020 Residential Lots; Access

- A. Borrow Ditch; Pipe Size: All driveway connections from a town road to a residential lot shall be constructed using a pipe (culvert) with a minimum inside diameter of eighteen inches (18") or larger as required by Town or Building Official to provide access through the borrow ditch. Said pipe shall have a minimum length of at least two feet (2') beyond the sides of a paved driveway. Every lot, unless curb and gutter is required, shall have a borrow ditch running across the entire frontage of the lot which the property owner is responsible to maintain. The property owner shall be responsible to keep the borrow ditch and pipe clean of any debris or material that would impede the flow of water through the pipe and/or the borrow ditch. Borrow ditch shall be installed as per Town Design Standards & Specifications and shall not be lined with rock.
- B. Inspection Prior To Occupancy Permit: No occupancy permit will be issued by the building department until the lot access has been inspected and approved by the town.
- C. Limited Number of Driveways: No residential lot shall have more than two (2) driveways unless approved by the planning commission.
- D. Distance between Driveways: No driveway shall be closer than twenty feet (20') to another driveway or be more than twenty feet (20') in width . In no event shall the combined width of such driveways exceed sixty feet (60') or fifty percent (50%) of the entire lot frontage, whichever is less.
- E. Corner Lots: In no event shall a driveway be placed on any corner lot within a distance of twenty five feet (25') from the point of curvature of the radius, or forty feet (40') from the intersection of property lines nearest the intersection, whichever is farther from the intersection.

AFTER AMENDMENT

10.18.020 Residential Lots; Access

- A. Borrow Ditch; Pipe Size: All driveway connections from a town road to a residential lot shall be constructed using a pipe (culvert) with a minimum inside diameter of

~~twenty-four~~ ~~eighteen~~ inches (~~24~~ ~~18~~") or larger as required by Town or Building Official to provide access through the borrow ditch. Said pipe shall have a minimum length of at least two feet (2') beyond the sides of a paved driveway. Every lot, unless curb and gutter is required, shall have a borrow ditch running across the entire frontage of the lot which the property owner is responsible to maintain. The property owner shall be responsible to keep the borrow ditch and pipe clean of any debris or material that would impede the flow of water through the pipe and/or the borrow ditch. Borrow ditch shall be installed as per Town Design Standards & Specifications and shall not be lined with rock.

- B. Inspection Prior To Occupancy Permit: No occupancy permit will be issued by the building department until the lot access has been inspected and approved by the town.
- C. Limited Number of Driveways: No residential lot shall have more than two (2) driveways unless approved by the planning commission.
- D. Distance between Driveways: No driveway shall be closer than twenty feet (20') to another driveway or be more than twenty feet (20') in width . In no event shall the combined width of such driveways exceed sixty feet (60') or fifty percent (50%) of the entire lot frontage, whichever is less.
- E. Corner Lots: In no event shall a driveway be placed on any corner lot within a distance of twenty five feet (25') from the point of curvature of the radius, or forty feet (40') from the intersection of property lines nearest the intersection, whichever is farther from the intersection.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Mike Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____
Council Member Richard Palmer	_____	_____	_____	_____
Council Member _____	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley



PLANNING COMMISSION HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 08, 2026 at 6:00 PM

MINUTES

CALL TO ORDER, PLEDGE OF ALLEGIANCE

The Planning Commission meeting was called to order at 6:00 PM by Chairman Farrar, followed by the Pledge of Allegiance.

PRESENT

Chairman Bradley Farrar
Commissioner Lee Fralish
Commissioner Stewart Riding
Commissioner Dan Harsh
Commissioner Garth Hood

CONFLICT OF INTEREST DISCLOSURES

During conflict of interest disclosures, Commissioner Riding disclosed a familial relationship with the applicant for Agenda Item No. 9 (Rick Trimmer) and announced they would abstain from participating in the vote on the Conditional Use Permit application.

HEARING ON THE FOLLOWING

1. Ordinance O-2026-17, Adopt Title 11.02.055 Boundary Adjustments.

Chairman Farrar opened the public hearing. No public comments. Chairman Farrar closed the public hearing.

2. Simple Lot Subdivision Application for AV-1331.

Chairman Farrar opened the public hearing. No public comments. Chairman Farrar closed the public hearing.

3. Simple Lot Subdivision Application for AV-1329-F, AV-1329-G.

Chairman Farrar opened the public hearing. No public comments. Chairman Farrar closed the public hearing.

4. Simple Lot Subdivision Application for AV-1328-A.

Chairman Farrar opened the public hearing. No public comments. Chairman Farrar closed the public hearing.

DISCUSSION AND POSSIBLE ACTION ITEMS

5. Ordinance O-2026-17, Adopt Title 11.02.055 Boundary Adjustments.

The Chairman explained that staff had identified the absence of local regulations governing boundary adjustments and had prepared Ordinance O-2026-17 to establish procedures and standards for lot line adjustments consistent with state law. The Commission discussed that the ordinance would provide a formal review process for boundary adjustments, including situations involving lot line relocations, while helping ensure properties were not rendered landlocked and allowing the Planning Commission to review proposed adjustments before approval.

MOTION: Commissioner Fralish motioned we approve Ordinance O-2026-17, Adopt Title 11.02.055 Boundary Adjustments.

SECOND: The motion was seconded by Commissioner Harsh.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Commissioner Harsh - Aye
 Chairman Farrar - Aye
 Commissioner Hood - Aye
 Commissioner Riding - Aye

Motion carried.

6. Simple Lot Subdivision Application for AV-1331.

The Chairman explained that the application involved property associated with the previously approved Gooseberry Lodges Event Center. After the preliminary plat had been approved, the applicant acquired an adjacent two-acre parcel to provide additional parking but had not completed the required simple lot subdivision process. The Commission discussed that the application was intended to correct the lot subdivision and would not authorize additional development, zoning changes, or modifications to the previously approved preliminary plat. The applicant was advised that all future development would remain subject to the existing approvals.

MOTION: Commissioner Hood motioned we approve the Simple Lot Subdivision Application AV-1331 for Aaron Stout.

SECOND: The motion was seconded by Commissioner Harsh.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Commissioner Harsh - Aye
 Chairman Farrar - Aye
 Commissioner Hood - Aye
 Commissioner Riding - Aye

Motion carried.

7. Simple Lot Subdivision Application for AV-1329-F, AV-1329-G.

The Chairman explained that the application corrected a previous lot subdivision involving two 80-acre parcels that had since been purchased by the current property owner. The Commission discussed that the application did not alter zoning or create additional development rights but corrected the existing parcel configuration. The property owners had cooperated with the Town to complete the necessary subdivision process.

MOTION: Commissioner Hood motioned we approve the Simple Lot Subdivision Application AV-1329-F and AV-1329-G, the lot split for TLW Investments LLC.

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Commissioner Harsh - Aye
 Chairman Farrar - Aye
 Commissioner Hood - Aye
 Commissioner Riding - Aye

Motion carried.

8. Simple Lot Subdivision Application for AV-1328-A.

The Chairman presented the request to divide an approximately 60-acre parcel into two lots. During review, the Chairman explained that the Town Engineer had recommended preserving a future waterline connection between Main Street and Daybreak Mesa Drive as part of the Town's long-term water system planning. As a condition of approval, the applicant agreed to dedicate a 26-foot-wide public utility easement to accommodate the future utility connection.

The Commission also discussed public concerns regarding the possibility of a future roadway connection between Main Street and Daybreak Mesa Drive. It was proposed that, should a roadway connection ever be considered, an impact study should first be completed to evaluate potential effects before any future approval.

MOTION: Chairman Farrar motioned we approve the Simple Lot Subdivision Application for AV-1328-A, pending they give us a 26-foot-wide public utility easement connecting Main Street to Daybreak Mesa and, if a roadway connection to Main Street is proposed in the future, requiring an impact study to evaluate the potential impacts prior to any roadway connection.

SECOND: The motion was seconded by Commissioner Harsh.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Commissioner Harsh - Aye
 Chairman Farrar - Aye
 Commissioner Hood - Aye
 Commissioner Riding - Aye

Motion carried.

9. Conditional Use Permit Application – Rick Trimmer (Applicant) – Request for approval of a Conditional Use Permit to allow three (3) single-family dwellings to operate as Short-Term Rentals on proposed

Lots 1–3 of parcels AV-1361-B and AV-1361-E, located northeast of Ranch Road in the A-20 (Agricultural 20-Acre Minimum) Zone.

The Commission reviewed a Conditional Use Permit application submitted by Rick Trimmer requesting approval to allow three single-family dwellings on proposed Lots 1 through 3 of parcels AV-1361-B and AV-1361-E to operate as short-term rentals within the AG-20 Zone. The Commission discussed that the proposed lots had recently received the necessary zoning and subdivision approvals and that the Conditional Use Permit was required because Town ordinances otherwise limited ownership to one short-term rental within the Town.

The Commission noted that the proposed rentals exceeded the required spacing between short-term rentals and that the surrounding property owners were aware of and supportive of the proposal. Discussion also addressed access via private roads, future family use of the property, and the applicant's compliance with previous development requirements, including bringing the access road up to fire standards. The Commission concluded that the proposed development remained consistent with the area's low-density agricultural character.

Commissioner Riding abstained from discussion and voting due to a disclosed familial relationship with the applicant.

MOTION: Commissioner Hood motioned we approve the CUP Application for parcels AV-1361-B , AV-1361-E.

SECOND: The motion was seconded by Commissioner Harsh.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Commissioner Harsh - Aye
 Chairman Farrar - Aye
 Commissioner Hood - Aye
 Commissioner Riding - Abstain

Motion carried.

APPROVAL OF MINUTES

10. Minutes: June 10, 2026 - Planning Commission Hearing and Meeting.

The Commission reviewed the minutes of the June 10, 2026, Planning Commission Hearing and Meeting. No corrections or revisions were proposed.

MOTION: Chairman Farrar motioned to approve the minutes of June 10, 2026 - Planning Commission Hearing and Meeting.

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Commissioner Harsh - Aye
 Chairman Farrar - Aye

Commissioner Hood - Aye
Commissioner Riding - Aye

Motion carried.

ADJOURNMENT

MOTION: Commissioner Fralish motioned we adjourn.

SECOND: The motion was seconded by Commissioner Hood.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
Commissioner Harsh - Aye
Chairman Farrar - Aye
Commissioner Hood - Aye
Commissioner Riding - Aye

Motion carried.

Date Approved: _____

Approved BY: _____

Chairman | Bradley Farrar

Attest BY: _____

Recorder | Jenna Vizcardo