



## TOWN COUNCIL HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley  
Wednesday, January 21, 2026 at 6:00 PM

### AGENDA

Notice is given that a meeting of the Town Council of the Town of Apple Valley will be held on **Wednesday, January 21, 2026**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

**Mayor** | Michael Farrar

**Council Members** | Kevin Sair | Annie Spendlove | Scott Taylor | Richard Palmer

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 826 6151 3795

#### CALL TO ORDER

#### PLEDGE OF ALLEGIANCE

#### PRAYER

#### ROLL CALL

#### DECLARATION OF CONFLICTS OF INTEREST

#### OATH OF OFFICE CEREMONY

#### MAYOR'S TOWN UPDATE & REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

#### PUBLIC COMMENTS: 3 MINUTES EACH - DISCRETION OF MAYOR FARRAR

#### PUBLIC HEARING

1. R-2026-01, A Resolution Amending the Town Fee Schedule to Update Impact Fees Previously Adopted by Ordinance O-2021-002.

#### DISCUSSION AND ACTION

- [2.](#) R-2026-01, A Resolution Amending the Town Fee Schedule to Update Impact Fees Previously Adopted by Ordinance O-2021-002.
- [3.](#) Ordinance O-2025-44, Zone Change Application, Current Zone: Open Space Transition, Proposed Zone: Agricultural Five Acres, Project location: AV-1365-J, located at the intersection of 2200 East and 2200 South, Acres: 15.  
\*Planning Commission recommended approval on January 14, 2026.
- [4.](#) Development Agreement Addendum for the Oculta Roca Project.
- [5.](#) Town Council 2026 Annual Meeting Schedule.

#### CONSENT AGENDA

The Consent Portion of the Agenda is approved by one (1) non-debatable motion. If any Council Member wishes to remove an item from the Consent Portion of the agenda, that item becomes the first order of business on the Regular Agenda.

- [6.](#) Minutes: December 17, 2025 - Town Council Meeting.

#### REQUEST FOR A CLOSED SESSION: IF NECESSARY

## **OPEN AND PUBLIC MEETINGS ACT TRAINING 2025**

### **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](http://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.



## FEE SCHEDULE

(Adopted on November 18, 2025 Proposal January 21, 2026)

### Administrative Fees

Government Records Access Management Act (GRAMA) Request: To be determined on an individual basis per UCA 63-2-203

Photocopies: 8 1/2 x 11 single or double sided on town paper	<b>\$0.25</b>
11 x 17 single or double sided on town paper	<b>\$0.50</b>
Land Use (Zoning Ordinance)	<b>\$22.00</b>
Subdivision Ordinance	<b>\$9.00</b>
General Plan	<b>\$8.00</b>
Standards and Specifications	<b>\$25.00</b>
Maps 24" x 36"	<b>\$40.00</b>
Maps 11" x 17"	<b>\$5.00</b>
Copies on CDs	<b>\$5.00</b>
Paperless Billing Credit:	<b>(\$1.50)</b>
Returned check fee: (Utah Code Title 7 Section 15)	<b>\$25.00</b>
Apple Valley Fire Department Facility:	
Training Room	<b>\$50.00</b>
One Bay (Fire Dept Approval)	<b>\$75.00</b>
Two Bays (Fire Dept Approval)	<b>\$150.00</b>
Refundable Deposit.	<b>\$100.00</b>

### **Park Reservation**

Parks are a first come, first serve basis only

Pavilion Rental 1/2 Day	<b>\$25</b>
Full Day	<b>\$50</b>
Refundable Cleaning Deposit	<b>\$150</b>

### **Credit Card Processing Fees**

Payments over \$200.00 made with a credit or debit card are subject to an additional 3% processing fee. This applies to transactions other than monthly utility charges. There is no fee for payments made with cash or check.

### **Building Permit – Xpress Bill Pay Fees**

Transaction fees apply for credit/debit card and electronic funds transfer (EFT) payments processed through City Inspect and Xpress Bill Pay systems for building permits.

If EFT Return charges occur, they will be billed as pass-through fees, as follows:

<b>Product</b>	<b>Rate Per Transaction</b>
Credit/Debit Card Transactions	3.50% of transaction amount or a minimum of USD \$3.00
EFT Transactions	USD \$2.00



<b>Product</b>	<b>Rate Per Transaction</b>
EFT Returned Item (Invalid Account or Unable to Locate Account)	USD \$7.00
EFT Return (NSF or Account Closed)	USD \$14.00
EFT Return (Stop Payment or Charge Back)	USD \$30.00

Special fees or exceptions to payment may be granted by the Town Council for local non-profit organizations or civic functions specific to Apple Valley depending on scheduling conflicts, etc. Additional fees may be charged if there are special needs; i.e. AV equipment, change in room setup or large groups, function is after hours requiring staff to be available, etc.

**Professional Fees**

Engineering/Legal/Administrative Fees:                      **\$Actual Cost**

**Business Licenses**

<b>Alcohol License</b>	<b><u>Initial</u></b>	<b><u>Renewal</u></b>
Class A Retail License (Off Premises)	<b>\$300.00</b>	<b>\$300.00</b>
Class B Retail License (On Premises)	<b>\$1000.00</b>	<b>\$500.00</b>
Class C Retail License (Draft)	<b>\$1250.00</b>	<b>\$750.00</b>
Class D Special Events License	<b>\$200.00</b>	<b>N/A</b>
Class D Special Events Permit Application	<b>\$125.00</b>	<b>N/A</b>
Class D Special Events Permit Change Fee	<b>\$25.00</b>	<b>N/A</b>
Class E Arena/Facility License	<b>\$800.00</b>	<b>\$400.00</b>
Class F Brewpub and Microbrewery License	<b>\$300.00</b>	<b>\$150.00</b>
Temporary License	<b>\$200.00</b>	<b>N/A</b>
Government Owned Facility License	<b>\$400.00</b>	<b>\$200.00</b>

**Business License**

Short Term Rental License:    **\$300.00**  
     Fire Inspection Fee:    **\$150.00**  
     Code Inspection Fee:    **\$150.00**  
**Total:    \$600.00**

Commercial:    **\$250.00**

Cabins, Tiny Homes, RV Park, Lodges, Etc.:  
     1 unit    **\$300.00**  
     2-5 units    **\$500.00**  
     6-10 units    **\$800.00**  
     11-20 units     **\$1,200.00**  
     21-50 units     **\$1,500.00**  
     50+ units     **\$2,000.00**  
     Additional Use, Commercial:    **\$50.00 each use**

Home-Based:  
     Non-Impact     **\$0.00**



Impact	<b>\$150.00</b>
Local Licensed Non-Profit Organizations:	<b>\$0.00</b>
Single Event License:	<b>\$200.00</b>
Dog Kennel License: Non-Commercial:	<b>\$50.00</b>
Fire Inspection Fee	<b>\$150.00</b>
Code Inspection Fee	<b>\$150.00</b>
Business License Late fee:	<b>\$25.00 per month or portion of month</b>

**Special Events Permit**

Application Fee (attendance under 100)	<b>\$200/day</b>
Application Fee (attendance 101 - 400)	<b>\$500/day</b>
Application Fee (attendance 401 - 999)	<b>\$800/day</b>
Application Fee (attendance over 999)	<b>\$1,200/day</b>
Drone License Fee:	<b>\$250/day</b>
Drone Violation Fee:	<b>\$1,000 per violation</b>
Non-Asphalt Road Access Fee:	<b>\$250/day</b>
Dust Violation Fee:	<b>\$2,000/day</b>
Sub-License Fee (vendors)	<b>\$25</b>
Event Impact Fee (Public Works, Fire, Police, and Emergency Services)	<b>\$750/day</b>
Encroachment Permit	<b>\$200</b>

**Animal Control**

**Dog License:** (1-year license Expires Dec 31)

Spayed/Neutered:	<b>\$10.00</b>
Functional:	<b>\$20.00</b>

**Late fee of 25% after February 15.**

**Solid Waste**

Monthly Fee	<b>\$14.66 (As of January 1, 2026)</b>
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**Storm Drainage**

Residential	<b>\$10/month</b>
Commercial	<b>\$35/month</b>

**Signs**

Free Standing Sign	<b>\$100.00</b>
Monument	<b>\$100.00</b>
Temporary Sign	<b>N/A</b>
Wall Sign	<b>N/A</b>
Sign Review Board	<b>\$100.00</b>

**Zoning**

Annexation	<b>\$2,200</b>
Conditional Use Permit (CUP)	<b>\$800</b>
Easement Abandonment	<b>\$800</b>



Encroachment Permit **\$700+ \$10.00 per square foot, \$500.00 non-compliance**  
 General Plan Amendment **\$Acreage fee**

- Less than 5 Acres: \$3,000
- 5 - 9 Acres: \$5,000
- 10 - 39 Acres: \$7,000
- 40 - 99 Acres: \$15,000
- 100 - 199 Acres: \$25,000
- 200 – 499 Acres: \$35,000
- 500 Acres and Over: \$40,000

Zone Change **\$Application Fee + Acreage fee (Per Lot Being Changed)**

Commercial & Industrial: \$4,000 plus \$50 per acre for the first 100 acres;  
 \$30 per acre for the second 100 acres; \$20 per acre for each acre over 200 acres

Agricultural: \$1,000 plus \$40 per acre for the first 100 acres;  
 \$20 per acre for the second 100 acres; \$10 per acre for each acre over 200 acres

Residential: \$2000 plus \$200 per acre for the first 100 acres;  
 \$150 per acre for the second 100 acres; \$100 per acre for each acre over 200 acres  
 All Other Zones: \$1,000 plus \$40 per acre or portion thereof over one acre

Development Review Fees  
 (Planning/Zoning/Administrative) **\$3,000 plus 3.17% of Bond Amount \$500 Plat Amendment (Lot Line Adjustments)**

Home Occupation Permit **\$10 Reprint**  
 Lot Split **\$800 per new lot**  
 Non-Compliant Lot Split **\$900 per new lot**  
 Lot Line Adjustments **\$800 per application**  
 Planning Staff Review (PSR) **\$75/Hr (1 Hour Minimum)**  
 Site Plan Review (\*SPR) **\$750 + Actual Cost**  
 (\* An SPR is used for commercial, industrial, and institutional developments; exceptions are public schools and minor additions to an existing development)

Engineering/Legal/Admin Fees **Actual Cost**

Planned Developments and Development Agreement Fees  
 Initial Fee **\$500 + Actual Legal & Engineering Cost of Services**  
 Revisions/Amendments **\$Actual Legal & Engineering Cost of Services**  
 Road Dedications **\$750**

**Subdivisions and Other Projects**

**Construction Plan and Review Fee**

Application Fee	\$1,500
2 & 3 Lots	\$1,000.00
4-9 Lots	\$300 /lot
10 + Lots	\$500 /lot
Preliminary Plat	\$5,000 + 100/per lot
Final Plat (subdivision, town homes, roads, etc.)	\$3,000 +\$300/per lot



Development Review Fees  
(Planning/Zoning/Administrative) **\$3,000 plus 3.17% of Bond Amount \$500 Plat Amendment (Lot Line Adjustments)**

**Amendments**

Preliminary Plat **\$2,700**  
 Final Plat **\$1,200 + \$10.00 per lot**  
 Public Improvement Inspection Fee **2% of Public Works Improvement Construction Costs**

**Board of Appeals**

Variance Application **\$550.00**  
 Appeal Hearing **\$550.00**

**Building Permits**

Pools/Solar/Other **\$375.00**  
 Building Permit **Based on Valuation (see table below)**  
 State Building Permit Surcharge **1% of Building Permit Fee**  
 Plan Review **Residential: 40% of Permit Fee**  
 Plan Review **Commercial: 65% of Permit Fee**

**Pre-Payment Requirement**

**Plan review fees must be paid in full prior to acceptance of a building permit application. Applications will not be accepted or processed until payment is received.**

Special Inspection **\$125**  
 Re-Inspection Fee **\$125**  
 Building Permit Issued After-The-Fact **Double Permit Fee**

Grading & Grubbing Plan Review **See Table A-33-A of Currently Adopted Uniform Building Code(Title 12.02.040) of Appendix Chapter 33 EXCAVATION AND GRADING**

Grading & Grubbing Permit **See Table A-33-B of Currently Adopted Uniform Building Code(Title 12.02.040) of Appendix Chapter 33 EXCAVATION AND GRADING**

TOTAL VALUATION FEE

*Valuation = Square Feet x  
Current ICC Building Valuation*

\$1 to \$500 **\$23.50**  
 \$501 to \$2,000 **\$23.50 for the first \$500 plus \$3.05 for each additional \$100 or fraction thereof, to and including \$2,000**

\$2,001 to \$25,000 **\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000 or fraction thereof, to and including \$25,000**



\$25,001 to \$50,000	\$391.75 for the first \$25,000 plus \$10.10 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 to 500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,000 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000 or fraction thereof

**Refunds**

**No refunds will be issued for preliminary or final plat application fees, in accordance with Utah state law.**

Where applicant voluntarily withdraws the application other than preliminary and final plat applications, the following refunds will apply:

Application accepted; no further work done	<b>75% of total filing fee</b>
Notification of hearing	<b>50% of total filing fee</b>
Planning Staff Review (PSR) meeting or written comments from department received.	<b>25% of total filing fee</b>
Staff Report completed	<b>No Refund</b>
Public hearing held	<b>No Refund</b>
Staff error resulting in mandatory withdrawal	<b>100% refund</b>

**Cemetery**

	RESIDENT	NON RESIDENT
<i>LOT FEES</i>		
Full Lot	600	1,500
Half Lot	450	1,350
Half Lot - Infant	100	500
<i>BURIAL FEES</i>		
Weekday-Adult	500	700
Weekday-Cremation	300	400
Weekday-Infant	0	500
Weekend-Adult	750	950
Weekend-Cremation	350	450
Weekend-Infant	250	350
Holiday-Adult	750	950
Holiday-Cremation	350	450
Holiday-Infant	350	450



	Double Depth Burial-1 <sup>st</sup> Open	Double the Standard Fee	Double the Standard Fee
<i>PERPETUAL CARE (non-refundable)</i>			
	Full Lot	300	300
	Full Lot – Upright	450	450
	Half Lot	100	100
	Half Lot - Upright	250	250
<b>OTHER SERVICES</b>			
	Disinterment-Adult	1200	1200
	Disinterment-Infant/Cremation	600	600
	Disinterment-Double Depth	Double the Standard Fee	Double the Standard Fee
	Late Notice/Late Arrival	200	200
	Funeral/Graveside Services Beginning after 3:00 pm	600	600
	Certificate Fee	25	25
	Transfer Fee	40	40
	Memorial Tree	\$100 Min	\$100 Min
	*50% Discount for Veterans and Individuals who have served on Town Council, Planning Commission, Big Plains Water District, and Fire Department (Volunteer)		

**01.20.000 Appendix A Schedule Of Water Rates, Fees, And Charges**

01.20.010 Residential

01.20.020 Commercial

01.20.030 Bulk Meter

01.20.040 Cost Of Services

**01.20.010 Residential**

Residential Standby Fee:

\$75.00/month Residential Base

Fee: \$75.00/month Residential

Usage Fees:

Gallons Used	Charge/1,000 Gal	Total
0-base/standby		\$75.00
0-5,000	\$1.50	Calculated based on usage
5,001-12,000	\$1.50	Calculated based on usage
12,001-25,000	\$1.50	Calculated based on usage



25,001-35,000	\$2.00	Calculated based on usage
35,001-45,000	\$2.25	Calculated based on usage
45,001-55,000	\$3.00	Calculated based on usage
55,001-75,000	\$3.50	Calculated based on usage
75,001-100,000	\$4.00	Calculated based on usage
Over 100,000	\$5.00	Calculated based on usage

Residential Impact Fee (3/4 in Connection): \$17,788

Connection Fee Deposit by Meter Size:

3/4-inch Connection Fee: \$1,600

1-inch Connection Fee: \$1,900

1.5-inch Connection Fee: \$2,900

2-inch or Larger Connection Fee: Quoted Upon Request

Actual cost of the connection depending on the size of meter required.

At the Department's discretion and depending on whether the Department owns sufficient municipal water rights to supply the proposed development and existing customers, one (1) acre foot of municipal category water rights must be bought-in at \$10,000.00 per connection, or deeded to the Department in lieu of the buy-in.

**01.20.020 Commercial**

Commercial 1-inch meter base/standby rate: \$102.00/month

Commercial 1.5-inch meter base/standby rate: \$141.93/month

Commercial 2-inch meter base/standby rate: \$202.76/month

Commercial 3-inch meter base/standby rate: \$552.51/month

Commercial 4-inch meter base/standby rate: \$1,241.90/month

Commercial Usage Fees: \$1.50 per 1,000 Gallons

Commercial Impact Fee: (Based on connection diameter-see table below. At the Department's discretion and depending on whether the Department owns sufficient municipal water rights to



supply the proposed development and existing customers, appropriate acre feet of water of municipal category water rights must be bought-in at \$10,000.00 per connection or deeded to the Department in lieu of the buy-in.

Connection Diameter (in)	ERC's	Impact Fee Amount
3/4	1	\$17,788.00
1	3	\$31,623.11
1.5	5	\$71,152.00
2	8	\$126,492.44
3	10	\$284,608.00

Commercial Retail Connection Fee: Actual cost of the connection depending on the size of meter required.

**01.20.030 Bulk Meter**

Bulk Meter Usage Fees:

\$49 meter fee for usage up to five days, with a \$5.00 charge for each additional day the meter is out.

Bulk Water: The water usage cost is \$10.00 /1,000 gallons used.

Bulk Water - Cooke Well: The water usage cost is \$5.00/1,000 gallons used.

The meter must be read at least every 30 days.

A \$1,000 meter deposit is required.

There will be a \$250 additional charge for late (greater than five (5) days and thirty (30) days.)

**01.20.040 Cost Of Services**

**COST OF SERVICES**

- Application Processing Fee \$125
- Well Permit Fee \$250
- Engineering Actual Cost
- Inspections \$60/Hour
- Will Serve Letters \$84.00 Initial Fee (1/2 hour), \$84.00 for Additional Half Hours



- Call-Outs \$60 First Hour Minimum / \$80 Additional Hours
- Equipment Actual Cost
- Late Notice Fee \$5
- Service Restoration Fee \$50
- Interest Charges 5%/Month

**14.02 Impact Fee Enactment**

[https://applevalley.municipalcodeonline.com/book?type=ordinances#name=14.02\\_Impact\\_Fee\\_Enactment](https://applevalley.municipalcodeonline.com/book?type=ordinances#name=14.02_Impact_Fee_Enactment)

**14.02.080 Impact Fee Schedules And Formulas**

Maximum Supportable Impact Fees. The fee schedules included herein represent the maximum impact fees which the Town may impose on development within the defined Impact Fee Service Area and are based upon general demand characteristics and potential demand that can be created by each class of user. The Town reserves the right under the Impact Fees Act (Utah Code § 11-36-202(2)(c,d)) to assess an adjusted fee to respond to unusual circumstances to ensure that fees are equitably assessed.

This adjustment may result in a higher impact fee if the Town determines that a user would create a greater than normal impact on any of the systems. The Town may also decrease the impact fee if the developer can provide documentation that the proposed impact will be less than what could be expected given the type of user (Utah Code § 11-36-202(3)(a)).

Impact Fee Schedules:

STORMWATER IMPACT FEES. The impact fees for stormwater as set forth in the attached Table 3, shall be paid at the time of application for a building permit for any property located within the drainage boundary.

Table 1 - Storm Water Impact Fee

Zoning	Adopted Impact Fee Per Acre within Drainage Boundary
Residential	\$2,885.79/acre
Commercial	\$2,885.79/acre

PARKS, TRAILS, AND OPEN SPACE IMPACT FEES. The impact fees for parks, trails and open space as set forth in the attached Table 2, shall be paid at the time of application for a building permit.

Zoning	Adopted Impact Fee Per Household (2.38 Persons)
Residential	\$725
Commercial	None



**NON-STANDARD PARK IMPACT FEES:** The Town reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that a land-use will have upon public facilities. The adjustment for Non-Standard Park Impact Fees could result in a different impact fee if the Town determines that a particular user may create a different impact than what is standard for its land use. The non-standard impact fee is calculated based on the following formula:

Estimated Population per Unit x Estimate of Impact Fee Per Capita (\$305) = Impact Fee per Unit

**FIRE AND EMS IMPACT FEES.** The impact fees for public safety as set forth in the attached Table 3, shall be paid at the time of application for a building permit.

	Cost per SFE	SFE Conversion	Total Impact Fee per Unit
<b>Residential</b>			
Single Family Dwelling Unit	\$844	1.00	\$844
Multi-Family Dwelling Unit	\$844	0.68	\$571
<b>Non-Residential</b>			
Shopping Center (per 1K SF)	\$11,443	2.81	\$32,117
General Office (per 1K SF)	\$11,443	1.43	\$16,413
Light Industrial (per 1K SF)	\$11,443	0.84	\$9,594

**NON-STANDARD FIRE AND EMS IMPACT FEES:** The Town reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that the land use will have upon public facilities. This adjustment could result in a different impact fee if the Town determines that a particular user may create a different impact than what is standard for its land use. To determine the impact fee for a non-standard use, the Town should use the following formula:

Formula for Non-Standard Fire Impact Fees: Residential Fee: SFE Conversion x \$844 = Recommended Impact Fee  
 Non-Residential Fee: SFE Conversion x \$11,443 = Recommended Impact Fee

**TRANSPORTATION IMPACT FEES.** The impact fees for transportation as set forth in the attached Table 4, shall be paid at the time of application for a building permit.

LAND USE:	Impact Fee per Unit
<b>Singe Family Residential</b>	\$2,660
<b>Multi-Family Residential</b>	\$1,800
<b>Shopping Center</b>	\$7,466
<b>Light Industrial</b>	\$2,230
<b>Office</b>	\$3,816



NON STANDARD IMPACT FEES: The Town reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that a specific land use will have upon the Town's transportation system. This adjustment could result in a different impact fee if evidence suggests a particular user will create a different impact than what is standard for its category. The Town may adjust the impact fee if the developer can provide documentation, evidence, or other credible analysis that the proposed impact will be different than what is proposed in this analysis.

Formula for Non-Standard Transportation Impact Fees: Total Units x Estimate of PM Peak Hour Trips per Unit x Adjustment Factor x \$2,687 = Impact Fee per Unit

**TOWN OF APPLE VALLEY, UTAH  
RESOLUTION NO. R-2026-01**

**A RESOLUTION AMENDING THE TOWN FEE SCHEDULE TO UPDATE IMPACT FEES PREVIOUSLY ADOPTED BY ORDINANCE O-2021-002**

WHEREAS, the Town of Apple Valley, Utah (the "Town"), is a municipal corporation organized and existing under the laws of the State of Utah; and

WHEREAS, the Town Council adopted impact fees pursuant to the Utah Impact Fees Act by Ordinance O-2021-002 on January 20, 2021, including impact fee schedules incorporated into the Apple Valley Municipal Code; and

WHEREAS, the Town Council has authority to amend the Town's fee schedule by resolution when such amendments update or clarify fees previously adopted by ordinance, provided the amendments remain consistent with applicable law; and

WHEREAS, the Town Council has reviewed the proposed amendments to the Town Fee Schedule and finds that updating the impact fees previously adopted by Ordinance O-2021-002 is necessary and in the best interest of the Town; and

WHEREAS, the Town Council finds that the amendments set forth herein do not repeal or replace Ordinance O-2021-002, but instead amend the Town Fee Schedule to reflect updated impact fee amounts consistent with that ordinance and applicable law;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Apple Valley, Utah, as follows:

**1. Fee Schedule Amendment.**

The Town Fee Schedule is hereby amended to update the impact fees previously adopted by Ordinance O-2021-002 on January 20, 2021. The amended impact fee amounts are set forth in the updated Town Fee Schedule attached hereto and incorporated herein by reference.

**2. Consistency with Prior Ordinance.**

All impact fees amended by this resolution shall be administered, collected, and enforced in accordance with Ordinance O-2021-002, the Utah Impact Fees Act, and the Apple Valley Municipal Code. Except as expressly amended herein, all provisions of Ordinance O-2021-002 remain in full force and effect.

**3. Severability.**

If any provision of this resolution is held invalid or unenforceable, such invalidity shall not affect the remaining provisions, which shall continue in full force and effect.

**4. Effective Date.**

This resolution shall take effect upon adoption by the Town Council and shall apply to all applicable development applications submitted on or after the effective date, as specified in the amended fee schedule.

PASSED AND ADOPTED by the Town Council of Apple Valley, Utah, this 21st day of January, 2026.

PRESIDING OFFICER

\_\_\_\_\_  
Mike Farrar, Mayor

ATTEST:

\_\_\_\_\_  
Jenna Vizcardo, Town Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor   Michael Farrar	_____	_____	_____	_____
Council Member   Kevin Sair	_____	_____	_____	_____
Council Member   Annie Spendlove	_____	_____	_____	_____
Council Member   Scott Taylor	_____	_____	_____	_____
Council Member   Richard Palmer	_____	_____	_____	_____

**APPLE VALLEY  
ORDINANCE 2021-002**

**AN ORDINANCE MODIFYING IMPACT FEES**

**AN ORDINANCE ADOPTING A WRITTEN ANALYSIS OF TRANSPORTATION,  
STORMWATER, PARKS, TRAILS AND OPEN SPACE AND PUBLIC SAFETY  
IMPACT FEES; ENACTING WATER, WASTEWATER, TRANSPORTATION,  
STORMWATER, PARKS, TRAILS AND OPEN SPACE AND PUBLIC SAFETY  
IMPACT FEES; AND ESTABLISHING AN IMPACT FEE SERVICE AREA FOR  
PURPOSES OF EQUITABLE DISTRIBUTION OF THE IMPACT FEES**

**WHEREAS**, he Town of Apple Valley (the "Town") is a political subdivision of the state of Utah, authorized and organized under the provisions of Utah law; and

**WHEREAS**, he Town has legal authority, pursuant to Title 11, Chapter 36 Utah Code, Annotated, as amended ("Impact Fees Act" or "Act"), to impose development impact fees as a condition of development approval, which impact fees are used to defray capital infrastructure costs attributable to growth activity; and

**WHEREAS**, the Town desires to assess transportation, stormwater, parks, trails, and open space and public safety impact fees as a condition of development approval in order to appropriately assign capital infrastructure costs to development in an equitable and proportionate manner; and

**WHEREAS**, the Town, impact fee consultants, and consulting engineers retained by the Town have reviewed and evaluated the Town, and have determined that it is in the Town's best interest to establish the entire Town as a single impact fee service area ("Impact Fee Service Area") for purposes of Impact Fees imposed; and

**WHEREAS**, the Town has completed a reasonable capital facilities plan associated with water, wastewater, transportation, stormwater, parks, trails, and open space and public safety infrastructure, attached hereto; and

**WHEREAS**, the Town Council has directed Sunrise Engineering to prepare a written Development Impact Fee Analysis which is conducted consistent and in compliance with the Impact Fees Act ( specifically 11-36-201 ).

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

**SECTION 1:**        **AMENDMENT** “14.02.080 Impact Fee Schedules And Formulas” of the Apple Valley Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

#### 14.02.080 Impact Fee Schedules And Formulas

Maximum Supportable Impact Fees. The fee schedules included herein represent the maximum impact fees which the Town may impose on development within the defined Impact Fee Service Area and are based upon general demand characteristics and potential demand that can be created by each class of user. The Town reserves the right under the Impact Fees Act (Utah Code § 11-36-202(2)(c,d)) to assess an adjusted fee to respond to unusual circumstances to ensure that fees are equitably assessed.

This adjustment may result in a higher impact fee if the Town determines that a user would create a greater than normal impact on any of the systems. The Town may also decrease the impact fee if the developer can provide documentation that the proposed impact will be less than what could be expected given the type of user (Utah Code § 11-36-202(3)(a)).

#### Impact Fee Schedules:

CULINARY WATER IMPACT FEES. The impact fees for culinary water as set forth in the attached Table 1, shall be paid at the time of application for a building permit.

Table 1 - Culinary Water Maximum Impact Fees

Land Use	Units	Demand	ERUs	Unadjusted Impact Fee	Adjusted Impact Fee	Adopted Impact Fee
Residential	Dwelling	800	1.000	\$5,631	\$5,677	\$1,000
Multi-unit	Dwelling	800	1.000	\$5,631	\$5,677	\$1,000
High School	Person	15	0.0188	\$106	\$107	\$21
Middle School	Person	15	0.0188	\$106	\$107	\$21
Elementary School	Person	15	0.0188	\$106	\$107	\$21
Hotel	Room	150	0.1875	\$1,056	\$1,064	\$213
Service Station	Pump	250	0.1325	\$1,760	\$1,774	\$355
Restaurant	Seat	35	0.0438	\$247	\$249	\$50
RV Park	Vehicle	100	0.1250	\$704	\$710	\$142
Church	Seat	5	0.0063	\$35	\$36	\$7
Nursing Home	Bed	200	0.25	\$1,480	\$1,420	\$284
Doctor's Office	Patient	10	0.0125	\$70	\$71	\$14
	Staff	35	0.0438	\$247	\$249	\$50
Dentist Office	Chair	200	0.25	\$1,408	\$1,419	\$284
	Staff	35	0.044	\$248	\$250	\$50
Store	Toilet Rm	500	0.625	\$3,519	\$3,548	\$710
	Employee	11	0.014	\$79	\$79	\$16
Commercial	Building	1,600	2.000	\$11,262	\$11,354	\$2,271
Industrial	Building	3,200	4.000	\$22,524	\$22,708	\$4,542

WASTEWATER IMPACT FEES. The impact fees for wastewater facilities as set forth in the attached Table 2, shall be paid at the time of application for a building permit.

Table 2 - Wastewater Maximum Impact Fee

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Type	Units	ERUs	Adjusted Impact Fee / Unit	Adopted Impact Fee / Unit
Permanent residence	Residence	1.000 0	\$2,875	\$1,500
Hotels & motels	Room	0.375 0	\$1,078	\$216
RV parks	Space	0.250 0	\$719	\$144
Airports	Passenger	0.007 5	\$22	\$4
	Employee	0.037 5	\$108	\$22
Boarding houses	Residents	0.125 0	\$359	\$72
	Nonresidents	0.025 0	\$72	\$14
Bowling alleys w/snack bar	Alley	0.250 0	\$719	\$144
Bowling alleys w/o snack bar	Alley	0.212 5	\$611	\$122
Churches	Person	0.012 5	\$36	\$7
Country clubs	Resident member	0.250 0	\$719	\$144
	Non-resident member	0.062 5	\$180	\$36
	Employee	0.037 5	\$108	\$22
Dentist's office	Chair	0.500 0	\$1,438	\$288
	Staff member	0.087 5	\$252	\$50
Doctor's office	Patient	0.025 0	\$72	\$14
	Staff member	0.087 5	\$252	\$50

Fairgrounds	Person	0.0025	\$7	\$1
Fire station w/ food preparation	Full-time employee	0.1750	\$503	\$101
Fire station w/o food preparation	Full-time employee	0.0125	\$36	\$7
Gyms	Participant	0.0625	\$180	\$36
	Spectator	0.0100	\$29	\$6
Hairdresser	Chair	0.1250	\$359	\$72
	Operator	0.0875	\$252	\$50
Hospitals	Bed	0.6250	\$1,797	\$359
Industrial buildings w/ showers (exclusive of industrial waste)	Employee per shift	0.0875	\$252	\$50
Industrial buildings w/o showers (exclusive of industrial waste)	Employee per shift	0.0375	\$108	\$22
Jail facilities	Inmate	0.2875	\$827	\$165
	Employee	0.0250	\$72	\$14
Launderette	Washer	1.4500	\$4,169	\$834
Movie Theaters (auditorium)	Seat	0.0125	\$36	\$7
Movie Theaters (drive-in)	Car	0.0250	\$72	\$14
Nursing Homes	Bed	0.7000	\$2,013	\$403
Office buildings w/ cafeteria	Employee	0.0625	\$180	\$36

Office buildings w/o cafeteria	Employee	0.037 5	\$108	\$22
Picnic parks	Person	0.012 5	\$36	\$7
Restaurants w/ 24 hour service	Seat	0.125 0	\$359	\$72
Restaurants w/o 24 hour service	Seat	0.087 5	\$252	\$50
Restaurants – single service utensils	Customer/day	0.025 0	\$72	\$14
Rooming house	Person	0.100 0	\$288	\$58
Schools – boarding	Person	0.187 5	\$539	\$108
Schools w/o cafeteria & showers	Person	0.037 5	\$108	\$22
Schools w/ cafeteria w/o showers	Person	0.050 0	\$144	\$29
Schools w/ cafeteria & showers	Person	0.062 5	\$180	\$36
Service stations	Vehicle/day	0.025 0	\$72	\$14
Skating rinks & dance halls w/ kitchen	Person	0.032 5	\$93	\$19
Skating rinks & dance halls w/o kitchen	Person	0.025 0	\$72	\$14
Ski areas w/o kitchen	Person	0.025 0	\$72	\$14
Stores	Toilet stall	1.250 0	\$3,594	\$719
	Employee	0.027 5	\$79	\$16
Swimming pools & bath houses	Person	0.025 0	\$72	\$14
Taverns, bars, cocktail lounges	Seat	0.050 0	\$144	\$29

Visitor centers	Visitor day	0.012 5	\$36	\$7
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STORM WATER IMPACT FEES. The impact fees for storm water as set forth in the attached Table 3, shall be paid at the time of application for a building permit.

Table 3 - Storm Water Maximum Impact Fee

Zoning	Adj. Impact Fee	Adopted Impact Fee
Residential	\$172/acre	\$172/acre
Commercial	\$172/acre	\$172/acre

PARKS, TRAILS AND OPEN SPACE IMPACT FEES. The impact fees for parks, trails and open space as set forth in the attached Table 4, shall be paid at the time of application for a building permit.

Zoning	Adj. Impact Fee	Adopted Impact Fee
Residential	\$1,649/unit	\$141/unit
Commercial	None	None

PUBLIC SAFETY IMPACT FEES. The impact fees for public safety as set forth in the attached Table 5, shall be paid at the time of application for a building permit.

	Zoning	Adj. Impact Fee	Adopted Impact Fee
FIRE	Residential	\$59/unit	\$59/unit
	Commercial	\$852/acre	\$852/acre
POLICE	Residential	\$114/unit	\$114/unit
	Commercial	\$1,844/acre	\$1,844/acre

TRANSPORTATION IMPACT FEES. The impact fees for transportation as set forth in the attached Table 6, shall be paid at the time of application for a building permit.

Type	Units	Trips per day	ERUs	Adj. Impact Fee / Unit	Adopt. Impact Fee / Unit
Residential: Single Family Detached Housing	Lot	9.57	1.00	\$514.00	\$514.00
Auto Parts Store	1,000 S.F.	61.91	6.47	\$3,325.16	\$665.00

Bank: Drive in	1,000 S.F.	265.21	27.71	\$14,244.30	\$2,849.00
Bank: Walk in	1,000 S.F.	156.48	16.35	\$8,404.46	\$1,681.00
Car Lot	1,000 S.F.	37.5	3.92	\$2,014.11	\$403.00
Church	1,000 S.F.	9.11	0.95	\$489.29	\$98.00
Elementary School	Student	1.02	0.11	\$54.78	\$11.00
Furniture Store	1,000 S.F.	5.06	0.53	\$271.77	\$54.00
Gas or Service Station	Pump	168.56	17.61	\$9,053.27	\$1,811.00
Gas or Service Station w/ Convenience Center	Pump	162.78	17.01	\$8,742.83	\$1,749.00
Hardware or Paint Store	1,000 S.F.	51.29	5.36	\$2,754.76	\$551.00
High School	Student	1.79	0.19	\$96.14	\$19.00
Hospital	1,000 S.F.	16.78	1.75	\$901.25	\$180.00
Hotel	Room	8.92	0.93	\$479.09	\$96.00
Industrial Park	1,000 S.F.	6.96	0.73	\$373.82	\$75.00
Industrial: General Light	1,000 S.F.	6.97	0.73	\$374.36	\$75.00
Library	1,000 S.F.	54	5.64	\$2,900.31	\$580.00
Lumber Store	1,000 S.F.	39.71	4.15	\$2,132.80	\$427.00
Manufacturing	1,000 S.F.	3.82	0.40	\$205.17	\$41.00
Middle School	Student	1.45	0.15	\$77.88	\$16.00
Mobile home park	Occupied Unit	4.81	0.50	\$258.34	\$258.34
Nursery (Garden Center)	1,000 S.F.	36.08	3.77	\$1,937.84	\$388.00
Nursing Home	Beds	2.61	0.27	\$140.18	\$28.00
Office: General	1,000 S.F.	11.01	1.15	\$591.34	\$118.00
Office: Government	1,000 S.F.	68.93	7.20	\$3,702.20	\$740.00
Office: Medical or Dental	1,000 S.F.	36.13	3.78	\$1,940.52	\$388.00
Pharmacy w/ Drive Through Window	1,000 S.F.	88.16	9.21	\$4,735.03	\$947.00
Residential: Apartment	Unit	6.63	0.69	\$356.09	\$356.09
Residential: PUD	Lot	7.5	0.78	\$402.82	\$402.82
Residential: Townhome	Home	5.86	0.61	\$314.74	\$314.74

Restaurant: Fast-Food w/ Drive Through	1,000 S.F.	496.12	51.84	\$26,646.36	\$5,329.00
Restaurant: Fast-Food w/o Drive Through	1,000 S.F.	716	74.82	\$38,456.01	\$7,691.00
Restaurant: High-Turnover Sit Down	1,000 S.F.	130.34	13.62	\$7,000.50	\$1,400.00
Restaurant: Quality	1,000 S.F.	89.95	9.40	\$4,831.17	\$966.00
Specialty Retail Center	1,000 S.F.	40.67	4.25	\$2,184.37	\$437.00
Supermarket	1,000 S.F.	111.51	11.65	\$5,989.15	\$1,198.00
Tire Store	1,000 S.F.	24.87	2.60	\$1,335.76	\$267.00
Video Rental Store	1,000 S.F.	31.54	3.30	\$1,694.00	\$339.00
Warehouse	1,000 S.F.	4.96	0.52	\$266.40	\$53.00

\*Units and Trips per day are found in the 6th edition of *Trip Generation* Published by the Institute of Transportation Engineers.

Fees included in this Section may be adjusted with adequate documentation from the developer that the true impact differs from that shown.

AFTER AMENDMENT

14.02.080 Impact Fee Schedules And Formulas

Maximum Supportable Impact Fees. The fee schedules included herein represent the maximum impact fees which the Town may impose on development within the defined Impact Fee Service Area and are based upon general demand characteristics and potential demand that can be created by each class of user. The Town reserves the right under the Impact Fees Act (Utah Code § 11-36-202(2)(c,d)) to assess an adjusted fee to respond to unusual circumstances to ensure that fees are equitably assessed.

This adjustment may result in a higher impact fee if the Town determines that a user would create a greater than normal impact on any of the systems. The Town may also decrease the impact fee if the developer can provide documentation that the proposed impact will be less than what could be expected given the type of user (Utah Code § 11-36-202(3)(a)).

Impact Fee Schedules:

CULINARY WATER IMPACT FEES. The impact fees for culinary water as set forth in the attached Table 1, shall be paid at the time of application for a building permit.

Table 1 - Culinary Water Maximum Impact Fees

Land Use	Units	Demand	ERUs	Unadjusted Impact Fee	Adjusted Impact Fee	Adopted Impact Fee
Residential	Dwelling	800	1.000	\$5,631	\$5,677	\$1,000
Multi-unit	Dwelling	800	1.000	\$5,631	\$5,677	\$1,000
High School	Person	15	0.0188	\$106	\$107	\$21
Middle School	Person	15	0.0188	\$106	\$107	\$21
Elementary School	Person	15	0.0188	\$106	\$107	\$21
Hotel	Room	150	0.1875	\$1,056	\$1,064	\$213
Service Station	Pump	250	0.1325	\$1,760	\$1,774	\$355
Restaurant	Seat	35	0.0438	\$247	\$249	\$50
RV Park	Vehicle	100	0.1250	\$704	\$710	\$142
Church	Seat	5	0.0063	\$35	\$36	\$7
Nursing Home	Bed	200	0.25	\$1,480	\$1,420	\$284
Doctor's Office	Patient	10	0.0125	\$70	\$71	\$14
	Staff	35	0.0438	\$247	\$249	\$50
Dentist Office	Chair	200	0.25	\$1,408	\$1,419	\$284
	Staff	35	0.044	\$248	\$250	\$50
Store	Toilet Rm	500	0.625	\$3,519	\$3,548	\$710
	Employee	11	0.014	\$79	\$79	\$16
Commercial	Building	1,600	2.000	\$11,262	\$11,354	\$2,271

Industrial	Building	3,200	4.000	\$22,524	\$22,708	\$4,542
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WASTEWATER IMPACT FEES. The impact fees for wastewater facilities as set forth in the attached Table 2, shall be paid at the time of application for a building permit.

Table 2 - Wastewater Maximum Impact Fee

Type	Units	ERUs	Adjusted Impact Fee / Unit	Adopted Impact Fee / Unit
Permanent residence	Residence	1.000 0	\$2,875	\$1,500
Hotels & motels	Room	0.375 0	\$1,078	\$216
RV parks	Space	0.250 0	\$719	\$144
Airports	Passenger	0.007 5	\$22	\$4
	Employee	0.037 5	\$108	\$22
Boarding houses	Residents	0.125 0	\$359	\$72
	Nonresidents	0.025 0	\$72	\$14
Bowling alleys w/snack bar	Alley	0.250 0	\$719	\$144
Bowling alleys w/o snack bar	Alley	0.212 5	\$611	\$122
Churches	Person	0.012 5	\$36	\$7
Country clubs	Resident member	0.250 0	\$719	\$144
	Non-resident member	0.062 5	\$180	\$36
	Employee	0.037 5	\$108	\$22

Dentist's office	Chair	0.500 0	\$1,438	\$288
	Staff member	0.087 5	\$252	\$50
Doctor's office	Patient	0.025 0	\$72	\$14
	Staff member	0.087 5	\$252	\$50
Fairgrounds	Person	0.002 5	\$7	\$1
Fire station w/ food preparation	Full-time employee	0.175 0	\$503	\$101
Fire station w/o food preparation	Full-time employee	0.012 5	\$36	\$7
Gyms	Participant	0.062 5	\$180	\$36
	Spectator	0.010 0	\$29	\$6
Hairdresser	Chair	0.125 0	\$359	\$72
	Operator	0.087 5	\$252	\$50
Hospitals	Bed	0.625 0	\$1,797	\$359
Industrial buildings w/ showers (exclusive of industrial waste)	Employee per shift	0.087 5	\$252	\$50
Industrial buildings w/o showers (exclusive of industrial waste)	Employee per shift	0.037 5	\$108	\$22
Jail facilities	Inmate	0.287 5	\$827	\$165
	Employee	0.025 0	\$72	\$14
Laundrette	Washer	1.450 0	\$4,169	\$834

Movie Theaters (auditorium)	Seat	0.012 5	\$36	\$7
Movie Theaters (drive-in)	Car	0.025 0	\$72	\$14
Nursing Homes	Bed	0.700 0	\$2,013	\$403
Office buildings w/ cafeteria	Employee	0.062 5	\$180	\$36
Office buildings w/o cafeteria	Employee	0.037 5	\$108	\$22
Picnic parks	Person	0.012 5	\$36	\$7
Restaurants w/ 24 hour service	Seat	0.125 0	\$359	\$72
Restaurants w/o 24 hour service	Seat	0.087 5	\$252	\$50
Restaurants – single service utensils	Customer/day	0.025 0	\$72	\$14
Rooming house	Person	0.100 0	\$288	\$58
Schools – boarding	Person	0.187 5	\$539	\$108
Schools w/o cafeteria & showers	Person	0.037 5	\$108	\$22
Schools w/ cafeteria w/o showers	Person	0.050 0	\$144	\$29
Schools w/ cafeteria & showers	Person	0.062 5	\$180	\$36
Service stations	Vehicle/day	0.025 0	\$72	\$14
Skating rinks & dance halls w/ kitchen	Person	0.032 5	\$93	\$19
Skating rinks & dance halls w/o kitchen	Person	0.025 0	\$72	\$14
Ski areas w/o kitchen	Person	0.025 0	\$72	\$14

Stores	Toilet stall	1.250 0	\$3,594	\$719
	Employee	0.027 5	\$79	\$16
Swimming pools & bath houses	Person	0.025 0	\$72	\$14
Taverns, bars, cocktail lounges	Seat	0.050 0	\$144	\$29
Visitor centers	Visitor day	0.012 5	\$36	\$7

STORMWATER IMPACT FEES. The impact fees for stormwater as set forth in the attached Table 3, shall be paid at the time of application for a building permit for any property located within the drainage boundary.

Table 3 - Storm Water Impact Fee

Zoning	Adopted Impact Fee Per Acre within Drainage Boundary
Residential	\$2,885.79/acre
Commercial	\$2,885.79/acre

PARKS, TRAILS, AND OPEN SPACE IMPACT FEES. The impact fees for parks, trails and open space as set forth in the attached Table 4, shall be paid at the time of application for a building permit.

Zoning	Adopted Impact Fee Per Household (2.38 Persons)
Residential	\$725
Commercial	None

NON-STANDARD PARK IMPACT FEES: The Town reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that a land-use will have upon public facilities. The adjustment for Non-Standard Park Impact Fees could result in a different impact fee if the City determines that a particular user may create a different impact than what is standard for its land use. The non-standard impact fee is calculated based on the following formula:

$$\text{Estimated Population per Unit} \times \text{Estimate of Impact Fee Per Capita } (\$305) = \text{Impact Fee per Unit}$$

POLICE SAFETY IMPACT FEES. The impact fees for public safety as set forth in the attached Table 5, shall be paid at the time of application for a building permit.

	Zoning		Adopted Impact Fee
POLICE	Residential		\$114/unit
	Commercial		\$1,844/acre

FIRE AND EMS IMPACT FEES. The impact fees for public safety as set forth in the attached Table 6, shall be paid at the time of application for a building permit.

	Cost per SFE	SFE Conversion	Total Impact Fee per Unit
<b>Residential</b>			
Single Family Dwelling Unit	\$844	1.00	\$844
Multi-Family Dwelling Unit	\$844	0.68	\$571
<b>Non-Residential</b>			
Shopping Center (per 1K SF)	\$11,443	2.81	\$32,117
General Office (per 1K SF)	\$11,443	1.43	\$16,413
Light Industrial (per 1K SF)	\$11,443	0.84	\$9,594

NON-STANDARD FIRE AND EMS IMPACT FEES: City reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that the land use will have upon public facilities. This adjustment could result in a different impact fee if the City determines that a particular user may create a different impact than what is standard for its land use. To determine the impact fee for a non-standard use, the City should use the following formula:

$$\begin{aligned} \text{Formula for Non-Standard Fire Impact Fees: Fee: SFE Conversion} \times \$844 &= \\ \text{Recommended Impact Fee Non-Residential Fee: SFE Conversion} \times \$11,443 &= \\ \text{Recommended Impact Fee} & \end{aligned}$$

TRANSPORTATION IMPACT FEES. The impact fees for transportation as set forth in the attached Table 7, shall be paid at the time of application for a building permit.

<b>LAND USE:</b>	<b>Impact Fee per Unit</b>
<b>Singe Family Residential</b>	\$2,660
<b>Multi-Family Residential</b>	\$1,800
<b>Shopping Center</b>	\$7,466
<b>Light Industrial</b>	\$2,230
<b>Office</b>	\$3,816

NON STANDARD IMPACT FEES: The City reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that a specific land use will have upon the City’s transportation system. This adjustment could result in a different impact fee if evidence suggests a particular user will create a different impact than what is standard for its category. The City may adjust the impact fee if the developer can provide documentation, evidence, or other credible analysis that the proposed impact will be different than what is proposed in this analysis.

Formula for Non-Standard Transportation Impact Fees: Total Units x Estimate of PM Peak Hour Trips per Unit x Adjustment Factor x \$2,687 = Impact Fee per Unit




**SECTION 2:**        **AMENDMENT** “14.02.020 Definitions” of the Apple Valley Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

14.02.020 Definitions

Words and phrases that are defined in the Act shall have the same definition in this Impact Fee Chapter. The following words and phrases shall have the following meanings:.

“**Capital Facilities Plan**” means the plan required by Section 11-36-201 of the Act. In Section 11-36-201(2)(e) there is an exception to the Capital Facilities Plan for cities of 5,000 or less in population, based on the latest census. Town meets this exception but has chosen to perform and adopt the Capital Facilities Plan attached hereto.

“**Development activity**” means any construction or expansion of building, structure or use, any change in use of building or structure, or any change in the use of land that creates additional demand and need for public facilities. Development activity will include residential, commercial, and institutional users who are not currently connected to any of the Town’s public facilities systems, but will locate within the Impact Fee Service Area.

“**Development approval**” means any written authorization from the Town that authorizes the commencement of development activity.

“**Town**” means the Town of Apple Valley, a local political subdivision of the State of Utah.

“**Impact fee**” means a payment of money imposed upon development activity as a condition of development approval. “Impact fee” includes development impact fees, but does not include a tax, special assessment, hookup fee, building permit fee, fee for project improvements, or other reasonable permit or application fees.

“**Project improvements**” means site improvements and facilities that are planned and designed to provide service for development resulting from a development activity and are necessary for the use and convenience of the occupants or users of development resulting from a development activity. “Project improvements” do not include “system improvements” as defined below.

“**Proportionate share**” of the cost of public facility improvements means an amount that is roughly proportionate and reasonably related to the service demands and needs of a development activity.

“**Public facilities**” means water, wastewater, transportation, storm water, parks, trails and open space and public safety improvements of the Town for the Impact Fee Service Area.

“**Impact Fee Service Area**” refers to a geographic area designated by the Town based on sound

planning and engineering principles in which a defined set of the Town’s public facilities provides service. The Impact Fee Service Area for purposes of this Chapter includes all of the area within the jurisdictional boundaries of the Town.

“**System improvements**” refers both to existing public facilities designed to provide services within the Impact Fee Service Area and to future public facilities identified in a reasonable plan for capital improvements adopted by the Town that are intended to provide service to the Impact Fee Service Area. “System improvements” do not include “Project improvements” as defined above.

## AFTER AMENDMENT

### 14.02.020 Definitions

Words and phrases that are defined in the Act shall have the same definition in this Impact Fee Chapter. The following words and phrases shall have the following meanings:

“**Capital Facilities Plan**” means the plan required by Section 11-36-201 of the Act. In Section 11-36-201(2)(e) there is an exception to the Capital Facilities Plan for cities of 5,000 or less in population, based on the latest census. Town meets this exception but has chosen to perform and adopt the Capital Facilities Plan attached hereto.

“**Development activity**” means any construction or expansion of building, structure or use, any change in use of building or structure, or any change in the use of land that creates additional demand and need for public facilities. Development activity will include residential, commercial, and institutional users who are not currently connected to any of the Town’s public facilities systems, but will locate within the Impact Fee Service Area.

“**Development approval**” means any written authorization from the Town that authorizes the commencement of development activity.

"Drainage Boundary" means the boundary defined as a drainage area in the Town's latest stormwater impact fee study.

“**Town**” means the Town of Apple Valley, a local political subdivision of the State of Utah.

“**Impact fee**” means a payment of money imposed upon development activity as a condition of development approval. “Impact fee” includes development impact fees, but does not include a tax, special assessment, hookup fee, building permit fee, fee for project improvements, or other reasonable permit or application fees.

“**Project improvements**” means site improvements and facilities that are planned and designed to provide service for development resulting from a development activity and are necessary for the use and convenience of the occupants or users of development resulting from a development activity. “Project improvements” do not include “system improvements” as defined below.

“**Proportionate share**” of the cost of public facility improvements means an amount that is roughly proportionate and reasonably related to the service demands and needs of a development activity.

“**Public facilities**” means water, wastewater, transportation, storm water, parks, trails and open space and public safety improvements of the Town for the Impact Fee Service Area.

“**Impact Fee Service Area**” refers to a geographic area designated by the Town based on sound planning and engineering principles in which a defined set of the Town’s public facilities provides service. The Impact Fee Service Area for purposes of this Chapter includes all of the area within the jurisdictional boundaries of the Town.

“**System improvements**” refers both to existing public facilities designed to provide services within the Impact Fee Service Area and to future public facilities identified in a reasonable plan for capital improvements adopted by the Town that are intended to provide service to the Impact Fee Service Area. “System improvements” do not include “Project improvements” as defined above.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL JANUARY 20, 2021.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Mayor Lisonbee	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Councilmember Edwardsen	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Councilmember Beddo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Councilmember McLaughlin	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

Presiding Officer

Attest

  
Marty Lisonbee, Mayor, Apple Valley

  
Michelle Kinney, Clerk Apple Valley



Proposal: Zone Change Application  
Current Zone: OST  
Proposed Zone: A-5  
Acres: 15  
Project location: AV-1365-J  
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 A-5. The property is located at the intersection of 2200 east and 2200 South (AV-1365-J) and is 15 acres in size. The purpose for the zone change is to prepare to split the lot into 3 parcels that are 5 acres each.

The property is currently zoned OST. Surrounding zoning is OS to the north and south, RE-20 to the east and RE-5 to the west. The General Plan for this property is Residential Low 5+ Acres. The General Plan for the adjacent properties are also Residential Low 5+ Acres. The applicant is asking to change the zone from OST to AG-5 which is not in line with the General Plan map; however, the proposal would create larger lot sizes and help preserve the agricultural and historic heritage of Apple Valley.

If approved, this property would have Residential uses to the east and west. Furthermore, the general plan shows residential uses to the north and south of this property. When considering this Zone Change, the town may want to keep the permit uses in mind for the RE Zones [RE-Zone permitted uses](#) (10.10.050 which is identified in the general plan) and the A-5 zone [A-5 permitted uses](#) (10.10.020 which is being proposed) to ensure the land continues to be used in a way that is in line with the long-term vision of the town.



**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 \$1,600 Item 3.

Zone Change Application			
Applications Must Be Submitted By The First Wednesday Of The Month			
Owner: <b>Back Country Holdings LLC / Timothy Polishook</b>	Phone: [REDACTED]		
Address: [REDACTED]	Email: [REDACTED]		
City: [REDACTED]	State: [REDACTED]	Zip: [REDACTED]	
Agent: (If Applicable) <b>Thomas Timpson</b>		Phone: [REDACTED]	
Address/Location of Property: <small>East Ranch Road, Apple Valley, UT 84737</small>		Parcel ID: <b>AV-1365-J</b>	
Existing Zone: <b>OST (Open Space Transition)</b>		Proposed Zone: <b>A-5 (Agriculture 5)</b>	
For Planned Development Purposes: Acreage in Parcel <u>15 acres</u>		Acreage in Application <u>15 acres</u>	
Reason for the request <b>So lot can be split into (3) 5-acre lots</b>			

**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. The property currently has 3 water services; power is immediately adjacent along south side of parcel; sewer will be on-site wastewater / septic.
- 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 	<b>SIGN HERE</b>	Date <b>11/20/25</b>
-------------------------	------------------	-------------------------

Official Use Only Date Received: <b>RECEIVED NOV 24 2025</b>	Amount Paid: \$ <b>1,600.00</b>	Receipt No: <b>59128</b>
By: <b>M. Kinney</b>	Date Application Deemed Complete:	
By:	By:	



Town of Apple Valley

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

ACKNOWLEDGEMENT OF WATER SUPPLY

I/We, Timothy Polishook am/are the applicant(s) of the application known as
Zone Change Application located on parcel(s)
AV-1365-J 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):

Timothy Polishook

[Handwritten signature]



Name

Applicant/Owner

Date

11/20/25

Name

Applicant/Owner

Date

Name

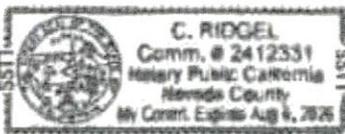
Applicant/Owner

Date

State of California )

County of Nevada )s

On this 20th day of November, in the year 2025, before me, C. Ridgel a notary public, personally appeared Timothy Polishook, 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.

[Handwritten signature]

(notary signature)

(seal)

**\$Application Fee + Acreage fee (Per Lot Being Changed)**

**Commercial & Industrial:** \$4,000 plus \$50 per acre for the first 100 acres;

\$30 per acre for the second 100 acres; \$20 per acre for each acre over 200 acres

**Agricultural:** \$1,000 plus \$40 per acre for the first 100 acres;

\$20 per acre for the second 100 acres; \$10 per acre for each acre over 200 acres

**Residential:** \$2000 plus \$200 per acre for the first 100 acres;

\$150 per acre for the second 100 acres; \$100 per acre for each acre over 200 acres

**All Other Zones:** \$1,000 plus \$40 per acre or portion thereof over one acre

Note: To avoid delays in processing your Zone Change request, it is important that all applicable information noted above, along with the fee, is submitted with the application. An incomplete application will not be scheduled for the Planning Commission. Planning Commission meetings are held on the second and fourth Wednesday of each month at 6:00 pm. Submission of a completed application does not guarantee your application will be placed on the next PC meeting agenda. It may be placed on the next available PC meeting agenda.

#### REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE

When approving a zone change, the following factors shall be considered by the Planning Commission and Town Council:

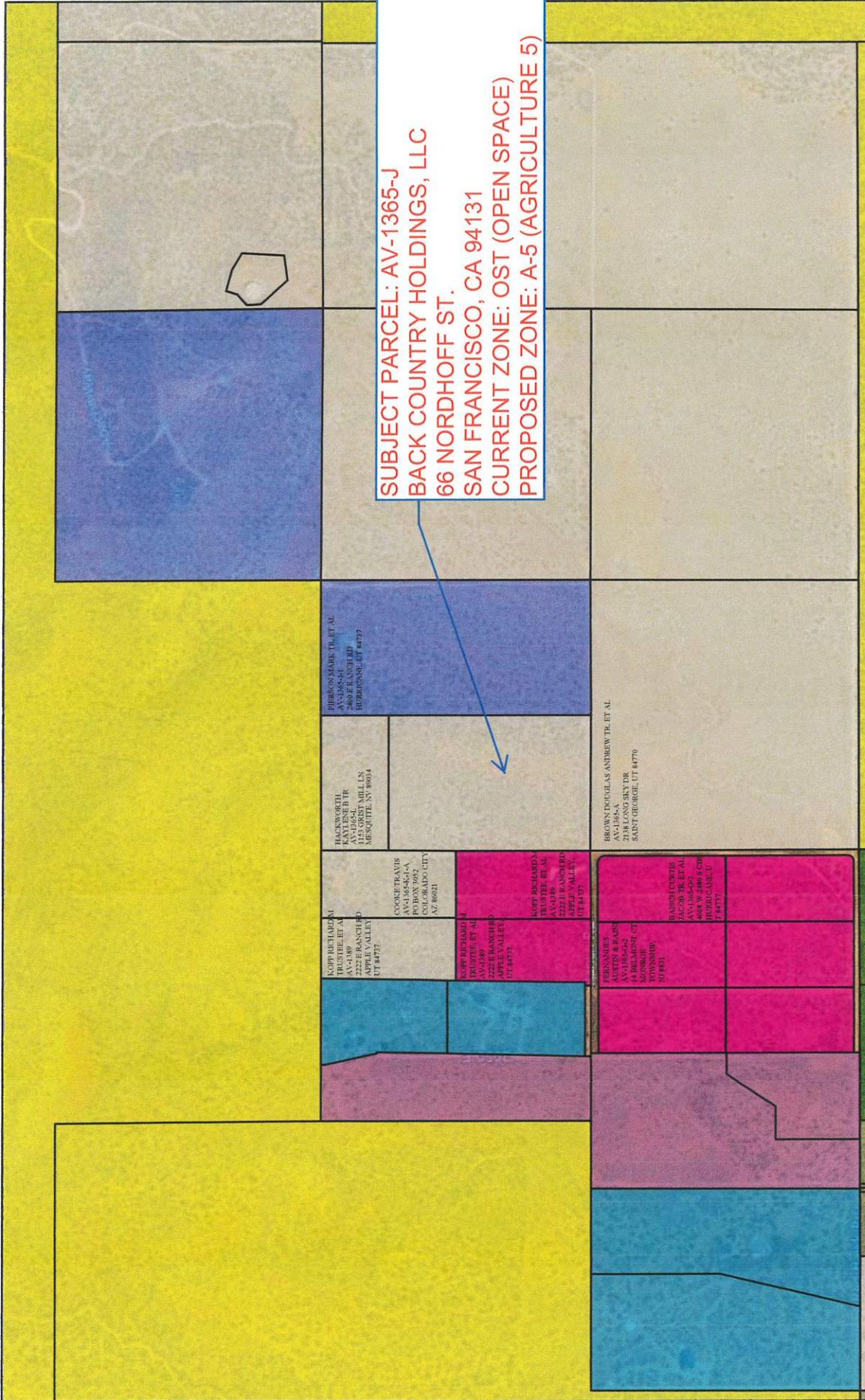
1. Whether the proposed amendment is consistent with the Goals, Objectives and Policies of the Town's General Plan;
2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
3. The extent to which the proposed amendment may adversely affect adjacent property; and
4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to roadways, parks and recreation facilities, fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

#### PROCESS

Contact the Planning Department for when the deadline for submission is. After it is deemed complete, staff will review the request, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public hearing, members of the public may also have questions or comments. At the public hearing the Planning Commission will review the application and staff's report and forward a recommendation to the Town Council for approval, approval with modifications, or denial of the zone change application.

Upon receipt of the Planning Commission recommendation, typically 1-2 weeks after the Planning Commission action, the Town Council will consider and act on the Commission's recommendation. The action of the Town Council is final. If denied, a similar application generally cannot be heard for a year.

# AV-1365-J



**SUBJECT PARCEL: AV-1365-J**  
**BACK COUNTRY HOLDINGS, LLC**  
**66 NORDHOFF ST.**  
**SAN FRANCISCO, CA 94131**  
**CURRENT ZONE: OST (OPEN SPACE)**  
**PROPOSED ZONE: A-5 (AGRICULTURE 5)**

DORIS SHARPE TR. ET AL  
 3400 E RANCH RD  
 HOBOKEN, UT 84032

HACKWORTH  
 KATHLEEN TR  
 1155 GREST MILL LN  
 MESQUITE, NV 89014

SCOTT M. HARRIS  
 TRUSTEE ET AL  
 AV-1389  
 2222 E RANCH RD  
 APPLE VALLEY  
 UT 84707

COOKE TRAVIS  
 AV-1364561-A  
 PO BOX 3052  
 WASHINGTON, UT 84783

KOPPELBERG  
 TRUSTEE ET AL  
 AV-1389  
 2222 E RANCH RD  
 APPLE VALLEY  
 UT 84707

SCOTT M. HARRIS  
 TRUSTEE ET AL  
 AV-1389  
 2222 E RANCH RD  
 APPLE VALLEY  
 UT 84707

BROWN DOUGLAS ANDREW TR. ET AL  
 2138 LONG SKY DR  
 SAINT GEORGE, UT 84770

BAIRSH COWEN  
 JACOB TR. ET AL  
 AV-1364560 A-CM  
 HUBBARD, UT  
 84737

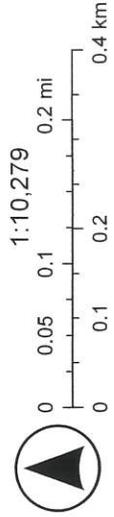
BAIRSH COWEN  
 JACOB TR. ET AL  
 AV-1364560 A-CM  
 HUBBARD, UT  
 84737

BAIRSH COWEN  
 JACOB TR. ET AL  
 AV-1364560 A-CM  
 HUBBARD, UT  
 84737

BAIRSH COWEN  
 JACOB TR. ET AL  
 AV-1364560 A-CM  
 HUBBARD, UT  
 84737

BAIRSH COWEN  
 JACOB TR. ET AL  
 AV-1364560 A-CM  
 HUBBARD, UT  
 84737

3/21/2025, 2:29:53 PM



Item 3.



11 North 300 West, Washington, Utah 84780  
TEL 435.652.8450 | FAX 435.652.8416

November 12<sup>th</sup>, 2025

Preliminary Water Service Letter  
For  
Timothy Polishook/Back Country Holdings  
(1 lot)

This letter is provided as a preliminary look at the needs of your proposed development and provides options as well as potential requirements for your project.

1. Proposed connection into Cedar Point water system.
  - a. We will need engineering calculations to ensure proper culinary requirements, fire flows and pressures throughout the development's system.
2. If current infrastructure is unable to meet flow requirements; and upon discussion and approval of the Town you may be required to bring source, build a tank and infrastructure designed to meet culinary, irrigation, and fire suppression needs as requisite by the Town.
3. Standard connection fees will apply.
4. Easements as required for water infrastructure and Town access.
5. Upon completion of the water system by the Developer and approval of the Town's designated engineer and Water Superintendent, said water system and easements will be deeded to the Town.

The above is not an all-encompassing list, but a preliminary one and may expand as your development progresses.

The Town provides this letter for the purpose of a Preliminary Plat Application, and it is NOT a Will Serve Letter.

This letter will Expire in 6 months from the date on this letter which is May 12<sup>th</sup>, 2026.

Please call me at (435) 652-8450 with any questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nathan Wallentine".

Nathan Wallentine  
Town Engineer  
Sunrise Engineering, Inc.

A handwritten signature in black ink, appearing to read "Mike Farrar".

Mike Farrar  
Mayor  
Town of Apple Valley

SUBDIVISION APPROVAL PROCESS

AFFIDAVIT

PROPERTY OWNER

Item 3.

STATE OF UTAH )  
 )  
COUNTY OF WASHINGTON )

**Timothy Polishook**

I (We) \_\_\_\_\_, being duly sworn, depose and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

*[Handwritten Signature]*



Property Owner

Property Owner

subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

**SEE ATTACHED FOR NOTARIAL WORDING & SEAL**

Notary Public

Residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

AGENT AUTHORIZATION

**Timothy Polishook**

(We) \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Thomas Timpson to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.

*[Handwritten Signature]*



Property Owner

Property Owner

subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

**SEE ATTACHED FOR NOTARIAL WORDING & SEAL**

Notary Public

Residing in: \_\_\_\_\_

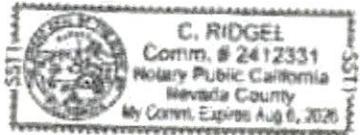
My Commission Expires: \_\_\_\_\_

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Nevada

Subscribed and sworn to (or affirmed) before me on this 20<sup>th</sup>  
day of November, 2025, by Timothy Polishook

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature C. Ridge

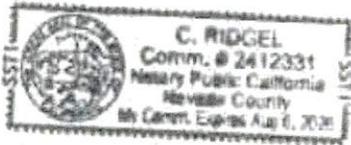
Title: Affidavit Property Owner

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Nevada

Subscribed and sworn to (or affirmed) before me on this 20<sup>th</sup>  
day of November, 2025, by Timothy Polishook

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature C. Ridgel

Title: Agent Authorization

# Property Report for Parcel AV-1365-J

## Property Information

**Acres:** 15.00  
**Zoning:** Open Space Transition  
**Is Property in a Special Flood Hazard Area?** No  
**Is Property in a 0.2% Annual Chance Flood Area?** No  
**Is Property in a Floodway?** No

*\* Determination of flood zone information is based upon 2009 FEMA Digital Flood Insurance Rate Map Database but does not substitute for a Flood Verificaton letter. For more information, please visit the FEMA Flood Map Service Center website <https://msc.fema.gov/portal/home> or contact your municipal Engineering department.  
City zoning information is based on the best available information and should be independently verified by contacting each municipality directly.*

## Tax Information

**Tax District:** Apple Valley Town  
**Residential Classification:** N/A  
**Book & Page:** N/A  
**Reference Document:** 20240028791

## Voting Districts

**Washington County Precinct:** APV01  
**U.S. Senate District:** 27  
**U.S. Congressional District:** 2  
**Utah House District:** 72  
**Washington County School Board District:** 5  
*\* Visit [Vote.Utah.gov](http://Vote.Utah.gov) or <https://geoprodivm.washco.utah> for more voting information.*

## Community/Public Services

**Law Enforcement:** Washington Co. Sheriff  
**Fire Protection:** Colorado City Fire Dept  
*\* In an emergency, ALWAYS dial 9-1-1!*  
**Schools:**  
Three Falls Elementary  
Hurricane Intermediate  
Hurricane Middle  
Hurricane High  
*\* For more information, including bus routes, visit the Washington Co. School District at <https://www.washk12.org/> or Iron Co. School District at <https://irondistrict.org/>*

## Utilities

**Culinary Water:** N/A  
**Sewer:** On-site wastewater/septic (Ash Creek SSD)  
**Electricity:** Rocky Mountain Power  
**Natural Gas:** N/A  
**Internet Service Providers (Cable):** TDS  
*\* For more information on Internet services available in your area, see Decision Data.org, <https://decisiondata.org/internet-providers-by-zip-code-plus-tv/>*

**Solid Waste Collection Day:** Thursday  
*\* For more information on solid waste and recycling services, visit the Washington County Solid Waste website at <http://www.wcs.w.org/>*

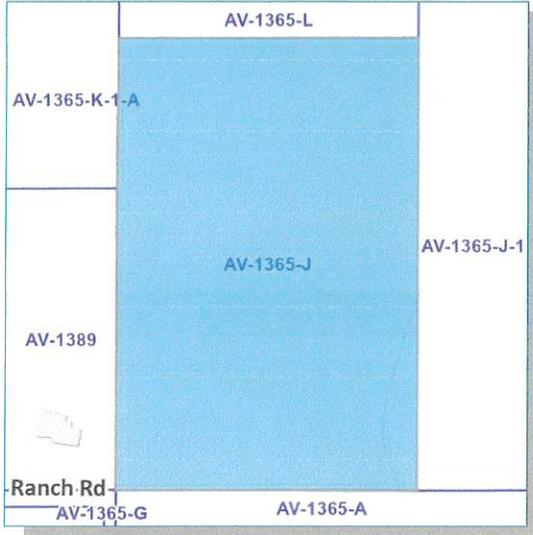
**Legal Description:**  
**S: 14 T: 43S R: 11W SLB&M**  
**NE1/4 NE1/4 SEC 14 T43S R11W.**  
**LESS: N1/2 NW1/4 NE1/4 NE1/4 SEC 14.**  
**LESS: E1/2 NE1/4 NE1/4 OF SEC 14 T43S R11W.**

NOTE: The information shown on this map was compiled from many sources and is not guaranteed to be correct. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.  
Report Generated 3/21/2025 by Washington County GIS

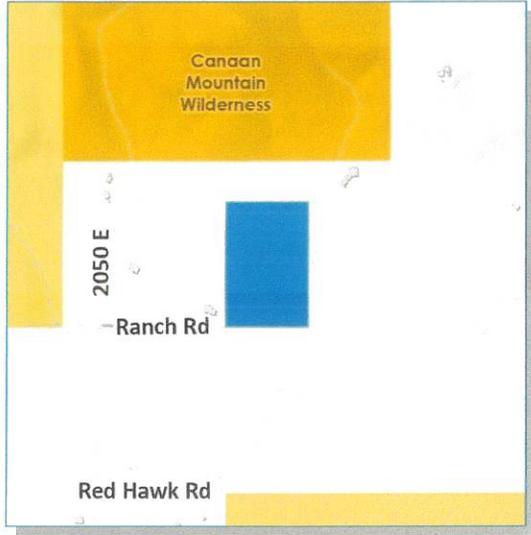
**Washington County, Utah**  
County Administration Building  
111 E. Tabernacle Street  
St. George, UT 84770-3443  
[www.washco.utah.gov](http://www.washco.utah.gov)



# Property Report for Parcel AV-1365-J



Parcel highlighted in blue.



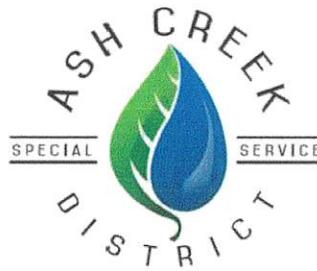
Overview Map

NOTE: The information shown on this map was compiled from many sources and is not guaranteed to be correct. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

Report Generated 3/21/2025 by Washington County GIS

**Washington County, Utah**  
County Administration Building  
111 E. Tabernacle Street  
St. George, UT 84770-3443  
[www.washco.utah.gov](http://www.washco.utah.gov)





April 10, 2025

Apple Valley  
1777 North Meadowlark Drive  
Apple Valley, UT 84737

**Subject: Zone Change – Parcel AV-1365-J**

Ash Creek Special Service District takes no exception to the proposed zone change for Parcel AV-1365-J.

The Owners hereby acknowledge and agree that the minimum lot size required for the installation of a conventional septic system is seven (7) acres. The Owners further acknowledge and agree that the proposed zone change, which would permit the creation of five (5) acre lots, does not satisfy the minimum septic density requirements for conventional septic systems. Accordingly, the installation of an advanced septic system shall be required on each individual lot. The Owners further acknowledge and agree that, as a condition of development, each lot owner shall be required to sign the Ash Creek Special Service District Septic Agreement and obtain all necessary septic permits from the Southwest Utah Public Health Department.

After approval, owners agree to pay all costs associated with construction and installation of the advanced septic system. Please let us know if you have any questions.

Sincerely,

A handwritten signature in cursive script 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



Let's turn the answers on.

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

April 9, 2025

Thomas Timpson  
Back Country Holdings LLC.



Re: New Residential Subdivision Zoning

Located: Parcel #: AV-1365-J

Dear: Thomas Timpson

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 submitted. 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 do not hesitate to call.

Sincerely,

Keldan Guymon  
Estimator  
Dixie Service Center  
435-688-3711

Warranty Deed Page 1 of 5  
Russell Shirts Washington County Recorder  
06/14/2017 01:47:53 PM Fee \$20.00 By  
SOUTHERN UTAH TITLE COMPANY

When recorded mail deed and tax notice to:  
Back Country Holdings LLC, a California Limited  
Liability Company  
3101 Clement Street  
San Francisco, CA 94121



Order No. 193381 - CP  
Tax I.D. No. AV-1365-J

Space Above This Line for Recorder's Use

**WARRANTY DEED**

Beard Properties, LLC, a Utah Limited Liability Company, grantor(s), of St. George, County of Washington, State of Utah, hereby CONVEY and WARRANT to

Back Country Holdings LLC, a California Limited Liability Company, a Utah Limited Liability Company/ grantees) of San Francisco, County of , State of California, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

See Attached Exhibit "A"

See Water Rights Addendum to Land Deeds attached hereto and made a part hereof

TOGETHER WITH all improvements and appurtenances there unto belonging, and being SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 7<sup>th</sup> day of June, 2017.

BEARD PROPERTIES, LLC, a Utah Limited Liability Company

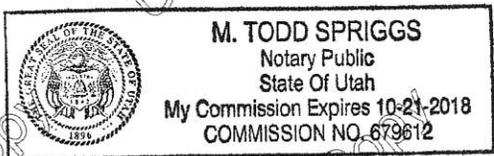
By: [Signature]  
Michael A. Beard, Manager

STATE OF Utah )  
 )  
:ss.  
COUNTY OF Washington )

On the 7<sup>th</sup> day of June, 2017, personally appeared before me, Michael A. Beard, who being by me duly sworn, did say that he/she is the Manager of BEARD PROPERTIES, LLC, a Utah Limited Liability Company, and that said instrument was signed by him/her in behalf of said limited liability company by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and said Michael A. Beard acknowledged to me that said limited liability company executed the same.

[Signature]  
NOTARY PUBLIC

My Commission Expires: 10/21/18





**WATER RIGHTS ADDENDUM TO LAND DEEDS**

Grantor: Beard Properties, LLC, a Utah Limited Liability Company  
 Grantee: Back Country Holdings LLC, a California Limited Liability Company  
 Tax ID Number(s): AV-1365-J

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

**Check one box only**

- 1  All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed.
- 2  Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked)
- 3  No water rights are being conveyed.
- 4  Water rights are being conveyed by separate deed.

Proceed to Section

- A
- B
- C
- C

Important Notes  
(see other side)

Section		
A	The water right(s) being conveyed included Water Right No(s) along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) <input type="checkbox"/> All of Water Rights No(s). <input type="checkbox"/> acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses <input checked="" type="checkbox"/> acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5  N5  N2
C	Disclosures By Grantor: (check all boxes that apply) <input type="checkbox"/> Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: <u>Big Plains Water</u> <input checked="" type="checkbox"/> Culinary water service is provided by: <u>Apple Valley Town**</u> <input type="checkbox"/> Outdoor water service is provided by: There is no water service available to Grantor's Parcel(s). <input checked="" type="checkbox"/> Other water related disclosures: **3 Standby Water Hookups transfer with the property. No Water shares or stock certificates will be issued.	N6  N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature: BEARD PROPERTIES, LLC, a Utah Limited Liability Company

**See Counterpart**

Michael A. Beard, Manager

Grantee's Acknowledgment of Receipt: Back Country Holdings LLC, a California Limited Liability Company

Timothy M. Polishook, Manager

Greg G. Gahagan, Manager

Grantee's Address: 3101 Clement Street, San Francisco, California 94121

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

NOTES TO WATER RIGHTS ADDENDUM TO LAND DEEDS

Please read the following notes carefully in order to avoid problems and the possible loss of the water rights being conveyed in connection with this transaction.

**The mere purchase of a water right does not guarantee: (1) that the water right is in good standing with the Utah Division of Water Rights; (2) that the owner has clear title to the water right; (3) that the Division will recognize the ownership change; or (4) that the Division will approve any proposed changes or extensions regarding the water right. You are encouraged to conduct proper "due diligence" research into any water right before purchasing it.**

- N1 Once this Water Rights Addendum has been recorded at the County Recorder's Office, Grantee must prepare a "Report of Water Right Conveyance" or "ROC" (available from the Utah Division of Water Rights) and file it with the Utah Division of Water Rights in order to: (1) have the Division's records updated with current ownership and address information; (2) file any application on these water rights; and (3) receive notifications concerning deadlines and other essential information pertaining to these rights. **Failure to do so PROMPTLY may result in the loss of these water rights.** Help with reviewing the water rights and completing the ROC can be obtained from the Utah Division of Water Rights and/or water professionals, such as attorneys, engineers, surveyors, and title professionals with experience in water rights and water law.
- N2 A water right often has one or more applications on file with the Utah Division of Water Rights that affect that water right, such as change applications, extension requests, and non-use applications. These applications should be transferred with the water right. The Grantee should review the water right applications and other documents on file with the Utah Division of Water Rights.
- N3 Water rights owned by the Grantor and used on Grantor's Parcel may be "appurtenant" to Grantor's Parcel. Not all appurtenant water rights have been assigned a water right number because not all water rights are "of record." If Section A is being completed, this conveyance includes all appurtenant water rights, whether or not they are listed by water right number or are of record. Grantee should investigate each water right listed and determine if there are any water rights that are not of record. If there are water rights not of record, Grantee should seriously consider making them of record by filing the appropriate forms with the Utah Division of Water Rights.
- N4 100% of the water rights listed here are being conveyed to Grantee. A Report of Water Right Conveyance (see N1 above) should be filed on each water right listed here. The Water Rights listed in Section B may not provide sufficient water for all of the historic water uses.
- N5 Less than 100% of the water right listed is being conveyed to Grantee. The exact portion to be conveyed, expressed in terms of the beneficial uses associated with this portion of the water right must be described. This description generally consists of: (1) the number of families for domestic (indoor culinary) uses (generally quantified as 0.45 acre-feet per family for a year-round residence and 0.25 acre-feet per family for a seasonal residence); (2) the number of acres irrigated (this involves issues of "irrigation duty" [the number of acre-feet of water allowed per acre of irrigated land] and "sole supply/supplemental supply" [the amount of water allocated to each water right when more than one right is used on the same land or for the same livestock]; and (3) the number of livestock being watered (expressed in terms of equivalent livestock units or "ECUS" which are quantified at the rate of 0.028 acre-feet per EAU for full-year use. Any other uses being conveyed should be similarly described. Help with evaluating, quantifying, and/or describing the uses can be obtained from the Utah Division of Water Rights and/or water professionals.
- N6 Shares of stock in water companies (including irrigation, canal, and ditch companies) are generally not transferred by deed. Each company has procedures for transferring ownership. The company should be contacted to ascertain the appropriate procedures to follow. The most common procedure is for the Grantor to endorse and deliver the stock certificate to the Grantee, who then presents that certificate to company for issuance of a new certificate in the Grantee's name. If another procedure is to be followed, that should be noted on the "Other water related disclosures" line in Section C of this form. Each company also defines how much water is associated with a particular share and what fees and assessments are charged. The Grantee should contact the company about all such issues.
- N7 If culinary water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N8 If outdoor/secondary/irrigation water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N9 If this box is checked, the Grantee should investigate what water IF ANY is available for use on the Grantor's Parcel.
- N10 This space should be used for any other information that the Grantor has which is relevant to water issues associated with the Grantor's Parcel.

The Utah Division of Water Rights (often referred to as the State Engineer's Office) is located at 1594 W. North Temple, Suite 220, PO Box 146300, Salt Lake City, Utah 84114-6300 Telephone: 801-553-7240 Web Address: [www.waterrights.utah.gov](http://www.waterrights.utah.gov)

Attachment to that certain Warranty Deed executed by Beard Properties, LLC, a Utah Limited Liability Company grantor(s), to Back Country Holdings LLC, a California Limited Liability Company grantee(s).

Order No. 193387  
Tax I.D. No. AV-1365-J

**EXHIBIT "A"**

**PARCEL 1:**

The Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian.

LESS AND EXCEPTING THEREFROM the following described Parcels A and B:

**Parcel A:**

The North One-Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian.

**Parcel B:**

The East One-Half of the Northeast Quarter of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian.

\*\*\*

Initials 

TAX\_ID

- AV-1365-L
- AV-1365-J
- AV-1365-K-1-B
- AV-1365-J-1
- AV-1365-G-3
- AV-1389
- AV-1365-K
- AV-1365-K-1-A
- AV-1365-A
- AV-1365-G-2

FIELD5

HAWLEY NEIL B, HAWLEY JEANENE  
BACK COUNTRY HOLDINGS LLC  
KOPP RICHARD M TRUSTEE, RICHARD M KOPP AND DEBORAH A KOPP REVOCABLE LIVING TRUST DATED AUGUST 16 2019  
PIERSON MARK TR, PIERSON LAUREL TR  
BAISCH CURTIS JACOB TR, BAISCH FRANCES ALICIA TR  
KOPP RICHARD M TRUSTEE, RICHARD M KOPP AND DEBORAH A KOPP REVOCABLE LIVING TRUST DATED AUGUST 16 2019  
KOPP RICHARD M TRUSTEE, RICHARD M KOPP AND DEBORAH A KOPP REVOCABLE LIVING TRUST DATED AUGUST 16 2019  
COOKE CHRISTIAN M TRUSTEE, COOKE FAMILY TRUST DATED SEPTEMBER 15 2025  
BROWN DOUGLAS ANDREW TR, MILDICE LORNA LOUISE TR  
FERNANDES AUSTIN & RAJNI

FIELD6	FIELD8	FIELD9	FIELD10
56 N SHADOW POINT DR	SAINT GEORGE	UT	84770
66 NORDHOFF ST	SAN FRANCISCO	CA	94131
2222 E RANCH RD	APPLE VALLEY	UT	84737
2400 E RANCH RD	HURRICANE	UT	84737
4068 W 2480 S CIR	HURRICANE	UT	84737
2222 E RANCH RD	APPLE VALLEY	UT	84737
2222 E RANCH RD	APPLE VALLEY	UT	84737
PO BOX 2887	COLORADO CITY	AZ	86021
2138 LONG SKY DR	SAINT GEORGE	UT	84770
14 BELMONT CT	MONROE TOWNSHI	NJ	8831



December 1, 2025

RE: NOTICE OF PUBLIC HEARING — ZONING MAP AMENDMENT REQUEST

Parcel Number: AV-1365-J

Situs Addresses: Property located at the intersection of 2200 East and 2200 South

To Whom It May Concern:

You are invited to attend a public hearing to receive input from the public regarding a request to amend the zoning designation of the above-referenced parcel from Open Space Transition Zone (OST) to Agricultural 5 Acres Zone (AG-5). The applicant has indicated that the purpose of the requested amendment is to subdivide the property into three parcels of approximately five acres each.

Information regarding the AG-5 zoning regulations, including permitted uses and development standards, is available at the Town Recorder's Office or online at:

[https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020\\_Agricultural\\_Zone](https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020_Agricultural_Zone)

The hearing will be held on Wednesday, January 14, 2026 at 6:00 PM (MDT) at the Apple Valley Town Hall, located at:

1777 North Meadowlark Drive, Apple Valley, Utah 84737

Written comments or questions may be submitted by mail to:

Town of Apple Valley  
Attn: Planning and Zoning  
1777 North Meadowlark Drive  
Apple Valley, Utah 84737

Comments may also be delivered in person at the Apple Valley Town Hall.

Sincerely,  
Jenna Vizcardo  
Town Clerk and Recorder  
Town of Apple Valley

**TOWN OF APPLE VALLEY  
ORDINANCE O-2025-44**

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1365-J 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-1365-J 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 January 14, 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 January 21, 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-1365-J 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 Mayor and Town Council of the Town of Apple Valley, Utah, this 21st day of January, 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   Annie Spendlove	_____	_____	_____	_____
Council Member   Scott Taylor	_____	_____	_____	_____
Council Member   Richard Palmer	_____	_____	_____	_____

**When Recorded Return To:**  
**Town of Apple Valley**  
**1777 N. Meadowlark Dr.**  
**Apple Valley, UT 84737**

### **Third Development Agreement Addendum**

**This Development Agreement Addendum ("Agreement") is made and entered into as of 12/17/25, by and between Hidden Rock Development Group ("Developer") and Town of Apple Valley ("Town").**

#### **Recitals:**

Developer owns or controls certain parcels of property located in Town, totaling 727.82 acres, and having the following parcel ID numbers ("**Property**"): AV-2194-D, AV-2194-B, AV-2-2-27-432, AV-2-2-27-430, AV-2-2-27-431, AV-2-2-28-110, AV-2-2-28-120, AV-2-2-28-220, AV-2-2-28-221, AV-2-2-28-230, AV-2-2-28-240, AV-2169-A-1, AV-2169-B, AV-2194-C, AV-2195-B, AV-2196-A-1, AV-2196-B, AV-2196-C, AV-2196-D, AV-2196-E, AV-2196-F, AV-2196-G, AV-2196-H, AV-2196-I.

Developer desires to develop on the Property an 84-key horizontal cabin rental development with amenities plus 57 residential lots, all to be known as Oculata Roca ("**Project**").

WHEREAS the developer and Town have entered into a Development Agreement, dated June 26, 2024, in which developer and town agreed on terms regarding Developer's Project located in Town. This agreement amends and is supplemental to the Development Agreement.

WHEREAS the developer wishes to make an addendum to the original Development Agreement date June 26, 2024 and all prior amendments (collectively, the "Development Agreement")."

WHEREAS, the Developer wishes to increase donation/reimbursement to the towns road project from \$300,000.00 to \$600,000.00.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

#### **1. Infrastructure and Improvements**

a. The developer agrees to coordinate the reimbursement by the PID's of a maximum of \$600,000.00 to the town's funding of resurfacing the roads in town and construction of new roads within town limits. The developer understands that this reimbursement will not be deducted from any impact fees due to the town.

**2. Indemnification**

The Developer agrees to indemnify and hold harmless the Town from any and all claims, liabilities, losses, damages, or expenses arising from the construction and installation of the water tank.

**3. Default**

Default of This Agreement shall be handled in the same manner as the default provision in paragraph 10 of the Development Agreement.

**4. Governing Law**

This Agreement shall be governed by and construed in accordance with the laws of the State of Utah.

**5. Entire Agreement**

This Agreement constitutes the entire understanding between the parties with respect to the subject matter hereof and except for the Development Agreement, supersedes all prior negotiations, discussions, and agreements.

**IN WITNESS WHEREOF, the parties hereto have executed this Developer Agreement Addendum as of the date first above written.**

**Hidden Rock Development Group**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**Town of Apple Valley**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_



1777 North Meadowlark Drive, Apple Valley, Utah 84737  
 Phone: 435-877-1190 Fax: 435-877-1192  
[www.applevalleyut.gov](http://www.applevalleyut.gov)

## Town Council 2026 Annual Meeting Schedule

Town Council  
 2026 Annual Meeting Schedule

Notice Date & Time: 1/1/2026-12/31/2026 11:59 PM

Description/Agenda:

### 2026 ANNUAL MEETING SCHEDULE OF THE TOWN OF APPLE VALLEY

Public Notice is hereby given that the 2026 Annual Meeting Schedule of the Town Council of Apple Valley has been scheduled and shall be as follows:

Regular Meetings of the Town Council of Apple Valley will be held during the year 2026 at 6:00 p.m. on the third Wednesday of each month, unless otherwise specified, at the Town Office Building, 1777 N Meadowlark Drive, Apple Valley, UT 84737.

- January 21, 2026
- February 18, 2026
- March 18, 2026
- April 15, 2026
- May 20, 2026
- June 17, 2026
- July 15, 2026
- August 19, 2026
- September 16, 2026
- October 21, 2026
- November 18, 2026
- December 16, 2026

Other meetings scheduled, in addition to those specified herein, shall be held or canceled as circumstances require. An agenda of each meeting will be posted at:

Town Office Building, 1777 N Meadowlark Drive, Apple Valley, UT 84737

Town of Apple Valley Website: <https://www.applevalleyut.gov/>

State of Utah Public Notice Website: <https://www.utah.gov/pmni/index.html>

Notice of Special Accommodations:

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.

Notice of Electronic or telephone participation: In accordance with state statute, one or more council members may be connected via speakerphone.

Other information:

Location: 1777 N Meadowlark Dr., Apple Valley, 84737

Contact information:

Jenna Vizcardo, [clerk@applevalleyut.gov](mailto:clerk@applevalleyut.gov), (435)877-1190



**TOWN COUNCIL MEETING**  
**1777 N Meadowlark Dr, Apple Valley**  
**Wednesday, December 17, 2025 at 6:00 PM**

## MINUTES

### CALL TO ORDER , PLEDGE OF ALLEGIANCE, PRAYER

The Town Council of Apple Valley held a regular meeting on December 17, 2025. The Mayor called the meeting to order at 6:00 PM. The meeting opened with the Pledge of Allegiance, followed by a prayer offered by Council Member Sair. Roll call confirmed that all council members were present. No conflicts of interest were declared.

**ROLL CALL, PRESENT,** Mayor Michael Farrar, Council Member Kevin Sair, Council Member Annie Spendlove, Council Member Scott Taylor, Council Member Richard Palmer

### DECLARATION OF CONFLICTS OF INTEREST

No conflicts of interest were declared.

### MAYOR'S TOWN UPDATE & REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

The Mayor announced the upcoming Christmas cookie exchange to be held at Town Hall, including details regarding time, community participation, and the planned visit from Santa.

An update was provided on the construction of the new million-gallon concrete water tank located on the hill, which is intended to replace two aging steel tanks. The Mayor reported that site access roads had been cut, the construction pad had been prepared, vegetation cleared, and soil core samples drilled for testing. It was noted that while progress was steady, the process was moving at a measured pace. The Mayor emphasized the necessity of the project due to the condition of the existing tanks.

The Mayor also reported that staff would begin working with engineers to prepare a bid package for paving unpaved roads within Apple Valley and for slurry sealing and striping paved roads townwide. The project was described as extensive and anticipated to require a competitive bidding process due to its estimated cost. Efforts were noted to minimize or eliminate financial impact to the town.

Council members offered brief seasonal remarks and extended holiday well wishes. No additional updates were provided.

### PUBLIC COMMENTS: 3 MINUTES EACH - DISCRETION OF MAYOR FARRAR

Sean Bennett, request of town back to Smithsonian Community Park. Incorporation discussed, land aquired land from big plains foundation, discussed volunteers. Founders day discussed. Where is that the information?

### DISCUSSION AND ACTION

1. Ordinance O-2025-42, Amend Title 10.02.050 Building Permit Required.

\*Planning Commission recommended approval on December 10, 2025.

The Mayor introduced the ordinance, explaining that it would exempt qualifying shipping containers from building permit requirements. It was clarified that shipping containers are manufactured to rigorous standards and that removing the permit requirement would reduce unnecessary fees. The ordinance did not remove or alter existing zoning, placement, setback, quantity, or appearance regulations, and enforcement would still occur if violations were reported. The maximum size exemption was discussed, aligning with standard shipping container dimensions.

**MOTION:** Council Member Sair motioned that we approve Ordinance O-2025-42, Amended Title 10.02.050 Building Permit Requirement for storage containers.

**SECOND:** The motion was seconded by Council Member Palmer.

**VOTE:** Mayor Farrar called for a Roll Call vote:

Council Member Taylor - Aye  
 Council Member Sair - Aye  
 Mayor Farrar - Aye  
 Council Member Spendlove - Aye  
 Council Member Palmer - Aye

The vote was unanimous and the motion carried.

2. Ordinance O-2025-43, Amend Title 10.28.250 Smaller Accessory Building Exempt From Building Permit Requirements.

\*Planning Commission recommended approval on December 10, 2025.

The ordinance was presented as a companion amendment addressing the same exemption in another section of the municipal code. Discussion included how the amendment interacted with existing lot size percentages and limitations on accessory structures, with Council Member Spendlove noting potential unintended restrictions. It was acknowledged that additional review and possible future amendments may be needed to ensure consistency across regulations.

**MOTION:** Council Member Sair motioned that we approve Ordinance O-2025-43, Amended Title 10.28.250 for the Smaller Accessory Building Exempt From Building Permit Requirements, both by the way have been approved by the Planning Commission.

**SECOND:** The motion was seconded by Council Member Spendlove.

**VOTE:** Mayor Farrar called for a Roll Call vote:

Council Member Taylor - Aye  
 Council Member Sair - Aye  
 Mayor Farrar - Aye  
 Council Member Spendlove - Aye  
 Council Member Palmer - Aye

The vote was unanimous and the motion carried.

3. Resolution R-2025-30, Appointing Planning Commission Member Bradley Farrar.

The council considered the resolution reappointing a Planning Commission member whose term was expiring.

**MOTION:** Council Member Taylor moved we approve Resolution R-2025-30, Appointing Planning Commission Member Bradley Farrar.

**SECOND:** The motion was seconded by Council Member Palmer.

**VOTE:** Mayor Farrar called for a Roll Call vote:

Council Member Taylor - Aye  
Council Member Sair - Aye  
Mayor Farrar - Aye  
Council Member Spendlove - Aye  
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

4. Resolution R-2025-31, Appointing Planning Commission Member Dan Harsh.

The Mayor explained a proposed change to Planning Commission appointments based on member availability. A current alternate member was recommended for appointment as a regular Planning Commission member due to availability to attend meetings.

**MOTION:** Council Member Taylor approved Resolution R-2025-31, Appointing Planning Commission Member Dan Harsh.

**SECOND:** The motion was seconded by Council Member XX.

**VOTE:** Mayor Farrar called for a Roll Call vote:

Council Member Taylor - Aye  
Council Member Sair - Aye  
Mayor Farrar - Aye  
Council Member Spendlove - Aye  
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

5. Resolution R-2025-32, Appointing Planning Commission Alternate Member Kael Hirschi.

The council considered appointing a Planning Commission alternate member to provide support on an as-needed basis.

**MOTION:** Council Member Taylor moved we approve Resolution R-2025-32, Appointing Planning Commission Alternate Member Kael Hirschi.

**SECOND:** The motion was seconded by Council Member Palmer.

**VOTE:** Mayor Farrar called for a Roll Call vote:

Council Member Taylor - Aye  
Council Member Sair - Aye  
Mayor Farrar - Aye  
Council Member Spendlove - Aye  
Council Member Palmer - Aye

The vote was unanimous and the motion carried.

9. Minutes: November 18, 2025 - Town Council Hearing and Meeting.

During discussion, a correction was identified in the November 18, 2025 minutes regarding a stipend reference that did not apply.

**MOTION:** Council Member Taylor moved we approve the consent agenda, one amendment number 9. The minutes, number 12, remove the small a. Water Stipend is set at \$75.00 per month, referring to the Planning Commission only.

**SECOND:** The motion was seconded by Council Member Palmer.

**VOTE:** Mayor Farrar called for a vote:

Council Member Taylor - Aye  
 Council Member Sair - Aye  
 Mayor Farrar - Aye  
 Council Member Spendlove - Aye  
 Council Member Palmer - Aye

The vote was unanimous and the motion carried.

#### CONSENT AGENDA

6. Disbursement Listing for November 2025.
7. Budget Report for Fiscal Year 2026 through November 2025.
8. November 2025 Water Usage Comparison.

The council moved to the consent agenda, which included the November 2025 disbursement listing, the fiscal year 2026 budget report through November 2025, the November 2025 water usage comparison, and the minutes from the November 18, 2025 Town Council hearing and meeting. It was noted that the budget report reflects all revenues and expenditures of the town and was available to the public for review prior to the meeting.

**MOTION:** Council Member Sair motioned we approve number 6. Disbursement Listing for November 2025. Number 7. Budget Report for Fiscal Year 2026 through November 2025. And line-item number 8. November 2025 Water Usage Comparison.

**SECOND:** The motion was seconded by Council Member Palmer.

**VOTE:** Mayor Farrar called for a vote:

Council Member Taylor - Aye  
 Council Member Sair - Aye  
 Mayor Farrar - Aye  
 Council Member Spendlove - Aye  
 Council Member Palmer - Aye

The vote was unanimous and the motion carried.

**REQUEST FOR A CLOSED SESSION: IF NECESSARY**

No closed session was requested.

**ADJOURNMENT**

- MOTION:** Council Member Sair motioned to adjourn.
- SECOND:** The motion was seconded by Council Member Palmer.
- VOTE:** Mayor Farrar called for a Roll Call vote:

- Council Member Taylor - Aye
- Council Member Sair - Aye
- Mayor Farrar - Aye
- Council Member Spendlove - Aye
- Council Member Palmer - Aye

The vote was unanimous and the motion carried.

Meeting adjourned at 6:19 PM

Date Approved: \_\_\_\_\_

Approved BY: \_\_\_\_\_  
Mayor | Mike Farrar

Attest BY: \_\_\_\_\_  
Recorder | Jenna Vizcardo