

1777 N Meadowlark Dr, Apple Valley Wednesday, March 01, 2023 at 6:00 PM

AGENDA

Notice is given that a meeting of the Planning Commission of the Town of Apple Valley will be held on **Wednesday, March 01, 2023**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Chairman | Michael Farrar

Commissioners | Lee Fralish | Richard Palmer | Garth Hood | Bradley Farrar

Pursuant to the Executive Order issued by Governor Gary Herbert on March 18, 2020 regarding Electronic Public Meetings, 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/88262735265

if the meeting requests a password use 1234

To call into meeting, dial (253) 215 8782 and use Meeting ID 882 6273 5265

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
CONFLICT OF INTEREST DISCLOSURES

APPROVAL OF MINUTES

1. Minutes: February 01, 2023.

HEARING ON THE FOLLOWING | DISCUSSION AND ACTION

- 2. Public Hearing: Zone Change Application for AV-1351-D (Approx. 199 N Coyote Rd) from Open Space/Open Space Transition Zone (OS/OST) to A-5 Agricultural Zone (A-5) for the stated purpose of "We would like to build a single family home on our lot." Applicant: Aaron and Jill Hamblin.
- 3. Discussion and Action: Zone Change Application for AV-1351-D (Approx. 199 N Coyote Rd) from Open Space/Open Space Transition Zone (OS/OST) to A-5 Agricultural Zone (A-5) for the stated purpose of "We would like to build a single family home on our lot." Applicant: Aaron and Jill Hamblin.
- **4. Public Hearing:** Zone Change Application for AV-2194-D, AV-2194-B, AV-2-2-27-432 (Approx: 1 N. Cinder Hill Road) from Open Space/Open Space Transition Zone (OS/OST) to Planned Development Overlay Zone (PD) for the stated purpose of planned development of low density hotel and large ranch lot AG-5 residential. Applicant: Hidden Rock Development Group.
- 5. Discussion and Action: Zone Change Application for AV-2194-D, AV-2194-B, AV-2-2-27-432 (Approx: 1 N. Cinder Hill Road) from Open Space/Open Space Transition Zone (OS/OST) to Planned Development Overlay Zone (PD) for the stated purpose of planned development of low density hotel and large ranch lot AG-5 residential. Applicant: Hidden Rock Development Group.
- **6. Public Hearing:** Repeal Title 10.28.270 Guesthouses Or Casitas and Replace Title 10.28.270 Accessory Dwelling Unit (ADU), Ordinance-O-2023-15.
- Discussion and Action: Repeal Title 10.28.270 Guesthouses Or Casitas and Replace Title 10.28.270
 Accessory Dwelling Unit (ADU), Ordinance-O-2023-15.

ADJOURNMENT

CERTIFICATE OF POSTING: I, Jenna Vizcardo, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this Agenda was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website http://pmn.utah.gov, and the Town Website www.applevalleyut.gov.

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

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



1777 N Meadowlark Dr, Apple Valley Wednesday, February 01, 2023 at 6:00 PM

MINUTES

Chairman | Michael Farrar

Commissioners | Lee Fralish | Richard Palmer | Garth Hood | Bradley Farrar

CALL TO ORDER – Chairman Farrar called the meeting to order at 5:59 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Chairman Michael Farrar Commissioner Lee Fralish

Commissioner Richard Palmer Commissioner Bradley Farrar

ABSENT

Commissioner Garth Hood

Other Staff present.

Town Clerk/Recorder Jenna Vizcardo
Town Administrator Jauna McGinnis
Mayor | Planning Department Manager Frank Lindhardt
Planning and Zoning Assistant Kyle Layton (via zoom)

CONFLICT OF INTEREST DISCLOSURES

None declared.

JOINT WORK SESSION WITH TOWN COUNCIL AND HURRICANE CITY PLANNER

- 1. Discussion: Accessory Dwelling Unit (ADU).
- 2. Discussion: Accessory Buildings.
- Discussion: Vacation Rentals.

Hurricane City Planner Stephen Nelson presented PowerPoint presentation. (See attached – Attachment A - 12 pages.)

Council Members present for presentation: Mayor Lindhardt, Council Member Barratt Nielson, Council Member Kevin Sair, and Council Member Robin Whitmore.

APPROVAL OF MINUTES

4. Minutes: January 04, 2023.



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MINUTES

MOTION: Commissioner Fralish motioned to approve minutes as written for January 4, 2023.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Farrar called for a vote:

Commissioner Farrar - Aye Commissioner Palmer - Aye Commissioner Fralish - Aye Chairman Farrar - Aye

Commissioner Hood - Absent

The vote was unanimous and the motion carried.

HEARING ON THE FOLLOWING | DISCUSSION AND ACTION

5. Public Hearing: Update Title 10.06 Land Use Authority, Ordinance-O-2023-14.

Mayor Lindhardt reported discovered on item # 6 which is the Discussion and Action item of this public hearing item. We discovered section in land use code where it doesn't belong. We already have this section in municipal code. Reviewed proposed changes in the packet.

Chairman Farrar opened the public hearing.

No public comments.

Chairman Farrar closed the public hearing.

6. Discussion and Action: Update Title 10.06 Land Use Authority, Ordinance-O-2023-14.

MOTION: Chairman Farrar motioned we approve.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Farrar called for a vote:

Commissioner Farrar - Aye Commissioner Palmer - Aye Commissioner Fralish - Aye Chairman Farrar – Aye

Commissioner Hood – Absent



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The vote was unanimous and the motion carried.

 Public Hearing: Update Town Design Standards and Specifications, Section 3.4.5 Design Criteria-Bridges.

Mayor | Planning Department Manager Frank Lindhardt reported on the changes and the reference bridge picture in the packet was shown to the public in the meeting and online via zoom. He read the proposed changes presented in the packet.

Chairman Farrar opened the public hearing.

No public comments.

Chairman Farrar closed the public hearing.

8. Discussion and Action: Update Town Design Standards and Specifications, Section 3.4.5 Design Criteria-Bridges.

MOTION: Commissioner Farrar motioned that we recommend approval to the Town Council on

updating the Town Design Standards and Specifications, Section 3.4.5 Design Criteria-

Bridges.

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:

Commissioner Farrar - Aye Commissioner Palmer - Aye Commissioner Fralish - Aye Chairman Farrar – Aye

Commissioner Hood - Absent

The vote was unanimous and the motion carried.

DISCUSSION AND ACTION ITEMS

9. Discussion and Action: Update Title 10.28.230 Accessory Buildings And Accessory Uses General Requirements, Ordinance-O-2023-15.



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Chairman Farrar commented he has worked through this all weekend. He continued, not everyone is going to be happy. We the Town are not a HOA and CCRs are a civil matter that do not have anything to do with the Town. Apple Valley is a complicated and one reason in his opinion is due to mixed areas with neighborhoods. On page 5 section item 3E based on research, suggested 0-1 acres you can have no shipping containers. He has read what other cities are doing. He would like to propose verbiage that says under shipping containers defined as "a shipping container shall be no greater than forty (40) feet in length, eight (8) feet in width, and nine (9) feet in height" and the change under section e "On lots 0-1 acres no shipping containers, greater than one (1) acre to two and half (2.5) acres we will allow one (1) shipping container, greater than two and a half (2.5) acres to five (5) acres can have two shipping containers, one additional shipping container per five (5) acres only not to exceed six (6) containers per lot. Any more than six (6) shipping containers would require a conditional use permit.

MOTION: Chairman Farrar motioned we recommend to the Town Council for approval Update Title

10.28.230 Accessory Buildings And Accessory Uses General Requirements, Ordinance O-2023-15. Approve it as is with verbiage that says under shipping containers defined as "a shipping container shall be no greater than forty (40) feet in length, eight (8) feet in width, and nine (9) feet in height" and the change under section e "On lots 0-1 acres no shipping containers, greater than one (1) acre to two and half (2.5) acres we will allow one (1) shipping container, greater than two and a half (2.5) acres to five (5) acres can have two shipping containers, one additional shipping container per five (5) acres only not to exceed six (6) containers per lot. Any more than six (6) shipping containers would require a conditional use permit."

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Farrar called for a vote:

Commissioner Farrar - Aye Commissioner Palmer - Aye Commissioner Fralish - Nay Chairman Farrar- Aye Commissioner Hood - Absent

The vote was four aye and one nay and the motion carried 4-1.



Town Clerk/Recorder | Jenna Vizcardo

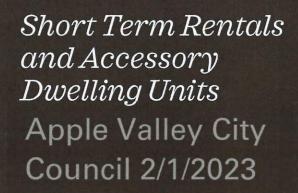
1777 N Meadowlark Dr, Apple Valley Wednesday, February 01, 2023 at 6:00 PM

MINUTES

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Chairman | Michael Farrar

ADJOURNMENT	
MOTION: SECOND: VOTE:	Commissioner Fralish motioned to adjourn the meeting. The motion was seconded by Commissioner Palmer. Chairman Farrar called for a vote:
Con Con Cha	nmissioner Farrar - Aye nmissioner Palmer - Aye nmissioner Fralish - Aye irman Farrar – Aye nmissioner Hood - Absent
	e was unanimous and the motion carried. djourned at 6:53 p.m.
Date Approved:	
Approved BY:	Attest BY:



Stephen Nelson, AICP, MPA



1

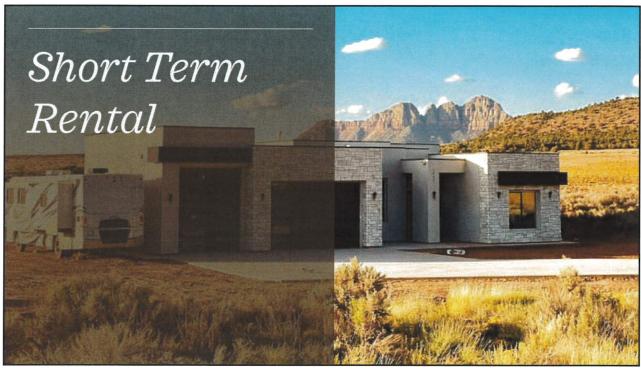
Why I am Here

- → Provide Information
- → General Advice
- → Talk about Hurricane Policy
- $\,
 ightarrow\,$ Talk about some best practices

What I am not here to do

- → Tell you what you should put in your code
- → Give you legal advice

It is your job to decide what policies and codes you should adopt



Hurricane City Policy

Residential Hosting

- Renting out a guestroom or accessory dwelling unit.
- Required primary unit to be owner occupied, must obtain business licenses, and be in a single family zone

Vacation Rental in Single Family Zone

- Renting an entire home
- Hurricane restricts it to three licenses for every 1000 residents. Property owners may be put on a waiting list

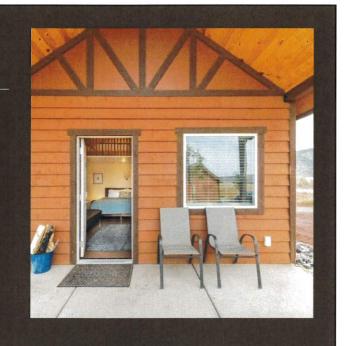
Vacation Rental in Resort

- Renting out a unit built in a resort zoning
- Development must provide amenities, onsite management and meet parking standards

Pros and Cons

→ Pros

- Allow property owners a way to utilize the property for the highest and best value
- → Positive to Local Economy
 - → Guests are more likely to eat, shop and get gas in the City
- → Generate Tax Dollars
 - Airbnb is one of the larger tax producers in Hurricane. Additional taxes from shopping and eating in the area.



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Pros and Cons

- → Cons
 - → Current Housing Shortage. Short Term Rentals take up housing that could be used for residents
 - → Change in Community Charter
 - → Nuisance. Disrupts normal neighborhood functions and feeling
 - → Those that often benefit most do not live in our community
 - → Competes with hotels and motels



Enforcement Utah Law prohibits the use of the posting of the short term rental as evidence Gathering evidence can be difficult. Need witnesses and statements from those who stayed there Many City (including Hurricane) have started to use reviews posted online as evidence Hurricane and Springdale have switch from a criminal citation to an administrative citation

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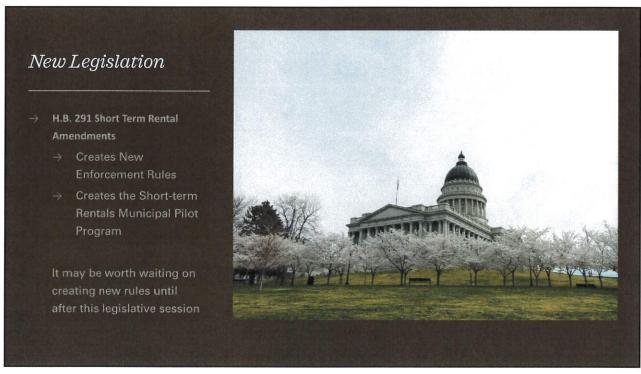
Where has Hurricane had problems

Short Term Rentals in Resorts and for Residential Hosting have had very Minimal Problems

- Normally better managed (onsite management required)
- Resorts have limited fulltime neighbors
- Residential Hosting is normally small in scale
- Some problems with adding multiple rooms.

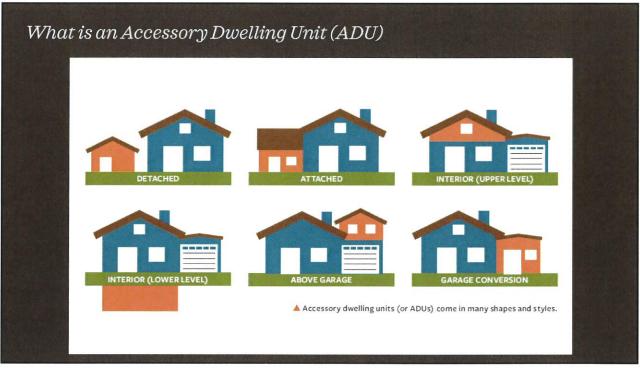
Short Term Rentals in Single Family Zones have been Problematic

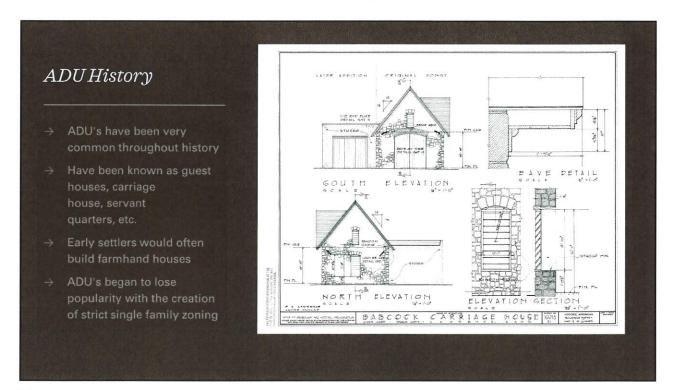
- Many do not have constant issues, but some have.
- · Remotely Managed
- Adjacent to Residential Homes
- Tend to be larger and have more occupants

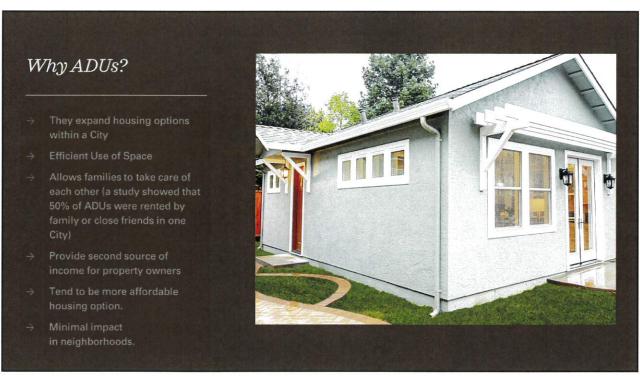






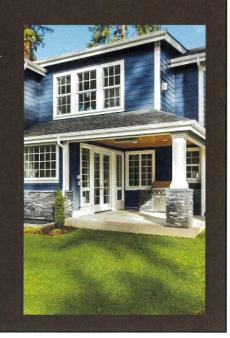






Governing Standards

- → State Code 10-9a-530. Internal accessory dwelling units
 - → Cities must allow for internal ADUs as permitted uses in any area zoned for residential (for lots 6,000 sq. ft. or larger)
 - → May Require
 - → Prohibit additional utility meters
 - That the Internal ADU unit be designed to match the rest of the home.
 - > Include one additional parking space
 - → Owner to get a permit or license
 - → Owner Occupied
 - Recorded a notice or deed restriction for an ADU
 - etc



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Governing Standards

- → Detached ADU there are more options
 - → Can govern everything an attached ADU
 - → Setbacks
 - → Size limitation
 - Square foot, percentage of the property, percentage of the size of home
 - → Some Façade Requirements
 - → Access Requirements



Other Things to Consider

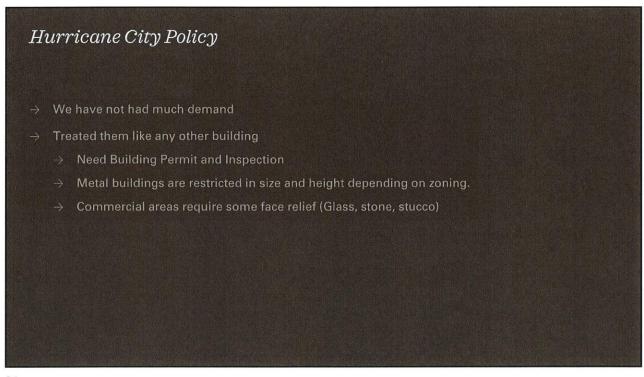
- → Local Market
 - → Most areas ADUs offer housing choices for long term renters
 - → Property owners can make more money off Short Term Rentals than Long Term Rentals.
- → Multiple ADUs on a single property and Short Term Rentals
 - → Hurricane has had issues where property owners construct multiple ADUs (internal and detached) for short term rentals.
 - → Definitions and defined uses are key to governing these concerns
 - Can require deed restriction on property to ensure compliance with code

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Other Resources The ABCs of ADUs A guide to Accessory Dwelling Units and how they expand housing options for people of all ages https://ahomeforeveryone.net/ https://www.buildinganadu.com/



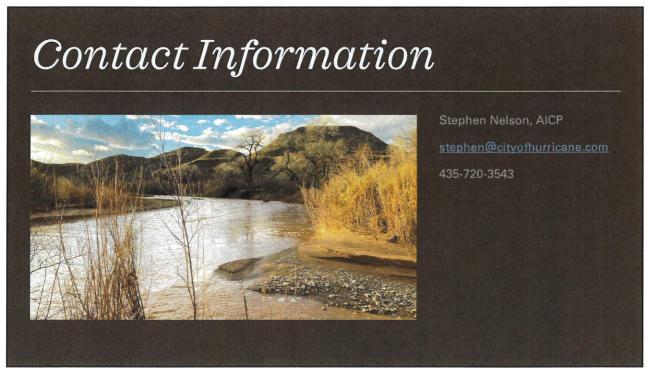








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APPLE VALLEY PLANNING DEPARTMENT ZONING CHANGE REVIEW

PARCEL ID: AV-1351-D

PLANNING COMMISSION SCHEDULED MEETING DATE: May 1st, 2023

TOWN COUNCIL SCHEDULED MEETING DATE: TBD

PROPERTY OWNER: Aaron and Jill Hamblin

AGENT: NONE

ACRES: 5 Acres

CURRENT ZONE: OST (Open Space Transition) PROPOSED ZONE: A-5 (Agricultural 5 Acres)

GENERAL PLAN ZONE: Residential Medium: 1-5 Acres

COMMENTS: Applicant has put in application with the stated purpose to change the property to an A-5 zone with the intention of building a residence. This property consists of 5.00 acres that is undeveloped and is currently zoned OST. It is bordered by OST and RE-1 properties to the North, RE-20 Property to the East, OST Property to the South, and OSC Properties to the West. Surrounding properties are currently undeveloped however, there are residential properties in the close vicinity.

Application was submitted to the Joint Utility Committee through email and received the following feedback:

Rocky Mountain Power: Stated that they have spoken with the applicant and they will require an extension of power to their property. They are also requesting a easement along the access road to install the new lines. They will need to continue to work with the power company to get a detailed power design and cost when they are ready to build their home.

Roads: There is currently no access to the property. There is an access easement onto the property. There was a "road" pushed into the property but it does not meet any town standards and will need to be upgraded before a building permit will be issued.

Fire: The access easement is a long dead end and will need turn arounds for EMS access. Access will also need to meet requirements for an all weather road that can handle EMS vehicles.

Ash Creek SSD: They are fine with the application the lot meets the requirements for an alternate septic systems. The applicant will also need to provide Ash Creek with the required septic agreement.

The following is based upon the property location and other facts:

REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE When approving a zone change, the following factors should 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;
 - The General plan shows this property as a medium density residential. A zone change to A-5 is consistent with the general plan.
- 2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
 - Property is bordered by undeveloped land however, there are some residences in the vicinity. The
 proposed change would most likely be harmonious with future development in that area.
- 3. The extent to which the proposed amendment may adversely affect adjacent property; and
 - There appears to be no negative affect to neighboring properties cause by this zone change.
- 4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.
 - The applicant will have some challenges when it comes to utilities. Mainly with the road access and fire protection. These items have been discussed in the JUC notes.

Example of a motion to Approve this application:

I make the motion we recommend approval to the Town Council for the zoning change for AV-1351-D from OST to A-5 based on the information presented in the staff report.

Example of a motion to Deny this application

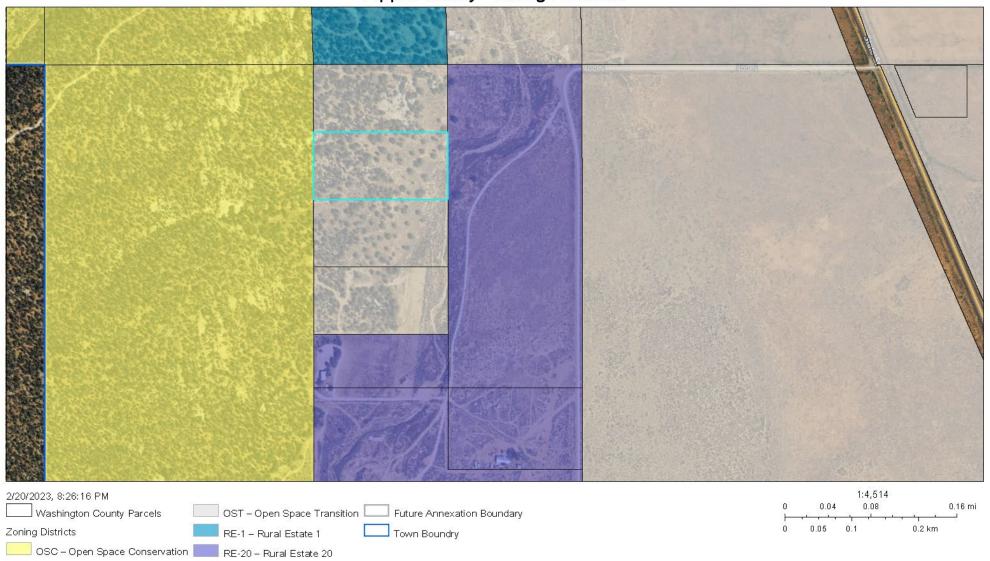
I make the motion we recommend denial to the Town Council for the zoning change for AV-1351-D from OST to A-5 for the following reasons:[list reasons]

Example to approve with conditions:

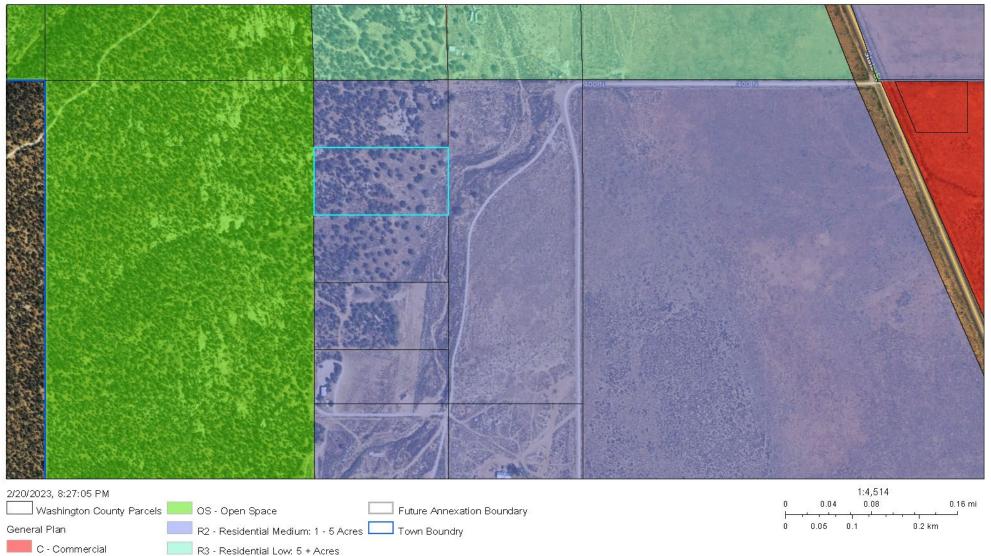
I make the motion we recommend approval to the Town Council for the zoning change for AV-1351-D from OST to A-5 with the following conditions. [list conditions]

Current Zoning

Apple Valley Zoning Districts



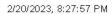
Apple Valley Zoning Districts



Town of Apple Valley Sunrise Cloud SMART GIS®

Apple Valley Zoning Districts

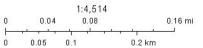




Washington County Parcels

Future Annexation Boundary

Town Boundry



Town of Apple Valley Sunrise Cloud SMART GIS®

Town of Apple Valley

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

Item 3. Fee: \$1,100.00 + Acreage Fee 1 – 100 Acres: \$25.00/Acre \$15.00/Acre 101 – 500 Acres: 501 + Acres: \$ 5.00/Acre

Zone Chang	e Applic	ation	
Applications Must Be Submitted A Minimum of 21 D	ays in Adv	ance of The	Planning Commission Meeting
^{Owner:} Aaron and Jill Hamblin		Phone:	
Address:		Email:	
City:	State:		Zip:
Agent: (If Applicable)	,	Phone:	
Address/Location of Property:	Parcel ID:	AV-135	51-D
Existing Zone: OST		Proposed Zo	^{ne:} A-5 - Agricultural > 5 Acres
For Planned Development Purposes: Acreage in Parcel	Ac	reage in Appl	ication <u>5.01</u>
Reason for the request We would like to built	d a sin	gle fan	nily home on our lot.

	7 dron and on rights.							
Address:			Email:					
City:	•	State		Zip:				
Agent: (If	Applicable)	•	Phone:					
Address/L	ocation of Property:	Parcel ID:	AV-135					
Existing Z	one:OST		Proposed Zo	one: A-5 - Agricultural > 5 Acres				
	ed Development Purposes: Acreage in Parcel	A	creage in App	lication 5.01				
Reason fo	We would like to bu	ild a sir	igle fan	nily home on our lot.				
Submitta	l Requirements: The zone change applicati	ion shall pro	vide the fo	llowing:				
∠ A.	The name and address of owners in addition							
∕ B.	An accurate property map showing the exi	isting and pr	roposed zoning classifications					
C .	All abutting properties showing present zo	ning classifi	cations					
☑D.	An accurate legal description of the prope	rty to be rez	oned					
E .	A letter from power, sewer and water proserve the project.	easibility and their requirements to						
F.	Stamped envelopes with the names and a boundaries of the property proposed for r may be impacted							
⊠ G.	Warranty deed or preliminary title report showing evidence the applicant has control			ee attached Affidavit) if applicable				
. Н.	Signed and notarized Acknowledgement of	of Water Sup	ply (see att	ached).				
Applica	nt Signature MA aun Ou			Date 07.01.2023				
Official I	Use Only Ar	mount Paid: \$	1,225.	Receipt No: 435/4				
	2016-200, 200-200-2	ate Application						
		D						

Official Use Only Date Received: RECEIVED FEB 0 6 2023	Amount Paid: \$ 1,225.00 Receipt No: 43514. Date Application Deemed Complete:						
By: Town Clerk Recorder.	Ву:	24					



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

ACKNOWLE	DGEWENT OF WATER SOLLE	
	am/are the applicant(s) of the applic	ation known as
Hamblin Rezoning Project	located on parcel(s)	8
AV-1351-D	within the Town of Apple Valle	y, Washington County, Utah.
By my/our signatures(s) below, I/we do hereb	y acknowledge and agree to the following:	
serve the zone, project, or permit for 2. Prior to receiving approval for the approvide a preliminary Will Serve letter verifies the conditions required to pro-	n by the Town does not guarantee that suffici which this application is being submitted; and plication, the applicant shall be required by the refrom the Big Plains Water Special Service Disposide services to the project, subdivision or desponding the of water availability for the project, subdivision	e Town of Apple Valley to trict ("District") which velopment; and
Signature(s): Jill Hamblin Name Haron Hamblin Name	Applicant/Owner Applicant/Owner	01-31-23 Date 01-31-23 Date
Name	Applicant/Owner	Date
appeared Till Hamblin	vear 20 <u>23</u> , before me, Wolveis Lallis , proved on the basis of satisfactory trument, and acknowledged (he/she/they) ex Witness my hand and official seal.	y evidence to be the person(s
	(seal) MAKAIL LALLIS	



When Recorded Mail To: Eagle Gate Title Insurance Agency, Inc. 229 East St. George Blvd, #200 St. George, UT 84770

TRUST DEED

With Assignment of Rents

THIS TRUST DEED made this 19th day of April, 2022, between Aaron A. Hamblin and Jill R. Hamblin, Husband and Wife as Joint Tenants, as Trustor, whose address is 72 W State St., Hurricane, UT 84737, Eagle Gate Title Insurance Agency, Inc., as Trustee, and Troy E. Eckard and Claire E. Eckard, as Beneficiary.

WITNESSETH: The Trustor Conveys and Warrants to Trustee in trust with power of sale, the following described property, situated in Washington County, State of Utah:

THE SOUTH ONE-HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (S1/2 NW1/4 NE1/4 NW1/4) OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN.

TOGETHER WITH:

A 50.00 FOOT EASEMENT FOR INGRESS AND EGRESS AND UTILITIES, AS CREATED BY SPECIAL WARRANTY DEEDS, RECORDED SEPTEMBER 23, 2002, AS ENTRY NOS. 782219, 782220, 782221 AND 782222, ALL IN BOOK 1488, AT PAGES 2242-2249, OFFICIAL WASHINGTON COUNTY RECORD, DESCRIBED AS FOLLOWS:

ALONG THE NORTH LINE OF THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (E1/2NE1/4NW1/4) OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND 25.00 FOOT EASEMENT FOR INGRESS AND EGRESS AND UTILITIES, ALONG THE EAST LINE OF THE WEST ONE-HALF OF THE NORTHEAST QUATER OF THE NORTHWEST QUARTER (W1/2NE1/4NW1/4) OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN.

APN: AV-1351-D

Together with all building, fixtures and improvements thereon and all water rights, rights of way, easements, rents, issues, profits, income, tenements, hereditaments, privileges and appurtenances thereunto belonging, now or hereafter used or enjoyed with said property, or any part thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues, and profits.

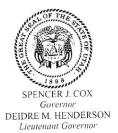
FOR THE PURPOSE OF SECURING (1) payment of the indebtedness evidenced by a promissory note of even date herewith, in the principal sum of \$200,000.00, made by Trustor, payable to the order of Beneficiary at the times, in the manner and with interest as therein set forth, and any extensions and/or renewals or modifications thereof; (2) the performance of each agreement of Trustor herein contained; (3) the payment of such additional loans or advances as hereafter may be made to Trustor, or his successors or assigns, when evidenced by a promissory note or notes reciting that they are secured by this Trust Deed; and (4) the payment of all sums expended or advanced by Beneficiary under or pursuant to the terms hereof, together with interest thereon as herein provided.

WATER RIGHTS ADDENDUM TO LAND DEEDS

Granton	r: Troy E. Eckard and Claire E. Eckard	
Grantee	Aaron A. Hamblin and Jill R. Hamblin	
	Number(s): AV-1351-D	
Grante	nection with the conveyance of the above referenced parcel(s), Grantor hereby conveys the without warranty, except for a warranty of title as to all claiming title by or through Colowing interests in water and/or makes the following disclosures:	
1 Al 2 On (Coun 3 No	nly a portion of Grantor's water rights are being conveyed. Ity Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is to water rights are being conveyed. Yater rights are being conveyed by separate deed.	A 3 Schecked)
Section		ant Notes ther side)
A	The water right(s) being conveyed include Water Right No(s).	N1
	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)	N2 N3
В	Only the following water rights are being conveyed: (check all boxes that apply) All of Water Right No(s). acre-feet from Water Right No. 81-3363 for: families; acres of irrigated land; stock water for Equivalent Livestock Units;	N1 N4 N5
	and/or for the following other uses Industrial 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.	N5
	(Proceed to Section C)	N2
C	Disclosures by Grantor: (check all boxes that apply) Grantor is endorsing and delivering to Grantee stock certificates for share(s) of stock in the following water company:	N6
	Culinary water service is provided by:	N7
	Outdoor water service is provided by:	N8
	There is no water service available to Grantor's Parcel(s).	N9
	Other water related disclosures:	N10
	Attach and sign additional copies of this form if more space is needed.	
been as except	dersigned acknowledge sole responsibility for the information contained herein even though the sisted by employees of the Utah Division of Water Rights, real estate professionals, or other proto to the extent that title insurance or a legal opinion concerning such information is obtained.	y may have fessionals,
Granto	r's Signature: e's Acknowledgment of Receipt: Manou /	
Grante	e & Acknowledgment of Accept. 1110000	11-00

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

Grantee's Mailing Address:



State of Utah

DEPARTMENT OF NATURAL RESOURCES Division of Water Rights

BRIAN C. STEED Executive Director TERESA WILHELMSEN State Engineer/Division Director

April 21, 2022

AARON A HAMBLIN AND JILL R HAMBLIN

RE: Report of Water Right Conveyance for Water Right No.: 81-3363 (A39405)

Dear Water User:

Thank you for submitting a Report of Water Right Conveyance (ROC) to update owner contact information on the water right records of the Division of Water Rights. The Division has completed the processing of your ROC, so our records now reflect the information you have provided. As a water right owner, it is important that you continue to maintain a current mailing address with this office so that we may contact you if the need arises. Instructions and forms to update your address are available our website at http://waterrights.utah.gov or can be obtained in any of our offices.

Please feel free to contact us at the phone number or email listed below if you have further questions.

Sincerely,

Teresa Wilhelmsen, P.E.

rusa Wilhelmsen

State Engineer

STATEMENT OF A WATER RIGHT SEGREGATION

STATE OF UTAH

For the purpose of informing the State Engineer of the segregation of a portion of a perfected or water right application consistent with section 73-3-27, this statement is hereby made, based upon the following showing of facts.

Water Right:

(Document created on Jan 17, 2023 by SZUFELT)

Water Right Number: 81-5579

Application #: A39405

(SZUFELT)

Segregated From: 81-3363 (A39405) on Jan 17, 2023

Parent Water Right Type: Application To Appropriate

Parent Water Right Status: Certificated

Owners:

Name: Aaron A. Hamblin and Jill R. Hamblin

Address:

Interest:

Remarks:

Dates:

Filed: Jul 13, 1988

Priority: May 28, 1969

General:

Quantity of Water: 1 ACFT

Source: Underground Water Well

County: Washington

Common Description: Big Plain Junction

Land Owned by Appl .:

County Tax Id#:

Points of Diversion:

Points of Diversion - Underground:

(1) S 2141 ft. W 990 ft. from N4 corner, Sec 5 T 43S R 11W SLBM

Well Diameter: 8 in.

Depth: 140 to ft.

Year Drilled:

Well Log:

Well Id#: 8013

Elevation: UTM: 311629.999, 4105539.986 (NAD83)

Source/Cmnt:

Proposed Water Uses:

Proposed Water Uses - Group Number: 610551 Water Rights Appurtenant to the following use(s):

81-3363(CERT), 81-5342(CERT), 81-5375(CERT), 81-5418(CERT), 81-5579(CERT),

Water Use Types:

Industrial: Sand and gravel washing operation.

Period of Use: 01/01 to 12/31

Acre Feet Contributed by this Right for this Use: 1

Place Of Use:			N	lorth	Wes	st	1	Vorth	Eas	t	S	outh	Wes	st	S	outh	Eas	st	Section				
							NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	Totals
Sec	5	Т	435	R	111	SLBM				Χ													

Group Acreage Total:



CLUFF DRILLING & PUMP

HC 65 Box 455 Fredonia, AZ 86022 (928) 640-7656 cluffdrilling@gmail.com

ESTIMATE

THE REPORT

Aarron Hamblin

ESTINETE

12735

DALE

03/10/2022

EXPERIMENTAL

04/10/2022

Mary Bay 1

8" well apple valley area

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
8 inch Well	12-1/4" Bore Hole including $8"\ x$.250" Steel casing and Annulas as per Code. figuring to be 100' deep.	1	14,000.00	14,000.00
Mobe / Demobe	Charges to Mobilize equipment to and Demobilize from job site. Includes Pad Prep. Mud Pit Excavation and Backfill.	1	4,500.00	4,500.00
Gravel Pack	Gravel Pack to fill annulas on outside of casing. To serve as a debris filter and as a formation stabilizer.	1	2.000.00	2.000.00
Surface Seal	30' deep Bentonite Surface Seal, placed in accordance to Ut. Div of Water Rights. To seal out any potential surface contamination.	Ī	2.000.00	2,000.00
Pump Package UT	this is estimate only. it may be more or less once we know what the well is actually producing.	1	15.000.00	15.000.00
	will include pump, motor, wire, drop pipe, pitless adapter, all fittings and installation.			

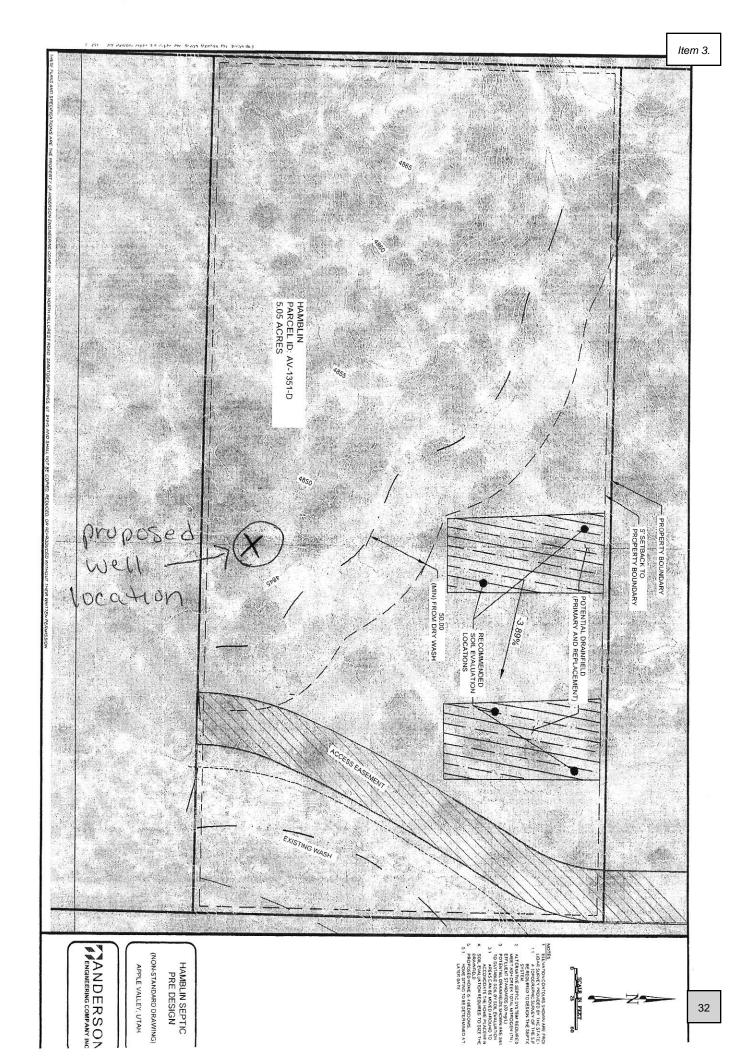
The Stylisher between sourcers the 1 stream mean Work Agreement (through the estimated in rather to the period at arthefolio 9 for furthing scarce of 11 to up towards pay no less than 6.15, and in consequent source and stream period enterprise designs the proposed a catago quarter cancer of the design of the proposed a catago quarter cancer of the stream and may of them not made to the proposed a catago quarter cancer of the stream and may of them not made to the proposed to the stream of the stream cancer of the stream of the s

We call the become model for any damages including but not finned to reads and continued to reads and continued to continue and balance with accurationers the following and after judgment, at a permission as extensions one persons have unparticular one will be majorated by extremon associated by extremon as the continue of the c

\$37,500.00

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Let's turn the answers on.

Dixie Service Center Estimating Dept. 455 N. Old Hwy 91 Hurricane, UT 84737 Fax # (435)688-8351

January 30, 2023

Re: Single Family Home on AV-1351-D

Located: Approx. 199 N. Coyote Road, Apple Valley, UT

Dear Jill Hamblin:

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,

Ruston Jenson Estimator Dixie Service Center 435-688-3708



Jill Hamblin <jillhamblin2@gmail.com>

Jill Hamblin - Pre-Design

- Septic

Justin Dye <jdye@andersoneng.com>

Thu, Dec 8, 2022 at 1:31 PM

To: Jill Hamblin < jillhamblin2@gmail.com>

Cc: Ryan Eddy <reddy@andersoneng.com>, Brandon Anderson <bar>banderson@andersoneng.com>

Greetings Jill,

We have completed our initial pre-design work regarding the septic system for your lot in Apple Valley. Please find the attached drawing for your review.

Key items:

- The site requires an alternative septic system in order to meet the Ash Creek septic density and total nitrogen (TN) effluent requirement of 20 mg/L. This can be accomplished with a packed-bed media treatment design.
- The lot has plenty of area outside the required setbacks for the drain field.
- Soil evaluation (and potentially a percolation test) is required to complete the feasibility determination.
 - The soil evaluation also provides the design parameters for the system.
 - Soil evaluation will determine the best location for the drain field and then the home can be positioned around it.
- A topographic survey of the site could be required for the design of the septic system.
 - The survey could also be used in the site and grading plans for the home.

Next steps:

- 1. Schedule and perform a soil evaluation.
 - a. We will provide a quote for this work we'll just need to know if you need us to include the equipment/operator
 - i. If you have an excavator/operator contact we can meet them at the site to perform the work
 - ii. If needed, we can include the equipment/operator cost in our quote
 - Note that we haven't found a consistent excavator in your area so we might have to mobilize one from the Salt Lake area.
- 2. Topographic survey (if required)
 - a. This could be required if the soil evaluation identifies shallow bedrock or groundwater.
- 3. Design a packed-bed media septic system
 - a. Soil evaluation information will provide design criteria
 - b. Once we have the design criteria we can provide a quote for the design
 - c. Home site and floor elevations will be needed in the design

We are available to discuss the findings over the phone later today or sometime next week. Just let us know when you are free. We're happy to answer any questions over email as well.

Regards,

Justin Dye, P.E.

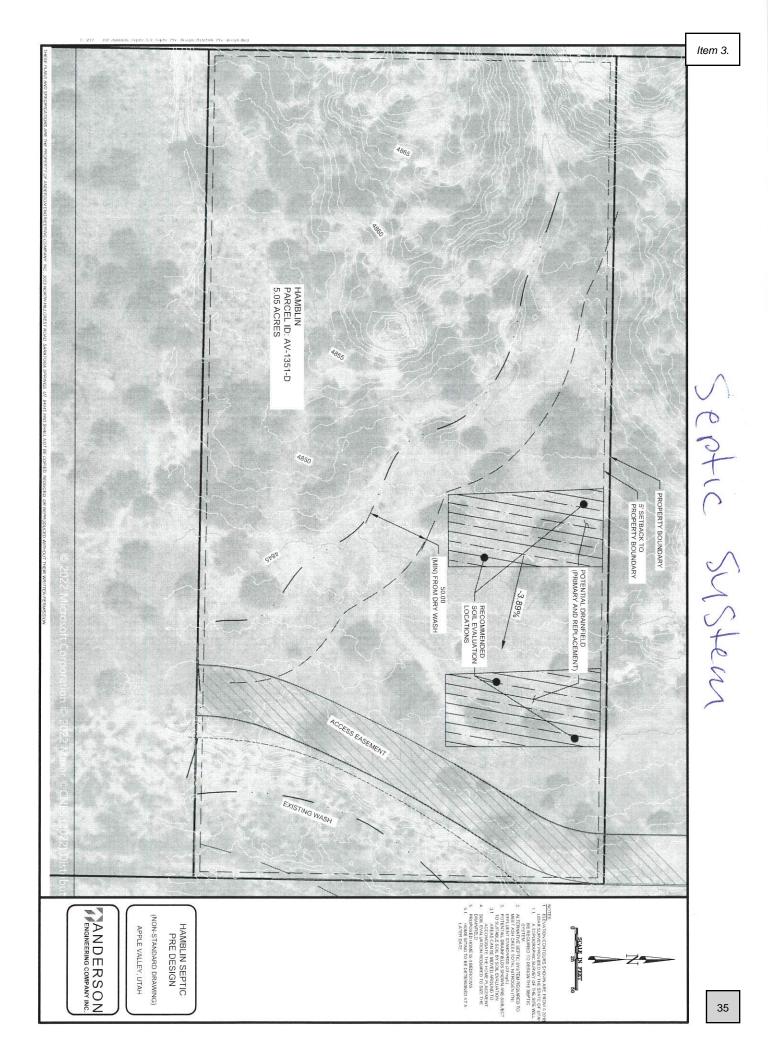
Principal | Team Lead - Civil

Anderson Engineering Co, Inc.

Phone: 801-972-6222(x530) Cell: 801-360-0634 2053 N. Hillcrest Drive, Saratoga Springs, UT 84045

jdye@andersoneng.com www.andersoneng.com





Town of Apple Valley 1777 N. Meadowlark Dr. Apple Valley UT 84737 435-877-1190

Receipt No: 43514

Receipt Date: 02/06/2023

Time of Receipt: 02/06/2023 12:01 PM

1805 - Payment

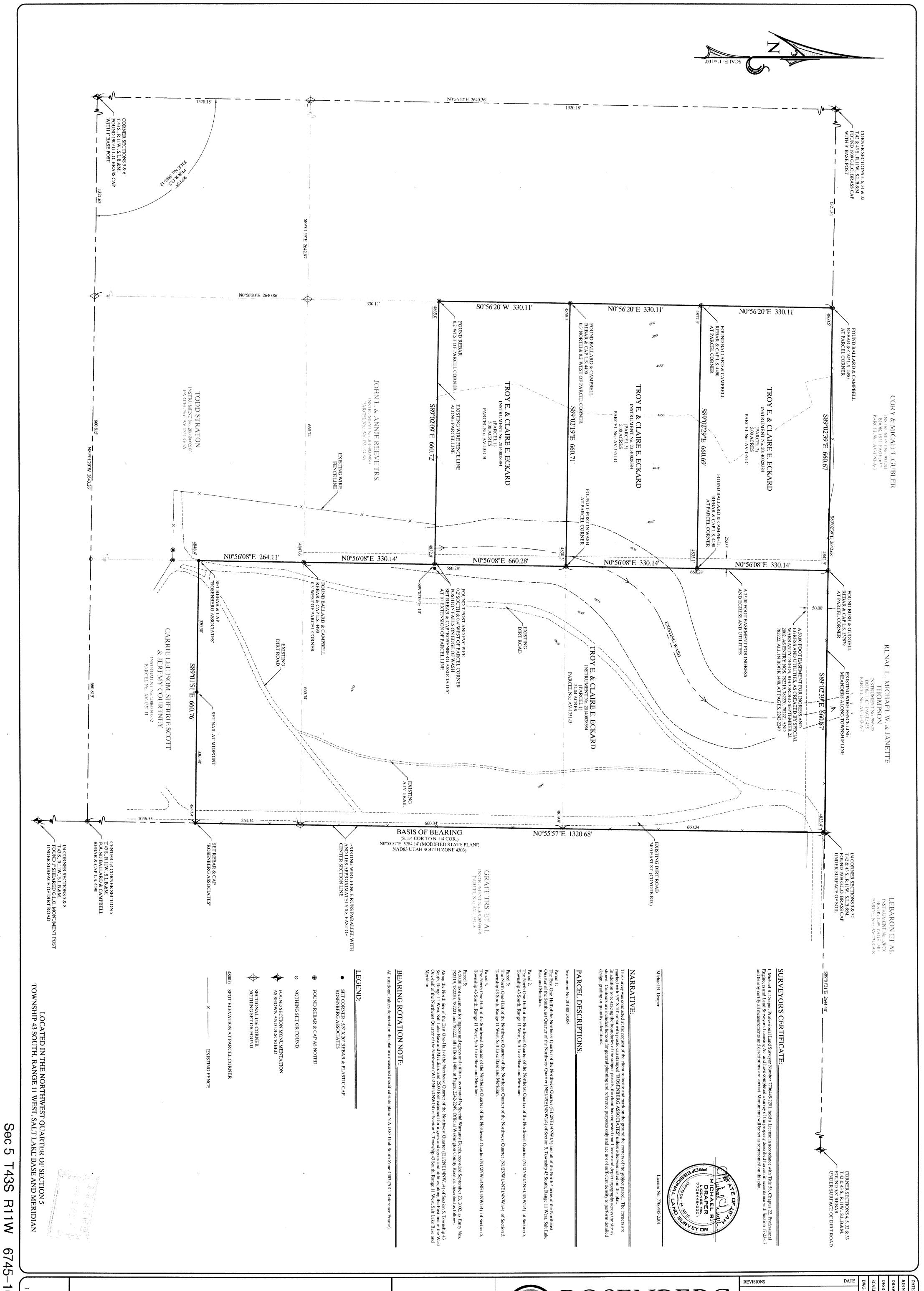
1,225.00

\$1,225.00

Check: 5026

1,225.00

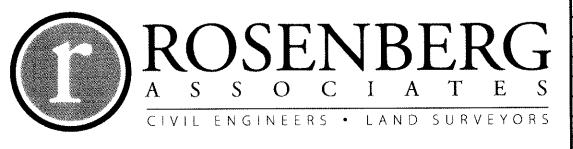
\$1,225.00



6745-

QF

RECORD OF SURVEY PREPARED AT THE REQUEST OF TROY E. & CLAIRE E. ECKARD St. George Office: 352 East Riverside Drive, Suite A-2 St. George, Utah 84790 Ph (435) 673-8586 Fx (435) 673-8397 www.racivil.nct



www.applevalleyut.gov

Item 3.



February 14, 2023

RE: NOTICE OF PUBLIC HEARING — RE-ZONE REQUEST

Parcel Numbers: AV-1351-D

Located: Approx. 199 N Coyote Road, Apple Valley, UT

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel(s) from Open Space/Open Space Transition Zone (OS/OST) to A-5 Agricultural Zone (A-5) for the stated purpose of "We would like to build a single family home on our lot." The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following link:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020_A_Agricu ltural Zone

The hearing will be held **March 1, 2023 at 6:00 PM** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Any objections, questions or comments can be directed by mail to the Town of Apple Valley, Attn: Planning and Zoning, 1777 North Meadowlark Drive, Apple Valley, Utah 84737, or in person at the Apple Valley Town Hall.

Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner's property in the proposed zoning map amendment, not later than 10 days after day of the first public hearing. Each written objection filed with the municipality will be provided to the Apple Valley Town Council.

Kind Regards,

Ju

Jenna Vizcardo Town Clerk

TAX_ID OF PARCELS LOCATED WITHIN 500' OF AV-1351-D

AV-1351-C AV-1343-A-7 AV-1351-F AV-1351-B AV-1343-A-3	SANTA MARIA HOPE V, BALDIVINO JJEAN-CLAUDE V THOMPSON RENAE L & MICHAEL WAYNE, THOMPSON JANETTE REEVE ANNIE TR, REEVE CASSIE TR APPLE VALLEY DEV LLC GUBLER CORY, GUBLER MICAH T	
AV-1351-D AV-1351-E	HAMBLIN AARON A & JILL R ECKARD TROY E & CLAIRE E	

APPLE VALLEY PLANNING DEPARTMENT ZONING CHANGE REVIEW

PARCEL ID: AV-2194-D, AV-2194-B, & AV-2-2-27-432

PLANNING COMMISSION SCHEDULED MEETING DATE: MAY 1ST, 2023

TOWN COUNCIL SCHEDULED MEETING DATE: TBD

PROPERTY OWNER: PRECEPT HOLDINGS LLC, LARON HALL, BHATIA ANISH, HIKKO DESIGN LLC

AGENT: HIDDEN ROCK DEVELOPMENT GROUP

ACRES: 84.08, 17.02, 102.79

CURRENT ZONE: OST, C-3 PROPOSED ZONE: CABIN, A-5, PD

GENERAL PLAN ZONE: AGRICULTURAL

COMMENTS: Applicant is requesting a zone change to agricultural 5 acre and cabin with a planned development overlay. The intent is to develop a horizontal hotel. The property is currently surrounded by C-3 property to the West and North, as well as some BLM property to the East and South. The general plan shows this property as well as all surrounding properties as agricultural land.

This project was presented to the Joint Utility Committee on November 16th, 2022. Several concerns were brought up during this meeting and while the applicants have addressed some, the following are still concerns from staff:

The first concern is access to the property. It is currently accessed through Cinder Hill Road as well as Gouldwash Road. Both roads are not currently roads that have been dedicated to the town and run through multiple private properties. The transportation master plans show only a portion of Gouldwash road to be used for future planning. The master plan shows these roads as a collector street and would require major improvements to bring them up to town standards. Due to the size of the project the applicants would be required to have a primary access as well as a secondary access in case of emergency. Another concern with access would be approval from UDOT for access off highway 59 as far as staff knows there hasn't been any information on whether this would be possible.

The second concern is the site plan that was provided shows quite a bit of development on the hillside. The applicants did a good job of keeping the buildings on relatively flat ground but there are concerns on the road running through their property for emergency vehicle access. Much of their development is on a slope greater than 30% which is not allowed by Apple Valley's hillside ordinance. The hillside ordinance allows slopes up to a maximum of 12% for the road if the road is brought up to full improvements including pavement. It may be difficult to develop roads to meet these requirements.

The last concern is with the water the applicant has added property since their first proposal. The main reason for adding that property is to obtain some existing wells that would be dedicated to the project. It is unknown if the wells are working and could provide the water to the project.

The following is our report based upon the property location and other facts:

REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE When approving a zone change, the following factors should be considered by the Planning Commission and Town Council:

- Whether the proposed amendment is consistent with the Goals, Objectives, and Policies of the Town's General Plan;
 The town General Plan shows this property as Agricultural. This zone change would not be consistent with the General Plan
- 2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;

There is not currently much development in the vicinity of this project. The location is the old kokopelli golf course. So there is part of a clubhouse as well as the golf cart paths which are being proposed to be integrated into this project.

3. The extent to which the proposed amendment may adversely affect adjacent property; and

There is not currently any development on the adjacent property. This zone change would most likely set the course for how the property would be developed in this part of town.

4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

There are not currently any utilities for this area. The applicant would need to provide all utilities and road access.

Example of a motion to Approve this application:

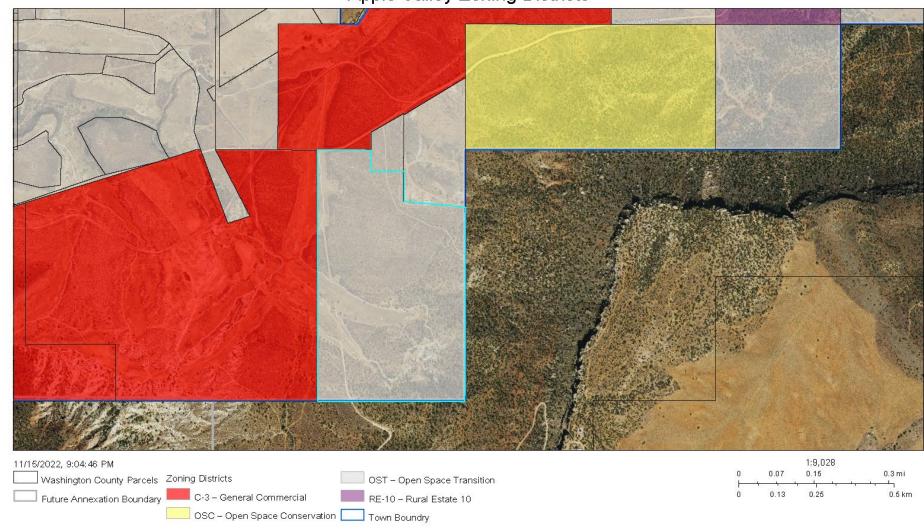
I make the motion we recommend approval to the Town Council for the zoning change for AV-2194-D & AV-2194-B from OST to C-3 or PDC based on the information provided in the staff report:

Example of a motion to Deny this application

I make the motion we recommend denial to the Town Council for the zoning change for AV-2194-D & AV-2194-B from OST to C-3 or PDC based on the information provided in the staff report:

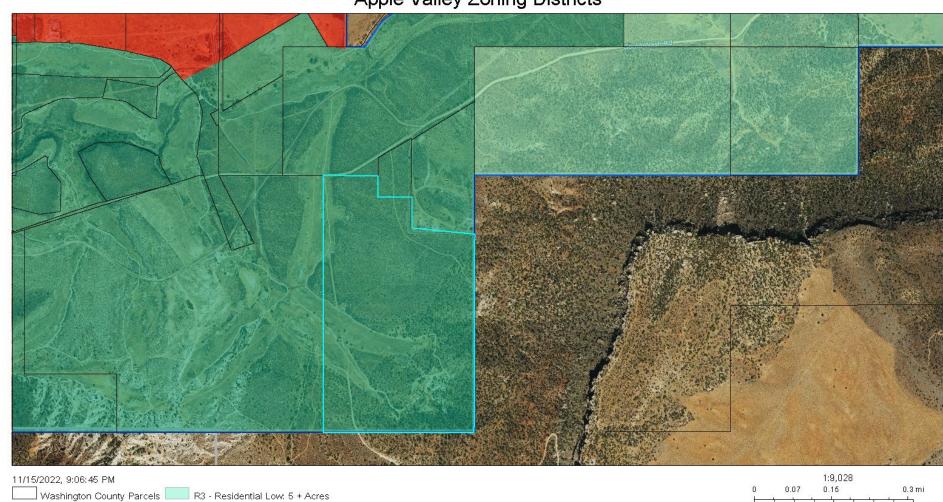
Current Zoning

Apple Valley Zoning Districts



General Plan

Apple Valley Zoning Districts



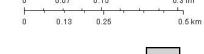
General Plan

A - Agricultural

C - Commercial

Future Annexation Boundary

Town Boundry



45

Town of Apple Valley Sunrise Cloud SMART GIS®

Apple Valley Zoning Districts Apple Valley 1:36,112 11/15/2022, 9:08:12 PM 1.3 mi 0.33 | | Washington County Parcels Minor Collector, Existing Future Annexation Boundary Apple Valley Roads Minor Collector, Proposed Town Boundry

Town of Apple Valley Sunrise Cloud SMART GIS®

Major Arterial, Existing

Local Road



Town of Apple Valley

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

Fee: \$1,100.00 + A	Acreage Fee
1 – 100 Acres:	\$25.00/Acre
101 – 500 Acres:	\$15.00/Acre

501 + Acres: \$ 5.00/Acre

Zone Change Application				
Applications Must Be Submitted A Minimum of 21 Da	ys in Ad	ance of The Pl	anning Commission Meeting	
Owner: Hidden Rock Development Group LLC		Phone:		
Address:		Email: 2		
City:	State		Zip:	
Agent: (If Applicable)		Phone:		
Address/Location of Property:	Parcel ID:	AV-2194-D, <i>P</i>	AV-2194-B, AV-2-2-27-432	
Existing Zone: OST, OST, C-3 (respectively)		Proposed Zone: ,	A-5, Cabin Zone(PD Overlay)	
For Planned Development Purposes: Acreage in Parcel ~204	A	reage in Applicati	on <u>~ 204</u>	
Reason for the request Planned Development of low density hotel and large ranch lot AG-5 residential.				

Submittal Requirements	: The zone	change ap	plication sha	all provide	the following:
------------------------	------------	-----------	---------------	-------------	----------------

- X A. The name and address of owners in addition to above owner.
- **X** B. An accurate property map showing the existing and proposed zoning classifications
- **X** C. All abutting properties showing present zoning classifications
- **X** D. An accurate legal description of the property to be rezoned
- X E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- X 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
- **X** 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	Date 02.07.2023

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: February 15, 2023	Date Application Deemed	Complete:
By: gw	Ву:	

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 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.

Parcel	11)#
1 dicci	11/17

Item 5.



Hidden Rock Development Group

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,	am/are the applicant(s) of the applicant	ation known as
AV-2194-D + AV-2194-B + AV-2-	27-432 located on parcel(s)	
	within the Town of Apple Valley	y, Washington County, Utah.
By my/our signatures(s) below, I/we do hereb	by acknowledge and agree to the following:	
serve the zone, project, or permit for 2. Prior to receiving final approval for th the Town of Apple Valley to provide a Plains Water and Sewer Special Servic and guarantee of water for the applic applicant; and	on by the Town does not guarantee that sufficiently which this application is being submitted; and the application, and/or any building permit, the application, and/or any building permit, the application of water service through a "Will Se the District ("District") which verifies that there is eation or proof that another guaranteed source	applicant may be required by rve" letter from the Big is a sufficient water supply of water is available to the
160/20 OF Later 16 (160/14)	proved without the "Will Serve" letter from the ability for the project and/or application.	District, the applicant
Signature(s):	111111	
Anish Bhatia	Had /3 hote	11/7/22
Name	Applicant/Owner	Date
Dallin Jolley	Film	11.7.22
Name	Applicant/Owner	Date
Name	Applicant/Owner	Date
State of Utah) County of Washington)		
appeared Anth Blakes of Dallin Jolley	ear 20 <u>22</u> , before me, M. John Harris proved on the basis of satisfactory rument, and acknowledged (he/she/they) exe	evidence to be the person(s)
	Witness my hand and official seal.	(notary signature)
	(seal) MITCHELL HARRIS Notary Public - State of Utah Comm. No. 707513 My Commission Expires on Jul 31, 2023	

AFFIDAVIT PROPERTY OWNER AV-2-2194-D

The Court of the Cart of the C

STATE OF UTAH)	
COUNTY OF WASHINGTON	
Anish Bhatia	, being duly sworn, deposed 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 exhibit	bits are in all respects true and correct to the best of my (our)
knowledge. I (We) also acknowledge that I (We) have received writted applying and the Apple Valley Town planning staff have indicated they	en instructions regarding the process for which I (we) an larey
applying and the Apple valley Town planning start have indicated the	ale available of assisting the special
	H15 / 1
	Property Owner
	Property Owner
Subscribed and sworn to me this 7 th day of FEBTUAI	Y , , , , , , , , 20 23 .
Subscribed and sworn to me this day of FEBT VAI	100
JOSE CONTRER	- flitte
Notary Public - State of New No. 01CO641094	Notary Aublic
and the second in Bronx C.	Residing in: Browx, NY
My Commission Expires 1	ula alaca (
JOSE CONTRERAS Notary Public - State of New York	My Commission Expires: \\\09\2024
No. O'County	
Qualified in Bronx Costs Qualified in Bronx Costs Agent Author	RIZATION
Anish Bhatia	, the owner(s) of the real property described in the
attached application, do authorize as my (our) agent(s) Hidden	Rock Development Group to represent me (us) regarding
the attached application and to appear on my (our) behalf before any a	administrative body in the Town of Apple Valley considering this
application and to act in all respects as our agent in matters pertaining	g to the attached application
	frist nuce
	Property Owner
	Property Owner
Subscribed and sworn to me this day of FEBOVAR	ky
of COMP.	
Som Alle	Notani Okhlid
JOSE CONTRERAS Notary Public - State of New York	Notary Public
No. 01CO6410946 Qualified in Bronx County	Residing in: Browx, NY
My Commission Expires 11/09/2024	My Commission Expires: 11 09/2024
CANALIZIN 1 1	

AFFIDAVIT PROPERTY OWNER AV-2194-B

)§	
COUNTY OF WASHINGTON)	
January 11 Will	
1 (We) 100 10 10 10 10 10 10 10 10 10 10 10 10	being duly sworn, deposed and say that I
	dentified in the attached application and that the statements herein contained and the
	ed plans and other exhibits are in all respects true and correct to the best of my (our)
	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.
	MMM/M/Dell
	Property Owner
	Property Owner
	day of November, 2022.
Subscribed and sworn to me this	day of Thought 1900 .
	(Maridia Whaten
CHASIDY SCH	OUTEN Notary Public
Notary Pub	
State Of Uto My Commission Expire	
COMMISSION NO	
	My Commission Expires: 06 1 2020
	AGENT AUTHORIZATION
laron Hall	
1 (We), U1 11 11 11 11	, the owner(s) of the real property described in the
attached application, do authorize as my (our	7 -80(-7)
	(our) behalf before any administrative body in the Town of Apple Valley considering this
	ent in matters pertaining to the attached application.
	ent in matters pertaining to the attached application.
	ent in matters pertaining to the attached application.
	ent in matters pertaining to the attached application. Property Owner
	ent in matters pertaining to the attached application.
application and to act in all respects as our ag	Property Owner Property Owner
	ent in matters pertaining to the attached application. Property Owner
application and to act in all respects as our ag	Property Owner Property Owner
application and to act in all respects as our ag	Property Owner Addicity Schouten
Subscribed and sworn to me this	Property Owner And Cly Schouten Notary Public 1
application and to act in all respects as our ag	Property Owner Aday of Notary Public Notary Public AUNICA NE
Subscribed and sworn to me thisCHASIDY SCHO	Property Owner Property Owner And Cly Schouter Notary Public Residing in: HUWI Cane III

AFFIDAVIT PROPERTY OWNER AV-2-2-27-432

STATE OF UTAH))§			
COUNTY OF WASHINGTON)			
that I (We) am (are) the owner(s) of the information provided identified knowledge. I (We) also acknowledge	f the property identified in the at I in the attached plans and other te that I (We) have received writte	being duly sworn, deposed and say tached application and that the statements herein contained and exhibits are in all respects true and correct to the best of my (our) en instructions regarding the process for which I (We) am (are) ey are available to assist me in making this application.		
Property Owner Property Owner				
	AGENT AUTHO			
I (We),Precept	Holdings LLCJerry Eves Manage	r, the		
owner(s) of the real property descri	bed in the attached application, d	lo authorize as my (our) agent(s) Anish Bhatia & Dallin		
behalf before any administrative bo	to represent me (us	regarding the attached application and to appear on my (our) insidering this application and to act in all respects as our agent in		
matters pertaining to the attached	application.	Precept Holdings LLC_Jerry Eves Manager		
		Property Owner		
		Property Owner		
Subscribed and sworn to me this	74 day of Fresh	20 23 .		
	JANELLE JONES Notary Public - State of Utah Comm. No. 719627 My Commission Expires on Aug 2, 2025	Residing in: 720 W. State St. Hurricane (17 P4787		
		My Commission Expires: 8/2/2025		

SUBDIVISION APPROVAL PROCESS

	PROJECT NAME	٧
	PROCESS (Must be done in this order)	
1	SUBMIT FOR A ZONING CHANGE (IF NEEDED) TO PLANNING MANAGER	
2	PLANNING COMMISSION MEETS AND SUBMITS RECOMMENDATION FOR ZONING TO	
	TOWN COUNCIL	
3	TOWN COUNCIL MEETS AND CONSIDERS AND VOTES ON ZONING CHANGE (IF APPROVED,	
	GO TO NEXT STEP)	
4	OBTAIN WATER DISTRICT PRELIMINARY WILL-SERVE LETTER FOR SUBDIVISION	
5	OBTAIN SEWER DISTRICT PRELIMINARY WILL-SERVE LETTER FOR SUBDIVISION	
6	OBTAIN POWER COMPANY PRELIMINARY WILL-SERVE LETTER FOR SUBDIVISION	
7	SUBMIT PRELIMINARY PLAT TO PLANNING COMMISION (INCLUDE WILL-SERVE LETTERS)	
8	SUBMIT PRELIMINARY PLAT TO TOWN COUNCIL FOR THEIR APPROVAL	
9	SUBMIT PROPOSED CONSTRUCTION PLANS TO PUBLIC WORKS MANAGER	
10	TOWN AND ALL UTILITY COMPANIES REVIEW PROPOSED PLANS AND REDLINE PLANS	
11	PUBLIC WORKS CONSULTANT RETURNS REDLINES TO DEVELOPER	
12	DEVELOPER SUBMITS CORRECTED MASTER PLANS TO PUBLIC WORKS CONSULTANT	
13	POWER SIGNS OFF MASTER PLANS (ALL SIGNATURES COLLECTED BY PUBLIC WORKS CONSULTANT)	
14	WATER SIGNS OFF MASTER PLANS (ALL SIGNATURES COLLECTED BY PUBLIC WORKS CONSULTANT)	
15	TELEPHONE SIGNS OFF MASTER PLANS (ALL SIGNATURES COLLECTED BY PUBLIC WORKS CONSULTANT)	
16	SEWER SIGNS OFF MASTER PLANS (ALL SIGNATURES COLLECTED BY PUBLIC WORKS CONSULTANT)	
17	STREETS DEPARTMENT SIGNS OFF MASTER PLAN (ALL SIGNATURES COLLECTED BY PUBLIC WORKS CONSULTANT)	
18	PUBLIC WORKS SIGNS OFF MASTER PLANS STORMWATER DETENTION SYSTEM	
19	TOWN ENGINEER SIGNS OFF MASTER PLANS (ALL SIGNATURES COLLECTED BY PUBLIC WORKS CONSULTANT)	
20	MAYOR OR PUBLIC WORKS CONSULTANT SIGNS OFF THAT PLANS MEET ALL TOWN CODES & UTILITIES ARE SIGNED OFF	
21	SUBMIT FINAL PLAT TO TOWN PLANNING MANAGER	
22	FINAL PLAT REVIEWED AND SIGNED BY TOWN ENGINEER	\Box
23	FINAL PLAT IS APPROVED AND SIGNED BY MAYOR	
24	FINAL PLAT IS REVIEWED AND SIGNED BY PLANNING COMMISSION CHAIRMAN	
25	FINAL PLAT IS REVIEWED AND APPROVED BY TOWN ATTORNEY	
26	DEVELOPER TO SUBMIT ENGINEERS ESTIMATE FOR SUBDIVISION IMPROVEMENT COSTS	
27	DEVELOPER TO PROVIDE GUARANTEE BOND IF RECORDING PRIOR TO COMPLETION; OR	
28	COMPLETE IMPROVEMENTS FIRST	
29	DEVELOPER PROVIDES 1 YEAR WARRANTY BOND OF 10-20% OF COST	
30	MAYOR OR PUBLIC WORKS CONSULTANT ISSUES NOTICE TO PROCEED	
31	FINAL PLAT IS RECORDED BY TOWN ATTORNEY	
32	START SELLING LOTS OR BUILDING HOMES	
33	AFTER 1 YEAR, SUBDIVISION IS INSPECTED AND PUNCH LIST PROVIDED TO DEVELOPER	
34	DEVELOPER FINISHES PUNCH LIST AND REQUESTS RELEASE OF WARRANTY BOND	
35	PUBLIC WORKS CONSULTANT INSPECTS IF PUNCH LIST IS COMPLETE	
36	IF PUNCH LIST IS COMPLETE, THE WARRANTY BOND IS RELEASED	

Applicant - Hidden Rock Development Group LLC

Dallin Jolley Managing Partner 5889 South Highland Drive. Holladay, Utah 84121 Anish Bhatia Managing Partner 100 Norfolk St. Apt 6B New York, NY 10002

Current Owner -

AV-2194-D

BHATIA, ANISH HIKKO DESIGN LLC 1250 LONG BEACH AVE LOS ANGELES, CA 90021

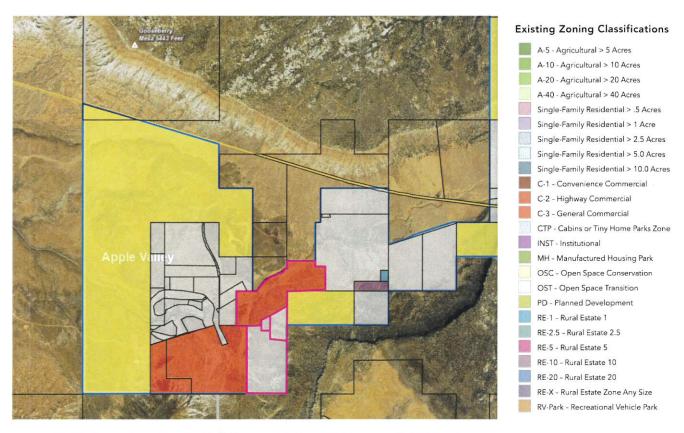
AV-2194-B

HALL LARON W & LINDA W 120 W 975 N HURRICANE, UT 84737

AV-2-2-27432

PRECEPT HOLDINGS LLC 253 W 1480 S HURRICANE, UT 84737

Property Map with Existing, Proposed and Abutting Properties Zoning Classification



*Subject property outlined in pink. Proposed A-5 and Cabin Zone with PD Overlay

Accurate Legal Description

Parcel Number: AV-2194-D

Legal: S: 27 T: 42S R: 12W BEG AT PT N89*53'25" E ALG S SEC/L 1080.46 FT FM SW COR SEC 27, T42S, R12W; TH N0*04'17" W 2638.65 FT TO PT ON C/S/L; TH N89*54'58" E ALG SD C/S/L 559.35 FT TO PT ON PARCEL DESC IN DOC #20070025178, TH ALG SD PARCEL FOL (2) CRSES: S0*03'58" E 218.34 FT; TH N89*53'25" E 346.55 FT TO PT ON PARCEL DESC IN INSTR #917739; TH ALG SD PARCEL FOL (2) CRSES: S0*03'58" E 321.36 FT; TH S84*32'14" E 655.48 FT TO C/S/L; TH S0*03'39" E ALG SD C/S/L 2035.05 FT TO S1/4 COR OF SD SEC 27; TH S89*53'25" W ALG S SEC/L 1557.90 FT TO POB.

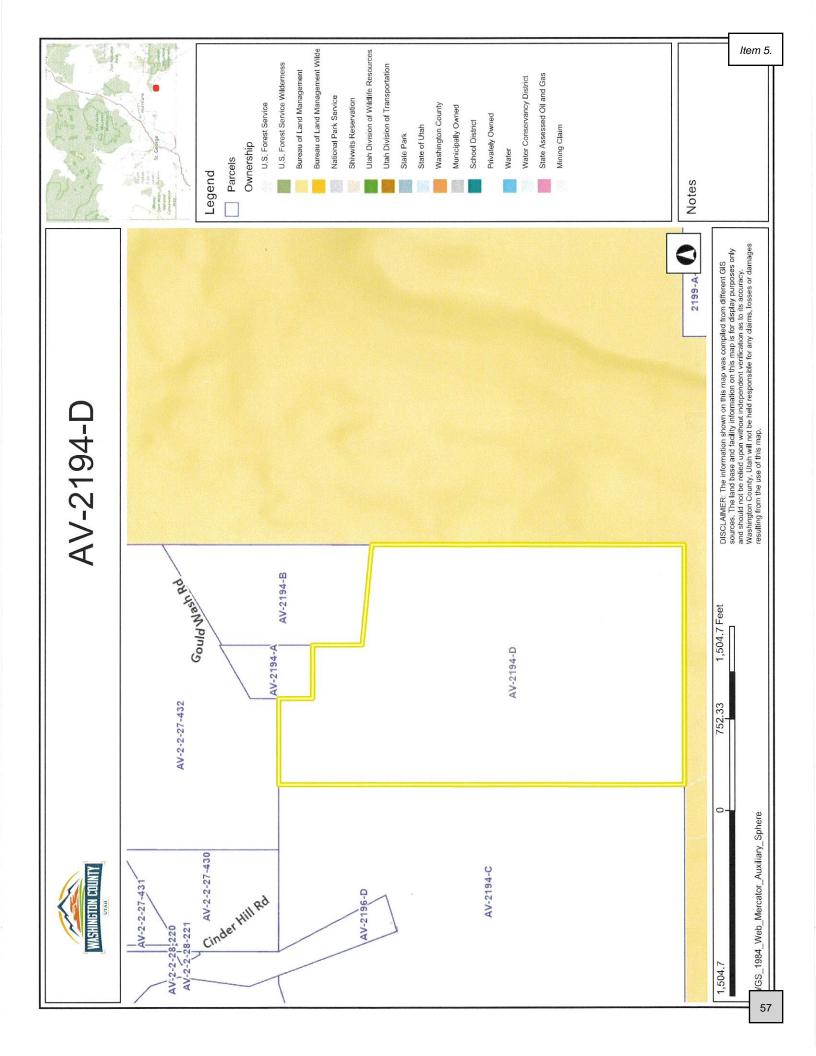
Parcel Number: AV-2194-B

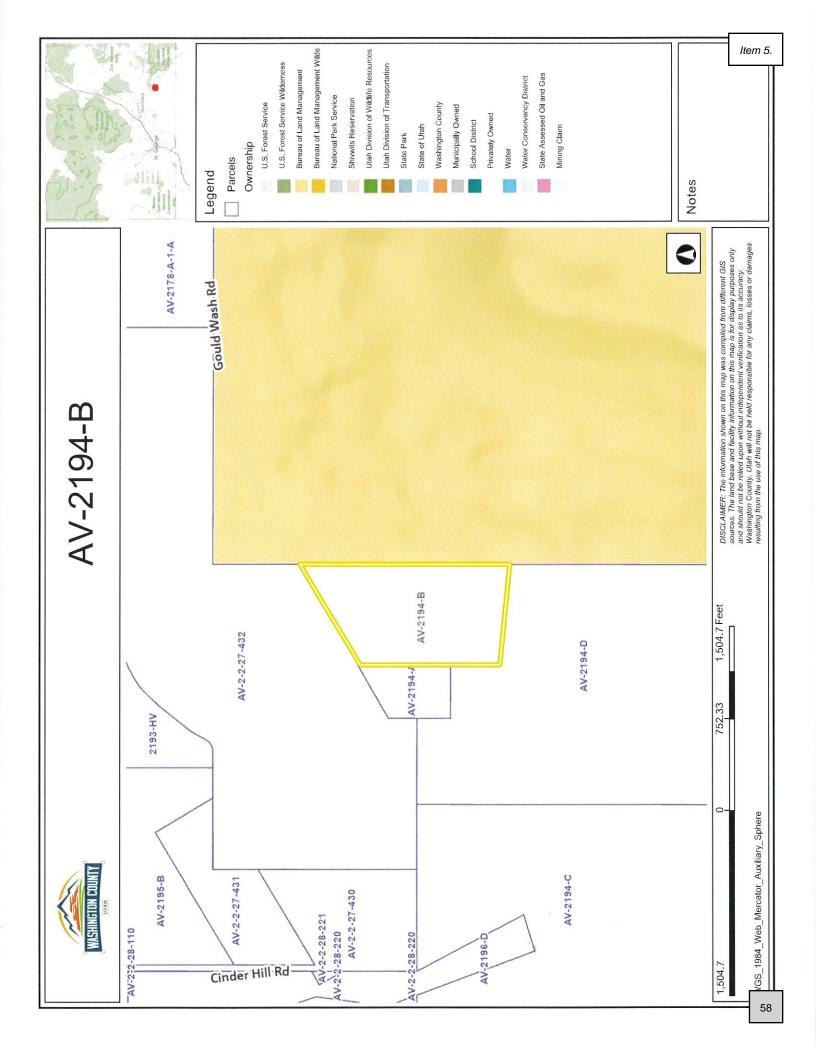
Legal: S 27 T: 42S R: 12W BEG SW COR SEC 27 T42S R12W TH N89*56'17E 2639.07 FT; TH N0*01'06W 2035 FT TO POB; TH N84*29'22W 656 FT; TH N0*01'06W 908.32 FT; TH N59*01'33E 761.40 FT; TH S0*01'06E 1363.17 FT TO POB

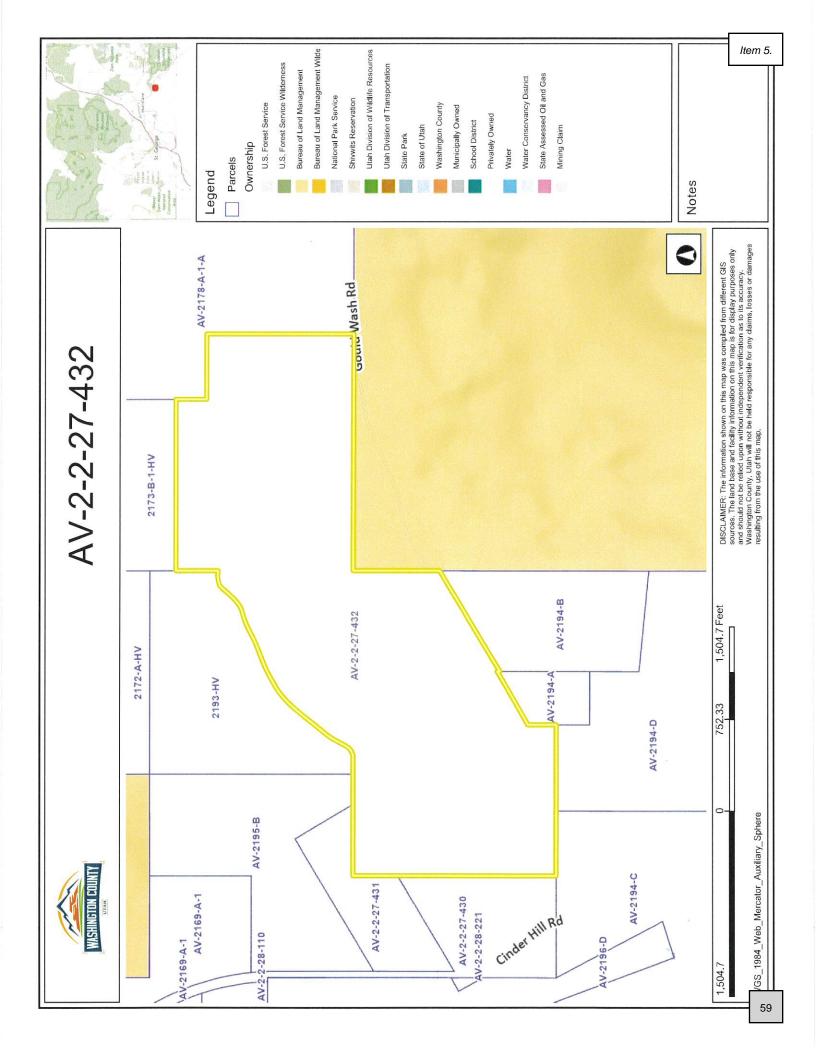
Parcel Number: AV-2194-B

Legal: BEGINNING AT A POINT BEING NORTH 89°54'51" EAST 659.96 FEET ALONG THE CENTER SECTION LINE FROM THE WEST QUARTER CORNER OF SECTION 27, TOWNSHIP 42 SOUTH RANGE 12 WEST, SAL LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 00°04'47" WEST 1319.55 FEET TO THE SIXTEENTH

LINE; THENCE NORTH 89°55'03" EAST 783.30 FEET TO THE FLOWLINE OF GOULDS WASH; THENCE ALONG THE FLOWLINE OF GOULDS WASH THE FOLLOWING 22 COURSES, NORTH 66°55'39" EAST 25.75 FEET; THENCE 27.02 FEET ALONG THE ARC OF A 59.43 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 26°03'11", WITH A CHORD BEARING OF NORTH 53°54'04" EAST AND A CHORD LENGTH OF 26.79 FEET TO A COMPOUND CURVE; THENCE 28.36 FEET ALONG THE ARC OF A 129.84 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 12°30'56", WITH A CHORD BEARING OF NORTH 34°37'00" EAST AND A CHORD LENGTH OF 28.31 FEET; THENCE NORTH 28°21'32" EAST 75.24 FEET; THENCE 69.55 FEET ALONG THE ARC OF A 383.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 10°24'15", WITH A CHORD BEARING OF NORTH 33°33'40" EAST AND A CHORD LENGTH OF 69.45 FEET; THENCE NORTH 38°45'47" EAST232.66 FEET; THENCE 131.23 FEET ALONG THE ARC OF A 722.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 10°24'50", WITH A CHORD BEARING OF NORTH 43°58'12" EAST AND A CHORD LENGTH OF 131.05 FEET; THENCE NORTH 49°10'37" EAST 25.98 FEET THENCE 68.03 FEET ALONG THE ARC OF A 333.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 11°42'16", WITH A CHORD BEARING OF NORTH 55°01'45" EAST AND A CHORD LENGTH OF 67.91 FEET; THENCE NORTH 60°52'53" EAST 80.09 FEET; THENCE 89.64 FEET ALONG THE ARC OF A 680.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 07°33'11", WITH A CHORD BEARING OF NORTH 64°39'28" EAST AND A CHORD LENGTH OF 89.58 FEET; THENCE NORTH 68°26'04" EAST 109.15 FEET; THENCE 96.79 FEET ALONG THE ARC OF A 733.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 07°33'57", WITH A CHORD BEARING OF NORTH64°39'06" EAST AND A CHORD LENGTH OF 96.72 FEET TO A REVERSE CURVE; THENCE 126.88 FEET ALONG THE ARC OF A 600.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 12°06'58", WITH A CHORD BEARING OF NORTH 66°55'36" EAST AND A CHORD LENGTH OF 126.64 FEET; THENCE NORTH 72°59'05" EAST 34,20 FEET; THENCE 38,43 FEET ALONG THE ARC OF A 135.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 16°18'35", WHOSE RADIUS BEARS NORTH 16°56'26" WEST, WITH A CHORD BEARING OF NORTH 64°54'16" EAST AND A CHORD LENGTH OF 38.30 FEET TO A COMPOUND CURVE; THENCE 78.24 FEET ALONG THE ARC OF A 288.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 15°33'53", WITH A CHORD BEARING OF NORTH 48°58'02" EAST AND A CHORD LENGTH OF 78.00 FEET; THENCE NORTH 41°06'37" EAST 72.34 FEET; THENCE NORTH 46°31'48" EAST 31.66 FEET; THENCE NORTH 74°13'23" EAST 28.74 FEET; THENCE NORTH 80°18'58" EAST 33.64 FEET; THENCE SOUTH 81°36'05" EAST 34.61 FEET TO THE CENTER SECTION LINE; THENCE NORTH 00°04'18" WEST 280.57 FEET; THENCE NORTH 89°53'53" EAST 1117.63 FEET; THENCE SOUTH 00°05'00" EAST 199.84 FEET; THENCE NORTH 89°53'53" EAST 425.00 FEET; THENCE SOUTH 00°05'00" EAST 954.76 FEET TO THE SIXTEENTH LINE; THENCE SOUTH 89°54'24" WEST 1542.85 FEET TO THE SIXTEENTH CORNER; THENCE SOUTH 00°04'18" EAST 559.46 FEET; THENCE SOUTH 58°58'21" WEST 760.85 FEET; THENCE NORTH 00°04'33" WEST 15.26 FEET; THENCE SOUTH 59°57'46" WEST 400.00 FEET; THENCE SOUTH 00°04'33" EAST 184.39 FEET TO THE CENTER SECTION LINE: THENCE SOUTH 89°55'03" WEST 980.91 FEET; TO THE POINT OF BEGINNING.









Let's turn the answers on.

Dixie Service Center Estimating Dept. 455 N. Old Hwy 91 Hurricane, UT 84737 Fax # (435)688-8351

October 18, 2022

Dallin Jolley 1 N. Cinder Hill Road Apple Valley, UT 84737

Re: Oculta Roca Development

Located: Parcel #AV-2194-D

Dear Dallin Jolley:

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,

Ruston Jenson Estimator Dixie Service Center 435-688-3708



1777 N. Meadowlark Dr, Apple Valley, Utah 84737 Phone: 435-877-1194 Fax: 435-877-1192 www.applevalleyut.gov Chairman Andy McGinnis Board Member Frank Lindhardt Board Member Harold Merritt Board Member Ross Gregerson Board Member Jarry Zaharias

Preliminary Water Letter For Hidden Rock Development Group LLC Anish Bhatia and Dallin Jolley

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. Option to connect to district water main at N Apple Valley Dr. next to the Gooseberry Lodges.
- 2. Option to build a tank and infrastructure designed to meet not only culinary, irrigation, but also fire suppression for your entire development.
- 3. State and Local permits for well drilling.
- 4. Municipal/Culinary water rights deeded to the District.
- 5. Easements as required for water infrastructure and District access.
- 6. Upon completion of the water system by the Developer and approval of the District's designated engineer and Water Superintendent, said water system will be deeded to the District.

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

The District provides this letter for the purpose of a zone change and it is NOT a Will Serve Letter.

Andy McGinnis Chairman Big Plains SSD



Ash Creek Special Service District

1350 S. Sand Hollow Road Hurricane, UT 84737

Office: (435) 635-2348 Fax: (435) 635-8550

ashcreek@infowest.com

October 24, 2022

Apple Valley Kyle Layton 1777 North Meadowlark Drive Apple Valley, UT 84737

RE: Parcel AV-2194-D

Kyle,

Ash Creek SSD takes no exception to the proposed zone change for parcel AV-2194-D. In lieu of a Will Serve, this letter communicates Ash Creek SSD's requirements.

After reviewing the conceptual site plan for parcel AV-2194-D, it appears the land will be used as a resort style property with no subdivision of the property creating individual lots for sale. Based on the proposed land use, a Body Politic agreement with Ash Creek SSD should not be needed. Wastewater treatment will be permitted through the state. The next step for the owner/developer will be to contact the Utah Division of Water Quality to work through the permitting process. This information has been provided to the owner/developer.

The owner/developer understand and agree that they will need to get plan approval for the sewer and treatment systems. After approval, they agree to pay all costs associated with construction of sewer and treatment systems and impact fees.

Please let us know if you have any questions.

Sincerely,

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



GEOTECHNICAL TESTING SERVICES, INC.

735 East Tabernacle. St. George, UT, 84770 (435) 628-9536 admin@gtsstg.com

October 18, 2022

Mr. Anish Bhatia

Subject:

Soil Classification and Septic Feasibility

Parcel AV-2194-D Apple Valley, Utah

GTS Project Number: 12925

Dear Mr. Bhatia:

As requested, we are providing you with the soil classification for the above noted project. It appears that the soils are sufficient for the installation of an onsite wastewater system; however, this letter should be provided to the Southwest Utah Public Health Department for their approval. Soil classification in accordance with Utah Administrative Code Section R317-4-13 was performed by us and reported herein.

In order to investigate the subsurface soils for this study, five, 5.75 to 9.5-foot deep test pits were excavated across the subdivision as shown on Figure 1. The subsurface soils encountered in the test pits consisted of granular, fine sandy loam to the maximum depth of exploration, 9.5 feet, which was the extent of the digging equipment. Groundwater was not encountered in the test pits during our investigation and there was no evidence of a historic ground water table within the depth of the test pits.

Considering soil classification and using values from Section R317-4-13, Table 6, a soil absorption rate (SAR) of 0.5 gallons/square foot/day can be used for sizing the absorption area. Please refer to the attached Soil Exploration Results.

Thank you for allowing us to provide these services for you. Please call our office at (435) 628-9536 if there are any questions regarding this project.

Very Truly Yours,

GEOTECHNICAL TESTING SERVICES, INC.

CHRISTOPHER D. VOLKSEN, P.E.

President

SOIL EXPLORATION RESULTS

Information Required for Determining Soil Suitability for Individual Wastewater Disposal Systems

NAME: LOCATION OF Parcel AV-2194-D Gould Wash Road

PROPERTY:

Apple Valley, Utah

Statement of soil conditions obtained from soil exploration to a depth of 9.5 feet. In the event that absorption systems will be deeper than 5.5 feet, further soil explorations must be performed extending to a depth of at least 4.0 feet below the bottom of the proposed absorption field, seepage trench, seepage pit, or absorption bed. A descriptive log of the exploration is given below:

(See Figure 1 for the location of the test pit) TEST PIT 1 0 - 5.0Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day) 5.0 - 5.75Sandy Loam, granular, fine sand, reddish brown, cobbles (SAR= 0.50 gal/sqft/day) 5.75 Sandstone Bedrock 5.75 END OF THE TEST PIT - Refusal **TEST PIT 2** (See Figure 1 for the location of the test pit) 0 - 4.25Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day) 4.25 - 7.0Sandy Loam, granular, fine sand, reddish brown, calcareous (SAR= 0.50 gal/sqft/day) 7.0 - 8.5Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day) 8.5 Sandstone Bedrock 8.5 END OF THE TEST PIT - Refusal (See Figure 1 for the location of the test pit) TEST PIT 3 0 - 3.5Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day) 3.5 - 4.5Sandy Loam, granular, fine sand, reddish brown, cobbles (SAR= 0.50 gal/sqft/day) 4.5 - 5.5Sandy Loam, granular, fine sand, reddish brown, calcareous (SAR= 0.50 gal/sqft/day) 5.5 - 9.5Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day) 9.5 END OF THE TEST PIT - Extent of Equipment (See Figure 1 for the location of the test pit) 0 - 4.0

TEST PIT 4

Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day)

4.0 - 6.0Sandy Loam, granular, fine sand, reddish brown, calcareous (ŠAR=0.50 gal/sqft/day) 6.0 - 9.5Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day)

9.5 END OF THE TEST PIT - Extent of Equipment

TEST PIT 5 (See Figure 1 for the location of the test pit)

0 - 8.0Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day)

8.0 Sandstone Bedrock 8.0

END OF THE TEST PIT - Refusal

Date soil exploration(s) conducted:

August 24, 2022

Statement of present and maximum anticipated groundwater table throughout the property and area of the proposed absorption system: Not encountered or anticipated

Date groundwater table determined:

August 24, 2022

I hereby certify to the best of my knowledge, the forgoing information is correct.

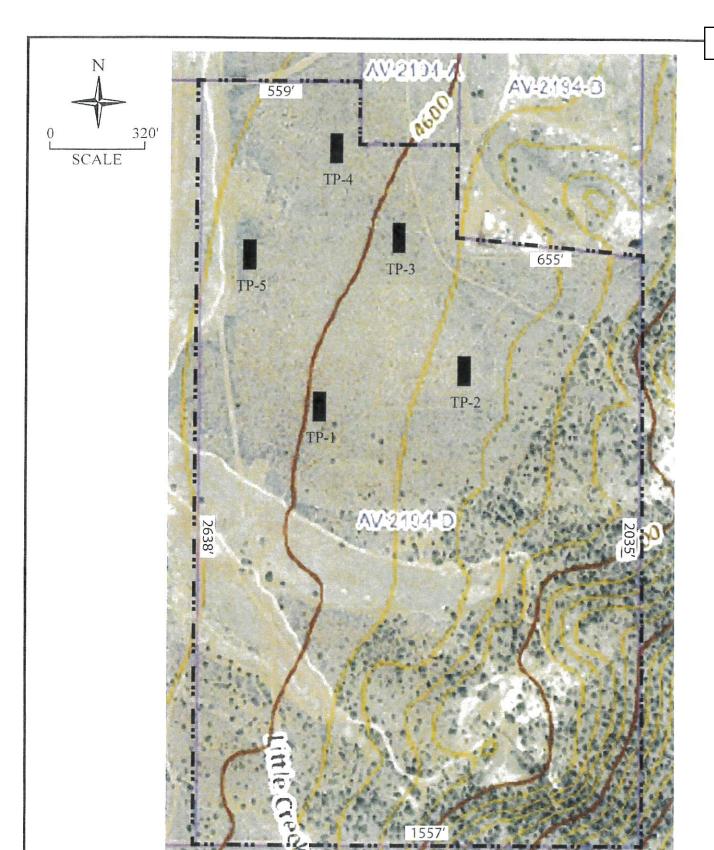
Name: Address: Carson Gardner 735 East Tabernacle

St. George, UT 84770

Signed:

(Unsigned test certificates will not be accepted)

Date: 10 - 18-22





Engineering

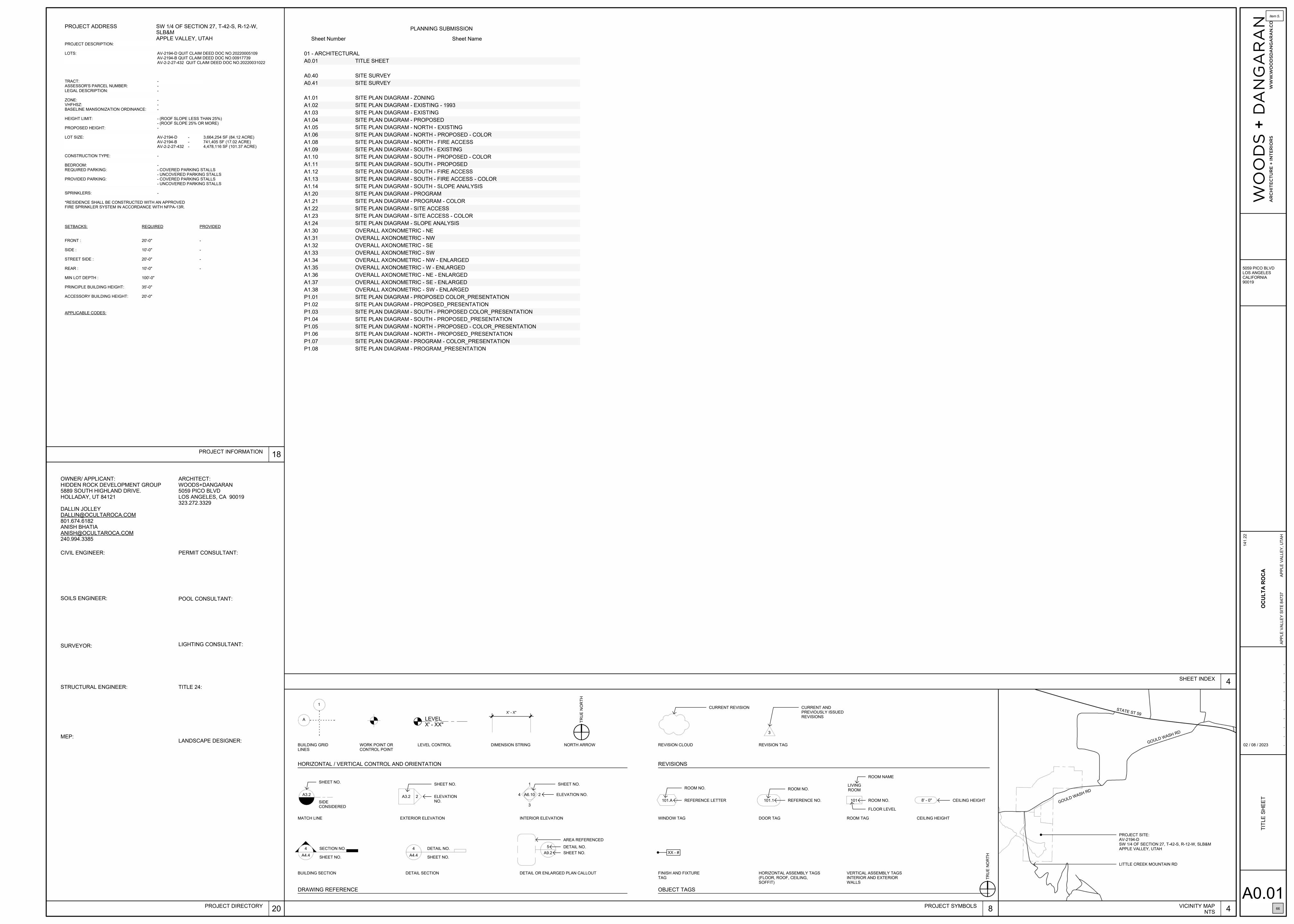
Consulting

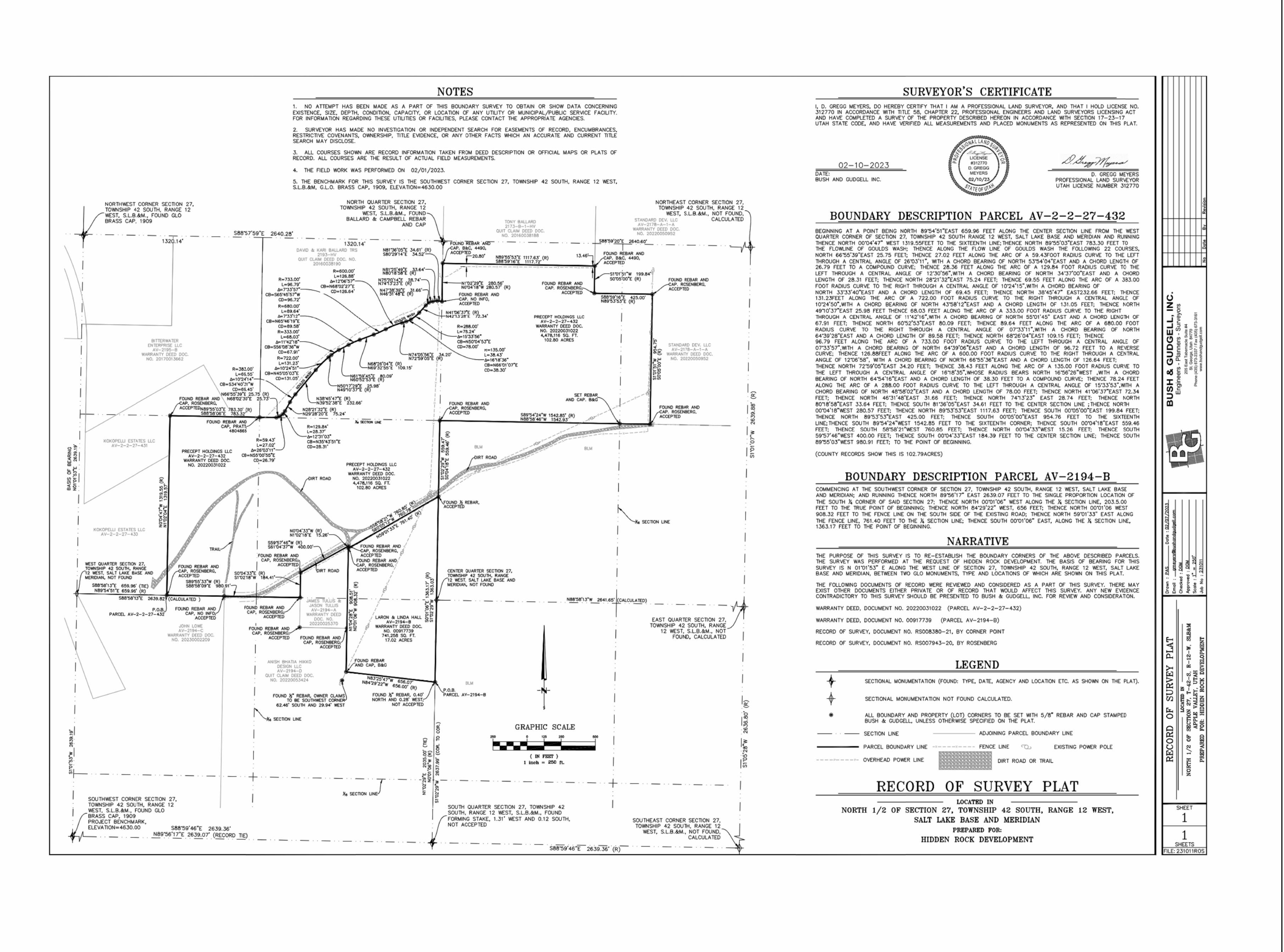
Testing

SITE PLAN

Client: Anish Bhatia Project: Parcel AV-2194-D Location: Gould Wash Road - Apple Valley, UT Number: 12925

Figure 1





A0.40

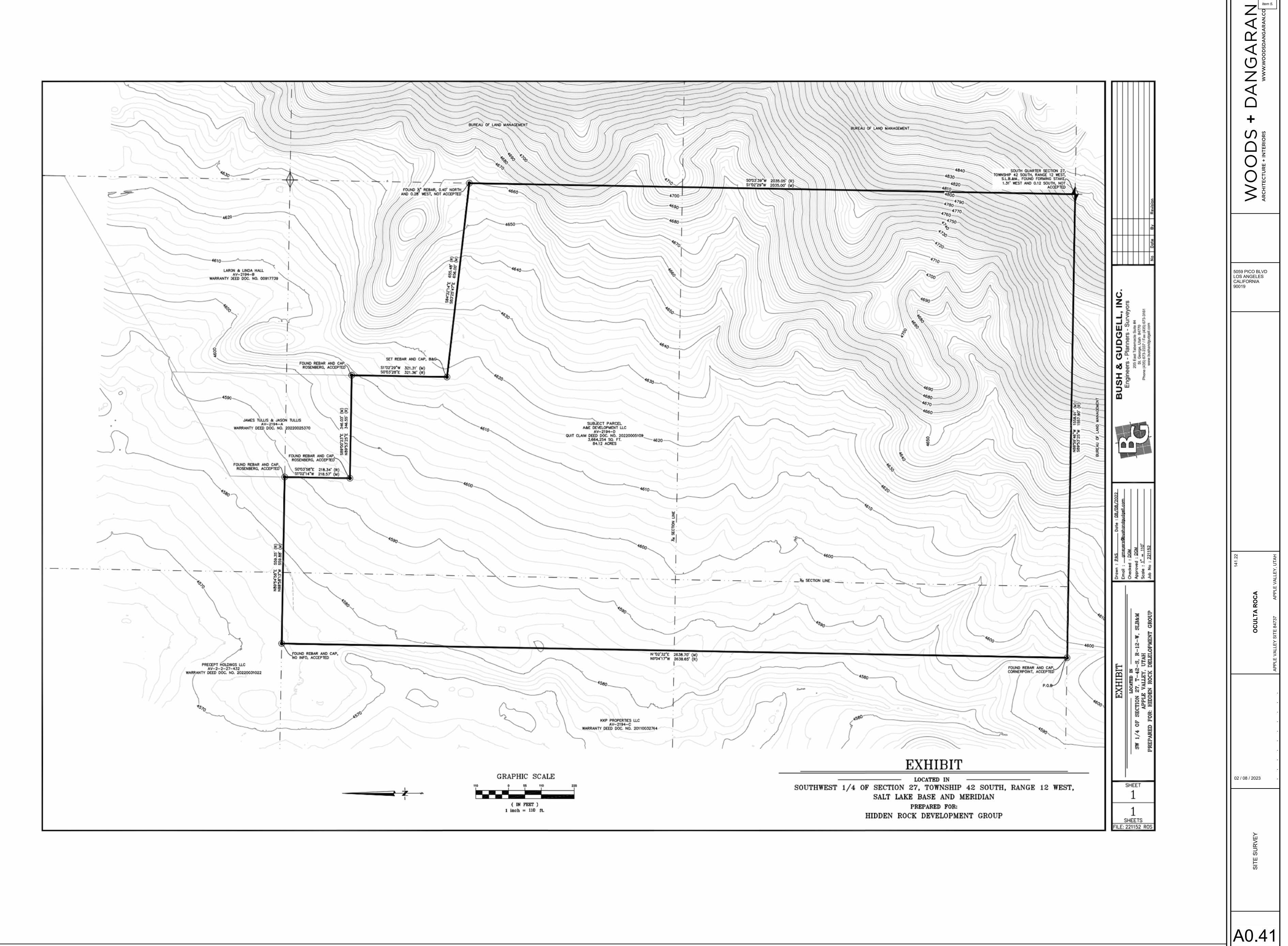
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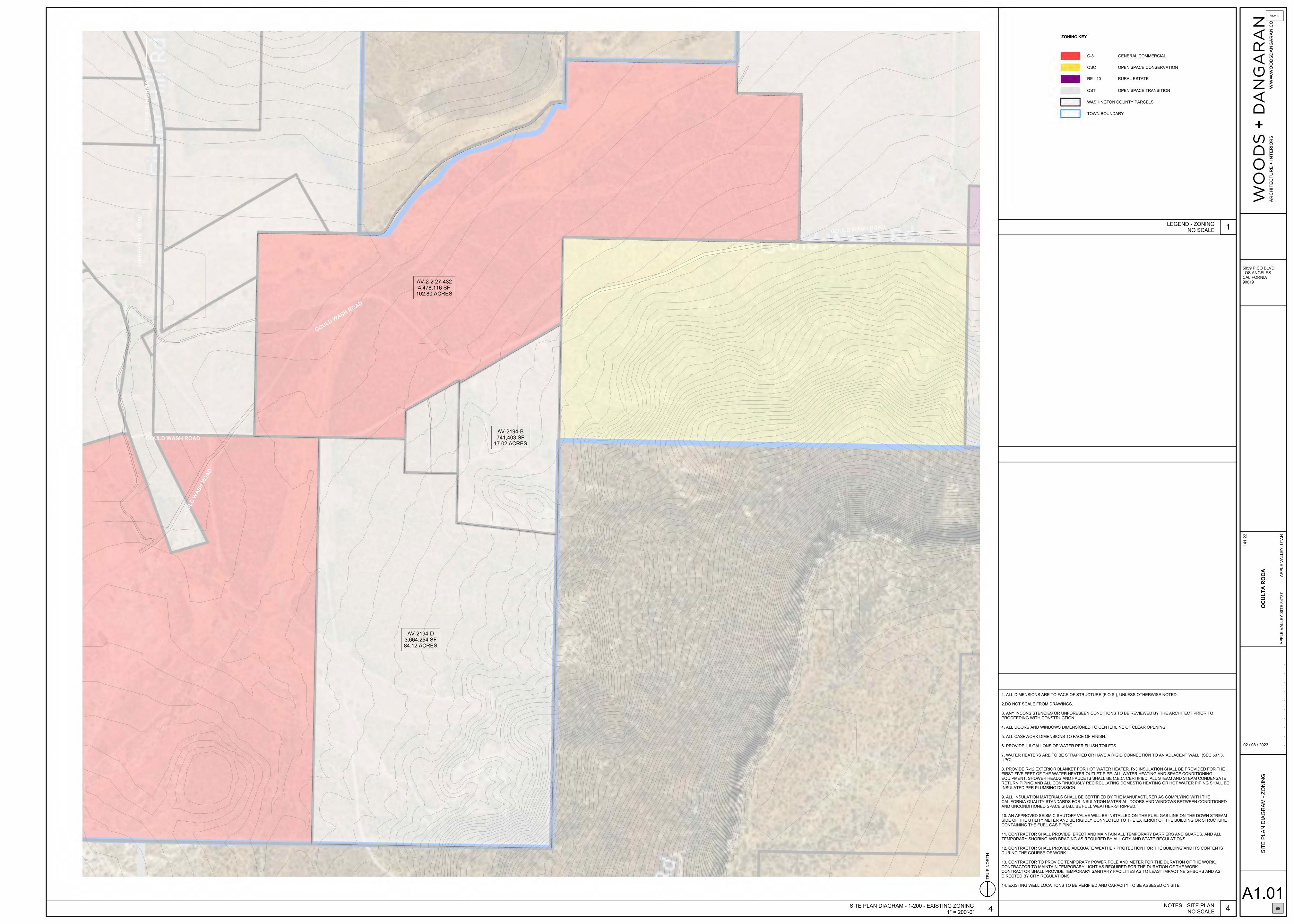
5059 PICO BLVD

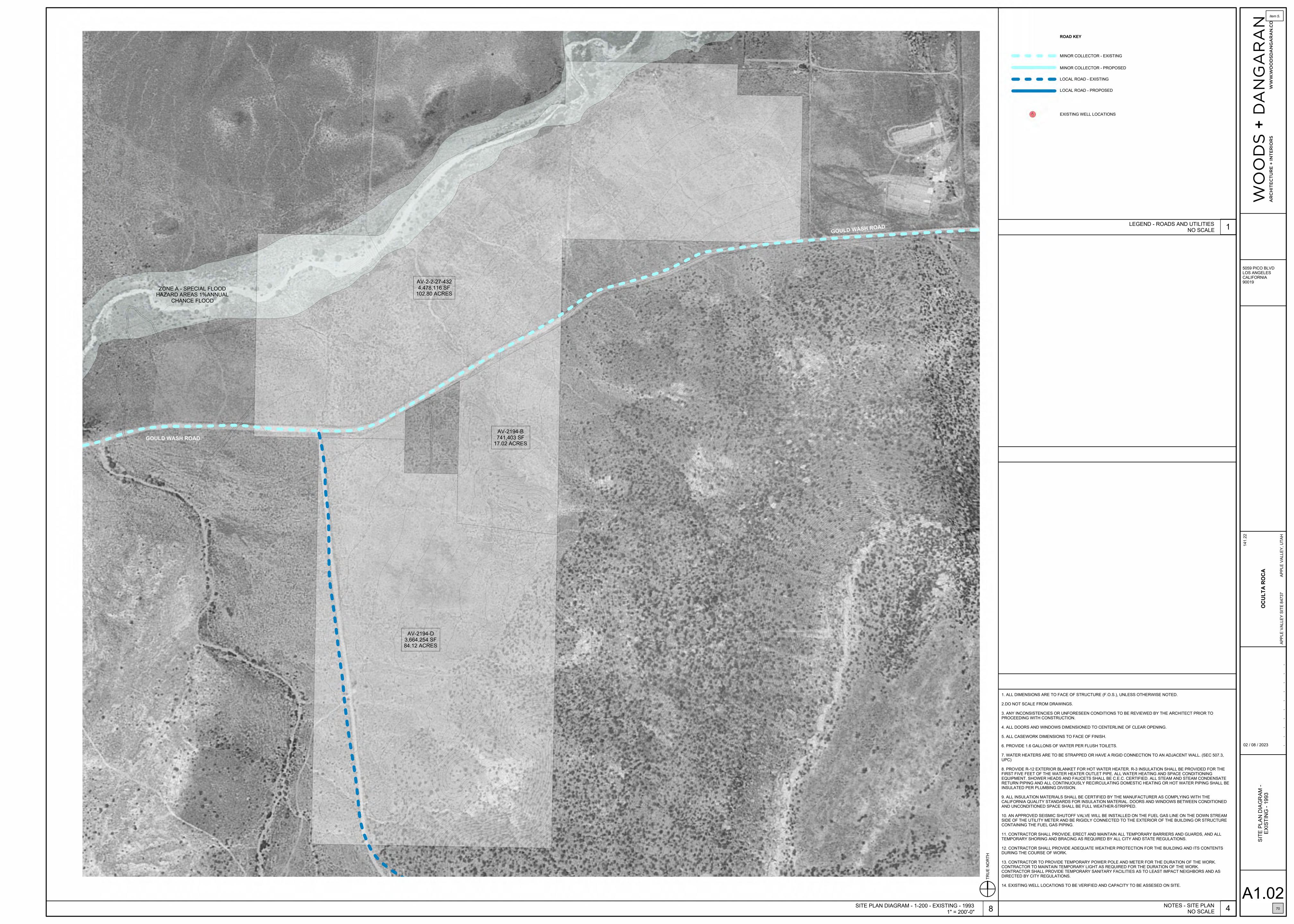
LOS ANGELES

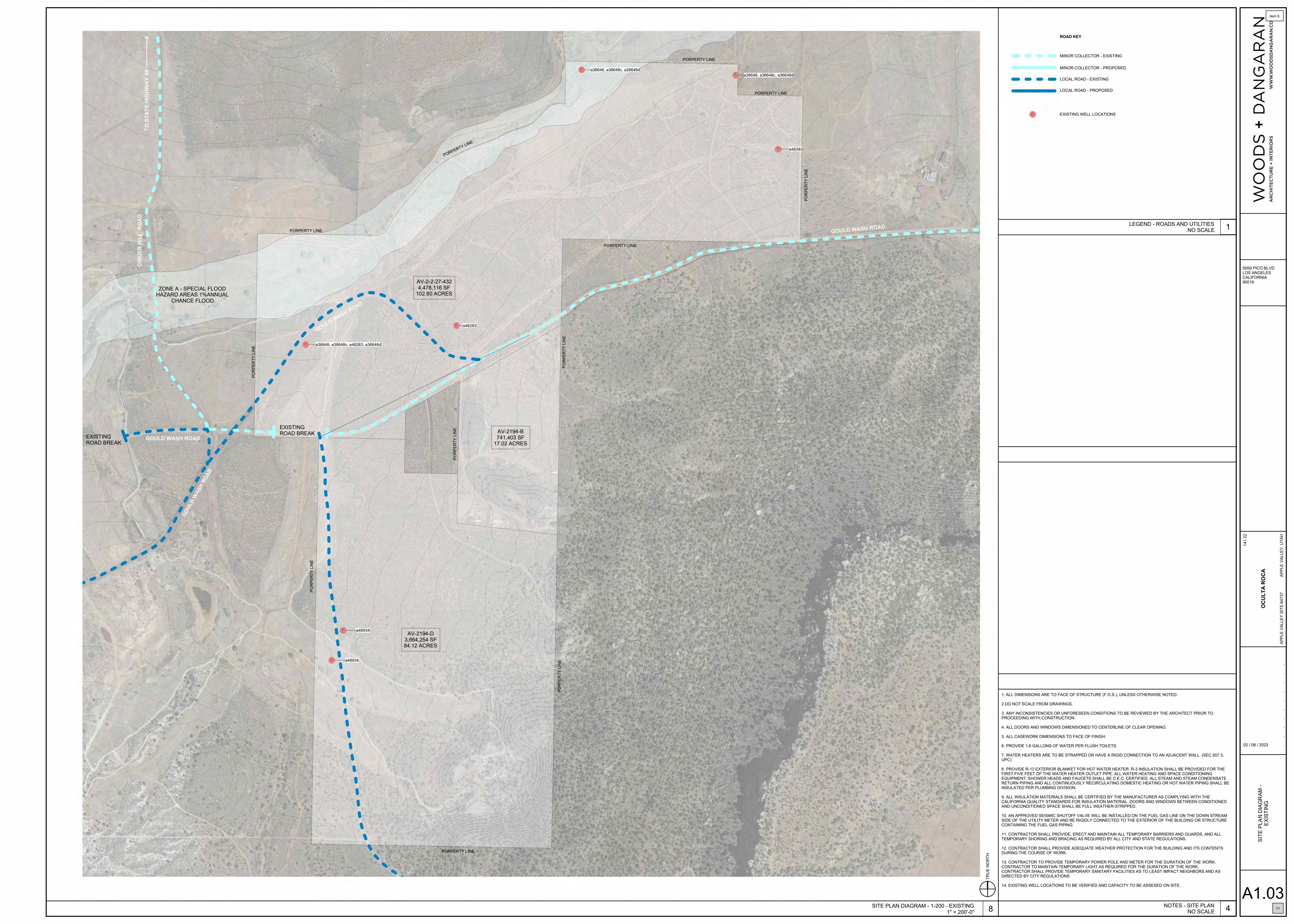
CALIFORNIA

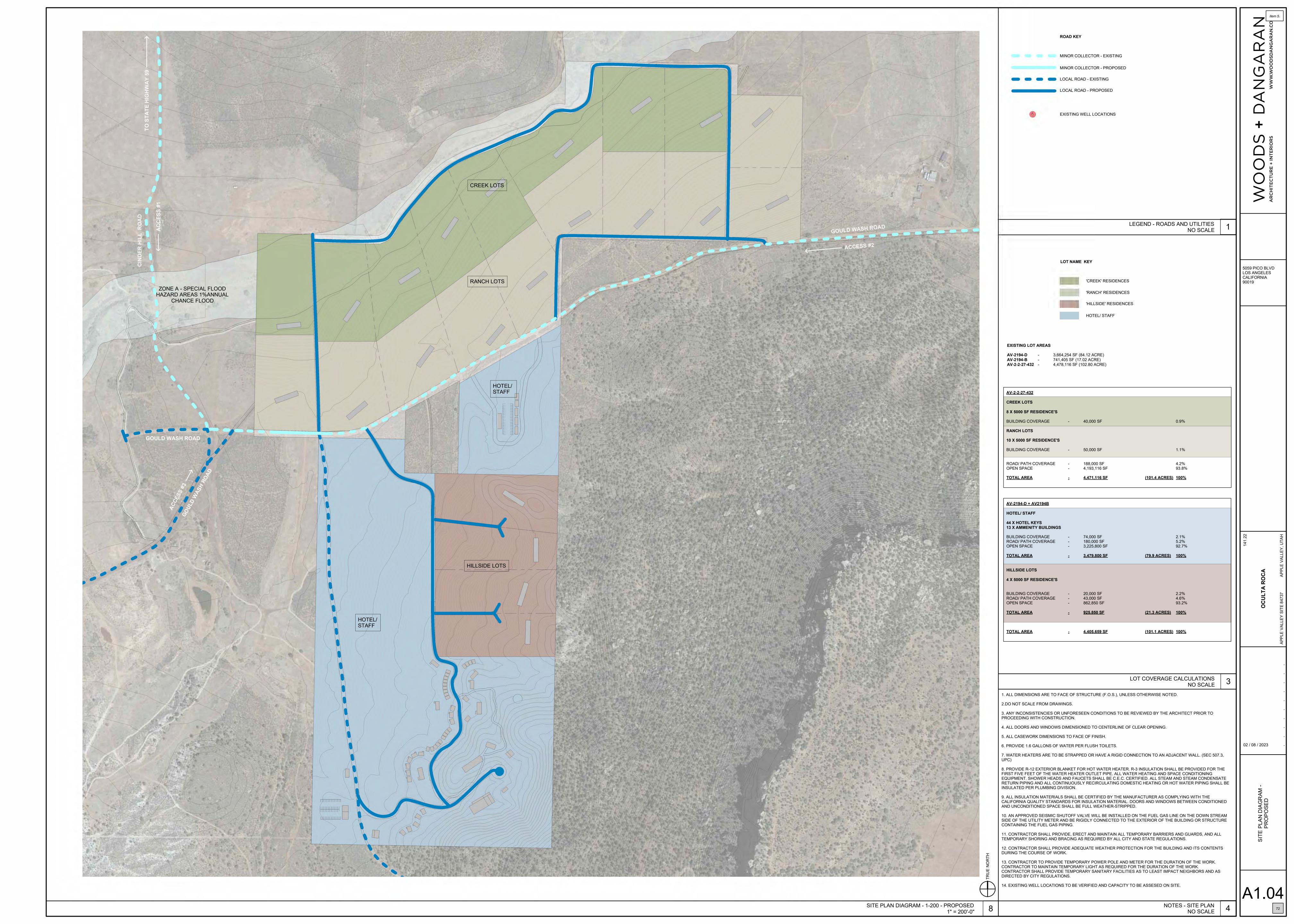
90019













EQUIPMENT. SHOWER HEADS AND FAUCETS SHALL BE C.E.C. CERTIFIED. ALL STEAM AND STEAM CONDENSATE RETURN PIPING AND ALL CONTINUOUSLY RECIRCULATING DOMESTIC HEATING OR HOT WATER PIPING SHALL BE INSULATED PER PLUMBING DIVISION. 9. ALL INSULATION MATERIALS SHALL BE CERTIFIED BY THE MANUFACTURER AS COMPLYING WITH THE CALIFORNIA QUALITY STANDARDS FOR INSULATION MATERIAL. DOORS AND WINDOWS BETWEEN CONDITIONED AND UNCONDITIONED SPACE SHALL BE FULL WEATHER-STRIPPED. 10. AN APPROVED SEISMIC SHUTOFF VALVE WILL BE INSTALLED ON THE FUEL GAS LINE ON THE DOWN STREAM SIDE OF THE UTILITY METER AND BE RIGIDLY CONNECTED TO THE EXTERIOR OF THE BUILDING OR STRUCTURE CONTAINING THE FUEL GAS PIPING. 11. CONTRACTOR SHALL PROVIDE, ERECT AND MAINTAIN ALL TEMPORARY BARRIERS AND GUARDS, AND ALL TEMPORARY SHORING AND BRACING AS REQUIRED BY ALL CITY AND STATE REGULATIONS.

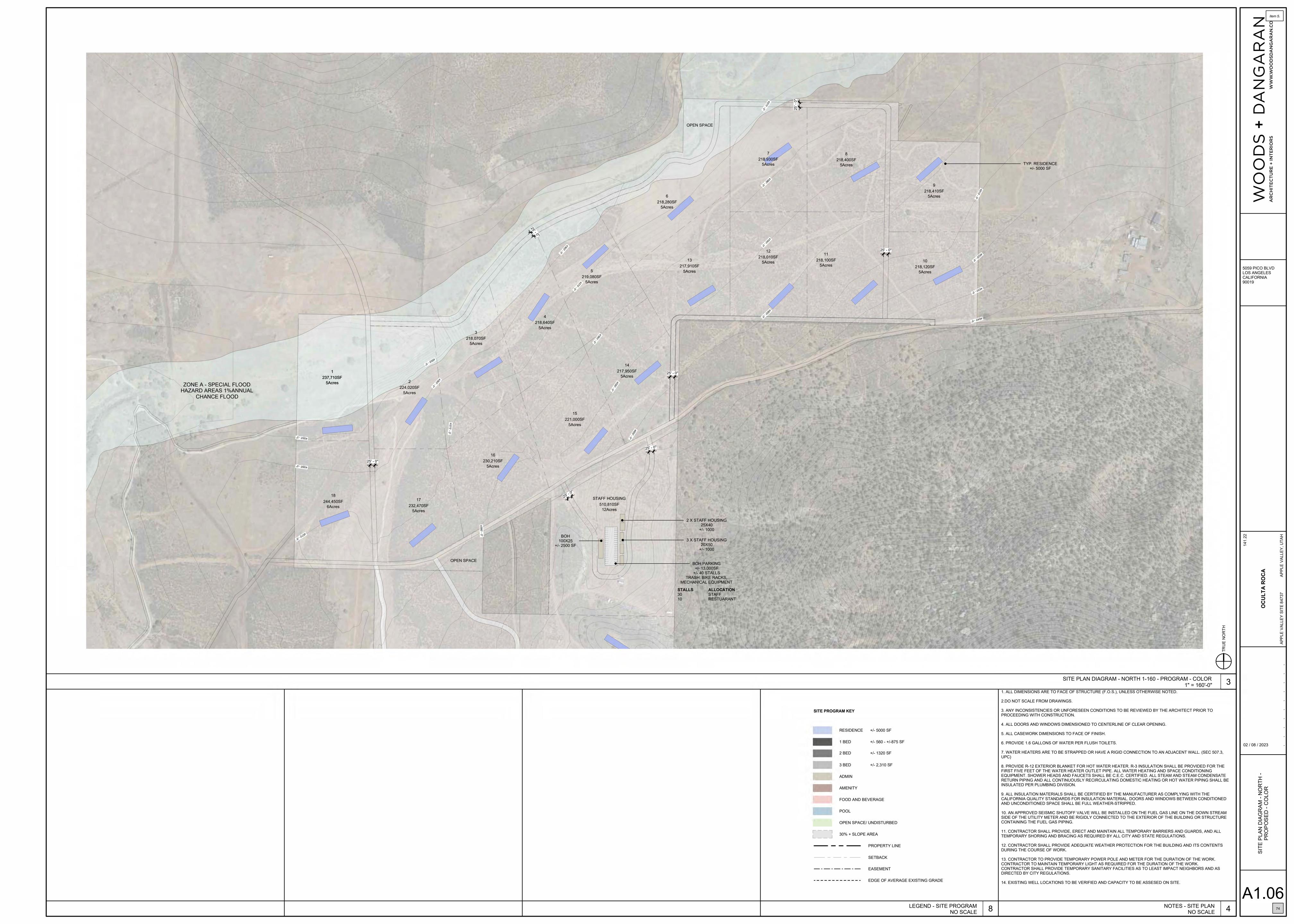
5059 PICO BLVD LOS ANGELES CALIFORNIA

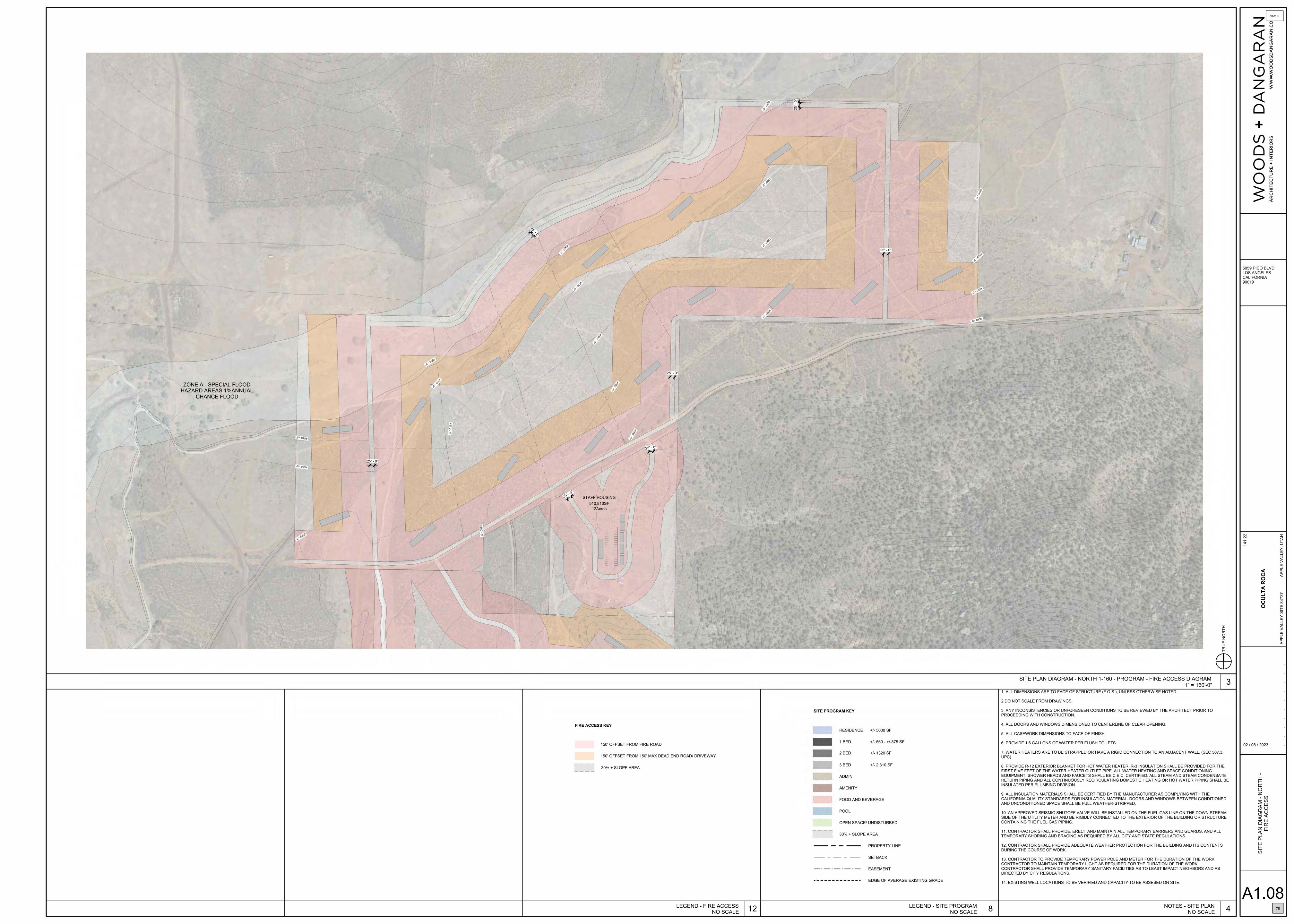
13. CONTRACTOR TO PROVIDE TEMPORARY POWER POLE AND METER FOR THE DURATION OF THE WORK. CONTRACTOR TO MAINTAIN TEMPORARY LIGHT AS REQUIRED FOR THE DURATION OF THE WORK. CONTRACTOR SHALL PROVIDE TEMPORARY SANITARY FACILITIES AS TO LEAST IMPACT NEIGHBORS AND AS 14. EXISTING WELL LOCATIONS TO BE VERIFIED AND CAPACITY TO BE ASSESED ON SITE.

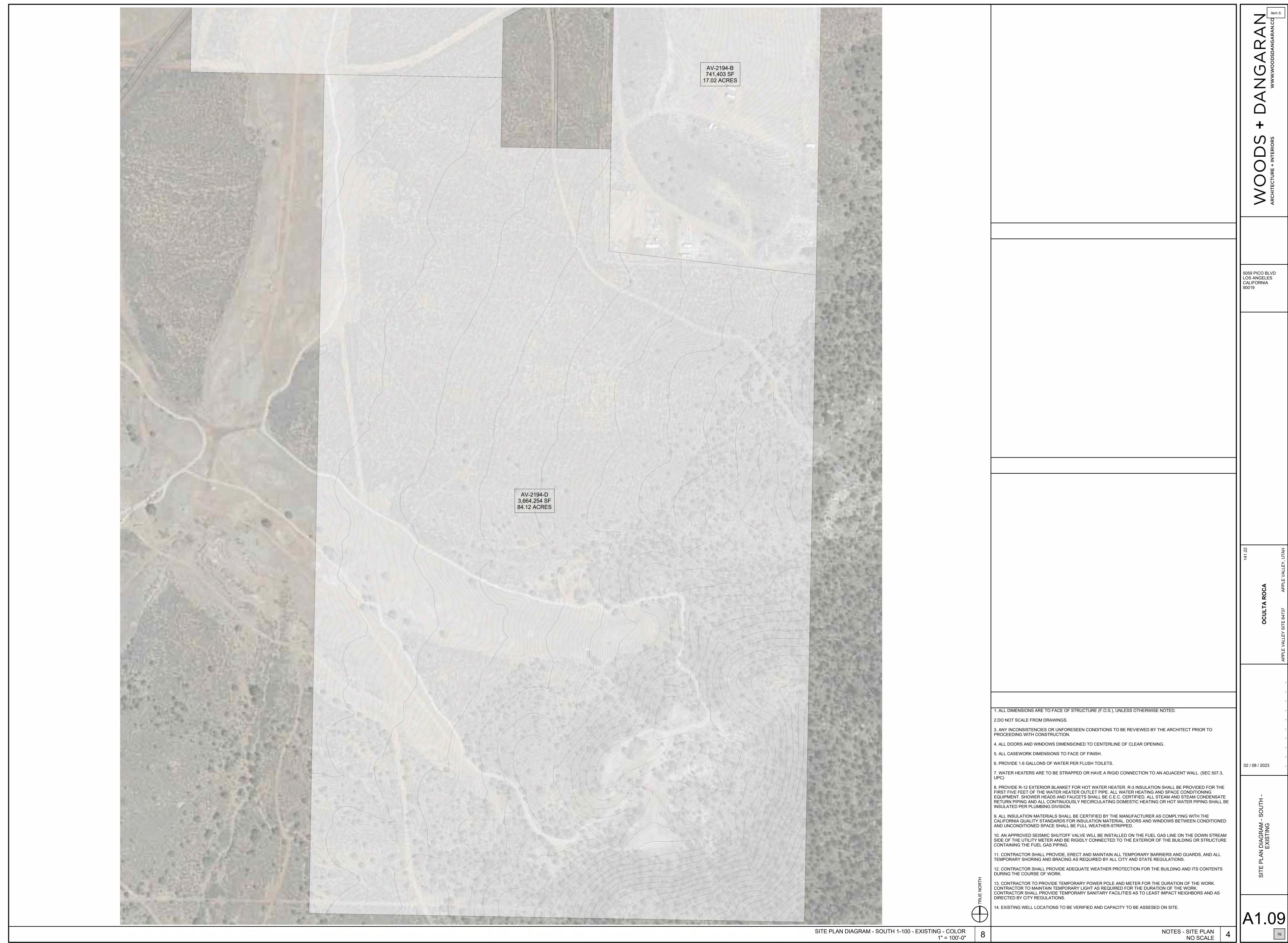
12. CONTRACTOR SHALL PROVIDE ADEQUATE WEATHER PROTECTION FOR THE BUILDING AND ITS CONTENTS DURING THE COURSE OF WORK.

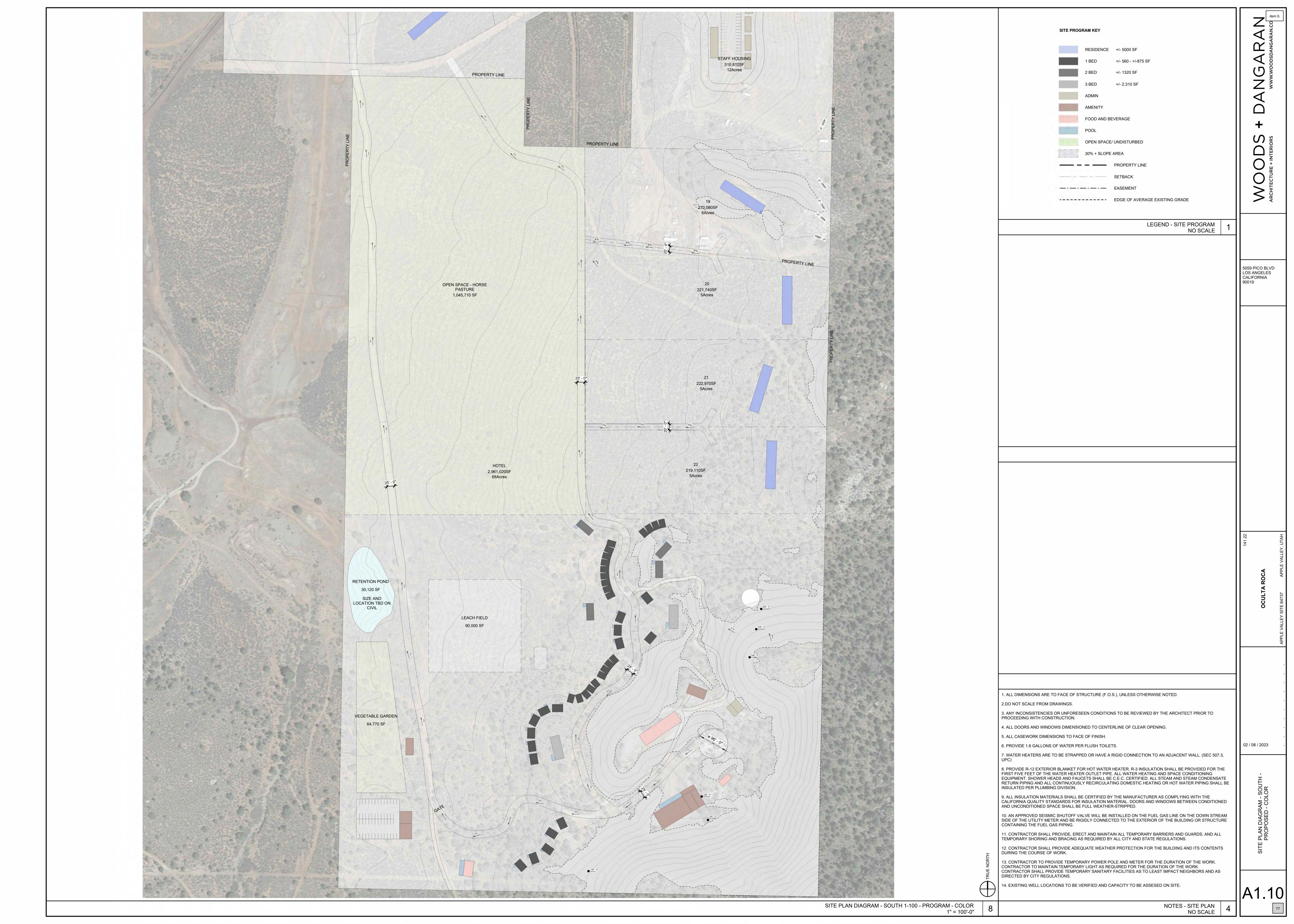
DIRECTED BY CITY REGULATIONS.

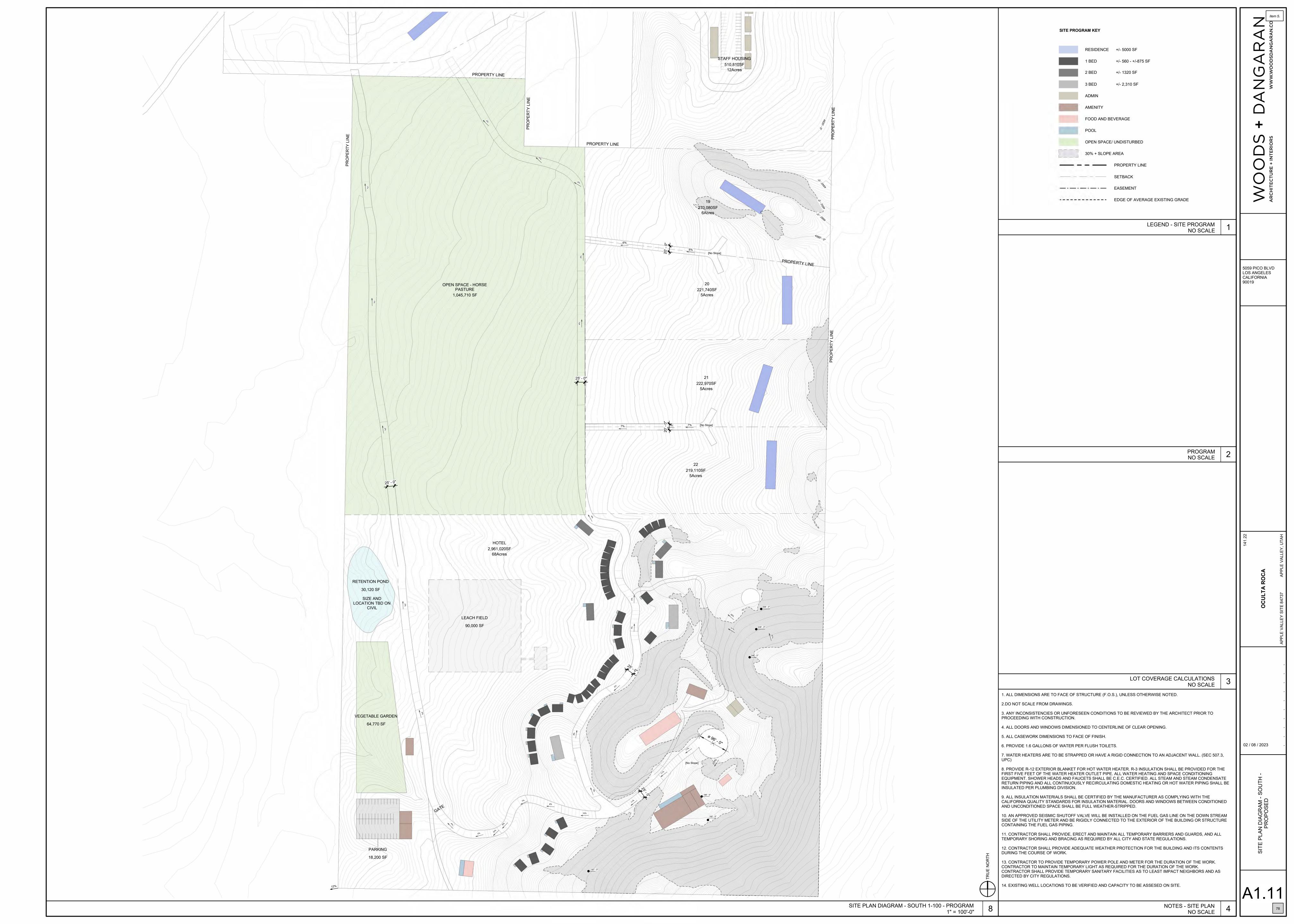
NOTES - SITE PLAN NO SCALE

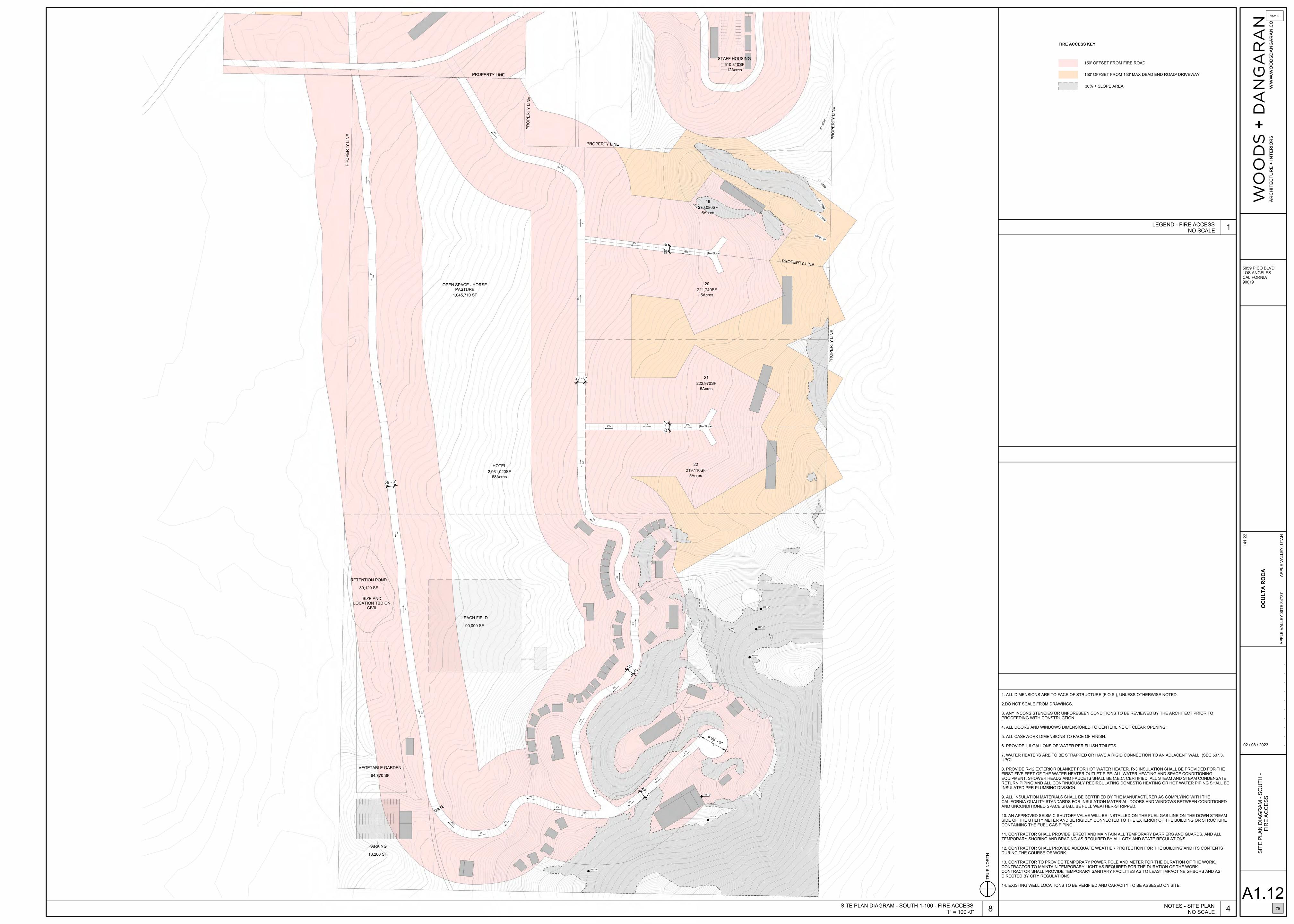


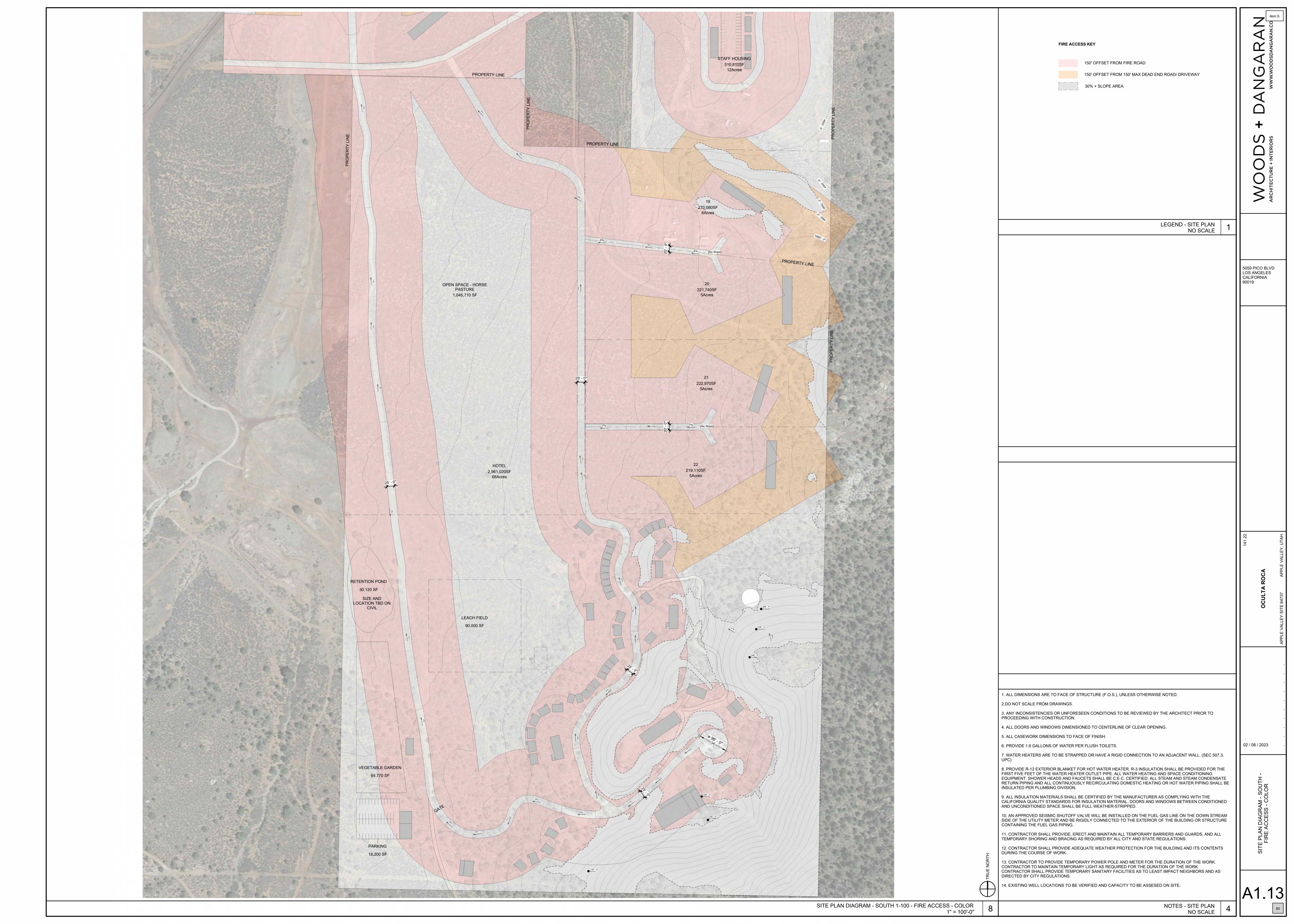


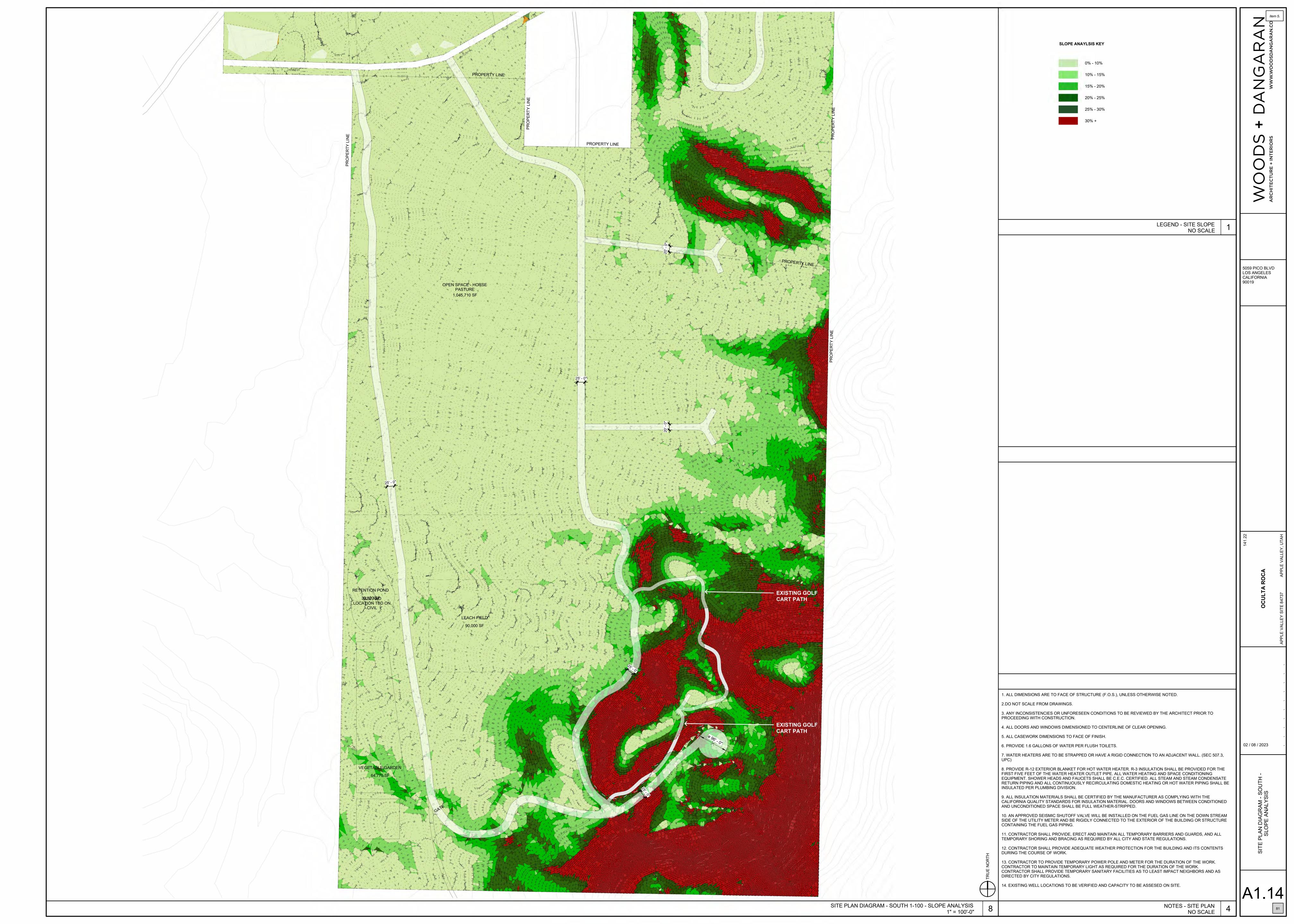


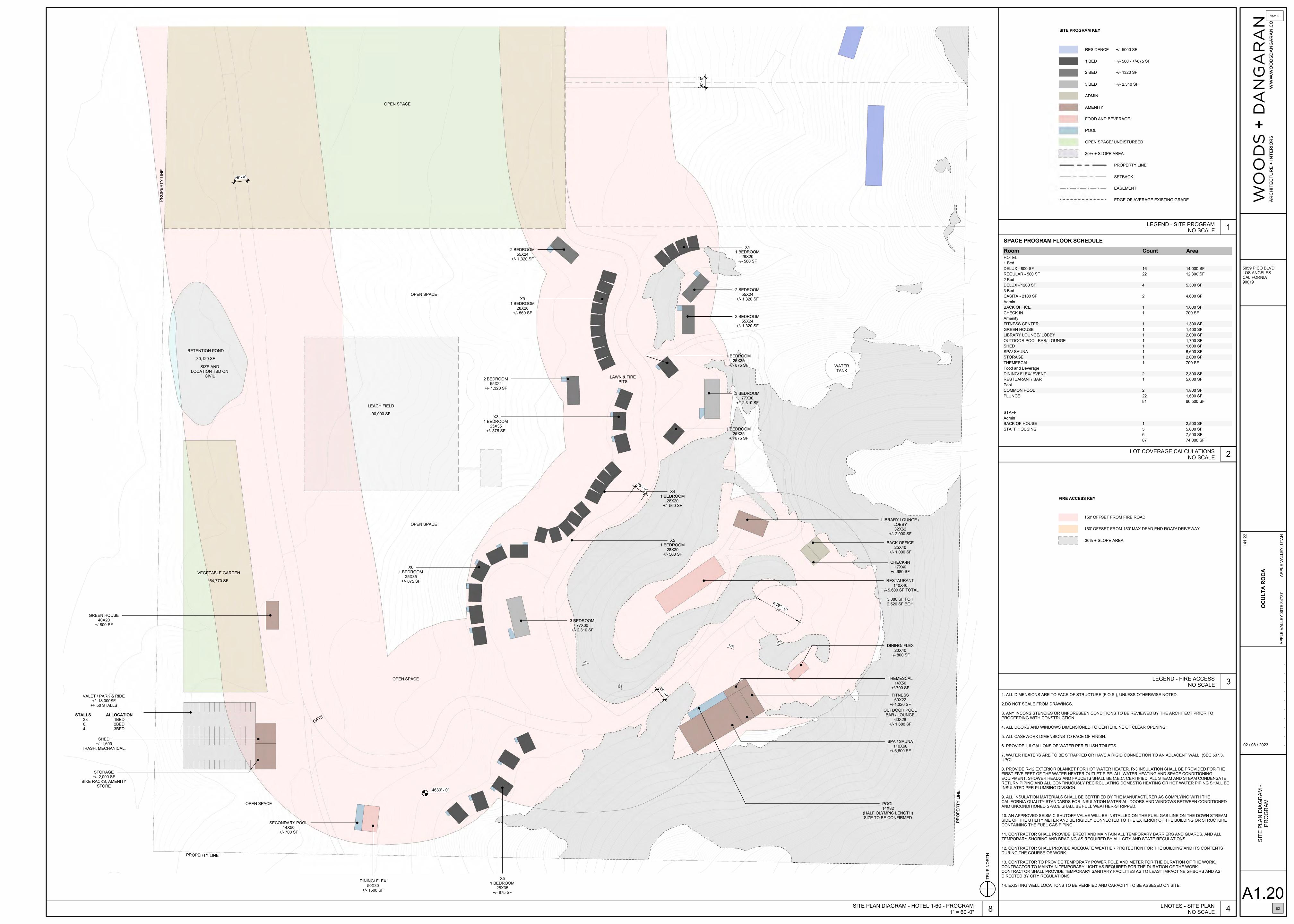


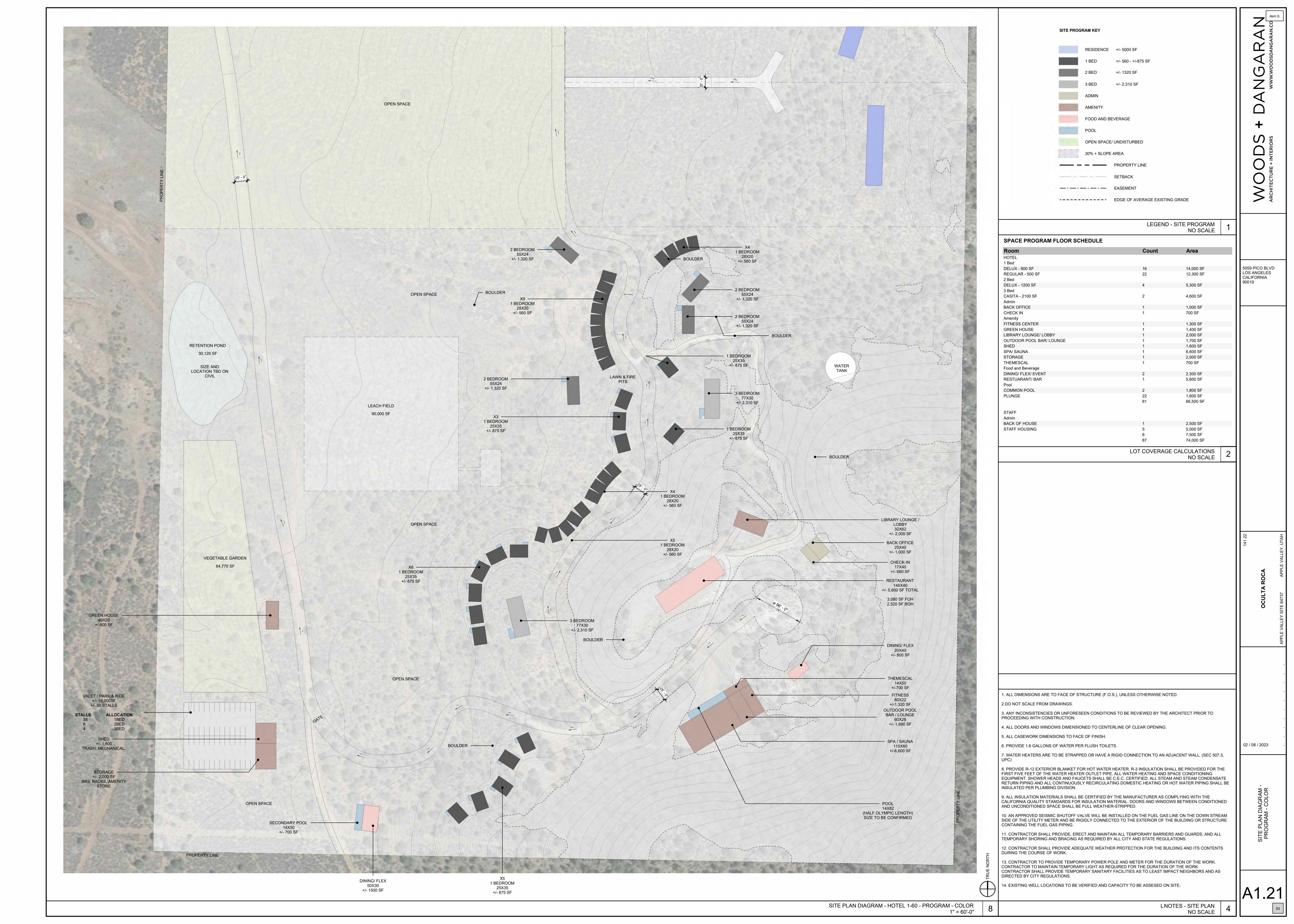


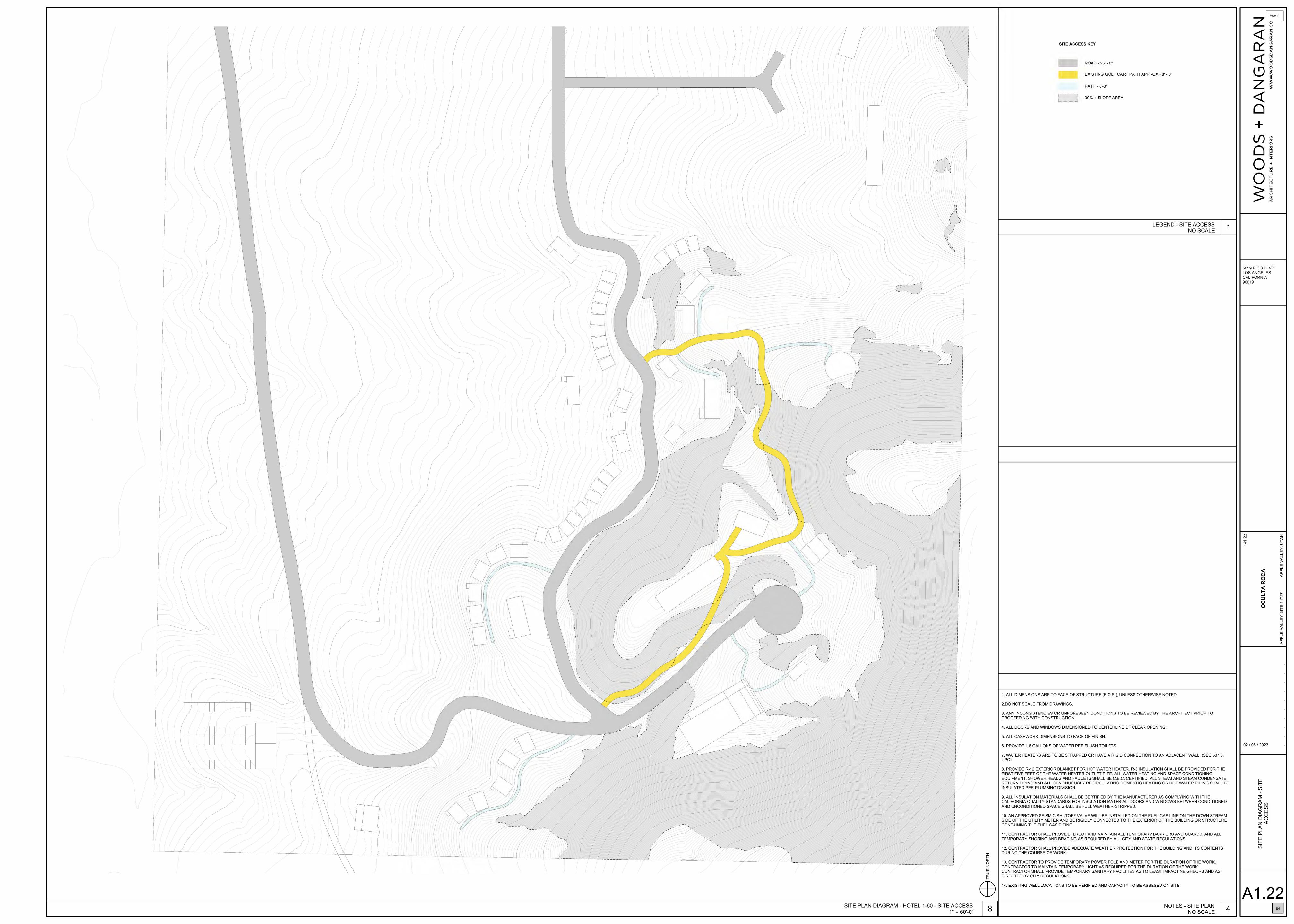




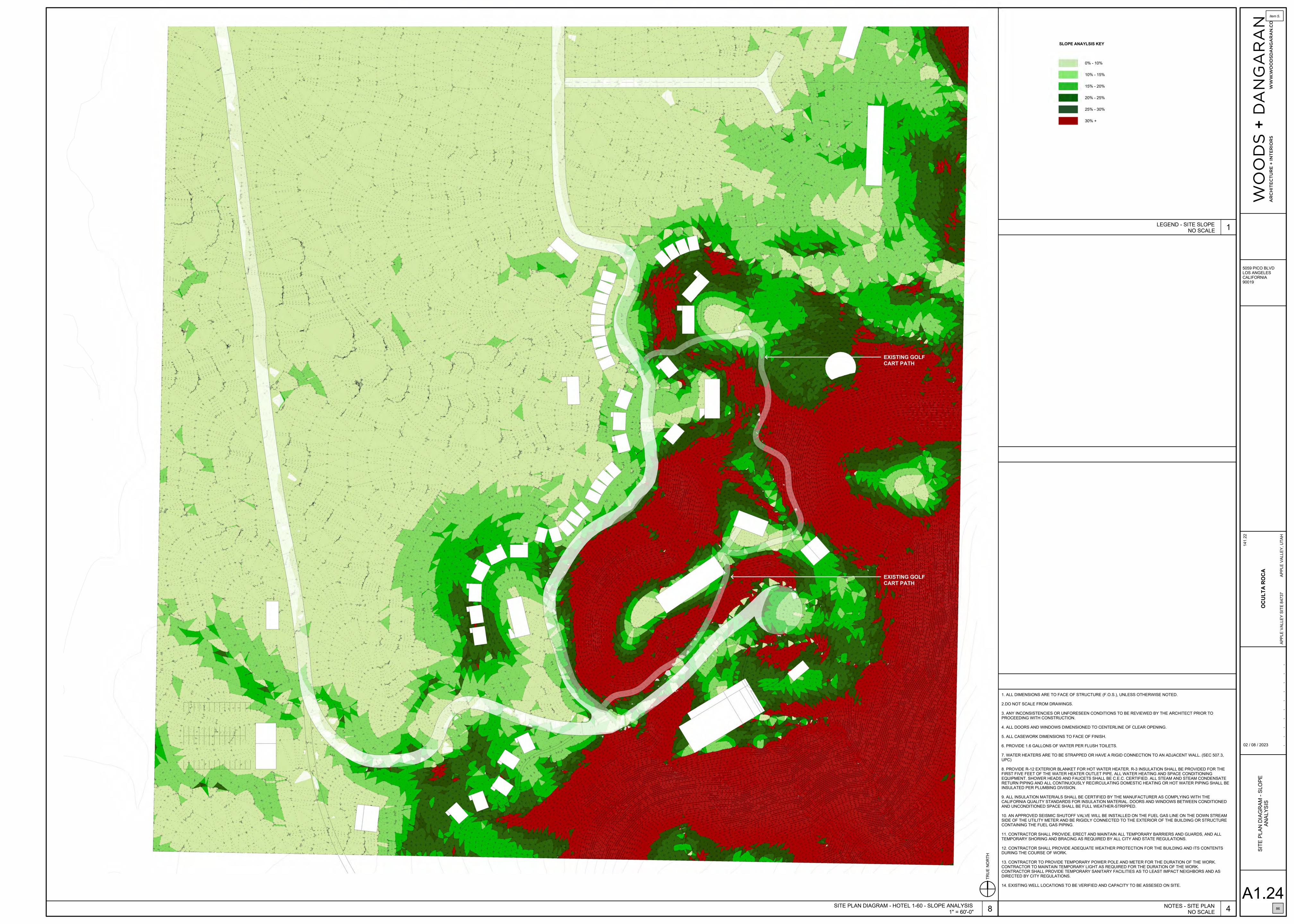


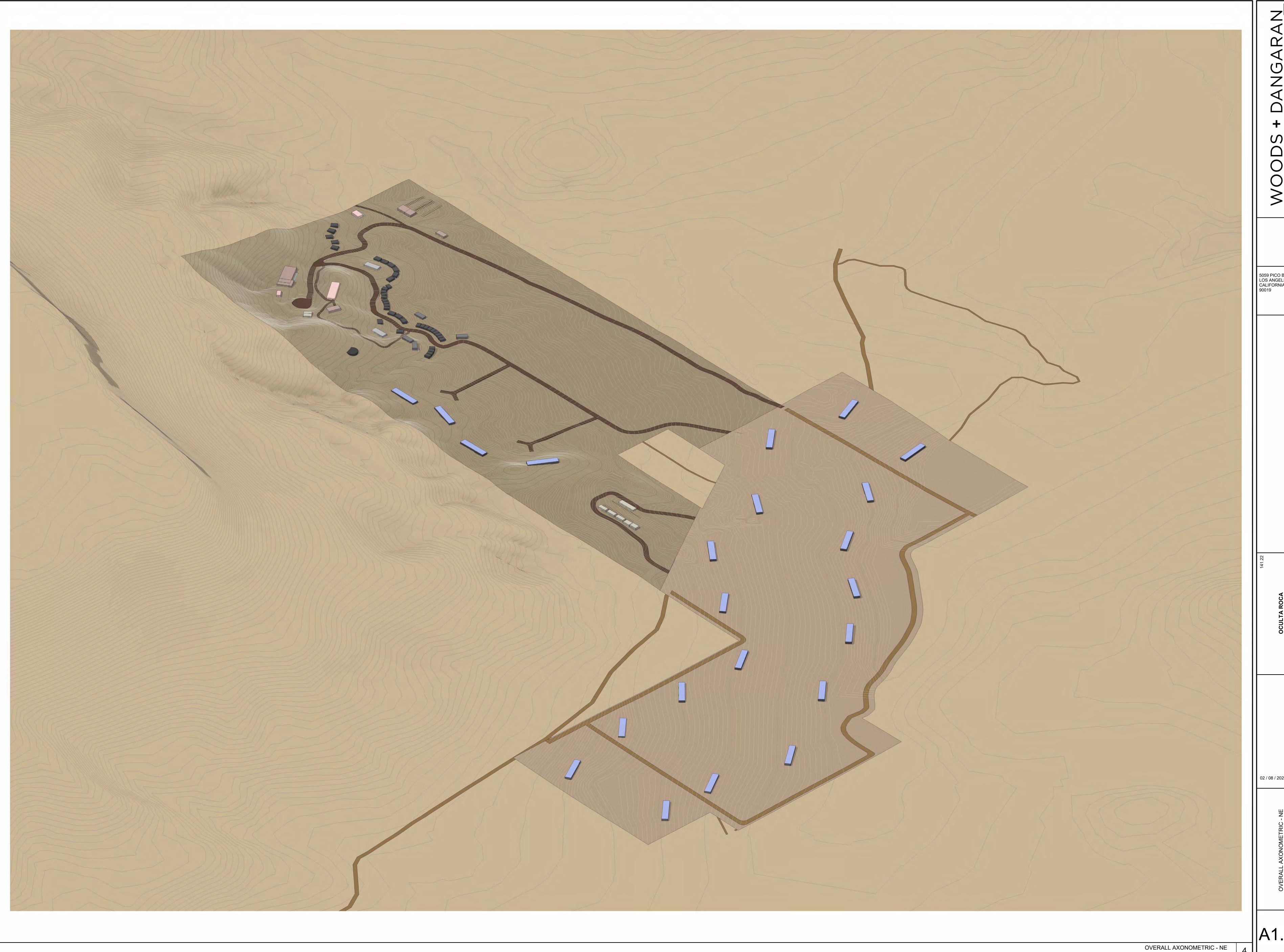




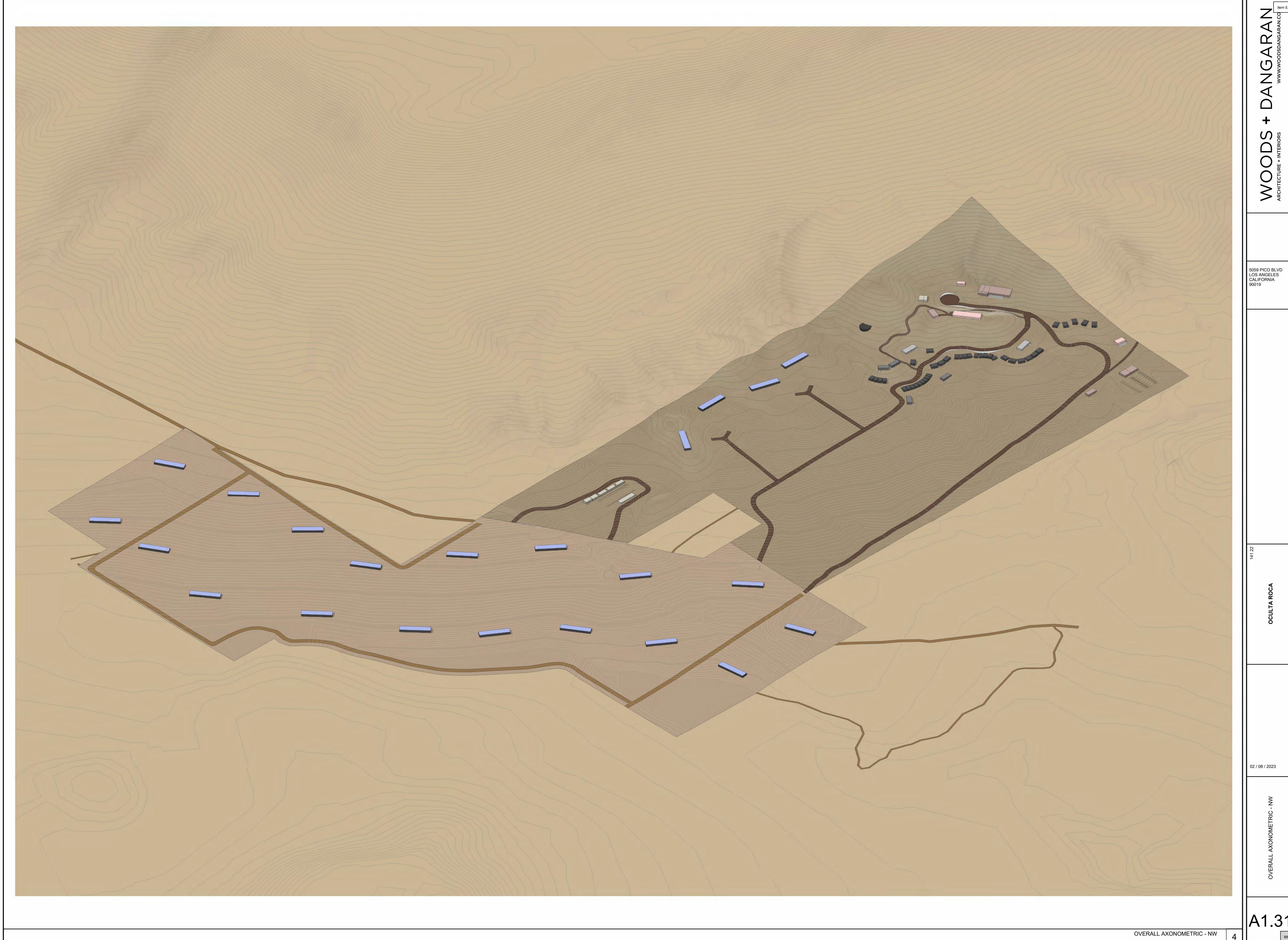


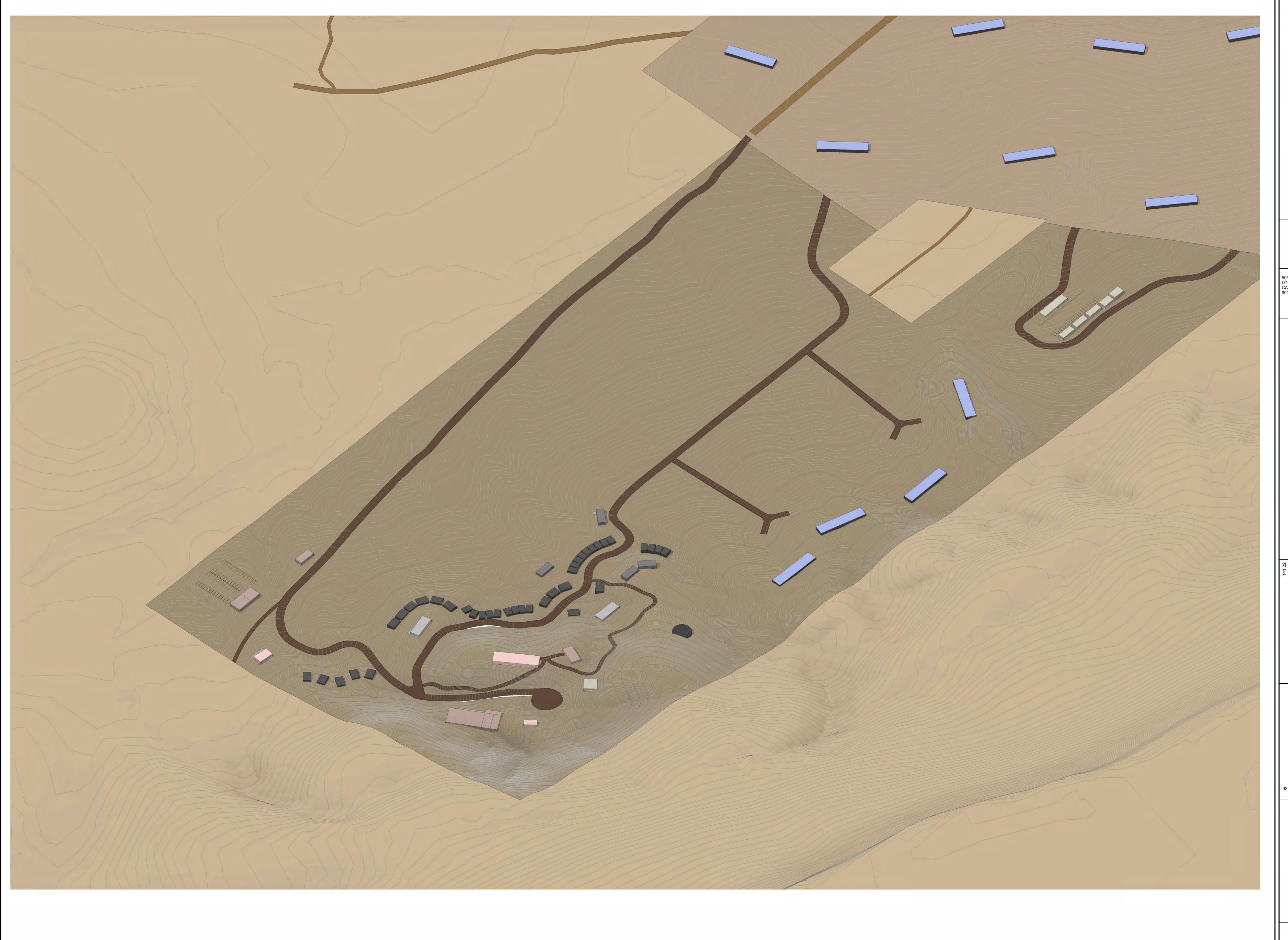






5059 PICO BLVD LOS ANGELES CALIFORNIA 90019



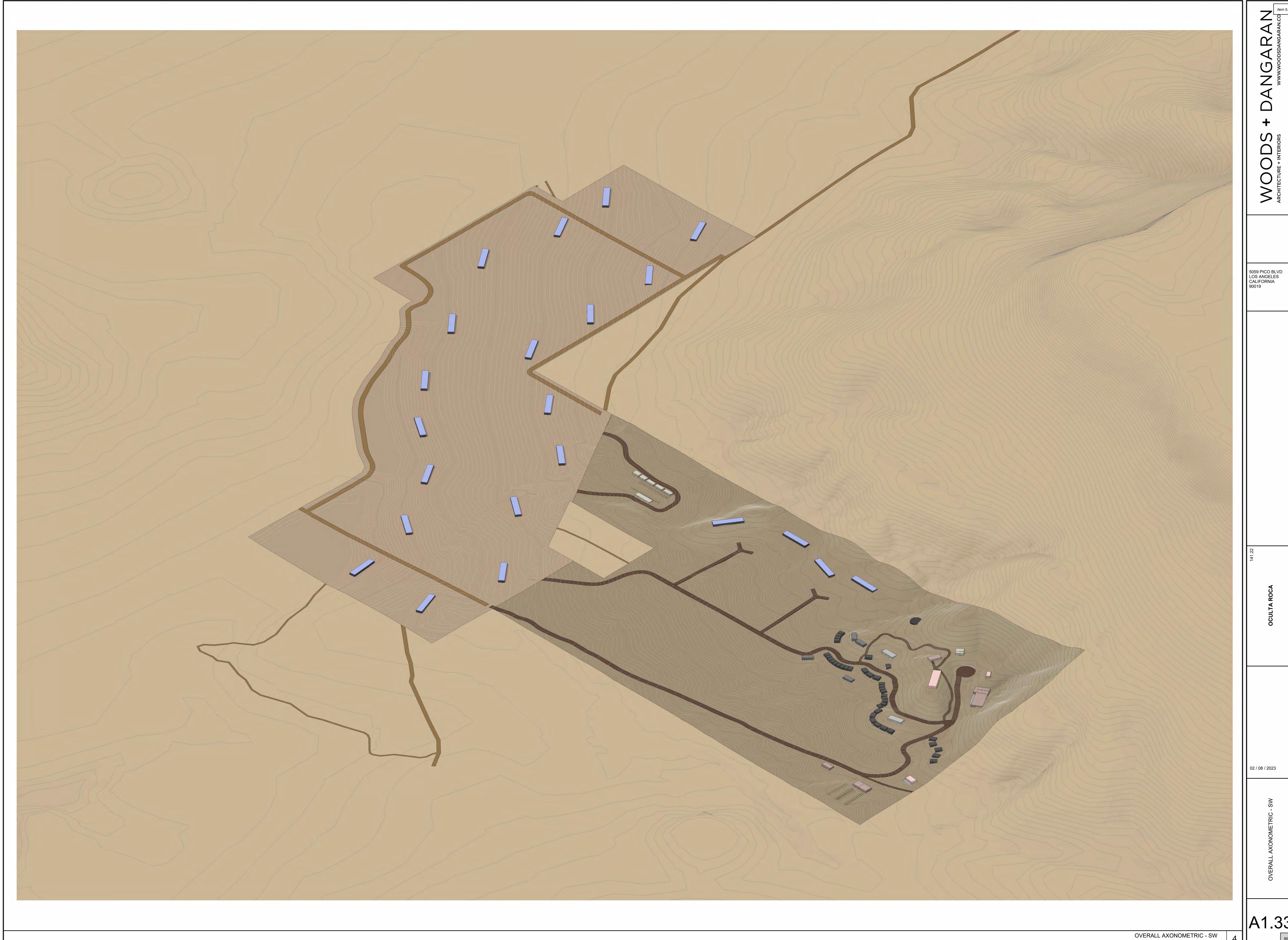


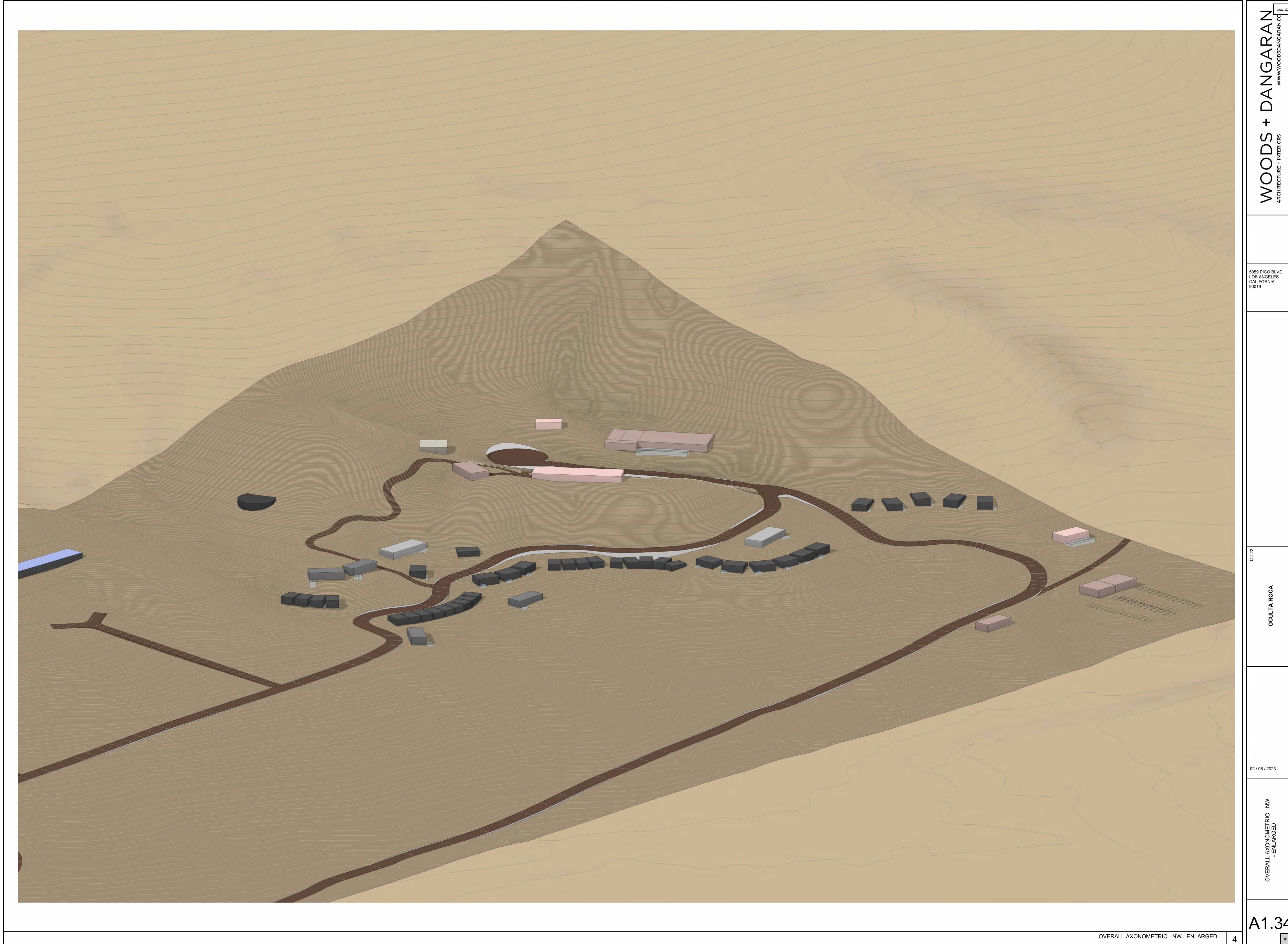
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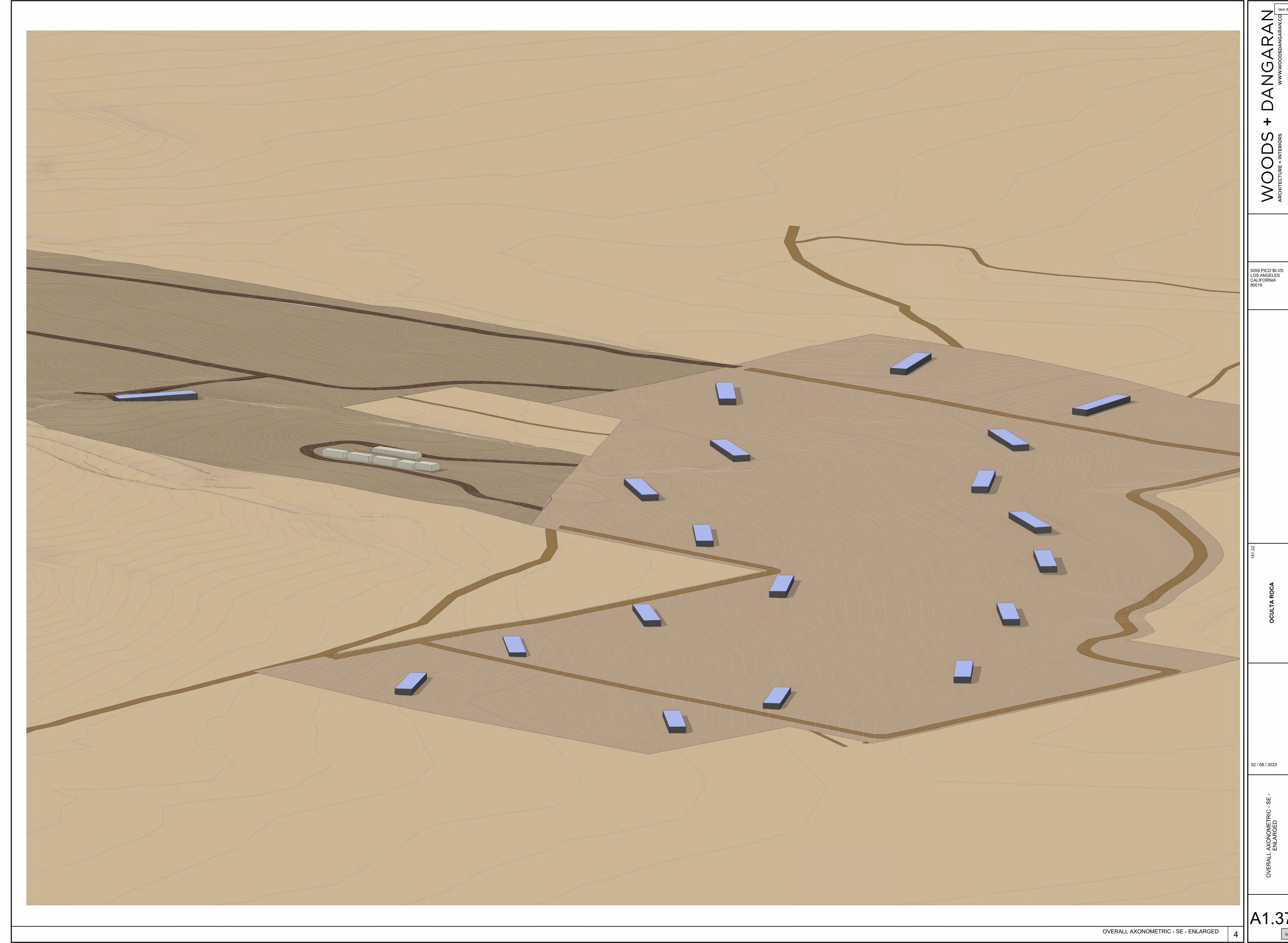
VERALL AXONOMETRIC - SE

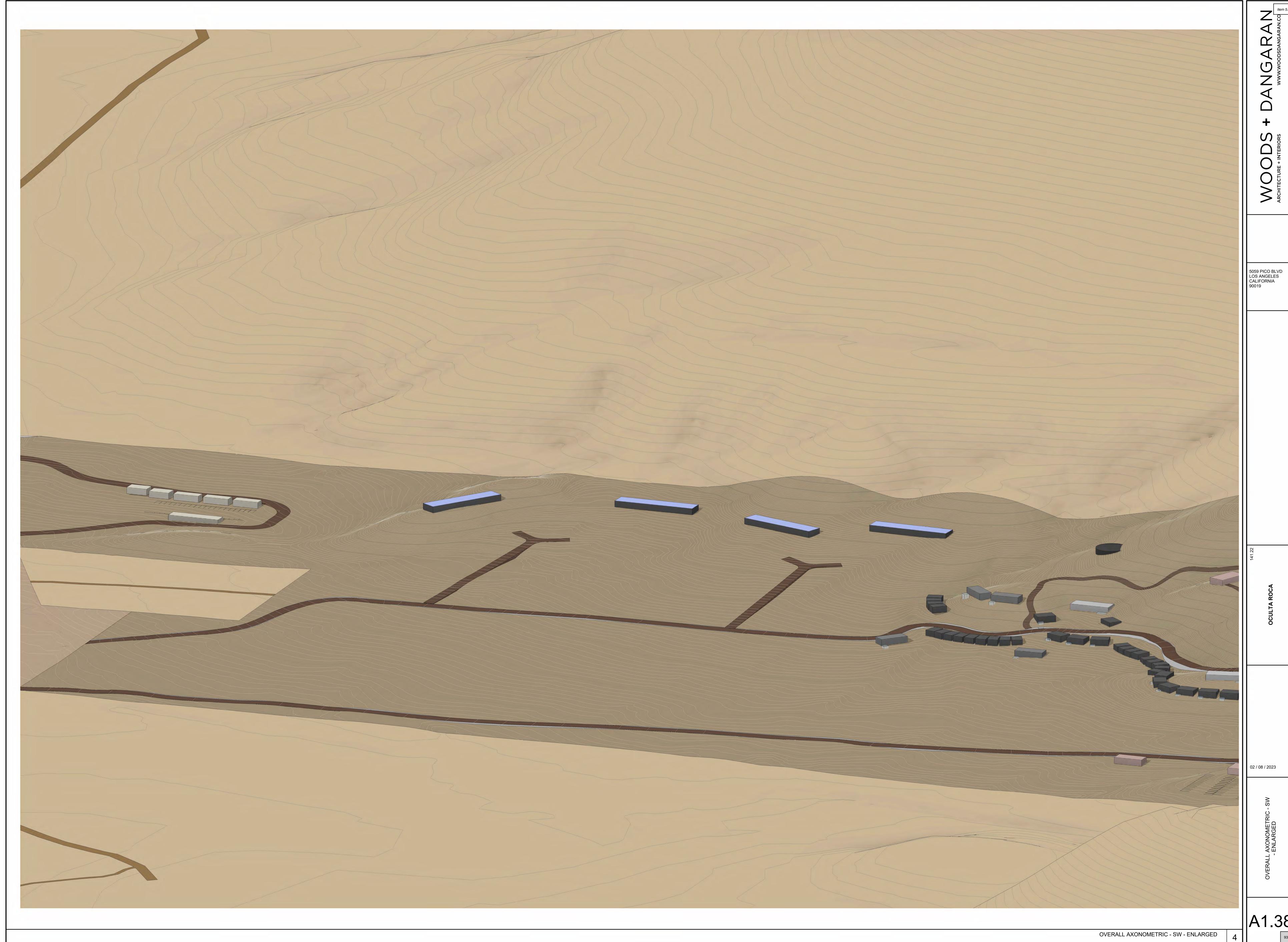
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OVERALL AXONOMETRIC - SE 4









www.applevalleyut.gov





February 15, 2023

RE: NOTICE OF PUBLIC HEARING — RE-ZONE REQUEST

Parcel Numbers: AV-2194-D, AV-2194-B and AV-2-2-27-432

Approx: 1 N. Cinder Hill Road, Apple Valley UT, 84737

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel(s) from Open Space/Open Space Transition Zone (OS/OST) to Planned Development Overlay Zone (PD) for the stated purpose of planned development of low density hotel and large ranch lot AG-5 residential. The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following link:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.120_Planned

__Development_Overlay_Zone

The hearing will be held **Wednesday**, **March 1**, **2023** at **6:00 PM** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Any objections, questions or comments can be directed by mail to the Town of Apple Valley, Attn: Planning and Zoning, 1777 North Meadowlark Drive, Apple Valley, Utah 84737, or in person at the Apple Valley Town Hall.

Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner's property in the proposed zoning map amendment, not later than 10 days after day of the first public hearing. Each written objection filed with the municipality will be provided to the Apple Valley Town Council.

Kind Regards,

gw

Jenna Vizcardo Town Clerk

TAX ID'S WITHIN 500' OF AV-2194-D, AV-2194-B, AND AV-2-2-27-432

AV-2194-D AV-2194-C AV-2194-A AV-2-2-27-432 AV-2-2-27-430 AV-2194-B AV-2194-D

AV-2194-D AV-2194-A AV-2-2-27-432 AV-2194-B

2172-A-HV AV-2178-A-1-A AV-2194-D AV-2-2-27-431 AV-2194-C AV-2194-A 2173-B-1-HV AV-2-195-B AV-2-2-27-430 2193-HV AV-2194-B BHATIA ANISH, HIKKO DESIGN LLC KKP PROPERTIES LLC TULLIS JAMES W, TULLIS JASON S PRECEPT HOLDINGS LLC KOKOPELLI ESTATES LLC HALL LARON W & LINDA W

BHATIA ANISH, HIKKO DESIGN LLC TULLIS JAMES W, TULLIS JASON S PRECEPT HOLDINGS LLC HALL LARON W & LINDA W

BALLARD DAVID RAY & KARI K TRS
CINDER KNOLL VALLEY LC
BHATIA ANISH, HIKKO DESIGN LLC
KOKOPELLI ESTATES LLC
KKP PROPERTIES LLC
TULLIS JAMES W, TULLIS JASON S
BALLARD TONY RAND
BITTERWATER ENTERPRISES LLC
PRECEPT HOLDINGS LLC
KOKOPELLI ESTATES LLC
BALLARD DAVID RAY & KARI K TRS
HALL LARON W & LINDA W



B. General Provisions:

1. Number of ADU's Per Parcel. An ADU shall only be permitted on a parcel
with a single-family dwelling. Only one ADU is permitted on a lot that is
zoned less than five (5) Ten (10) macres. On a lot or parcel that is zoned five (5) Ten (10 or more, one additional accessory dwelling unit may be approved for each
additional five (5) acres above the base five (5) acres, \Box for each
additional five (5) acres above the base five (5) acres, in the sole discretion of
the town. No more than four (4) Two (2) Other accessory dwellings shall be allowed on a lot or parcel, except when zoned and approved in a planned development that
complies with all applicable town ordinances. Only one ADU on the property
may be rented.
2. Size and Height. The size and height regulations for an ADU are as follows:
a. Eight hundred (800) sq. ft. maximum, sq. ft. maximum
: For all lots \Box or parcels in zones designated as one-half (1/2) acre minimum lot size or less, the ADU
shall not exceed eight hundred (800) sq. ft. or be less than four
hundred (400) sq. ft. The height shall not exceed twenty-five (25) ft.
□b. Twelve hundred (1200) sq. ft. maximum: For all lots or parcels in
zones designated as forty thousand (40,000) sq. ft. minimum lot size
up to two and one-half (2.5) acre minimum lot size, the ADU shall
not exceed twelve hundred (1200) sq. ft. or be less than (400) sq. ft.
The height shall not exceed thirty five (35) ft.
□c. Thirty-five hundred (3500) sq. ft. maximum: For all lots or parcels in
zones designated as more than two and one-half (2.5) acre minimum
lot size, the ADU shall not exceed thirty five hundred (3500) sq. ft. or
be less than four hundred (400) sq. ft. The height shall not exceed
thirty-five (35) ft.

APPLE VALLEY ORDINANCE 0-2023-15

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

SECTION 1: REPEAL AND REPLACE "10.28.270 Guesthouses Or Casitas" of the Apple Valley Land Use is hereby *repealed and replaced* as follows:

BEFORE REPEAL AND REPLACE

10.28.270 Guesthouses Or Casitas

The purpose and intent of requirements for allowing detached guesthouses or casitas is to provide additional housing opportunity for family members and visiting guests of the owners of the primary dwelling.

- A. Authorized: Guesthouses or casitas may be authorized, provided all requirements of this title, all other land use ordinances and the building code are met.
- B. Maximum Number: A maximum of one guesthouse or casita may be established on each individual, separate legal lot, such lot meeting all requirements, including minimum lot size, for the zoning district in which the lot is located.
- C. Permanent Structure: A guesthouse or casita shall be a permanent structure on the lot. No mobile homes, travel trailers, boats or similar recreational vehicles shall be used as a guesthouse or casita.
- D. Single-Family Dwelling; Lot: The lot proposed for a guesthouse or casita shall have an existing single-family dwelling unit established, or approved, prior to the consideration of the use application to allow a guesthouse or casita.
- E. Square Footage: The square footage of a guesthouse or casita shall not exceed thirty percent (30%) of the footprint of the primary dwelling, excluding the garage, or eight hundred (800) square feet, whichever is smaller. The minimum size of a guesthouse or casita shall be three hundred (300) square feet.
- F. Setbacks: All guesthouses or casitas shall meet and comply with the minimum setbacks required for the primary dwelling by the zoning district in which they are located, except the rear setback may be reduced to match the side setbacks.
- G. Parking: All guesthouses or casitas shall provide a minimum of one off street parking space.
- H. Construction: The construction of all guesthouses or casitas shall meet all requirements of the adopted building code.
- I. Style, Materials, Colors: The architectural style, building materials and colors of all guesthouses or casitas shall be found to be compatible and consistent with the architectural style, materials and color of the primary dwelling unit.
- J. Height and Size Restrictions: All guesthouses or casitas shall be limited to one story,

- with a maximum height of fifteen feet (15') for a pitched roof and thirteen feet (13') for a flat roof, but in no event exceeding the height of the existing dwelling. The city council may approve a special exception to the height and size restrictions for guesthouses and casitas.
- K. Occupancy Without Compensation: Guesthouses or casitas shall only be provided for the occupancy of family members of the owner of the primary dwelling, or guests of the owner, without compensation.
- L. Owner May Occupy: The owner, renter or lessee of the primary dwelling may live in the guesthouse or casita, but the primary dwelling shall only be occupied by the family members or guests of the owner, renter or lessee of the primary dwelling, without compensation.
- M. Deed Restriction: As a condition of approval required to establish a guesthouse or casita, the property owner shall record against the deed of the subject property, a deed restriction, in a form approved by the city, running in favor of the city, which shall prohibit the rental, lease or sale of the guesthouse or casita separately from the rental, lease or sale of the primary dwelling unit. Proof that such deed restriction has been recorded shall be provided to the zoning administrator prior to the issuance of the certificate of occupancy for the guesthouse or casita.

N. Permits Required:

- 1. The use application approval for a guesthouse or casita shall be received before a building permit is issued.
- 2. The commission is authorized to approve an application for a guesthouse or casita that is not part of the original construction of the single-family dwelling unit to which it is associated, provided all requirements of this section, and all other applicable requirements of all land use ordinances, and all other regulations are met.
- O. Legalizing Existing Guesthouses and Casitas: Owners of guesthouses or casitas existing on the effective date hereof, and that have not been approved as required herein, shall apply for an approval within one hundred eighty (180) days of the effective date hereof. Illegal guesthouses or casitas existing after that date will subject the owners to all applicable enforcement actions that may be available to the city.

AFTER REPEAL AND REPLACE

10.28.270 Guesthouses Or Casitas Accessory Dwelling Unit (ADU)

The purpose and intent of requirements for allowing detached guesthouses or easitas is to provide additional housing opportunity for family members and visiting guests of the owners of the primary dwelling.

- A. Authorized: Guesthouses or easitas may be authorized, provided all requirements of this title, all other land use ordinances and the building code are met.
- B. Maximum Number: A maximum of one guesthouse or easita may be established on each individual, separate legal lot, such lot meeting all requirements, including minimum lot size, for the zoning district in which the lot is located.
- C. Permanent Structure: A guesthouse or easita shall be a permanent structure on the lot.

- No mobile homes, travel trailers, boats or similar recreational vehicles shall be used as a guesthouse or easita.
- D. Single-Family Dwelling; Lot: The lot proposed for a guesthouse or easita shall have an existing single-family dwelling unit established, or approved, prior to the consideration of the use application to allow a guesthouse or easita.
- E. Square Footage: The square footage of a guesthouse or easita shall not exceed thirty percent (30%) of the footprint of the primary dwelling, excluding the garage, or eight hundred (800) square feet, whichever is smaller. The minimum size of a guesthouse or easita shall be three hundred (300) square feet.
- F. Setbacks: All guesthouses or easitas shall meet and comply with the minimum setbacks required for the primary dwelling by the zoning district in which they are located, except the rear setback may be reduced to match the side setbacks.
- G. Parking: All guesthouses or easitas shall provide a minimum of one off street parking space.
- H. Construction: The construction of all guesthouses or easitas shall meet all requirements of the adopted building code.
- E. Style, Materials, Colors: The architectural style, building materials and colors of all guesthouses or easitas shall be found to be compatible and consistent with the architectural style, materials and color of the primary dwelling unit.
- J. Height and Size Restrictions: All guesthouses or easitas shall be limited to one story, with a maximum height of fifteen feet (15') for a pitched roof and thirteen feet (13') for a flat roof, but in no event exceeding the height of the existing dwelling. The city council may approve a special exception to the height and size restrictions for guesthouses and casitas.
- K. Occupancy Without Compensation: Guesthouses or casitas shall only be provided for the occupancy of family members of the owner of the primary dwelling, or guests of the owner, without compensation.
- L. Owner May Occupy: The owner, renter or lessee of the primary dwelling may live in the guesthouse or easita, but the primary dwelling shall only be occupied by the family members or guests of the owner, renter or lessee of the primary dwelling, without compensation.
- M. Deed Restriction: As a condition of approval required to establish a guesthouse or easita, the property owner shall record against the deed of the subject property, a deed restriction, in a form approved by the city, running in favor of the city, which shall prohibit the rental, lease or sale of the guesthouse or easita separately from the rental, lease or sale of the primary dwelling unit. Proof that such deed restriction has been recorded shall be provided to the zoning administrator prior to the issuance of the certificate of occupancy for the guesthouse or easita.
- N. Permits Required:
 - 1. The use application approval for a guesthouse or easita shall be received before a building permit is issued.
 - 2. The commission is authorized to approve an application for a guesthouse or easita that is not part of the original construction of the single-family dwelling unit to which it is associated, provided all requirements of this section, and all other applicable requirements of all land use ordinances, and all other

regulations are met.

- O. Legalizing Existing Guesthouses and Casitas: Owners of guesthouses or easitas existing on the effective date hereof, and that have not been approved as required herein, shall apply for an approval within one hundred eighty (180) days of the effective date hereof. Illegal guesthouses or easitas existing after that date will subject the owners to all applicable enforcement actions that may be available to the city.
- A. Purpose and Intent: The purpose of this chapter is to provide regulations for accessory dwelling units (ADU) that are incidental and accessory to a single-family dwelling, where permitted in the zone. ADU's are intended to assist in providing housing types that meet the needs of populations of various income levels, ages, and stages of life. In accordance with the goals of the general plan, and state law, providing tools and methods for the creation of moderate-income housing is necessary. ADU's created in accordance with this section will assist in providing for this need.

B. General Provisions:

- 1. Number of ADU's Per Parcel. An ADU shall only be permitted on a parcel with a single-family dwelling. Only one ADU is permitted on a lot that is zoned less than ____five (5), ___ten (10), ___acres.

 On a lot or parcel that is zoned ___five (5), ___ten (10), ___acres or more, one additional accessory dwelling unit may be approved for each additional five (5) acres above the base five (5) acres, in the sole discretion of the town.

 No more than ___four (4), ___two (2), ___other accessory dwellings shall be allowed on a lot or parcel, except when zoned and approved in a planned development that complies with all applicable town ordinances. Only one ADU on the property may be rented.
- 2. Amenities. An ADU shall contain sufficient amenities to be defined as a dwelling. An ADU shall not have more than one kitchen.
- 3. Parking. Two parking spaces shall be provided on site for each ADU, and it shall be on a hard-surface area. Only one parking space is required for an internal ADU, and it shall be on a hard-surface area.
- 4. Occupancy. Either the ADU or the single-family dwelling shall be owner-occupied and be the primary residence of the owner-occupant with the primary residential exemption as determined by the Washington County Assessor's office, to utilize the other dwelling as a long-term rental dwelling. The non-owner-occupied unit is limited to no more than one family. For the purposes of this subsection "owner-occupied dwelling unit" means a unit that is occupied by the owner for a minimum of one hundred eighty-three (183) consecutive calendar days during the calendar year, except temporary leave for religious, military, or other legitimate purposes qualified as owner occupancy if not exceeding two years. While away, the owner shall not offer the owner-occupied dwelling unit for rent separately from the ADU.
- 5. Short Term Rentals Not Permitted. Neither the single-family dwelling unit, nor the accessory dwelling unit, shall be used or licensed as a short-term rental unless specifically permitted in accordance with Title 10, Chapter 14.
- 6. Relevant Authority Approvals. The ADU shall comply with regulations,

ordinances and building codes for a single-family dwelling. Approval is required from all utility and service providers and the Building Official.

C. Standards And Requirements:

- 1. Standards Same as Single Family Dwelling. If new construction for an ADU is proposed or will occur, the standards for single family dwellings shall apply. An ADU shall comply with the same permit standards, lot development standards, and setbacks as required in the respective zone. No travel trailer, boat, recreational vehicle, or similar item shall be used as an ADU.
- 2. Size and Height. The size and height regulations for an ADU are as follows:
 - a. Eight hundred (800) sq. ft. maximum, ____ sq. ft maximum: For all lots, the ADU shall not exceed eight hundred (800) sq. ft. or be less than four hundred (400) sq. ft. The height shall not exceed twenty-five (25) ft.
 - b. For an internal ADU, the ADU shall not exceed the size permitted in state law (10-9a-530), or the height in section 10.28.270.C.2.a, b and c. For an internal ADU located entirely within the basement of a single-family dwelling, it may include the entire basement area regardless of square footage.
- 3. Relationship to the Single-Family Dwelling; Appearance. The exterior design of an accessory dwelling unit, or the building that contains an ADU, shall compliment the single-family dwelling in a manner that preserves the appearance of the lot's single family use.
 - a. The exterior of the accessory dwelling unit shall either:
 - (1) Conform to the single-family dwelling in architectural style and materials on all sides of the building and roof; or
 - (2) Be designed by a licensed architect in a manner that gives the appearance of a barn or other similarly styled agricultural outbuilding; or
 - (3) Be designed by a licensed architect in a manner that provides the architectural features of historic buildings from the general area.
 - b. An ADU located in a building that is only connected to the single-family dwelling by means of a continuous roofline, such as a breezeway, shall not be determined to be an internal ADU if the distance between them is fifteen (15) feet or greater.
- 4. Access. The main access into an internal ADU shall be on the side or rear of the primary dwelling, as viewed from the front lot line. Each ADU shall have direct access to the exterior of the building in a manner that does not require passage through any other part of a building.
- 5. Undivided Ownership. Ownership of an ADU shall not be transferred separately from the single-family dwelling to which it is an accessory, unless the transfer is part of a lawfully platted subdivision that complies with all applicable town ordinances. The primary residence and the ADU(s) shall have the same physical and mailing address.
- 6. Site Layout Approval. The accessory dwelling unit shall be constructed at a

- location on the lot or parcel approved by the town and service providers to take into account drainage, topography, setbacks, parking, utilities, easements and all other applicable standards.
- 7. Utilities. All utilities shall be sized and constructed to accommodate the primary dwelling and the ADU, as well as any other structures or uses on the lot or parcel.
- 8. Building Department Compliance. No ADU shall be constructed, converted or remodeled without a building permit issued at the time of the act. No permit shall be issued if there is an outstanding code violation on the parcel. If no building permit was issued at the time of construction, conversion or remodeling, the applicant shall apply for a building permit and pay all applicable fees to the town and applicable utility service providers. It is the applicant's responsibility to provide a certification of compliance from a qualified and licensed engineer to the Building Official that the ADU complies with all regulations, ordinances and building codes, and the town shall make a determination of adequacy of the certification of compliance, in its sole discretion.
- <u>D.</u> Application Procedure: Approval of an accessory dwelling unit requires a building permit. The application and review procedure for a building permit is as follows:
 - 1. Application Submittal Requirements.
 - a. A completed building permit application signed by the owner or assigned agent.
 - b. An application fee. The payment of a partial application fee, or the submittal of plans for a pre-submittal review, does not constitute a complete application.
 - c. A site plan drawn accurately to scale that shows property lines and dimensions, setbacks, the location of existing buildings and building entrances, any proposed building and its dimensions from buildings and property lines, and the location of parking stalls.
 - d. Detailed floor plans, including elevations, draw to scale with labels on rooms indicating proposed uses.
 - e. Detailed utility plans, drawn to scale showing the location of private and public utility infrastructure on the lot or parcel, and the connections to any public utilities.

2. Review Procedure.

- a. Upon submittal of a complete ADU application, Planning staff will review the application to verify compliance with this chapter and any other relevant component of town ordinances.
- b. If the building permit application complies with relevant land use laws, and receives all required department and agency approvals, a building permit shall be issued. The ADU shall maintain compliance with the approved permit.
- c. If the application does not comply, Planning staff shall notify the applicant in writing, using the notification method typical for similar

- correspondence. The applicant shall be given the opportunity to revise the application to bring it into compliance. If the application cannot be brought into compliance, the application shall be denied. A denial by the Planning staff is an administrative decision. Alternatively, the applicant may withdraw the application, forfeiting the fee.
- d. If the ADU is rented, a business license is required. License renewal requires owner's proof of continued compliance with the requirements in this section.
- 3. Use as a long-term rental dwelling. The primary dwelling or the ADU may be long term rented on the parcel or lot if the owner provides proof that the property has the primary residential exemption as determined by the Washington County Assessor's office, and that the primary residence or the ADU is owner-occupied. A deed restriction, recorded against the property on a form acceptable to the town, acknowledging that the lot or parcel will remain owner-occupied, is required for one ADU on the property to be long term rented.
- E. Enforcement: Violations of this chapter are subject to enforcement and penalties as outlined in AVLU 10.02.190. Noncompliance with the standards of this section shall be just cause for the denial of a business license application or renewal, or revocation of an existing business license, if the original conditions are not maintained that allowed the ADU.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect from March 15, 2023.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

	AYE	NAY	ABSENT	ABSTAI
Mayor Frank Lindhardt				
Council Member Andy McGinnis		'		
Council Member Barratt Nielson		'		
Council Member Kevin Sair		-		
Council Member Robin Whitmore				
Attest	Presiding Officer			
Jenna Vizcardo, Town Clerk, Apple	Fra	ank Lindh	ardt Mayor A	nnle
Valley	Frank Lindhardt, Mayor,, Apple Valley			