# APPLE VALLEY TOWN COUNCIL MEETING

**1777 N Meadowlark Dr, Apple Valley**
**Thursday, April 21, 2022 at 6:30 PM**

## AGENDA

Notice is given that a meeting of the Town Council of the Town of Apple Valley will be held on **Thursday, April 21, 2022**, commencing at **6:30 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

**Mayor**| Frank Lindhardt |
**Council Members** | Andy McGinnis | Barratt Nielson | Kevin Sair | Robin Whitmore |

*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/82478326427

if the meeting requests a password use 1234

To call into meeting, dial (253) 215 8782 and use Meeting ID 824 7832 6427

**CALL TO ORDER / PLEDGE OF ALLEGIANCE/ PRAYER/ ROLL CALL**

**DECLARATION OF CONFLICTS OF INTEREST**

**CONSENT AGENDA**

1. Disbursement Listing--3.01.2022-3.31.2022
2. Budget Report-7.1.21-3.31.22
3. Minutes: January 19, 2022
4. Minutes: January 27, 2022
5. Minutes: February 16, 2022
6. Minutes: February 17, 2022
7. Minutes: March 2, 2022
8. Minutes: March 9, 2022
9. Minutes: March 17, 2022
10. Minutes: March 16, 2022

**MAYOR'S TOWN UPDATE**

**PUBLIC COMMENTS**

**DISCUSSION AND ACTION**

11. CIB APPLICATION FOR URBAN TYPE 2 FIRE VEHICLE.
12. PARTICIPATION IN HABITAT CONSERVATION PLAN (HCP)

    Tabled from meeting on March 17, 2022 for more information

13. ZONE CHANGE APPLICATION FOR AV-1329-B FROM OST TO SF-1.0; APPLICANT LADD MACDONALD.

    PLANNING COMMISSION RECOMMENDED DENIAL ON 12.1.21. TABLED BY APPLICANT ON 1.27.22 and 3.17.22.

14. ZONE CHANGE APPLICATION FOR AV-1313-D-1 FROM AG TO SF 1/2; APPLICANT 2000 MAIN LLC / TRAVIS HOLM.

    TABLED BY APPLICANT AT TC ON 1.27.22 and 3.17.22.

15. ZONE CHANGE APPLICATION FOR AV-1318 FROM AG TO SF 1/2; APPLICANT STANDARD DEVELOPMENT LLC / TRAVIS HOLM; OWNER NANCY BRADSHAW.

    PLANNING COMMISSION RECOMMENDED DENIAL ON 12.1.21. TABLED BY APPLICANT ON 1.27.22 and 3.17.22.

16. ZONE CHANGE APPLICATION FOR AV-2184 AND AV-2165 FROM OST TO CABIN/TH, PD AND RE-1; APPLICANT STANDARD DEVELOPMENT / TRAVIS HOLM.
    ON 1.27.22 APPLICANT TABLED AT TC. PC RECOMMENDED DENIAL ON 1.20.22.
    Requested to be tabled by Travis Holm due to engineer being sick on 3.17.22.
    Tabled to next council meeting in April 2022.

17. PRELIMINARY PLAT APPLICATION (MILES MARK) FOR AV-1319-A; APPLICANT 2000 MAIN / TRAVIS HOLM.

    PLANNING COMMISSION RECOMMENED DENIAL ON 1.20.22. TABLED BY APPLICANT ON 1.27.22 AND 3.17.22.

    NOTE FROM LAST TOWN COUNCIL MEETING (3.17.22) THAT AFFIDAVIDT NEEDS TO BE VERFIED WITH OWNER.

18. PRELIMINARY PLAT APPLICATION (REDSTONE) FOR AV-1345,1327,1326,1346,1348-A; APPLICANT 2000 MAIN / TRAVIS HOLM.

    PLANNING COMMISSION RECOMMENED DENIAL ON 1.20.22. TABLED BY APPLICANT ON 1.27.22 AND 3.17.22.

    NOTE FROM LAST TOWN COUNCIL MEETING (3.17.22) THAT AFFIDAVIDT NEEDS TO BE VERFIED WITH OWNER.

19. APPOINTMENT TO THE SOUTHWEST MOSQUITO ABATEMENT AND CONTROL DISTRICT--RESOLUTION R-2022-21

20. A RESOLUTION APPOINTING EVENTS COMMITTEE MEMBERS--RESOLUTION-R-2022-22

21. DISCUSSION ON BUDGET REVIEW

22. APPOINTMENT OF TOWN ADMINISTRATOR--RESOLUTION NO. R-2022-23

23. APPOINTMENT OF TOWN FINANCE DIRECTOR--RESOLUTION NO. R-2022-24

24. APPOINTMENT OF TOWN PURCHASING AGENT--RESOLUTION-R-2022-25

25. APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF APPLE VALLEY AND THE BIG PLAINS WATER AND SEWER SPECIAL SERVICE DISTRICT--RESOLUTION-R-2022-26

26. TOWN DUMP TRUCK UP FOR BID

27. SPECIAL EVENT PERMIT APPLICATION FOR RUNNING EVENT ON SEPTEMBER, 10, 2022.

28. CONSIDER APPROVAL OF MEETING DATE CHANGE

29. IMPLEMENT AN EXCEPTION BY TOWN COUNCIL VOTE TO ALL ORDINANCES REGARDING EXCAVATION--O-2022-11

30. UPDATE 11.02.080 CONSTRUCTION DRAWINGS--O-2022-12

31. UPDATE 11.02.170 FEES--O-2022-13

32. UPDATE 10.10.060 SF SINGLE FAMILY RESIDENTIAL ZONE--O-2022-14

    PC approved changes as written recommended approval.

33. UPDATE 10.28.260 DELETE SECTION ACCESSORY DWELLING UNITS FOR AN OWNER OR EMPLOYEE--O-2022-15

34. UPDATE 10.28.270 ACCESSORY DWELLING UNITS ADD WORD (DETACHED)--O-2022-16

    PC approved changes as written recommended approval.

**REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS**

**REQUEST FOR A CLOSED SESSION, IF NECESSARY, WILL BE ANNOUNCED FOR EITHER PENDING LEGAL OR PERSONNEL MATTERS**

**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 on April 14, 2022, updated April 18, 2022, April 19, 2022 and April 20, 2022.

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS**
**In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should call 435-877-1190.**

# Town of Apple Valley
## Disbursement Listing
## Checking - SBSU - 03/01/2022 to 03/31/2022

| Payee Name | Reference Number | Payment Date | Payment Amount | Void Date | Void Amount | Source |
|---|---|---|---|---|---|---|
| XPress Bill Pay | 0 | 03/03/2022 | $515.36 | | | Purchasing |
| Zoom Video Communications Inc. | 0 | 03/22/2022 | ($3.55) | | | Purchasing |
| Amazon.com | 0 | 03/30/2022 | $106.09 | | | Purchasing |
| Payroll | 0311221200 | 03/11/2022 | $1,924.57 | | | Paycheck |
| Payroll | 0325221200 | 03/25/2022 | $3,188.24 | | | Paycheck |
| State of Utah-Dept of Commerce | 5047 | 03/01/2022 | $2,116.90 | | | Purchasing |
| Washington County Treasurer HCP | 5048 | 03/01/2022 | $33,236.67 | | | Purchasing |
| RDB Law, PC | 5049 | 03/01/2022 | $550.00 | | | Purchasing |
| Sunrise Engineering | 5050 | 03/02/2022 | $3,016.25 | | | Purchasing |
| Blackburn Propane | 5051 | 03/07/2022 | $613.64 | | | Purchasing |
| FIRETRUCKS UNLIMITED | 5052 | 03/07/2022 | $27,500.00 | | | Purchasing |
| Hinton Burdick CPAs and Advisors | 5053 | 03/07/2022 | $500.00 | | | Purchasing |
| One Stop Hydraulic Shop LLC | 5054 | 03/07/2022 | $323.45 | | | Purchasing |
| Pro Style Homes | 5055 | 03/07/2022 | $58.00 | | | Purchasing |
| TASC, Properties LLC | 5056 | 03/07/2022 | $1,201.01 | | | Purchasing |
| Big Plains Water and Sewer SSD | 5057 | 03/01/2022 | $110,620.93 | | | Purchasing |
| Menser, Jesse | 5058 | 03/01/2022 | $1,370.00 | | | Purchasing |
| Utah Taxpayer's Association | 5059 | 03/07/2022 | $97.50 | | | Purchasing |
| Vaughn, Robin | 5060 | 03/07/2022 | $861.90 | | | Purchasing |
| Vizcardo, Jenna | 5061 | 03/07/2022 | $135.00 | | | Purchasing |
| Campbell, Maria | 5062 | 03/07/2022 | $856.65 | | | Purchasing |
| Hall, Eric & Elizabeth | 5063 | 03/07/2022 | $53.66 | | | Purchasing |
| Zolg, David | 5065 | 03/07/2022 | $150.58 | | | Purchasing |
| Gallian Welker & Beckstrom, L.C. | 5066 | 03/08/2022 | $3,827.00 | | | Purchasing |
| South Central Communications | 5067 | 03/08/2022 | $383.98 | | | Purchasing |
| Big Plains Water and Sewer SSD | 5068 | 03/10/2022 | $2,335.00 | | | Purchasing |
| Pelorus Methods, Inc. | 5069 | 03/10/2022 | $700.00 | | | Purchasing |
| AT&T | 5070 | 03/21/2022 | $334.24 | | | Purchasing |
| Little Creek Station | 5071 | 03/21/2022 | $149.27 | | | Purchasing |
| Municode | 5072 | 03/21/2022 | $2,400.00 | | | Purchasing |
| Revco Leasing | 5073 | 03/21/2022 | $230.69 | | | Purchasing |
| State of Utah | 5074 | 03/21/2022 | $25.00 | | | Purchasing |
| Utah Local Governments Trust | 5075 | 03/21/2022 | $876.22 | | | Purchasing |
| Washington County Solid Waste | 5076 | 03/21/2022 | $4,284.00 | | | Purchasing |
| McGinnis, Marshal A. | 5077 | 03/22/2022 | $222.19 | | | Purchasing |
| USPS | ACH032822 | 03/28/2022 | $236.33 | | | Purchasing |
| Jorgensen, Gerald & Wenn | ADJ030922 | 03/09/2022 | $0.00 | | | Purchasing |
| Amazon.com | AMZ030322 | 03/03/2022 | $105.24 | | | Purchasing |
| Amazon.com | AMZ030922 | 03/09/2022 | $12.37 | | | Purchasing |
| Amazon.com | AMZ031022 | 03/10/2022 | $379.38 | | | Purchasing |
| Amazon.com | AMZ031022-2 | 03/10/2022 | $69.99 | | | Purchasing |
| Amazon.com | AMZ032222-1 | 03/22/2022 | $57.88 | | | Purchasing |
| Amazon.com | AMZ032222-2 | 03/22/2022 | $163.92 | | | Purchasing |
| Amazon.com | AMZ032222-3 | 03/22/2022 | $190.90 | | | Purchasing |
| Amazon.com | AMZ032222-4 | 03/22/2022 | $94.14 | | | Purchasing |
| Buck's Ace Hardware | DEBIT030922 | 03/09/2022 | $19.80 | | | Purchasing |
| Internal Revenue Service | EFTPS031122 | 03/11/2022 | $424.29 | | | Payroll |
| Internal Revenue Service | EFTPS032522 | 03/25/2022 | $918.96 | | | Payroll |
| Ford Motor Credit Company | FMC030822 | 03/08/2022 | $1,122.15 | | | Purchasing |
| Superior Technical Solutions | STS030122 | 03/01/2022 | $355.00 | | | Purchasing |
| MegaPro | X999 | 03/07/2022 | $0.00 | | | Purchasing |
| Zolg, David L. | X999 | 03/11/2022 | $0.00 | | | Paycheck |
| Zions Bank | ZB032522 | 03/25/2022 | $880.38 | | | Purchasing |
| Zoom Video Communications Inc. | ZVC031822 | 03/18/2022 | $58.54 | | | Purchasing |
| | | | **$209,849.71** | | **$0.00** | |

# Town of Apple Valley

**Operational Budget Report**

**10 General Fund - 07/01/2021 to 03/31/2022**

**75.00% of the fiscal year has expired**

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| **Change In Net Position** | | | | | |
| **Revenue:** | | | | | |
| **Taxes** | | | | | |
| 3110 General property taxes-current | 116,553.27 | 2,575.13 | 113,275.51 | 111,933.00 | 101.20% |
| 3120 Prior year's taxes-delinquent | 9,320.94 | 0.00 | 5,139.11 | 8,000.00 | 64.24% |
| 3130 General sales and use taxes | 107,412.15 | 12,110.51 | 94,237.16 | 130,000.00 | 72.49% |
| 3140 Energy and communication taxes | 30,787.40 | 3,998.74 | 13,392.64 | 35,000.00 | 38.26% |
| 3150 RAP Tax | 10,834.86 | 1,720.14 | 11,926.02 | 13,000.00 | 91.74% |
| 3160 Transient Taxes | 4,254.65 | 721.66 | 4,907.73 | 3,500.00 | 140.22% |
| 3170 Fee in lieu of personal property taxes | 8,103.54 | 0.00 | 1,584.85 | 8,400.00 | 18.87% |
| 3190 Highway/Transit Tax | 9,789.71 | 1,141.66 | 8,764.02 | 9,600.00 | 91.29% |
| **Total Taxes** | **297,056.52** | **22,267.84** | **253,227.04** | **319,433.00** | **79.27%** |
| **Licenses and permits** | | | | | |
| 3210 Business licenses | 3,350.00 | 1,650.00 | 7,350.00 | 3,400.00 | 216.18% |
| 3221 Building Permits-Fee | 98,256.26 | 6,743.62 | 61,267.34 | 80,000.00 | 76.58% |
| 3222 Building Permits-Non Surcharge | 2,769.26 | 946.85 | 8,555.43 | 3,500.00 | 244.44% |
| 3223 Building permit - HCP Valuation | 0.00 | 946.60 | 3,496.28 | 0.00 | 0.00% |
| 3224 Building Permits Surcharge | 0.00 | 0.00 | 332.22 | 0.00 | 0.00% |
| 3225 Animal licenses | 420.00 | 150.00 | 390.00 | 500.00 | 78.00% |
| **Total Licenses and permits** | **104,795.52** | **10,437.07** | **81,391.27** | **87,400.00** | **93.13%** |
| **Intergovernmental revenue** | | | | | |
| 3356 Class "C" road allotment | 69,287.89 | 14,826.09 | 57,577.59 | 82,000.00 | 70.22% |
| 3358 Liquor control profits | 0.00 | 0.00 | 755.59 | 800.00 | 94.45% |
| 3370 State Grants | 15,326.25 | 0.00 | 13,236.51 | 45,000.00 | 29.41% |
| 3371 State Highway Grants | 30,765.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3373 CARES Revenue | 72,089.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Intergovernmental revenue** | **187,468.14** | **14,826.09** | **71,569.69** | **127,800.00** | **56.00%** |
| **Charges for services** | | | | | |
| 3230 Special Event Permit | 0.00 | 1,000.00 | 3,000.00 | 0.00 | 0.00% |
| 3410 Clerical services | (15.00) | 133.69 | 133.69 | 100.00 | 133.69% |
| 3415 SSD Payroll Services | 4,612.40 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3416 Other Interdepartmental Charges | 4,099.34 | 0.00 | 0.00 | 10,000.00 | 0.00% |
| 3420 Fire Department Contracts | 7,513.50 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3431 Zoning and subdivision fees | 26,746.00 | 150.00 | 53,330.13 | 30,000.00 | 177.77% |
| 3440 Solid waste | 34,350.00 | 4,546.00 | 37,396.31 | 48,800.00 | 76.63% |
| 3441 Storm Drainage | 30,265.63 | 3,666.48 | 31,629.69 | 38,880.00 | 81.35% |
| 3461 GRAMA requests | 55.00 | 0.00 | 0.00 | 200.00 | 0.00% |
| 3470 Park and recreation fees | 30.00 | 0.00 | 0.00 | 100.00 | 0.00% |
| 3615 Late charges/Other Fees | 1,450.92 | 180.51 | 1,264.83 | 2,000.00 | 63.24% |
| **Total Charges for services** | **109,107.79** | **9,676.68** | **126,754.65** | **130,080.00** | **97.44%** |
| **Fines and forfeitures** | | | | | |
| 3510 Fines | 3,381.21 | 0.00 | 523.93 | 4,800.00 | 10.92% |
| **Total Fines and forfeitures** | **3,381.21** | **0.00** | **523.93** | **4,800.00** | **10.92%** |
| **Interest** | | | | | |
| 3610 Interest earnings | 1,517.49 | 316.32 | 1,693.12 | 4,800.00 | 35.27% |
| **Total Interest** | **1,517.49** | **316.32** | **1,693.12** | **4,800.00** | **35.27%** |
| **Miscellaneous revenue** | | | | | |
| 3690 Sundry revenue | 5,125.01 | 136.30 | 2,692.86 | 1,000.00 | 269.29% |
| 3692 Fire department fundraisers | 1,000.00 | 0.00 | 0.00 | 1,300.00 | 0.00% |
| 3697 Park department fundraisers | 0.00 | 0.00 | 0.00 | 800.00 | 0.00% |

# Town of Apple Valley

**Operational Budget Report**

**10 General Fund - 07/01/2021 to 03/31/2022**

**75.00% of the fiscal year has expired**

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| 3801.1 Impact fees - Fire | 354.00 | 1,688.00 | 17,783.00 | 2,000.00 | 889.15% |
| 3801.2 Impact fees - police | 0.00 | 228.00 | 2,394.00 | 0.00 | 0.00% |
| 3801.3 Impact fees - roadways | 3,084.00 | 5,320.00 | 56,374.00 | 18,000.00 | 313.19% |
| 3801.4 Impact fees - culinary water | 6,260.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 3801.6 Impact fees - storm water | 3,949.12 | 10,248.11 | 30,783.95 | 15,000.00 | 205.23% |
| 3801.7 Impact fees - parks, trails, OS | 846.00 | 725.00 | 14,641.00 | 6,000.00 | 244.02% |
| **Total Miscellaneous revenue** | **20,618.13** | **18,345.41** | **124,668.81** | **44,100.00** | **282.70%** |
| **Contributions and transfers** | | | | | |
| 3802.2 Contributions - public safety | 0.00 | 0.00 | 0.00 | 300.00 | 0.00% |
| 3802.7 Contributions - parks and recreation | 69.26 | 0.00 | 0.00 | 100.00 | 0.00% |
| 3802.8 Contributions - Contingency | 0.00 | 0.00 | 0.00 | 100,000.00 | 0.00% |
| **Total Contributions and transfers** | **69.26** | **0.00** | **0.00** | **100,400.00** | **0.00%** |
| **Total Revenue:** | **724,014.06** | **75,869.41** | **659,828.51** | **818,813.00** | **80.58%** |
| **Expenditures:** | | | | | |
| **General government** | | | | | |
| **Council** | | | | | |
| 4111.110 Council Salaries and wages | 2,417.04 | 0.00 | 11,900.00 | 5,000.00 | 238.00% |
| 4111.130 Council Employee benefits | 470.29 | 148.84 | 1,141.50 | 700.00 | 163.07% |
| 4111.210 Council Travel Reimbursement | 909.40 | 0.00 | 0.00 | 2,100.00 | 0.00% |
| 4111.220 Council Training | 0.00 | 0.00 | 0.00 | 1,900.00 | 0.00% |
| 4111.610 Council Donations and discretionary spending | 0.00 | 0.00 | 0.00 | 500.00 | 0.00% |
| **Total Council** | **3,796.73** | **148.84** | **13,041.50** | **10,200.00** | **127.86%** |
| **Administrative** | | | | | |
| 4141.110 Admin Salaries and Wages | 55,747.84 | 3,062.25 | 67,913.80 | 90,000.00 | 75.46% |
| 4141.130 Admin Employee Benefits | 6,590.67 | 336.73 | 5,709.11 | 13,400.00 | 42.61% |
| 4141.140 Admin Employee Retirement - GASB 68 | 1,160.49 | 208.99 | 208.99 | 4,700.00 | 4.45% |
| 4141.210 Admin Dues, Subs & Memberships | 667.50 | 2,302.50 | 2,852.59 | 1,000.00 | 285.26% |
| 4141.220 Admin Public Notices | 209.38 | 29.82 | 597.54 | 800.00 | 74.69% |
| 4141.230 Admin Clerk Training | 95.00 | 0.00 | 135.00 | 900.00 | 15.00% |
| 4141.240 Admin Office/Administrative Expense | 5,263.15 | 1,617.29 | 17,514.33 | 7,500.00 | 233.52% |
| 4141.250 Admin Equipment Expenses | 5,540.24 | 1,515.69 | 4,653.54 | 7,500.00 | 62.05% |
| 4141.260 Admin Building & ground maintenance | 2,790.36 | 132.72 | 1,769.33 | 1,000.00 | 176.93% |
| 4141.270 Admin Utilities | 7,195.45 | 799.08 | 4,275.12 | 5,800.00 | 73.71% |
| 4141.280 Admin Telephone and Internet | 5,168.51 | 722.05 | 6,037.65 | 15,000.00 | 40.25% |
| 4141.290 Admin Postage | 1,593.02 | 236.33 | 2,203.35 | 3,000.00 | 73.45% |
| 4141.320 Admin Engineering/Professional Fees | 60,862.30 | 0.00 | 35,494.88 | 20,000.00 | 177.47% |
| 4141.330 Admin Legal | 20,359.54 | 3,717.00 | 41,394.15 | 28,000.00 | 147.84% |
| 4141.331 Admin Assessment legal fees | 0.00 | 0.00 | 2,028.84 | 0.00 | 0.00% |
| 4141.340 Admin Accounting | 4,796.75 | 0.00 | 16,823.74 | 7,500.00 | 224.32% |
| 4141.350 Building Fees-Inspector/85% Surcharge | 13,290.09 | 972.63 | 52,717.48 | 45,000.00 | 117.15% |
| 4141.360 Admin Education-General | 0.00 | 0.00 | 247.83 | 0.00 | 0.00% |
| 4141.390 Admin Bank service charges | (98.88) | (454.11) | 3,462.10 | 6,000.00 | 57.70% |
| 4141.410 Admin Insurance | 10,365.20 | 97.78 | 6,052.33 | 11,000.00 | 55.02% |
| 4141.490 Admin Travel reimbursements | 0.00 | 103.89 | 199.32 | 500.00 | 39.86% |
| 4141.500 Admin Weed abatement | 1,063.00 | 0.00 | 0.00 | 1,500.00 | 0.00% |
| 4141.550 Admin Cares Act | 56,334.53 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4141.610 Bad debt expense | 0.00 | 0.00 | 0.33 | 0.00 | 0.00% |
| 4170 Elections | 0.00 | 0.00 | 2,288.46 | 1,500.00 | 152.56% |
| 4171 Contingency | 0.00 | 0.00 | 0.00 | 30,000.00 | 0.00% |
| **Total Administrative** | **258,994.14** | **15,400.64** | **274,579.81** | **301,600.00** | **91.04%** |
| **Total General government** | **262,790.87** | **15,549.48** | **287,621.31** | **311,800.00** | **92.25%** |

# Town of Apple Valley

**Operational Budget Report**

**10 General Fund - 07/01/2021 to 03/31/2022**

**75.00% of the fiscal year has expired**

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| **Public safety** | | | | | |
| **Police** | | | | | |
| 4210.110 Police Salaries & wages | 7,560.00 | 0.00 | 9,450.00 | 15,000.00 | 63.00% |
| 4210.250 Police Expenditures | 1.00 | 0.00 | 4,762.58 | 100.00 | 4,762.58% |
| 4253.250 Animal Control Supplies | 62.90 | 0.00 | 63.25 | 100.00 | 63.25% |
| **Total Police** | **7,623.90** | **0.00** | **14,275.83** | **15,200.00** | **93.92%** |
| **Fire** | | | | | |
| 4220.110 Fire Salaries & wages | 16,321.37 | 3,078.00 | 20,976.05 | 22,000.00 | 95.35% |
| 4220.130 Fire Employee Benefits | 1,236.03 | 1,284.21 | 3,036.01 | 1,700.00 | 178.59% |
| 4220.140 Fire Contract Salaries & Wages | 0.00 | 0.00 | 200.00 | 0.00 | 0.00% |
| 4220.230 Fire Travel, Mileage & Cell | 0.00 | 57.19 | 57.19 | 300.00 | 19.06% |
| 4220.240 Fire Office expenses | 75.87 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4220.250 Fire Equipment maintenance & repairs | 440.02 | 0.00 | 1,103.89 | 300.00 | 367.96% |
| 4220.260 Fire Rent expense | 763.85 | 0.00 | 0.00 | 850.00 | 0.00% |
| 4220.360 Fire Training | 0.00 | 165.00 | 224.27 | 800.00 | 28.03% |
| 4220.450 Fire Small Equip/Supplies | 452.88 | 0.00 | 0.00 | 1,200.00 | 0.00% |
| 4220.460 Fire Supplies-Fundraisers | 0.00 | 0.00 | 0.00 | 200.00 | 0.00% |
| 4220.465 Fire Gear | 1,737.50 | 0.00 | 472.79 | 2,500.00 | 18.91% |
| 4220.550 Fire Cares Act | 15,429.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4220.560 Fire Equipment Fuel | 500.42 | 0.00 | 287.94 | 1,800.00 | 16.00% |
| 4220.610 Fire Interest | 1,401.74 | 80.25 | 784.50 | 2,400.00 | 32.69% |
| 4220.620 Fire Principal | 8,697.61 | 1,041.90 | 8,192.70 | 11,100.00 | 73.81% |
| 4220.740 Fire Capital outlay | 0.00 | 0.00 | 27,500.00 | 5,000.00 | 550.00% |
| 4220.810 Fire Captial Contingency | 0.00 | 0.00 | 0.00 | 35,000.00 | 0.00% |
| **Total Fire** | **47,056.29** | **5,706.55** | **62,835.34** | **85,150.00** | **73.79%** |
| **Total Public safety** | **54,680.19** | **5,706.55** | **77,111.17** | **100,350.00** | **76.84%** |
| **Highways and public improvements** | | | | | |
| **Highways** | | | | | |
| 4410.110 Road Wages and Contract Labor | 0.00 | 0.00 | 0.00 | 3,500.00 | 0.00% |
| 4410.130 Road Employee benefits | 0.00 | 0.00 | 0.00 | 300.00 | 0.00% |
| 4410.380 Road Department Services | 0.00 | 0.00 | 720.00 | 400.00 | 180.00% |
| 4410.450 Road Department Supplies | 0.00 | 0.00 | 1,616.79 | 1,000.00 | 161.68% |
| 4410.550 Road Equipment Maintenance | 2,858.90 | 2,335.00 | 3,029.05 | 10,000.00 | 30.29% |
| 4410.560 Road Equipment Fuel | 641.28 | 0.00 | 1,589.88 | 5,400.00 | 29.44% |
| 4410.740 Road Capital outlay | 14,592.90 | 0.00 | 0.00 | 51,000.00 | 0.00% |
| 4410.810 Road Principal | 39,002.32 | 814.27 | 39,415.50 | 41,100.00 | 95.90% |
| 4410.820 Road Interest | 31,546.06 | 66.11 | 30,416.96 | 35,000.00 | 86.91% |
| 4415.110 Public Works Wages and Contract Labor | 1,530.00 | 0.00 | 0.00 | 2,500.00 | 0.00% |
| 4415.130 Public Works Employee benefits | 2.30 | 0.00 | 0.00 | 200.00 | 0.00% |
| 4415.320 Public Works Engineering/Professional Fees | 0.00 | 0.00 | 0.00 | 40,000.00 | 0.00% |
| 4415.450 Public Works Supplies | 450.88 | 0.00 | 3,799.22 | 3,500.00 | 108.55% |
| 4415.550 Public Works Equipment Maintenance | 58.96 | 0.00 | 1,435.48 | 500.00 | 287.10% |
| 4415.560 Public Works Equipment fuel | 250.00 | (150.00) | (52.00) | 500.00 | -10.40% |
| 4415.570 Public Works Travel Reimbursement | 0.00 | 0.00 | 0.00 | 200.00 | 0.00% |
| 4415.710 Public Works Interest | 1,679.50 | 0.00 | 1,140.15 | 2,500.00 | 45.61% |
| 4415.720 Public Works Principal | 14,380.50 | 0.00 | 14,919.85 | 16,000.00 | 93.25% |
| 4415.810 Public Works Contingency | 0.00 | 0.00 | 0.00 | 35,000.00 | 0.00% |
| **Total Highways** | **106,993.60** | **3,065.38** | **98,030.88** | **248,600.00** | **39.43%** |
| **Sanitation** | | | | | |
| 4420.460 Solid Waste Service | 29,860.85 | 0.00 | 35,813.26 | 44,500.00 | 80.48% |
| **Total Sanitation** | **29,860.85** | **0.00** | **35,813.26** | **44,500.00** | **80.48%** |

# Town of Apple Valley

**Operational Budget Report**

**10 General Fund - 07/01/2021 to 03/31/2022**

**75.00% of the fiscal year has expired**

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| **Total Highways and public improvements** | **136,854.45** | **3,065.38** | **133,844.14** | **293,100.00** | **45.67%** |
| **Parks, recreation, and public property** | | | | | |
| **Parks** | | | | | |
| 4540.110 Park/Rec Wages and Contract Labor | 4,380.00 | 0.00 | 2,755.00 | 6,000.00 | 45.92% |
| 4540.130 Park/Rec Employee benefits | 0.00 | 0.00 | 0.00 | 1,000.00 | 0.00% |
| 4540.250 Park/Rec Department Expenses | 570.00 | 0.00 | 0.00 | 0.00 | 0.00% |
| 4540.460 Park/Rec Community events supplies | 0.00 | 157.85 | 157.85 | 0.00 | 0.00% |
| 4540.740 Parks Capital outlay | 7,648.39 | 0.00 | 4,586.00 | 12,000.00 | 38.22% |
| **Total Parks** | **12,598.39** | **157.85** | **7,498.85** | **19,000.00** | **39.47%** |
| **Total Parks, recreation, and public property** | **12,598.39** | **157.85** | **7,498.85** | **19,000.00** | **39.47%** |
| **Debt service** | | | | | |
| 4141.810 Debt service - principal | 0.00 | 0.00 | 2,002.53 | 0.00 | 0.00% |
| **Total Debt service** | **0.00** | **0.00** | **2,002.53** | **0.00** | **0.00%** |
| **Transfers** | | | | | |
| 4804 Transfer to Fund Balance | 0.00 | 0.00 | 0.00 | 13,563.00 | 0.00% |
| 4805 Transfer to capital projects | 0.00 | 0.00 | 0.00 | 40,000.00 | 0.00% |
| 4807 Transfer to Assigned Balance - Fire Impact Fees | 0.00 | 0.00 | 0.00 | 2,000.00 | 0.00% |
| 4809 Transfer to Assigned Balance - Roadway Impact | 0.00 | 0.00 | 0.00 | 18,000.00 | 0.00% |
| 4810 Transfer to Assigned Balance -Storm Water Imp | 0.00 | 0.00 | 0.00 | 15,000.00 | 0.00% |
| 4811 Transfer to Assigned Balance - Parks & Rec Fees | 0.00 | 0.00 | 0.00 | 6,000.00 | 0.00% |
| **Total Transfers** | **0.00** | **0.00** | **0.00** | **94,563.00** | **0.00%** |
| **Total Expenditures:** | **466,923.90** | **24,479.26** | **508,078.00** | **818,813.00** | **62.05%** |
| **Total Change In Net Position** | **257,090.16** | **51,390.15** | **151,750.51** | **0.00** | **0.00%** |

# Town of Apple Valley

**Operational Budget Report**

**41 Capital Projects Fund - 07/01/2021 to 03/31/2022**

**75.00% of the fiscal year has expired**

| | Prior YTD | Current Period | Current YTD | Annual Budget | Percent Used |
|---|---|---|---|---|---|
| **Change In Net Position** | | | | | |
| **Expenditures:** | | | | | |
| **Miscellaneous** | | | | | |
| 4141.740 Capital Outlay expenses | 5,251.80 | 0.00 | 0.00 | 0.00 | 0.00% |
| **Total Miscellaneous** | **5,251.80** | **0.00** | **0.00** | **0.00** | **0.00%** |
| **Total Expenditures:** | **5,251.80** | **0.00** | **0.00** | **0.00** | **0.00%** |
| **Total Change In Net Position** | **(5,251.80)** | **0.00** | **0.00** | **0.00** | **0.00%** |

# APPLE VALLEY WORK MEETING

**1777 N Meadowlark Dr, Apple Valley**
**Wednesday, January 19, 2022 at 9:00 AM**

## MINUTES

PRESENT
Mayor Mason Walters
Council Member Robin Whitmore
Council Member Andy McGinnis

Dale Harris, Public Works Director

David Zolg, Jr, Fire Department

Frank Lindhardt, Planning Dept Manager- arrived late

**CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL**

**DECLARATION OF CONFLICTS OF INTEREST-NONE**

**CONSENT AGENDA**

1. Beginning Organizational Meeting

   Mayor asked Dale Harris to comment on Public Works Director, Roads and drainage into working manner. Drainage working used prisoners' as workers.

   Mt Zion Dr needs dropbox, dropbox is essentially a box for water to fall into and let drain.

   What is flooding everything is flowing into the ditches.

   Program for roads at different intervals, would like to suggest dump truck and drag that was purchased isn't helpful for our roads. Would suggest looking into water tender.

   Wells Project-Building and water, asked several times for a bond and is not getting any response and if doesn't have a bond by the end of the day they are shutting the project down. This was asked 2 weeks ago.

   Farrar project first hydraulic modeling only had residential indoor use. No secondary water. He has talked with Farrar and until he has a source. They needs meters for plumbers he will .

   When the State doesn't approve something they don't have authority to shut them down but we do have the authority to shut them down. Subdivision over there without a source.

   CP down to 35 gallons a minute on one source and will not last through summer. Fire protection is paramount. We don't have that fire protection. Would like to see securing money for USDA heard of contract that Beddo was involved, Houses in water in Canaan springs we cannot supply water to homes.

   Min should be 146 gallons per min. Will we get through the summer if we stop building and stop bulk water use. Developers need to

   recommended CP to secure more water from the source. CP is is direr straights.

   For the record Keven Sair and Frank Lindhardt have joined the meeting.

   Mayor asked for a budget about using the prisoners to help with clean with ditches and use fill dirt. He said he would estimate about $3500-$4000 once a year for maintenance.

DRAFT

Mayor asks about residents being responsible for their storm drainage doe not work because everyone sense of the ditches is different.

Keven Sair makes comment about Fire Protection.

-Clean up sage brush possibly using equipment (Dale Harris says he can used backhoe)

-Site Lines- Mt Zion to Rome (anything the involves safety needs to be addressed immediately)

-Concrete Slide

-Dropbox-John Peay at Mt Zion (written easement in place)

Conversation took place about equipment preference.

Prioritize this plan.

Timetable for things-how long it will take.

Andy quote on mini-ex.

Dale Harris to find rate about prisoners

Jr made comment about MOU requirements about any clean up needs to documented.

Frank asked about storage tank on Canaan.

Frank asked Dale Harris about Wells Estates and water study. Has anyone asked with legal council about fire protection safety.

David Zolg, Jr makes comment this is a serious issue. Storage= pressure.

Dale Harris makes comment on the water and the other comments from other engineers is almost used to keep everyone in confusion.

Mayor makes comment about dealing with the same issue with water in Hilldale. People are passing information in the community. Any information dealing with water needs to be dealt with by Dale Harris and Frank Lindhardt as well. In order to squash these rumors is having definite numbers to support what is actually going on in Apple Valley.

Frank Lindhart makes comment that is very helpful to know what is going on.

Dale Harris make comment about the connections and will serve letters and the requirement of giving a acre foot of water rights and possibly looking into a surge or throttling back the overuse of water.

Andy makes comment about storage.

Frank makes comment about making policy for developers in regards to the standards of the tanks. Policy is written.

Mayor makes comment about possibly having more than one tank .

Dale Harris makes comment would like to see packet when someone comes in for development.

Frank Lindhardt makes comment that all this needs to be documented upfront.

David Zolg, Jr recommends adopting WUI (Wildland Urban Interface) for our Town. Also allows to get into grants, etc. It is going to protect the homeowner. Agrees that we need a book for developers.

Dale Harris makes comment creating avenues that keep in place. Preparing for the long-haul.

Design Standards  is online.

Dale Harris makes comment about AG variance. Getting a handle on that.

DRAFT

Fire Dept makes comment that not accepting any roads with cinders. Not sure about Cinder/clay adhesion.

Mayor asked what are other things that can help mitigate any fires from getting out of control.

Fire Dept recommends not opening burn season possibly. Adjusting burn season. Fire Dept can regulate with minimum standards. Kevin as Liaison is working with Fire Dept re: equipment. Road standards 26 inch wide, comment about no dead end turn arounds, hydrants 400 feet from home, comment about road base.

Mayor asks about community burn but was closed due to not being able to control what items people bring.

-Dale Harris suggests selling dump truck for water tender.- Dale Harris to take these items.

-Wells Estates- Dale Harris for written letter. Verbal communication/written communication with certified mail and then red tag.

Richard Fischer project does not have bond. Desert Star Financial Owner--project

Farrar project-family subdivision needs information. Coyote rd which is a dedicated public road and is re-routed the road onto private property which is illegal. Frank Lindhardt makes comment that there is procedure.

Frank makes comment that we have Master Road Plan, after reviewing with no right/left turn lanes. Proposed to put on Planning Commission meeting to update map.

Ditches cleaned

Adopt WUI fire codes for the Town.

next water bill for notice to clean ditches and open burn season for people to burn as of March 1st when the clean there debri.

Fire Dept makes comment about roads having secondary access. Grave concern with secondary accesses. Mayor comments with General Plan having secondary access.

-Clean up Sage Brush- organize volunteer day

-Site Lines- Safety issues address ASAP

-Concrete slide

-Dale Harris information on drop box

-Road Standards will not approve cinders.

Franks comments about longevity of developments.

Zoning/Prelim Plat if they do not approved forward in one year then it automatically expires unless the apply for one year extension.

Development Agreements and Planned development is not the case. That stays with the property. We can change but usually not done by the town changing the zoning.

Final Plat sunset date is 2 years.

Comment about community education about water. Re-educate people about the water source.

Letter to community re: surcharge for over usage and meeting re: information on water.

Frank has discussion about Planning Commission meeting and the agenda items.

DRAFT

**PUBLIC COMMENTS**

Opened for public comments

Forrest Kuehne had comment about county records

David Zolg comments about the C/O process now.

Anthus Barlow asks about water study, water infrastructure study by Sunrise Engineering-Mayor comments about applying grant for aquifer study. Conflicting studies on aquifer.

Comments made by Frank there are more issues than with water.

Conversation was had about the monamartium. in Apple Valley.

Communication is key.

**REQUEST FOR A CLOSED SESSION**

Request for closed session from Frank for litigation issue.

**ADJOURNMENT**

Motion made by Council Member Whitmore, Seconded by Mayor Walters.
Voting Yea: Mayor Walters, Council Member Whitmore, Council Member McGinnis

Date Approved: _____

_____

Mayor: Mason Walters

Attest by: _____

Jenna Vizcardo: Town Clerk

DRAFT

# APPLE VALLEY TOWN COUNCIL MEETING

**1777 N Meadowlark Dr, Apple Valley**
**Thursday, January 27, 2022 at 6:00 PM**

## MINUTES

**Mayor** | Mason Walters |
**Council Members** | Kevin Sair | Robin Whitmore | Andy McGinnis | Barratt Nielson

**Clerk-Recorder** | Jenna Vizcardo

**CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL**

Mayor Mason Walters called meeting to order at 6:03pm.

PRESENT
Mayor Mason Walters
Council Member Kevin Sair
Council Member Robin Whitmore
Council Member Andy McGinnis

Council Member Barratt Nielson present after line-item 9.

**DECLARATION OF CONFLICTS OF INTEREST**-None.

**PUBLIC COMMENTS**

Rich Kopp- 2222 E Ranch Rd- Concern about connection Canaan to the million gallon tank.

Jason Graham- Concerned about things seeing in Apple Valley- scandal of hiring back Jr of Fire Chief.

Rich Ososki- would like to speak in favor of JR.

Patricia Anderson-comment about building moortaium

Travis Holm- addresses about his agenda items

Motion to close public comments

**Motion made by Council Member Sair, Seconded by Council Member Whitmore.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis**

**Motion carries 4-0. Motion carries.**

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**CONSENT AGENDA**

1. Approval of Special Town Council Meeting Minutes from 1/3/2022

   **Motion made by Council Member McGinnis, Seconded by Council Member Sair.**
   **Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis**

   **Motion 4-0. Motion carries.**

   ---

2. Financial Review – Treasurer Robin Whitmore

   Mayor thanks Robin.

No financial review at this time for council or publish to look at. Previous reconciliation were not done in the office and trying to sort through months of back papers before we can present a financial review.

**DISCUSSION AND ACTION**

3. DISCUSSION AND POSSIBLE ACTION ON AGREEMENT BETWEEN THE TOWN OF APPLE VALLEY AND WASHINGTON COUNTY FOR SHERIFF SERVICES

   Nate Brooksy elected Sheriff for the The Town of Apple Valley made comments about the contract.

   Comments about the highway 59 about high speed traffic. That road is maintained by U-dot and any special request on the road need to be taken up with U-dot between the Town of directly. Town Ordinance needs criminal penalty-cannot write ticket on civil offense.

   **DISCUSSION AND POSSIBLE ACTION ON AGREEMENT BETWEEN THE TOWN OF APPLE VALLEY AND WASHINGTON COUNTY FOR SHERIFF SERVICES**

   **Motion to approve made by Council Member Sair, Seconded by Council Member McGinnis.**
   **Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis**

   **Motion 4-0. Motion carries.**

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4. DISCUSSION AND POSSIBLE ACTION ON THE GENERAL PLAN UPDATE BEING PERFORMED BY SUNRISE ENGINEERING

   Brad Robbins with Sunrise Engineering retired City Manager from California. Rebecca Bennett is also here. Brief update about General Plan. In essence General Plan is base document for every development that goes on in the town. Land use, Transportation and Housing. Housing is not required because less than 1000 residents but still recommends some housing. Survey for Town going forward about Steering Committee- Planning Commission will be the Steering Committee. We recommend they survey be available for 30 days and then coordinate those items with the Steering Committee. Timeframe is hopeful for 5-6 months.

   Mayor makes comment about General Plan being crucial as the vision for the community. Residents input is going to be critical. Town will include this survey in the upcoming water bill.

   **DISCUSSION AND POSSIBLE ACTION ON THE GENERAL PLAN UPDATE BEING PERFORMED BY SUNRISE ENGINEERING**

   **Motion made by Council Member Sair, Seconded by Council Member Whitmore.**
   **Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis**

   **Motion 4-0 Motion carries.**

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5. DISCUSSION AND POSSIBLE ACTION ON RESOLUTION R-2022-06: RESIDENTIAL SOLID WASTE DISPOSAL FEE INCREASE

   Kevin Sair commented about the fee increase due to the fee increasing with the County of Washington. $12.50 currently increased to $13.00 a month starting 2/1/22.

   **DISCUSSION AND POSSIBLE ACTION ON RESOLUTION R-2022-06: RESIDENTIAL SOLID WASTE DISPOSAL FEE INCREASE**

**Motion to approve made by Council Member Sair, Seconded by Council Member Whitmore. Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis**

**Motion 4-0. Motion carries.**

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6. DISCUSSION AND POSSIBLE ACTION ON RESOLUTION R-2022-07: APPOINTMENT OF TOWN CLERK AND RECORDER FOR THE TOWN OF APPLE VALLEY

**Motion to approve made by Council Member Whitmore, Seconded by Council Member Sair. Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis**

**Motion 4-0. Motion carries.**

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7. DISCUSSION AND POSSIBLE ACTION OF RESOLUTION R-2022-08: APPOINTMENT OF ALTERNATE MEMBER OF THE PLANNING COMMISSION

1 volunteer Margaret Ososki has volunteered for this position.

**DISCUSSION AND POSSIBLE ACTION OF RESOLUTION R-2022-08: APPOINTMENT OF ALTERNATE MEMBER OF THE PLANNING COMMISSION**

**Motion to approve made by Council Member Sair, Seconded by Council Member McGinnis. Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis**

**Motion 4-0. Motion carries.**

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8. DISCUSSION AND POSSIBLE ACTION OF RESOLUTION R-2002-09: APPOINTMENT OF TOWN PURCHASING AGENT

**Correction: DISCUSSION AND POSSIBLE ACTION OF RESOLUTION R-2022-09: APPOINTMENT OF TOWN PURCHASING AGENT**

**Motion to approve made by Council Member Sair, Seconded by Council Member Whitmore. Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis**

**Motion 4-0. Motion carries.**

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9. DISCUSSION AND POSSIBLE ACTION OF RESOLUTION R-2022-10: APPOINTMENT OF A TOWN COUNCIL MEMBER

Barratt Nielson makes comment about his background.

Term ends Jan 3, 2024

**DISCUSSION AND POSSIBLE ACTION OF RESOLUTION R-2022-10: APPOINTMENT OF A TOWN COUNCIL MEMBER**

**Motion made to approve by Council Member McGinnis, Seconded by Council Member Sair. Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis**



DRAFT

**Motion 4-0. Motion carries.**

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10. DISCUSSION AND POSSIBLE ACTION ON AV-1313-D-1. ZONING CHANGE APPLICATION. APPLICANT TRAVIS HOLM

    Motion to Table until March 2022 per applicants request.

    **Motion made by Council Member Sair, Seconded by Council Member McGinnis.**
    **Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Barratt Nielson**

    **Motion 5-0. Motion carries.**

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11. Discussion and possible action on AV-1318. Zoning change application. Owner Nancy Bradshaw Tr. Applicant Travis Holm.

    Motion to Table until March 2022 per applicant's request.

    **Motion made by Council Member Sair, Seconded by Council Member Whitmore.**
    **Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

    **Motion 5-0. Motion carries.**

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12. Discussion and possible action AV-2184 & AV-2165. Zoning change application. Owner: Ciel Holding LLC & Colony Partners LLC. Application by Travis Holm.

    Motion to Table until March 2022 per applicant's request.

    **Motion made by Council Member Whitmore, Seconded by Council Member McGinnis.**
    **Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

    **Motion 5-0. Motion carries.**

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13. Discussion and possible action on AV-1366-D-1. Zoning change application. Owner Zion Tiny Homes Matt Jessop.

    Motion for denial recommended to the Town Council from Planning Commission on 1.20.22, needed application corrections were not made.

    Motion For Denial for

    1. Same reason denied from Planning Commission, needed application corrections were not made.

    2. Turning property into High density subdivision is not compatible with the surrounding area in Cedar Point.

    3. Property is a good location for commercial area as recommended by the General Plan.

    4. Inadequate services

    **Motion made by Council Member Whitmore, Seconded by Council Member McGinnis.**
    **Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**



DRAFT

**Motion 5-0. Motion carries.**

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14. Discussion and possible action on AV-1343-A-1. Zoning change application. Owner: TLW Investments, Travis & Libby Wells. Agent Alliance Consulting.

    Motion for denial recommended to the Town Council from Planning Commission on 1.20.22 for larger lots, no access and inadequate services.

    Comments are the same for 14 and 15

    Thad Seegmiller is a local attorney representing this client makes comment that he disagrees with Mr. Sair it's going to be a joke Mr. Sair he was elected and served 8 years on Town Council and is very aware of how much works goes into the Town Council t and agrees the Town should buy him a popsicle from time to time. These are 2 zone changes both are zone changes from Open Space to the designation currently listed in your General Plan. This application the landowner the land use designation in compliance with the general Plan. He has reviewed the application notes from the planning commission. 1st finding even though recommending denial speaking in reference to agenda to #14 and #15 on both projects the Planning Commission did find that it did conform to General Plan. Read Stature from State of Use from State of Utah 10.9.509 An applicant is entitled to land use owner if the application conforms to the applicable land use regulations. This application conforms to general plan use plan, conforms to land use regulation. Agrees with planning commission. Makes comment about zoning and what zone change application. He is authorized today, if there are issues with harmony to discuss rather than having to file an appeal. Zone change application is for a minimum of 1 acre is approved. As to access the plan is to bring access plans at preliminary or final plat. If there are concerns or principals of access they would be willing to discuss those or work through those as well. Thad Seegmiller asks the Mayor and Council if any questions.

    Councilmember Barratt Nielson only concern he has is the threat of appeal to hang-over there heads tomake a decision in there favor

    Thad Seegmiller addressing that our ordinance states if zone change denied only re-address is to make an appeal. You are right if there is a denial and if the client wants to appeal that

    Barratt Nielson askes for zone change for 1 acre and if approved all lots can be one acre, Thad Seegmiller says not exactly because this body will be the same body to approve the plat after zoning designation is changed to confirm with General Plan.

    Dayton Hall makes comment that zone change is an amendment to ordinances so that is a legislative active the council takes out of all the things you have the most discretion on you make your laws. he disagrees on the previous comments on the plat. Sate code the culinary water and sewer system and other ordinances the town shall improved the preliminary plat of all the times concerns about infrastructure, harmonious with surrounding properties, now is the time when the council has the most discretion. He will say it is not uncommon to approve the zone change and you have these concerns about infrastructure, you can tie approval of the zone change to a developer agreement that agreement basically the applicant has to agree that they can't development until whatever the infrastructure that the Council is concerned about is in place, that way you are not stuck with preliminary plat l that you or may legally required to approve even though the infrastructure is not in place. My recommendation that anytime you have an application for a zone change with infrastructure and water concerns is to tie it to a development agreement.

    Dayton Hall asks does that answer your questions.

    Mayor asks Thad Seegmiller f he wants to add anything else.

Thad Seegmiller states zone changes are not where you do development agreements-developments agreements do not designate land use but infrastructure. Client would be open to developer agreement. Zone designation is the first step. Does't know what we would talk in a developer agreement to discuss a zone designation.

Discussion Town Council- General Plan- that plan that doesn't have to configure to the minimum designation on the General Plan. Concerns about infrastructure.

SSD requested in August 2021 from the division of drinking water stated region now receives low pressure and insufficient water flow.

SSD Water superintendent makes comment about connecting the water lines.

Dayton Hall makes comment to the Town Council if going to approve the zone change to do it with conditions.

Motion For Denial for same reasons Planning Commission denied for larger lots, no access and inadequate services.

Motion for Denial for Concerns whether we can provide adequate services for any service at any time in the future and current road access and Gould's wash running through property with no current road access.

Area is situated for larger lots but zoning allows to go with larger lots

Very concerns whether adequate services at any time at this time or in the future and I think it was discussed with the Planning Commission with no road access.

Motion for denial for same reason on item #15 including the minutes of Planning Commission of legitimacy and subdividing of that parcel, the lot splits. Other concerns Gould's wash road running through, larger lots, without due saying we don't believe adequate services and small lots are not compatible with the adjacent and the larger agriculture lots.

**Motion made by Mayor Walters, Seconded by Council Member Whitmore.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion 5-0. Motion carries.**

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15. Discussion and possible action on AV-1329. Zoning Change application. Owner: TLW Investments, Travis & Libby Wells, Agent Alliance Consulting.

    Motion for denial recommended to the Town Council from Planning Commission on 1.20.22 for parcel history, ownership, larger lots, and infrastructure concerns.

    Mayor: There was some questions in the PC meeting about ownership problems I don't know if that ifs fully resolved there is some who question that but were not going to revisit at this time. There was some questions about if the the lot splits were done in the legal process to subdivide this property including this particular parcel I think there was more to that discussion that could be a legal issue moving forward. Under that basis we really could deny this application based solely on that legal process to subdivide these properties. But let's just address the merritts of this request to go from Open Space Transition (OST) to Rural Estates-1 (RE-1). It it currently the GP designated as residential 1-5 acre lots again you know a lot of the same issue from item 14.

    Kevin Sair: these are side by side lots as item 14 and all the same issues and personally ready to move forward with a motion discussion will just be repetitive at this point.

Mayor: Well this is one difference with this parcel that is applicable and definitely adjacent properties are over 10 acres and there zoned agricultural would definitely not be harmonious with those properties that is something that applies to this particular parcel.

Attorney: I have spoke about this one and the prior one and would just like the record to reflect the comments that he made previosly that were atteneded to address this one and the concerns the town might have.

Mayor: We have motion do we have further discussion

Kevin Sair clarifies willing to make motion but did not make a motion

Mayor asks any further more discussion?

Barratt Nielson: He would like to see larger lots himself Same concerns as this lot that would like to see larger lots than the 1 acre lots kind of hard to retract the one acre lot after given. Also the ability to service this parcel asked how big parcel 157.5 acres. That is a lot of connections. Concerned about the access

Andy: Thinks would be negligent approving something not knowing what our water status is. It's no secret that we have been in a 10 year drought. We are currently having problems with the water system in Cedar point it would be negligence of us to allow this to go through without being able justify the water going into these subdivisions. It's hindrance to our current community, I think we need remember that we have our duty first into those who live in our community now not seeing the were not willing to move forward with subdivision we need to remember the community and who had been living here and living and dealing with these issues prior to these subdivisions we need to take care of those who live here first in my opinion

Attorney: Just to clarify this application is not service by the Cedar Point water:

mayor: Thank you so your concerns are valid in concerns to storage because we know have a serious storage issues in this particular area as stated DDW providing us with information that was initiated before all of this to help us assess our needs. What I have see happen with some zone change request is the preliminary plat is in the same meeting to same we can go from zone to preliminary plat and have opportunity to answer those questions is going to be challenging. There is a question about road access for this parcel as well. There is no other access or connection or any other roads to this property this time and as far as this high density it it 157.5 acres. As councilman Nielson stated by permitting one acre zone they can put in one acre lots so that is going to be high density for an area that is really not harmonious for that because it is directly adjacent to these larger parcels so that is not going to be harmonious in that are as well. Any other discussion? Do we have a motion?

**Kevin Sair makes motion for denial for same reason in previous discussion on item #14 including the minutes of Planning Commission of legitimacy and subdivding of that parcel, the lot splits. Other concerns Goulds wash road running through, larger lots, without due saying we don't believe adequate services and small lots are not compatible with the adjacent and the larger agriculture lots.**

**Motion made by Mayor Walters, Seconded by Council Member Whitmore.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion 5-0. Motion carries.**

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16. Discussion and possible action on AV-1319-A. Preliminary Plat. Owner: Was 2000 Main LLC now its KDLR LLC & K&D Family LLC. Agent: Was Stout Holm, now the owner.



DRAFT

Tabled to March 2022 at the request of the landowner

**Motion made by Mayor Walters, Seconded by Council Member Whitmore.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion 5-0. Motion carries.**

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17. Discussion and possible action on AV-1325, AV-1326, AV-1327, AV-1345, AV-1346 & AV-1348-A. Preliminary Plat application. Owner: Was 2000 Main LLC, now its KDLR LLC & K&D Family LLC. Agent was Travis Holm, now owner.

    Tabled to March 2022 at the request of the landowner

    **Motion made by Mayor Walters, Seconded by Council Member Whitmore.**
    **Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

    **Motion 5-0. Motion carries.**

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18. DISCUSSION AND POSSIBLE ACTION OF ORDINANCE 0-2022-01: TEMPORARY LAND USE REGULATIONS INCLUDING MORATORIUM ON ZONING, DEVELOPMENT, AND SUBDIVISION APPLICATIONS AND ALL BUILDING ACTIVITY ON LANDS WITHIN THE TOWN OF APPLE VALLEY

    Mayor: So you have had a chance to read through this. What are your thoughts, comments?

    Kevin Sair: I have no questions or thoughts.

    Mayor: I don't believe that

    Kevin Sair: OK, This is a hard one we know his affects a lot of people in our community and that would like to join our community.

    Mayor: Let's start by getting a report from our Water Master because it's in conjunction with that is not the sole purpose of this there are multiple reasons but obviously we do mention the water in particular in Cedar Point. We mention storage in Apple Valley System so I think it it appropriate to start with a water report from our water master- Dale Harris

    Dale Harris- We have essentially have no water in Cedar Point. We are supposing at lest 146 gallons a minute for the building we have there today we are producing 35 gallons a minutes. We attempted about 4 years we were in the process 80% done with paperwork to bring the Canaan water over Cedar Point the SSD was ahead of this problem someone wanting a popularity contest and celebrated that they cut that water off. That has choked me at Cedar Point. Tt is one thing for folks not to get a drink at night or not be able to shower but we are not going to be able to fight a fire in cedar Point if we don't get some more water at Cedar Point. The SSD threw some money at different wells over in Cedar Point Jessop well turned petroleum we we tried to deepen that. Well 59 at 100 gallons per minute 2 years ago now 80 gallons and we have now been shut down by the state because we are failing on manganese and radon because of the iron algae that we have in there. So we are down to 35 gallons a minute folks and we need a minimum of 146 gallons per minute. Very irresponsible to throwing any more sticks up in Cedar Point or Canaan. Have plenty of storage in Cedar point but no water. Opposite problem in Canaan have water but no storage. Apple Valley has storage problem. Storage and elevation problem with the tanks we have. About a year ago there was a study from the State that we

have enough room from about 30 more house until we needed to greatly upgrade our infrastructure mostly storage specifically storage so we can the flows suppression needed for fires. The fire chief has been around for the last 2 years running our hydrants we have very few hydrants in town that even meet those minimum requirements so I hope everyone understands from the water standpoint this is to help everybody out this keeps these houses from burning, to keep your families safe. Having no water none of us can be in this town it is essential that we have to have. We were in the middle of being able to we are trying rehab 59 and on that on that comment (of unknown in audience) I am not God I cannot produce water and I cannot get water into the aquifer it has to rain for that to happen. We have literally thrown hundreds of thousands of dollars into the wells over the last 10 years. There hasn't been a year where we haven't tried to get water and want to reiterate that we were ahead of this 4 years ago the SSD if someone would have not stopped a water line that was not actually coming from Canaan to alleviate these problems. So Cedar Point no water, Apple valley water with have water today we have the ability to produce almost 600 gallons per minute but no where to store it. We need store on this side of the system is the pertinent thing. Cedar Point we need source we are in the middle again of restarting the paperwork with the USDA to get a grant and a partial loan to get our water to come over from Canaan so we can alleviate part of this problem. If we don't get well 59 or find treatment for radon that's in there we are going to have a long summer only be about 80 mins a gallon per minute for summer. Looking at 4-5 months before starting construction. So that is where we are at with our water. Any questions?

Mayor: That is a lot of information what I understand in terms of the grants the USDA grant.

Dale Harris: That is EUWAC an emergency grant because we are in an emergency situation with what we got going on in Cedar Point. The bulk of that is going to be a grant.

Mayor: So where are we in that process?

Dale Harris: Rod gave update the other day that we are about 30-40% through the process. He has paperwork for the wells that he has in Cedar Point to turned over to the USDA that we are in a situation and need this help and this money to be able to get our wells and those springs into he tanks so we can be able to service the community.

Mayor: Will you give us a better picture of the storage her because we know and we have hearing from residents about the water quality and not the understand about the water quantity over there as well and how that is going to impacts not just culinary water but fire suppression as well weill you talk a little more about the Tanks in Apple valley.

Dale Harris: So we got 440,000 gallons of storage but we have 2 deteriorating tanks. We just patched the bottom of one and while cleaning found more deterioration in those tanks. We need elevation and storage again there is a development on the other side of the road that will bring some storage but who knows when that will happen. So going forward we really can't allow anything more until we came up with a definite plan how we our going to get that storage and that elevation out of that storage.

Mayor: What would you say is he age of those tanks are

Dale Harris: I was told one of them was 1978 and I was told was I think 1992, 1991 or 1992.

Mayor: Ok I was just reading our capital facilities plan and it stated in the capital facilities plan that in the Apple valley area that we need 190,000 gallon tank just for fire suppression. is that beyond your scope

Dale: Are you saying 190,000 as a whole

Mayor: The capital facilities plan that Apple Valley stated 190,000 gallon tank for fire suppression so 180,000 gallon tank just for fire suppression so we 440,000 suppose to cover all Apple Valley but 180,000 should be dedicated for fire suppression

Dale: Correct.

Kevin Sair: make statement for all that you do he appreciates. Here with former SSD and here with old SSD and old system and here through the new upgrades and piping long-term even clear back then was to bring that Canaan water over to the million gallon tank knew when we purchased that system wasn't an improved system and even back then make great strides moving forward, emergencies with earthquakes that set them back but that whole thing should of been done and online 4 0r 5 years that what that plan was. I sat on the council and the SSD board. What has taken place since then is it part of the reason I am up here. I am Aww and shock that we are in this predicament at this point in time and we did our due diligence so this wouldn't happen in our community and it's right in our face so we our having to take extreme measures going forward. I can tell you this council we understand these issues and it our #1 top priority for our community is culinary issues and store problems, wells problems as a whole. He has been in he trenches and supports Dale Harris. Go put in this position to tell you the truth in the community forward. That's my character. When I say I am here to serve and protect, it is true, that it is my end goal.

Mayor: Thank you and will get comment but not quite done with Dale Harris. This is not just about water, it's about many other issues and one of them is we need to update our Ordinances to better protect our community. There our developments going in right now that do not have a looped water system and if you don't have know what a loop water system is, he (Dale Harris) is going to explain that to you and why a looped system is critical for water quality so will take about that.

Dale Harris: Well you kind of did it the biggest purpose for a looped system is water quality the other parts is for pressure and flows. We have so many dead end on all of these systems and we call let further development without people being willing to loop system back into existing lines. We have one going in right now that should have a looped system its a big one and it should of been I was removed out of my position, there should of been a loop in that one. Going forward we can't keep creating dead ends in this system. The biggest things for me and Jr (Fire Chief) will argue his side my biggest thing is water quality and secondary is those pressures and flows. When you have those dead ends and people are pulling before you get to that end house that where the water going to go take the path of the least resistance. In the looped systems in theory you are going to have that better pressure and flow and my perfect world we wouldn't approve anything on main line extensions without them looping back into an existing pipe.

Mayor: And so the water quality that's going to cause illness.

Dale Harris: Exactly, stagnant water can have the ability crat bacteria in the water, colifrom bacteria most definitely in the water. The other situation that we are dealing with since we are in this drought is trying to flush hydrants is a delicate thing. I don't have any water in Cedar Point to dump on the ground and that's all I have in Cedar Point, a bunch a dead end lines. One big loop is Cedar Point everything else is dead end. No where to put water because of the way everything has been built not be able no where take a hose to flush anyone out but the biggest things is in previous years I was able to turn my system over every summer in Cedar Point, I have been able to do that for the last 2 years because I can't dump that water on the ground because I know I can get it back in the tank.

Mayor: Thank you. So that's one of the things the we came across that's in our policies and procedures and ordinances should not be there and that's just one things and we have come across numerous things that need to be addressed in our ordinances and how we will move forward our community infrastructure our community growth again its not just about water although that is still water related but its deficiencies in our ordinances that have to be addressed so we are ready to say to future

developers that this is the way it needs to be done and why and we have the ordinances to back us in that. I might call you again in refence to Dale Harris. So we have already addressed that our General Plan is being updated after 17 years. That needs to be done because it address our vision for the future. Our water infrastructure study is critical that is in the process that needs to be done all of this information is critical for us to have and its in the works, we are not saying give us 6 months so we can look over our ordinances, we are saying gives us 6 months so that we have a plan and actionable plan give us 6 months so Dale Harris can work on critical infrastructure for the water needs so we have actual plan based on data realwide engineering studies that we need to move forward approaately for the future of our community. So any other thought reference to Dale Harris before we start taking comments. None. Okay Karl you raised your hand a few times.

Karl Rasmussen engineer: Thank you Mayor and Council, councilmembers I am here talk about water issue because every client I have been trying to help up here I have known about your water issues, I have known them since Cedar Point was created and there was more water noew that is depleted that becomes a real issue so I actually have a solution to the problem, yea we can go study it we can go get grants to drill another well and stuff but I got a client that's already punched 2 wells that's has significant amount of water and he is willing he even got submitted drawings to Paul Rite to the state to put up a water tank that will solve and can solve the 2 tank dilemma up here and create higher pads and can almost push water not quite high for the big tank at Cedar Point but a simple booster pump would get the water there all that I know is that takes more infrastructure more money my client asked you guys if we can sit down with the district and board before you even do any momoratium and work out a deal so we can help you guys solve these water needs. I just that's my request , request from my client and would like to see it doable he wants to get going on things, get the loop in on the gooseberry way, get the crossings over the two washes help our secondary access through this area. wants to get going on some things momoratium is going to shut everything down for another 6 months to even lay wood. He wants to do with he money that he is sinking into the wells and into the tanks and we really like sit down with you and lets and I think we outta when the State gets down to their study hey we got these resources we got these got developers and I know one of them has money in the bank right now and wants to get their infrastructure wants to get a tank up on the hill lets gets together lets make something happen the more we sit back and pushing it get people more honorary and mad. Why we can't we just come together there is an easy solution I am presenting wasn't my idea, someone's else just wanted to present that to you. Anytime you want to call me or talk to me about. I did the capacity analysis test I had to do one for the 29 lots the client wanted to do down by the service station at that point we met with the district and that was with the mayor previously of the mayor that you have been talking about tonight. Things were running real soon I mean I was even conferenced that we needed more water more source and this person that drilling wells has approval and have approval to drill 3 more, 3 right here and one I know over Main street but I am talking about 3 right here in this part of the valley. Every well that has been drilled has been certified by the state. Paul rite comes and inspects them makes sure the right casing they have to have a preliminary evaluation report per before they can even drill and he has hired Lance, guys up North that are professionals on the geology of this to find water avenues or get water I just say come together let's have a work meeting before placing this.

Mayor: Asks Karl who the client is, and Karl responds Travis, so Travis Holm does not own any property. Travis Holm does not own any property tin this valley correct? Frank Lindhardt, planning dept manager responds some parcels, little not very much, Mayor- ok so he can not promise us anything unfortunalltey he can't promise anything and what has happened in Apple Valley for too many years is that we have accepted promises with nothing to back it up. We have accepted promises of tanks, infrastructure, accepted promise after promise with nothing to back it up. What we are saying now going to chart our future and that starts with our General Plan, updating our ordinance because we so many deficiencies that don't protect the Town that don't protect the residents. We are

in discussions right now over a preliminary plat requiring for things to be doe according to our ordinances and we are still getting push back so how do we protect ourselves if we don't go through ordinances that don't even match, one here this is how you to do, and one that say this is how you to do. We have to take control of of our Town and our future through this process and not shutting people off but preparing us to take on the developments approaitely.

Karl: Commends the Town for doing this and gives praise. I guess if you needing to do that on your Ordinances and fix and while in the process we are doing that lets still work together on the solution to the problem he has already sunk in wells, has the site for the tank. It happening, let's get together you say he doesn't own some of the property, he does own property. Let's get together this isn't the setting to have disagreements putting out solution

Mayor. Thank you we will be very happy to work with you solutions, speaking for me we have got to get things right so we are prepared to move forward.

Unknown resident: So I have heard that the working on getting a grant for Cedar POint and I am so sorry for anybody that lives in Cedar Point, unlivable to me with that being said on the storage here do we have plans started to get new storage tans.

Mayor: good questions, part of this with Division of Drinking Water is there a financial component involved with that and they have put forward a financial plan and that is a component of all this. How do we do that financially. Yes what we are seeing now at this point we need to have an understanding of what we need infrastructure wise although we already have deficiencies. we need to have a clear plan and that's going to come thought this process and also within this plan they make recommendations of how to financially address these issues.

Unknown: We you are talking about fire and needing water one of our residents came from a Town that was completely destroyed by fire. My niece lived in a town that was destroyed because of no water, beautiful green area, niece lost everything but her life, lost business, house, the town she lived in. the all had to leave somewhere. This can happen.

unknown: my concern the last time we had council that had to deal with water issues. we all got saddled debts. Started partial grant. Didn't address the tanks and this was just 5 years that we have saddled with debt and the tanks weren't even any issue and now we have multiple developers willing to take that burden and you guys want to take that away and go back to asking the state for help what is wrong with you people. We had enough debt we are done let someone else help out.

Mayor: Thanks the comment and understands position on that this is not about saying were not going to work with developers, we are going to work with them in 6 months and come from a position of strength knowing our needs understanding our infrastructure fully because again I have been reading development agreements that have happened in the last 6 months where you would think oh we should of gotten something to tanks, for multiple developments and it didn't happen because we haven't been coming from a position of strength and knowledge and in 6 months we are going to work with those developers from a position of strength and knowledge and this is what you are going to bring the table and its based on data and engineering and they are not going to say no we are not going to do that.

Unknown: resident?- Apple Valley has been a town of broken promises when it comes to development. We should have 9 tanks if developers abide by the agreement and Dale Harris had said water system should be a loop, who is enforces to make sure the loop is enforced, don't need an answer now. Things are just not done the right way in Apple Valley and congratulate you guys for standing up and saying the gravy train is over and this is the way it has to get done by the book.

Mayor: so are far as looping projects that have not going before the district if they have not been approved approiately because the are going to have to go back through that process because you can't circumvent processes that are already outlined in ordinances and polices and procedures. At that point if we find out.

Brandon Hansen: I am property owner old Desert rose now terming Crimson Peaks, we certainly the title owner, we are working my planner met with Frank Lindhardt we certainly not going to do anything in the development that not's going to add value to this City, I can promise you. I know developers give broken promises. Like Karl said he is our engineer we do have solutions, we have standing water, we have paper water, we can contribute to the city. I am part of the project that has already been approved granted if we are going to bring value to the vale which I promise you I am we can grow that water and were not going to tax the city.

Forrest: You mentioned water infrastructure study I believe our we going to study the water in the ground.

Mayor: No that is no a part of this study but met Washington County Conservancy District so our working obtain grants, valid concerns about grants but this particular water setting that is 100% grants that are available. You did hear Karl he actually observe water levels decrease, we know that this is happening so understand that component is important but right now infrastructure is critical. Developing our General Plan is critical updating our ordinances so that we meet our needs so that don't conflict with each other and remember we are doing this one staff member and a volunteer, no money and volunteer Planning Dept Manager, the time this man has spent is crazy and the time he is going to have to spend as an unpaid volunteer. So in Apple Valley we have been reactive instead of proactive throughout our history for a long time. In apple Valley we have not planned approiately for the future and in AV we have accepted too many promises. I am excited to work with past projects but gives us this time to get ourselves in a position to know what is needs, prepared to approately take care of this community and you will be apart of this future.

Travis Holm makes comment about his Gardner Bros Drilling hit water and his help that he wants to give to the Town in regards to water and his solution for the Town.

Anthus Barlow has comment that he was Vice-Mayor of Colorado City for eight years and had comments that he was part of lawsuit in Colorado City that started as MORATORIUM regarding water.

Mayor: Temporary Land Use does not require public hearing but we wanted to hear the concerns.

Resident Rich Ososki fully supports the decision and supports how messed up the ordinances

Mayor: We know that there are some fundamental rights that are being challenged right now. Fundamental basic questions that needs to be done re: ordinances and zoning to protect us right now. This is for infrastructure questions that need to be answered. Obviously the water component in Cedar Point is critical. And we will be willing to work with developers. How do we enforce ordinances when they conflict with each other. Ordiance and general plan need to be updating

Motion to approve Dayton Hall makes comment on Decide and find that there important enough to offset the restrictions that are being put on landowners property rights. Compelling countervailing public interest to support the decision. Mayor Walter makes comments that there is countervailing interest peppered all the way throughout this meeting.

**Motion made by Mayor Walters, Seconded by Council Member Whitmore.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion 5-0. Motion carries.**

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Community Events – Debbie Kopp- Community Event to discuss work meeting. targeting for Easter weekend

Community CPR 3/26 Chili Cook off 4/23

Public Works – Dale Harris- made report earlier
Big Plains Water and Sewer SSD – Dale Harris
Fire Department – Chief Dave Zolg, Jr. and Liaison Kevin Sair

Burn Season March-1st-May30th unless restrictions from State or County.

WUI program when can we get cleanup day. Wildland Urban Interface. WUI code regulates what types of material can have next to house.

Fireboard hoping to get out and help community members to help clean up.

Kevin Sair addressing storm drainage/ code enforcements/ town equipment, back-up generators.

Happy Birthday sang at 9:24pm to Mayor.

**REQUEST FOR A CLOSED SESSION**

**For purpose of discussing pending litigation.**

**Motion made by Mayor Walters, Seconded by Council Member Whitmore.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion 5-0. Motion carries.**

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**ADJOURNMENT**

Adjournment at 10:14

**Motion made by Mayor Walters, Seconded by Council Member Whitmore.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion 5-0. Motion carries.**

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Date Approved: _____

Approved By: _____
Mayor **|** Mason Walters

Attest BY:_____
**Clerk-Recorder** | Jenna Vizcardo



DRAFT

# APPLE VALLEY WORK MEETING

**1777 N Meadowlark Dr, Apple Valley**
**Wednesday, February 16, 2022 at 9:00 AM**

## MINUTES

**CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL**

PRESENT
Mayor Mason Walters
Council Member Kevin Sair
Council Member Robin Whitmore
Council Member Andy McGinnis
Council Member Barratt Nielson

Water Superintendent- Dale Harris

Fire Dept/Chief- David Zolg, Jr.

Planning Dept Manager- Frank Lindhardt

Clerk/Recorder- Jenna Vizcardo

**DECLARATION OF CONFLICTS OF INTEREST**-None

**CONSENT AGENDA**

**DISCUSSION AND ACTION**

1. Pending building permit at 1963 N. Rome Ave.

Dale Harris: Doesn't have enough water

Fire Chief: Water pressure is not sufficient up there, does not meet code the pressure is not up. Explains what the problem is with the PSI not being up. It is a risk. We are suppose to be over 20 PSI if below PSI can't rev up engine. We get what the hydrant gives us.

Dale Harris: for the record on Rome Ave- the fire flow is supposed to be met-- the only way to meet the flow with pumps on.

Dale Harris and Mason have conversation about the automated system so not relying on someone coming turn on pumps.

Mason: Should we test with pump on?

Fire Chief David Zolf, doesn't feel comfortable even with the pumps on.

Mason on record in June, denied in June for denial of electrical.

Dale Harris on record states that the 2 other properties have a pump, mentions the tank.

Frank Lindhardt asks if sprinkle system would be available for him. Fire Suppression system may be solution.

Dale Harris states would have to set tank, for holding tank for 5,000 gallons.

Dale Harris here is my feeling, doesn't think we should be working for solutions for someone that is building in a spot that doesn't meet the minimum of 20 PSI and state is not allowing pick-up pump per Paul Write at the State.

Frank Lindhardt states this is a little different because of liability because former fire chief signed off and Mayor.



DRAFT

Conversation took place about fire suppression system and pressure that we have.

Mayor makes statement about being consistent, apply same parameters to everyone that is what we need to do. Mayor asks Jr-Fire Chief is there any way you can see this as workable, after hearing the 2nd story, the 2nd story is completely out of the books.

Mayor makes comment that Sunrise Engineering states that a million water tank "may" and not confirmed that it will solve the problem of the water pressure.

Frank ask questions about water tank option and why can't we offer him the same system.

Fire Chief: What is going on shouldn't have happened.

Frank Lindhardt states the building permit was never approved. Frank states more he thinks of it we don't have the liability. No building should have started without the building permit issued.

Conversation about pumps and tanks took place. With the automated system and if that would meet Fire Code. To get system fully functional would be 10,000 per Dale Harris.

Andy McGinnis the pump on is a state thing but still doesn't meet Fire Code.

Mayor makes comment when the new tank goes in you will be able to build. We are working Jepson Canyon, there hopeful estimate was 8 months. He has options doing the road but right now he doesn't.

Mayor makes comment about potentially losing more pressure in the future. Potential to possibly build in the future when the new tanks that in reality can fix the pressure.

Conversation about pressuring systems and creating negative impacts on existing residences and relying on hydraulic modeling and variance.

Andy McGinnis askes where can we catch hydraulic modeling, how can we make it more realistic regarding Fire Flow.

Mayor for the record any verbal communication does not give them actual. Lance Gifford did not give verbal permission. They needed per State Law to have a building permit. We have talked about depth. When new tank goes in and meets 1000 PSI. Mayor makes comments about he is more than welcome to appeal.

**Motion to deny issuing permit**

**Motion made by Mayor Walters, Seconded by Council Member Whitmore.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion 5-0. Motion carries.**

**REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS**

Mayor asks comment to Dale Harris about dirt being filled in. What is the solution. Dale Harris thinks we need to have conversation with contractor right now. Asphalt is being done for subdivision, assumption. Mayor makes comment that we need notice for the record. Dale Harris what is the solution-that will always cause problems, unless we pipe that all the way down or rip rap to send down there.

Chief in JUC meeting that was never comfortable with the road.

Mason for the record says we have another problem in the future that the town will have to fix. Frank Lindhardt says he doesn't think it is too late for them to fix the problems.

Frank Lindhardt makes comment just because some says something we have the some policies and procedures have been in place the whole time.

Conversation about Ashcreek, in Ordinance about water protection area. Adopting the variance of 7 acres for septic system, or for advanced septic 3.5 acres.

Frank Lindhardt has conversation about Knollwood RV park.

Conversation about water tank. Barratt and Fire to go up to Gooseberry preserve to discuss about building with now water.

Kevin Sair mentions some comments from the residents that have concerns.

Conversation about the Vanhoestine residence.

Barratt Nielson has conversation about building permits.

Frank makes comment about adding to ordinances to the building code.

Fire discusses about flow tests.

Fire Chief asks questions about adding tanks.

-Fire Chief and Council Member Barratt Nielson go up Gooseberry Preserve address concerns.

**ADJOURNMENT**

11.27 am meeting adjourned.
**Motion made by Mayor Walters, Seconded by Council Member Sair.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

Date Approved: _____

Approved By: _____

**Mayor**

Attest By: _____

**Clerk/Recorder**- Jenna Vizcardo

DRAFT

# APPLE VALLEY TOWN COUNCIL REGULAR MEETING

**1777 N Meadowlark Dr, Apple Valley**
**Thursday, February 17, 2022 at 6:00 PM**

## MINUTES

Mayor | Mason Walters |
Council Members | Kevin Sair | Robin Whitmore | Andy McGinnis | Barratt Nielson
**CALL TO ORDER-** Meeting started at 6:00pm by Mayor Walters

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

PRESENT
Mayor Mason Walters
Council Member Kevin Sair
Council Member Robin Whitmore
Council Member Andy McGinnis
Council Member Barratt Nielson

Clerk-Recorder | Jenna Vizcardo

**DECLARATION OF CONFLICTS OF INTEREST**

None declared.

**CONSENT AGENDA**

1. APPROVAL OF MINUTES FOR JANUARY 27, 2022
   **Motion to table approval of minutes for January 27, 2022.**
   **Motion by Council Member Sair, Seconded by Council Member McGinnis.**
   **Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**
   **Motion passed 5-0.**

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2. FINANCIALS FOR JANUARY 2022

   Robin Whitmore made comment about bills that can be looked at in the Town Council.

   53.88 through the way of the fiscal. 62% received spent of 51.4% of excepted expenditures.

3. Discussion only- Lot Split parcel AV-1351-A-1: Applicant- Rocky Mountain Power.

   Mayor makes comment after 6 years of looking they have found a parcel that the can put up an electrical substation. Will take 12-18 months to complete. Along highway 59, were you turn left on Main Street the farthest corner. Have gone through all ordinances and our attorney. Discussion took place.

**MAYOR'S TOWN UPDATE**

Mayor Walters: We have been working behind the scenes. Plans that we have to start implenting. We do have plans soon to address the residents' concerns. Also creating community events, to create more of a community feel. Remind everyone to fill out the General Plan Survey. Feedback is very important as we plan for that.

**PUBLIC COMMENTS**

Read by Clerk

Statement of Jason Graham of 1950 E 2000 S
I wish to comment on item 4 in the agenda packet, but the general message applies to other parts of this meeting. Please know it is the desire of myself along with many citizens in the Town of Apple Valley that the Town Council represent us and deny the building permit timeline changes as well as the grubbing of property standard.
Many have clearly established that it often takes longer than anticipated to build a house. Many homes here in Apple Valley for no lack of effort or money have taken longer than 1 year to complete their home. Requiring an extension that leads to a reapplication and a new set of fees is contrary to the freedoms we enjoy here in the United States. If you don't like to look of a home under construction, then buy it or don't look at it – simple. It is not in the interest of government to control this process and prevent a citizen from completed their home on their timeline. This is not Denmark or the Soviet Union, this is the Unites States of America and property rights are protected under the 5th amendment. Please do not try to take away our rights as citizens of the Unites States and Apple Valley.
There are many reasons a property owner may want to clear their own land without a building permit – or rather where a building permit is not even required. I may want to clear the sage brush and other invasive species from my land to plant dry grass or other species. Or I may want to clear a spot to park an RV or simply store equipment. Many of you folks from densely populated areas may scoff of that prospect, but you don't own my land. By requiring a building permit to clear vegetation from my own land you are directly interfering with my right of quite enjoyment of my own property. This is not Denmark or the Soviet Union, this is the Unites States of America and property rights are protected under the 5th amendment. Please do not try to take away our rights as citizens of the Unites States and Apple Valley.

Rich Kopp 2222 E Ranch Rd: Made comment that there has to be mechanism that hold developers, especially road developers, there has to be a timeline in place.
**Motion to close public comments**
**Motion made by Council Member Sair, Seconded by Mayor Walters.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

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**DISCUSSION AND ACTION**

4. Update Title 10
    1. 10.10.030 CHANGE COMMERCIAL ZONE
    **Motion to eliminate tourist commercial zone from Section 10.10.030 re-assign what was previously assigned to tourist commercial to c-2 and c-3 as appropriate and take opportunity to streamline commercial zone for later date.**
    **Motion made by Council Member McGinnis, Seconded by Council Member Sair.**
    **Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

    **Motion passed 5-0.**

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**2.** 10.28.260 DELETE ACCESSORY BUILDING

**Motion to DELETE ACCESSORY BUILDING 10.28.260 and add the word detached to 10.28.270 CHANGE GUEST HOUSE OR CASITA.**

**Motion made by Council Member Sair, Seconded by Council Member Whitmore.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

3. 3. 10.28.270 CHANGE GUEST HOUSE OR CASITA

**Motion to DELETE ACCESSORY BUILDING 10.28.260 and add the word detached to 10.28.270 CHANGE GUEST HOUSE OR CASITA.**

**Motion made by Council Member Sair, Seconded by Council Member Whitmore.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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4. 10.28.280 ADD TIME RESTRICTIONS TO BUILDING

**Motion to adopt 10.28.280 ADD TIME RESTRICTIONS TO BUILDING into our code**

**Motion made by Council Member Whitmore, Seconded by Council Member Nielson.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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5. 10.28.290 ADD BUILDING PERMIT EXPIRATION TIME

**Motion to adopt 10.28.290 ADD BUILDING PERMIT EXPIRATION TIME into our code**

**Motion made by Council Member McGinnis, Seconded by Council Member Whitmore.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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6. 10.28.300 ADD STORM WATER MIDIGATION

**Motion to adopt 10.28.300 ADD STORM WATER MIDIGATION and add "completed and inspected" before issuance of occupancy permit**

**Motion made by Council Member Nielson, Seconded by Council Member McGinnis.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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7. 10.28.310 ADD GRADING AND GRUBBING

Comment from Frank Lindhardt, Planning Dept Manager: At Planning Commission added soil testing is permitted.

**Motion to table 10.28.310 ADD GRADING AND GRUBBING and send back to Planning Commission for further review.**

**Motion made by Council Member Sair, Seconded by Council Member McGinnis.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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5. Update Title 11

Planning Commission recommended the below actions at meeting on 2.3.22, please see draft minutes. PC recommended 5-0.

8. 11.02.020 CHANGE SCOPE AND ADD LIMITATION

**Motion to add 11.02.020 CHANGE SCOPE AND ADD LIMITATION and add no property owner may apply for building permit, general plan, zone change, conditional use permit until such violation has been corrected.**

**Motion made by Council Member Sair, Seconded by Council Member Whitmore.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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9. 11.02.040 MAYOR SUBDIVIDE RESTRICTIONS

**Motion to amend 11.02.040 MAYOR SUBDIVIDE RESTRICTIONS as identified in the packet.**

**Motion made by Mayor Walters, Seconded by Council Member Sair.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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10. 11.02.100 ADD FORM AND ATTORNEY FEE CLAUSE

Subject to approval review by Attorney

**Motion to add new ordinance 11.02.100 ADD FORM AND ATTORNEY FEE CLAUSE**

**Land use change agreement subject on the approval of the Town Attorney.**



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**Motion made by Council Member Sair, Seconded by Council Member Nielson.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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11. 11.02.120 ADD TO SUBDIVIDERS AGREEMENT

Subject to approval review by Attorney

**Motion to amend 11.02.120 ADD TO SUBDIVIDERS AGREEMENT subject to the approval of the Town Attorney.**

**Motion made by Council Member McGinnis, Seconded by Council Member Whitmore.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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12. 11.08.040 CLARIFY STREET IMPROVEMENTS

**Motion to amend 11.08.040 CLARIFY STREET IMPROVEMENTS. Strike K all together and we adopt the change as set forth in agenda packet.**

**Motion made by Council Member Whitmore, Seconded by Council Member Nielson.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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6. OTHER

13. CHANGE AND ADD TO TOWN DESIGN STANDARDS FOR STREET DESIGNS (Hurricane City Standards)

Motion to adopting new set primarily included rural design standards. Adopting this and getting rid of old one.

14. CHANGES TO STREET MASTER PLAN

A. WILDCAT AREA

B. BUBBLING WELLS AREA

15. ADOPT DEVELOPMENT AND BUILDING POLICY

13. CHANGE AND ADD TO TOWN DESIGN STANDARDS FOR STREET DESIGNS (adopt Hurricane City standards).



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**Motion made CHANGE AND ADD TO TOWN DESIGN STANDARDS FOR STREET DESIGNS (adopt Hurricane City standards).**

**Motion made by Council Member Nielson, Seconded by Council Member Sair.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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14. CHANGES TO STREET MASTER PLAN- Sunrise Engineering would need to review.

-Make Master Road plan more visible on website.

A. WILDCAT AREA

B. BUBBLING WELLS AREA

**Motion for changes to street master plan and make master road plan more visible on website.**

**Motion made by Council Member Nielson, Seconded by Council Member Sair**

**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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15. ADOPT DEVELOPMENT AND BUILDING POLICY

Video recording issue. Fixed the issue and made sure the recording was back on.

**Motion to adopt development and building policy with amending fire protection change that before any building permit issued that it meets all Utah State Fire Code and the International Fire code adopted in 2018.**

**Motion made by Mayor Walters, Seconded by Council Member McGinnis.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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7. CONFIRMATION OF PREVIOUSLY APPROVED ZONE CHANGE FOR PARCEL AV-1378-Q – CANAAN MOUNTAIN ESTATES

**Motion to confirm PREVIOUSLY APPROVED ZONE CHANGE FOR PARCEL AV-1378-Q – CANAAN MOUNTAIN ESTATES PHASE 2**

**Motion made by Council Member Sair, Seconded by Council Member Nielson.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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8. SPECIAL EVENT PERMIT APPLICATION FOR HALF MARATHON RACE WITH VACATION RACES

**Motion to table SPECIAL EVENT PERMIT APPLICATION FOR HALF MARATHON RACE WITH VACATION RACES FOR CAMPING, EVENT IS OK WITHOUT CAMPING**

**Motion made by Council Member Nielson, Seconded by Mayor Walters.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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9. DISCUSSION AND POSSIBLE ACTION ON JOINT RESOLUTION BPW-R-2022-01: JOINT RESOLUTION OF THE TOWN COUNCIL OF APPLE VALLEY, UTAH AND THE ADMINISTRATIVE CONTROL BOARD OF ASH CREEK SPECIAL SERVICE DISTRICT REQUESTING ANNEXATION OF PROPERTY WITHIN THE BOUNDARIES OF APPLE VALLEY INTO ASH CREEK SPECIAL SERVICE DISTRICT

Conversation about

-Adopt Rules and constructions

-Establish new seat for Apple Valley Mayor

Amend charter for sewer

Collect the fee and we keep 5% and give 95% to Ashcreek. The impact fees current is $2600 go up to $3300-3800 a month. Require 1197 Hans allice leu's study.

Discussion about the parameters of the resolution and a MOU will be stated. (Memorandum of understanding)

Conversation among the councilmembers.

**MOTION TO ADOPT JOINT RESOLUTION BPW-R-2022-01: JOINT RESOLUTION OF THE TOWN COUNCIL OF APPLE VALLEY, UTAH AND THE ADMINISTRATIVE CONTROL BOARD OF ASH CREEK SPECIAL SERVICE DISTRICT REQUESTING ANNEXATION OF PROPERTY WITHIN THE BOUNDARIES OF APPLE VALLEY INTO ASH CREEK SPECIAL SERVICE DISTRICT**

**Motion made by Council Member Sair, Seconded by Council Member McGinnis.**
**Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion passed 5-0.**

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**REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS**

Events Committee-Debbie Kopp

April 16 Easter Egg Hunt around 11am

April 23 Chili Cook Off

Fire Department Liaison- Kevin Sair

-Defensible space around property

-2500 gallons of water collect on property in State of Utah

Code Enforcement- relatively slow, implemented first contact, 2nd red tag.

**REQUEST FOR A CLOSED SESSION**

Motion made by Council Member Whitmore, Seconded by Council Member McGinnis.
Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson

**ADJOURNMENT**

Adjournment 9:21pm

Motion made by Council Member Sair, Seconded by Council Member Whitmore.
Voting Yea: Mayor Walters, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson

Date Approved: _____

Approved By: _____

Attest By: _____

Jenna Vizcardo, Clerk

DRAFT

# APPLE VALLEY WORK MEETING

**1777 N Meadowlark Dr, Apple Valley**
**Wednesday, March 02, 2022 at 9:00 AM**

## MINUTES

Mayor | Mason Walters |
Council Members | Kevin Sair | Robin Whitmore | Andy McGinnis | Barratt Nielson
**CALL TO ORDER- 9:10am**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

PRESENT
Council Member Kevin Sair, Present
Frank Lindhardt, Present
David Zolg- JR- Fire Dept, Present
Barratt Nielson- Council Member, Present
Dale Harris, Present

Council Member- Andy McGinnis-Present, arrived late Andy McGinnis is present at 10:57am.

**Clerk-Recorder** | Jenna Vizcardo

ABSENT

Mayor | Mason Walters

**DECLARATION OF CONFLICTS OF INTEREST**-None

**CONSENT AGENDA**

**DISCUSSION AND ACTION**

1. MINS: 1.19.2022

   Table

   **Motion made by Council Member Sair, Seconded by Council Member Nielson.**
   **Voting Yea: Council Member Sair, Council Member Nielson**

DICUSSION, REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Frank Lindhardt

1. Discuss Jepson Canyon

2. Discuss Knollwood RV

3. Discuss Wells Estates

Kevin Sair

1. Equipment Rental

OPEN ROUND TABLE FROM EACH DEPARTMENT WITH ANY PENDING ITEMS TO DICUSS

Frank

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Jepson Canyon-met with Hank, informed plans signed off by Beddo and certainly signed off however missing 90% off what is supposed to be in construction plans. Research was done on developer agreement, they have master plan approved. One places goes into someone's property and they have informed me of that has been changed. Not sure if internal plan or master plan updated. Once approval for project whether PD like theirs if you deviate, some thing can be PC exclusively and other changes need to be approved by TC and PC. Question with Hank the project owner for Jepson Canyon. If significant changes to Master Plan needs to go through PC and/or TC for approval. Next step to proceed with construction is get preliminary plat approval for the phase and can not find record that has taken place. Conversation about hillside ordinance took place. Conversation about road dedication plat took place and if that could waive the preliminary plat process subject to hillside ordinance but Frank is hesitant because they have not been cooperating so forth. Conversation took place about how the Mayor is not allowed to bypass 80% of the ordinances. Advice is voluntarily take a break and construction plans signed off by the ordnances the Town of Apple Valley has. Missing steps in process to proceed. Frank's recommendation to Town Council to please stop until we can all get on the same page. Brant Tuttle Agent does know the steps that need to be done. Conversation about possibility of metal tank at the site we currently have up on stilts. Conversation about tank location.

Frank makes suggestion that he would like Town Council and Planning Commission to take tour of this project.

Kevin Sair makes comment regardless of what has happened in the past bury the hatchet. We have a lot of work. Let's keep working and getting all paperwork done and ready to go when the mortarium is over. Conversation about getting all developers involved to benefit the town. JUC meeting discussion and individual discussion with developers. Conversation about pioneering agreements with other developers so they can use the money for Jepson Canyon now to build the tank.

Dale Harris has conversation about safe drinking water and developers need to come together.

Mr. Travis Wells asks about impact fee credit.

Frank

Knollwood RV Park- Conversation about no final site plan approval. Never received permission for the state for his plans for his sewer system and he may not get it. Never paid impact fees. Before starting anything everything has to be signed off and everyone has to be on the same page. Frank will have conversation with him. Impact Fee conversation due to owner requesting to research impact fee because he has building permit and wanted to make sure he wasn't being double charged. Frank researched impact fees and discussion about the impact fee study with Sunrise Engineering. Impact fee study was done.

Wells Estates- plat recorded which is highly unusual. Discussion about bonds specific and the different types. Question about if plat is valid because missing signatures.

Separate conversation unrelated to Wells Estates was discussed about lot splits.

Kevin Sair- Equipment Rental Mini ex for $300 a day. $60 drop and take back. Can do weekend thing. Overall coordinated with Dale Harris and Andy McGinnis. This will be to do maintenance for the bar ditches. Take about 3-4 days. Discussion about renting for a week.

Richard Fischer comment from zoom chat-Please tell the road department we need the roads graded.

Comment made from Kevin Sair that we are not doing roads improvements at this time.

Cancel JUC Meeting for tomorrow Thursday, March 3, 2022.

Kevin Sair asks questions about the Ash Creek Service District Agreement and power outages. Conversation took place.

Conversation took place about treatment for Wells 59 and getting the emergency money.

Frank asks question about Canaan Springs line, Dale Harris makes conversation about transmission line.

Andy McGinnis is present at 10:57am.

Frank makes comment about what it would take to have gravity fed system. And emergency condonation possibility of speaking with lawyer for a property to run the water line. Dale Harris had conversation.

Rod Mills-Engineering

- Met with Division of Drinking Water and work through interface with the district with emergency situation in Cedar Point. Other things came to light- contact with Sunrise Engineering with Capital Facilities Planning to bring us more into compliance. Another door has been opened to possibly using that funding on our emergency funding. What has changed not meeting with board on Friday, going to meet with Michael and board member and informally. Agenda has shifted, ask Board if willing to have emergency meeting and if willing a special meeting will be set up for us and get funded for the emergency funding. Rod Mills has asked if Dale Harris could come to the meeting tomorrow but asked to not bring a lot of people to the informal meeting tomorrow. Sunrise has received grant to do a water system master plan and impact fee study and capital facilities plan. Rod Mills makes comment that he is super frustrated that we didn't get truthful answers because it is getting in the way of emergency funding. Frank makes comment that maybe another agency is doing the general plan funding. Possible that have 2 grants that they are working on GP/ Need to find out definitely was has been done with the water system contact and whether or not we want to proceed with this or not. Andy will make call to Sunrise Engineering and find out where they/we are at.

**REQUEST FOR A CLOSED SESSION**-none

**ADJOURNMENT**

Adjourned 11:27am

**Motion made by Council Member Nielson, Seconded by Council Member McGinnis.**
**Voting Yea: Council Member McGinnis, Council Member Nielson**

Date Approved: _____

Approved By: _____

Attest By: _____

**Clerk-Recorder** | Jenna Vizcardo

DRAFT

# SPECIAL TOWN COUNCIL MEETING

**1777 N Meadowlark Dr, Apple Valley**
**Wednesday, March 09, 2022 at 8:00 PM**

## MINUTES

**Mayor |** Mason Walters |
**Council Members |** Kevin Sair | Andy McGinnis | Robin Whitmore | Barratt Nielson |

**CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL**

PRESENT
Council Member Kevin Sair
Council Member Robin Whitmore
Council Member Andy McGinnis
Council Member Barratt Nielson

ABSENT
Mayor Mason Walters

**DECLARATION OF CONFLICTS OF INTEREST**

None.

**DISCUSSION AND ACTION-NO ACTION TO BE TAKEN**

**REQUEST FOR A CLOSED SESSION- TO DISCUSS PENDING LITIGATION**

Motion made by Council Member Whitmore, Seconded by Council Member McGinnis.
Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson

**ADJOURNMENT**

Motion made by Council Member Nielson, Seconded by Council Member Whitmore.
Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson

Date Approved: _____

Approved by: _____

Attest By: _____

DRAFT

# APPLE VALLEY TOWN COUNCIL MEETING

**1777 N Meadowlark Dr, Apple Valley**
**Thursday, March 17, 2022 at 6:30 PM**

## MINUTES

**Mayor** | Mason Walters |
**Council Members** | Kevin Sair | Andy McGinnis | Robin Whitmore | Barratt Nielson |

Clerk-Recorder | Jenna Vizcardo

**CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL**

Sair Mayor Pro Tem called to order at 6:48pm.

PRESENT
Council Member Kevin Sair
Council Member Robin Whitmore
Council Member Andy McGinnis
Council Member Barratt Nielson
Mayor Dale Beddo
ABSENT
Mayor Mason Walters
**DECLARATION OF CONFLICTS OF INTEREST**-None

**CONSENT AGENDA**

1. Disbursement Listing--01.01.2022-2.28.2022

   Robin states there are some big payments. Lance Gifford the building inspector hadn't been paid in over a year and conversation takes place.

   **Motion made by Council Member Whitmore, Seconded by Council Member McGinnis.**
   **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

   **Motion 5-0. Motion carries.**

2. Financial Statements—07.01.21-02.28.22

   Robin states that this is the current fiscal we have completed 2/3 of the fiscal year and conversation takes place.

   **Motion made by Council Member Nielson, Seconded by Council Member Whitmore.**
   **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

   **Motion 5-0. Motion carries.**

**APPROVAL OF MINUTES**

3. Minutes: March 2, 2022

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**Motion made by Council Member McGinnis, Seconded by Council Member Whitmore.**
**Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**Motion 5-0. Motion carries.**

**DISCUSSION AND ACTION**

4. DISCUSSION AND POSSIBLE ACTION ON RESOLUTION TO OPEN ONE OR MORE BUSINESS CREDIT CARD ACCOUNT(S)--RESOLUTION R-2022-12.

   Motion to accept with correction removing David Zolg Jr as one of the card holders.

   **Motion made by Council Member McGinnis, Seconded by Council Member Nielson.**
   **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

   **Motion 5-0. Motion carries.**

5. DISCUSSION AND POSSIBLE ACTION FOR EMPLOYMENT STATUS OF APPLE VALLEY TOWN FIRE CHIEF--RESOLUTION R-2022-13.

   **Motion made by Council Member Whitmore, Seconded by Council Member Sair.**
   **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member Nielson**
   **Voting Abstaining: Council Member McGinnis**

   **Motion 4-0, 1 abstaining. Motion carries.**

6. DISCUSSION AND POSSIBLE ACTION TO ADD AUTHORIZED SIGNER ON BANK ACCOUNTS ON PTIF--RESOLUTION R-2022-14.

   **Motion made by Council Member McGinnis, Seconded by Council Member Whitmore.**
   **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

   **Motion 5-0. Motion carries.**

7. DISCUSSION AND POSSIBLE ACTION TO OPEN FIRE DEPT BANK ACCOUNT AT SBSU AND ADD AUTHORIZED SIGNER TO SBSU--RESOLUTION R-2022-15.

   Motion to approve with correction to add Fire Chief, David Zolg,Jr for # 2 and #4

   **Motion made by Council Member Nielson, Seconded by Council Member McGinnis.**
   **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

   **Motion 5-0. Motion carries.**

8. DISCUSSION AND POSSIBLE ACTION TO APPOINT AN ACCOUNTANT. --RESOLUTION R-2022-16.

   **Motion made by Council Member Whitmore, Seconded by Council Member Nielson.**
   **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member Nielson**
   **Voting Abstaining: Council Member McGinnis**

   **Motion 4-0, 1 abstaining. Motion carries.**

9. SPECIAL EVENT PERMIT APPLICATION FOR ZION ULTRA EVENT (RUNNING EVENT) APRIL 9-10, 2022 WITH VACATION RACES.

   Make sure proper water coverage for dust. Possible for lights down. Conversation about special permit fee price and possibility to look into changing the price in the future.

Motion to to keep dust down.

Motion made by Council Member McGinnis, Seconded by Council Member Nielson.
Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson

**Motion 5-0. Motion carries.**

10. SPECIAL EVENT PERMIT APPLICATION FOR HALF MARATHON ON MAY 20-21, 2022, APPLICANT IS OK WITH NO CAMPING--TABLED AT TC MEETING ON 2.17.22.

    Please make note moving forward for Fire on standby moving forward.

    Make motion to approve without camping and no fire, better dust control.

    Note to look into Special Event Permit Fee

    **Motion made by Council Member Whitmore, Seconded by Council Member Nielson.**
    **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

    **Motion 5-0. Motion carries.**

11. DISCUSSION AND POSSIBLE ACTION RE: PARTICIPATION IN HABITAT CONSERVATION PLAN (HCP).

    Conversation took place abut different options because the tortoise does not live up here.

    Conversation took place about giving citizens the option to participate or not.

    Table Item 11 for more information.

    **Motion made by Council Member Whitmore, Seconded by Council Member McGinnis.**
    **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

    **Motion 5-0. Motion carries.**

12. DISCUSSION AND POSSIBLE ACTION FOR ZONE CHANGE APPLICATION FOR AV-1329-B FROM OST TO SF-1.0; APPLICANT LADD MACDONALD.

    TC TABLED 12.15.21. PC RECOMMENDED DENIAL ON 12.1.21.

    Tabled by applicant to next meeting.

    **Motion made by Council Member Nielson, Seconded by Council Member Whitmore.**
    **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

    **Motion 5-0. Motion carries.**

13. DISCUSSION AND POSSIBLE ACTION FOR ZONE CHANGE APPLICATION FOR AV-2184 AND AV-2165 FROM OST TO CABIN/TH, PD AND RE-1; APPLICANT STANDARD DEVELOPMENT / TRAVIS HOLM.

    ON 1.27.22 APPLICANT TABLED AT TC. PC RECOMMENDED DENIAL ON 1.20.22.

    Requested to be tabled by Travis Holm due to engineer being sick.

    Tabled to next council meeting in April 2022.

    **Motion made by Council Member Whitmore, Seconded by Council Member Nielson.**
    **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

    **Motion 5-0. Motion carries.**



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14. DISCUSSION AND POSSIBLE FOR ZONE CHANGE APPLICATION FOR AV-1313-D-1 FROM AG TO SF 1/2; APPLICANT 2000 MAIN LLC / TRAVIS HOLM.

    ON 1.27.22 TABLED BY APPLICANT AT TC.

    Requested to be tabled by Travis Holm due to engineer being sick.
    Tabled to next council meeting in April 2022.

    **Motion made by Council Member Nielson, Seconded by Council Member McGinnis.**
    **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

    **Motion 5-0. Motion carries.**

15. DISCUSSION AND POSSIBLE FOR ZONE CHANGE APPLICATION FOR AV-1318 FROM AG TO SF 1/2; APPLICANT 2000 MAIN LLC / TRAVIS HOLM; OWNER NANCY BRADSHAW.

    ON 1.27.22 TABLED BY APPLICANT AT TC. PC RECOMMENDED DENIAL ON 1.20.22.

    CORRECTION: APPLICANT STANDARD DEVELOPMENT

    DISCUSSION AND POSSIBLE FOR ZONE CHANGE APPLICATION FOR AV-1318 FROM AG TO SF 1/2; APPLICANT STANDARD DEVELOPMENT LLC / TRAVIS HOLM; OWNER NANCY BRADSHAW.

    Requested to to be tabled by Travis Holm due to engineer being sick.
    Council Member Nielson motion to table to next council meeting in April 2022 for one last time if no owner addiavit this will be denied on recommendation of Planning Commission denial.

    **Motion made by Council Member Nielson, Seconded by Council Member Whitmore.**
    **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member Nielson**
    **Voting Nay: Council Member McGinnis**

    **Motion 4-1. Motion carries.**

16. DISCUSSION AND POSSIBLE ACTION FOR PRELIMINARY PLAT APPLICATION (MILES MARK) FOR AV-1319-A; APPLICANT 2000 MAIN / TRAVIS HOLM.

    ON 1.27.22 TABLED BY APPLICANT AT TC. PC RECOMMENDED DENIAL ON 1.20.22.

    Requested to to be tabled by Travis Holm due to engineer being sick.

    Tabled by owners request.

    Tabled to next council meeting in April 2022.

    Robin asks if water district has given approval and conversation took place.

    Note to verify affidavit with owner.

    **Motion made by Council Member Nielson, Seconded by Council Member Whitmore.**
    **Voting Yea: Council Member Sair, Council Member Whitmore, Council Member Nielson**
    **Voting Nay: Council Member McGinnis**

    **Motion 4-1. Motion carries.**

17. DISCUSSION AND POSSIBLE ACTION FOR PRELIMINARY PLAT APPLICATION (REDSTONE) FOR AV-1345,1327,1326,1346,1348-A; APPLICANT 2000 MAIN / TRAVIS HOLM.

    ON 1.27.22 TABLED BY APPLICANT AT TC. PC RECOMMENDED DENIAL ON 1.20.22.

    Requested to to be tabled by Travis Holm due to engineer being sick.
    Tabled by owner's request.



DRAFT

Tabled to next council meeting in April 2022.
Note to verify affidavit with owner.

**Motion made by Council Member Nielson, Seconded by Council Member Whitmore.**
**Voting Yea: Council Member Sair, Council Member Whitmore, Council Member Nielson**
**Voting Nay: Council Member McGinnis**

**Motion 4-1. Motion carries.**

**REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS**

Debbie Kopp-Community Event- Easter-April 16 at 11am

CPR class on 3/26 at 10am

**PUBLIC COMMENTS**

Debbie Kopp-Ranch Rd- Special Event Permit Fee should reflect a higher fee.

Motion to close public comments.

**Motion made by Council Member Sair, Seconded by Council Member Whitmore.**
**Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

**REQUEST FOR A CLOSED SESSION-None**

**ADJOURNMENT**

Adjournment 8:29 pm.

**Motion made by Council Member Whitmore, Seconded by Council Member McGinnis.**
**Voting Yea: Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson**

Date Approved: _____

Approved By: _____

Attest By: _____

Clerk-Recorder | Jenna Vizcardo

DRAFT

# APPLE VALLEY WORK MEETING

**1777 N Meadowlark Dr, Apple Valley**
**Wednesday, March 16, 2022 at 9:00 AM**

## MINUTES

**CALL TO ORDER-Meeting called to order at 9:02 am**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**
PRESENT
Council Member Kevin Sair
Council Member Andy McGinnis
Council Member Barratt Nielson
Frank Lindhardt, Planning Dept Manager
Dale Harris, Water Superintendent
Rod Mills, Engineering
David Zolg, Jr- Fire Chief
Harrold Merritt- SSD Board Member
Ross Gregerson- SSD Board Member
Clerk-Recorder | Jenna Vizcardo

ABSENT
Mayor Mason Walters
Council Member Robin Whitmore

**DECLARATION OF CONFLICTS OF INTEREST-None**

**CONSENT AGENDA**

1. OPEN ROUND TABLE FROM EACH DEPARTMENT WITH ANY PENDING ITEMS TO DISCUSS.
   Kevin Sair discusses houses possibly houses in Cedar Point without building permit, unknown if they have building permit—Barratt to follow-up and look into address.
   --Someone interested in buying dump truck that

   Frank discusses easement and having the Town not maintain and suggest permit unapproved property they sign a delay agreement and then each party pays their own share.
   Fire Chief- David Zolg, Jr. discusses delay agreement and needs full support of council they would need to road base and immediately changes need to be done. Also discuss Town and Design standards. Conversation about 6 lots that needs bond to protect town, subdivision was allowed to be recorded. Andy asks is what we have on the books adequate. Yes but it has not enforced. Our ordinances just need to be followed. As soon as subdivision gets preliminary their engineering creates plans and once approved and final plat approved. Option A put in improvements with their own money but if allowed to record then needs to be bonded. Travis Wells has not been bonded. Discussion about agenda items that were tabled.

   Dale Harris- Trying to work on reshaping some roads. Worked on Gubler Rd, cul-de-sac in town needs to be redone. Wanted to discuss with messed up wash crossing and needs maintenance. Also need to discuss for Jepson Cyn that road would go away that road except utility access



DRAFT

Frank comments needs direction on Jepson Canyon has master plan approved, multitude of changes to master plan. Talked to engineering and the road is at a 28% grade. From planning review if they want to start first phase then they need to start with preliminary plat and follow up with construction plans, and then final plat. Comments about red tag because they are not following our ru8les. The only leg they have to stand on is because Beddo signed off plans that are missing 90% of items including preliminary plat approval.

Rod Mills-See meeting as very important that is pivotal that we need one voice. Top priority is to get well 9 back in operation has proposal from Westec equipment providers to ask grant for this work, it's 250,000 and add 100,000 from another grant. And start program with solar on Wells 59. Would like solar incorporated in district projects moving forward. Going before Sate for Special Meeting and in Cedar Point we are in emergency. This will be funded through government infrastructure grant. The problem is estimated weeks to ready to ship 4-8 weeks, estimated documents completed 2-3, ready to ship after purchase execution is 4-8 weeks. Dilemma is there are risks involved in this. Recommendation to sign this agreement today. Discussion about the treatment is needed to wells 59. Actively pursuing other option than the wells head-pipeline needed from Canaan Springs. Cedar Point Pipeline application has been submitted and once reviewed and signed off and complete and which point you get the funding process. Public Hearing and Public Notice process within the last 60 days. Possible that we will have to redo. Get the public notice and then we can schedule public hearing. Ewac funding in grant program. Project #3 has negotiated re-start of Canaan Springs project, process of finalizing paperwork, additional piping closer to tanks, grading of two springs. Discussion about developers helping us with our water situation. Discussion about construction plans and following the rules.

**REQUEST FOR A CLOSED SESSION-None.**

**ADJOURNMENT**

**Motion made by Council Member McGinnis, Seconded by Council Member Nielson.**
**Voting Yea: Council Member Sair, Council Member McGinnis, Council Member Nielson**

Date Approved: _____

Approved By: _____

Attest By: _____

Jenna Vizcardo, Recorder

DRAFT

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

Fee: $500.00 + Acreage Fee
1 – 100 Acres: $50.00/Acre
101 – 500 Acres: $25.00/Acre
501 + Acres: $10/Acre

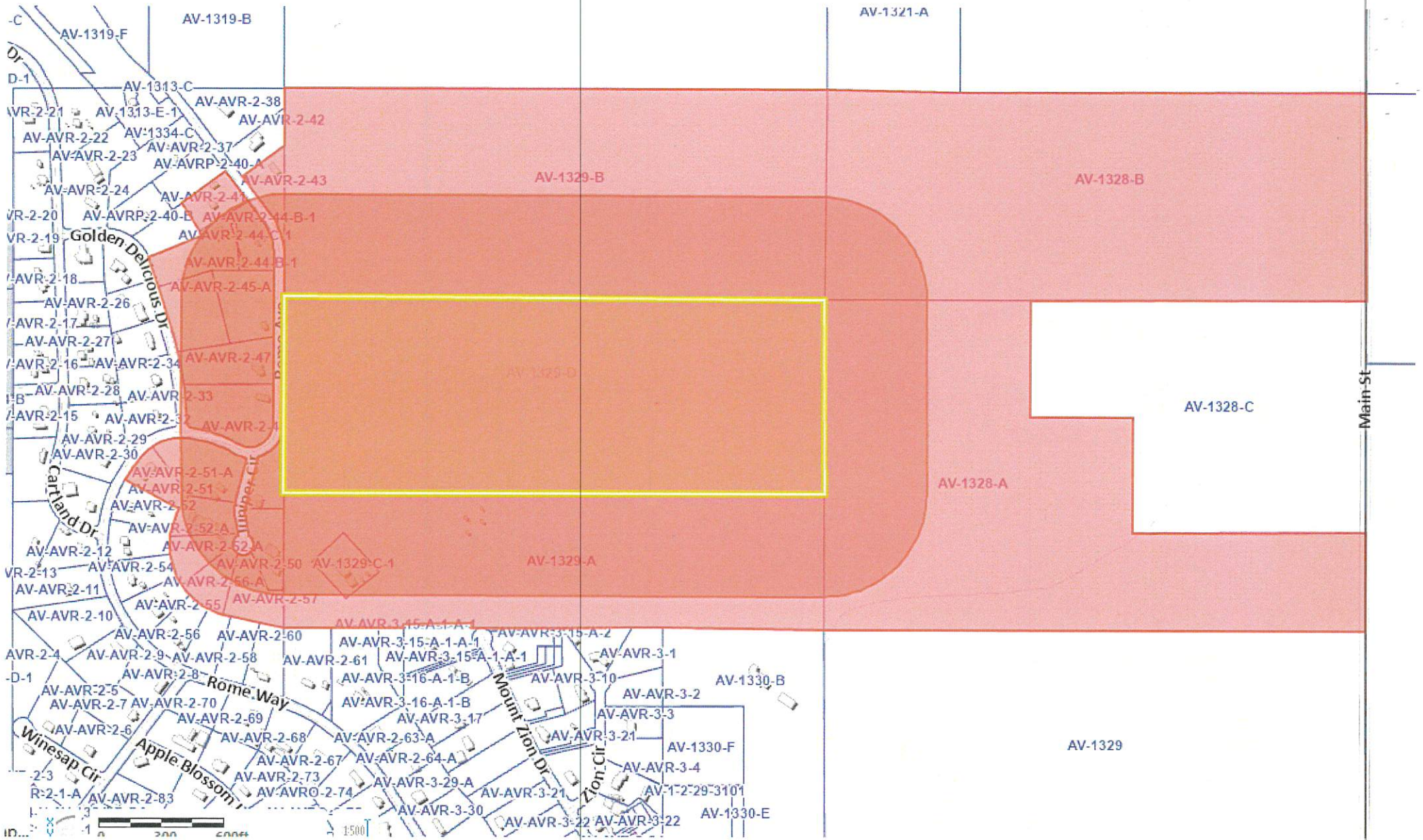
| **Applications Must Be Submitted A Minimum of 21 Days In Advance of The Planning Commission Meeting** | | |
|---|---|---|
| Name: LADD MACDONALD | | Phone: 925-407-5073 |
| Address: [redacted] | | Email: LADDMAC.@GMAIL.COM |
| City: Provo | State: UT | Zip: 84604 |
| Agent: (If Applicable) Paul Johnson | | Phone: (801) 377-3100 |
| Address/Location of Property: BETWEEN ROME AVE & MAIN ST. | Parcel ID: AV 1329-B | |
| Existing Zone: OST | | Proposed Zone: SF 1.0 |
| Reason for the request SINGLE FAMILY HOMES WITHOUT FARM ANIMALS. WITHOUT INDUSTRIAL LOOKING BUILDINGS | | |

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

- ☑ A. The name and address of every person or company the applicant represents
- ☐ B. An accurate property map showing the existing and proposed zoning classifications
- ☑ C. All abutting properties showing present zoning classifications SEE ABOVE
- ☑ D. An accurate legal description of the property to be rezoned ON DEED
- ☑ E. Stamped envelopes with the names and address's 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
- ☐ F. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence the applicant has control of the property

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.

| Official Use Only | Paid fee 10/12/21 | |
|---|---|---|
| Date Received: | 10/6/21 | By: JW |
| Date Application Deemed Complete: | 10/12/21 | By: JW |




PROPERTIES WITHIN 500'

The Planning Commission makes a recommendation to the Town Council, so there is no appeal. The Town Council's action on a preliminary plat is final unless appealed to the appropriate court.

## AFFIDAVIT
## PROPERTY OWNER

STATE OF UTAH )
:ss
COUNTY OF )

I(we) Ladd MacDonald, 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 exhibits are in all respects true and correct to the best of my knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 24 day of Sept 2021

(Notary Public)

MATTHEW JENKINS
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 719596
COMM. EXP. 08-03-2025

Residing in: Utah County, Utah

My Commission Expires: 08/03/2025

---

## AGENT AUTHORIZATION

I (we), Ladd MacDonald the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Paul Johnson to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 24 day of Sept 2021

(Notary Public)

Residing in: Utah County Utah

My Commission Expires: 08/03/2025

MATTHEW JENKINS
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 719596
COMM. EXP. 08-03-2025

WHEN RECORDED MAIL DEED AND TAX NOTICE TO:
DRL Investments
985 North Shadow Ridge Avenue
Eagle, Idaho 83616

DOC # 20060058754
Warranty Deed Page 1 of 2
Russell Shirts Washington County Recorder
12/19/2006 02:36:54 PM Fee $ 13.00 By SOUTHERN UTAH TITLE CO

Order No. 136491
Tax I.D. No. AV-1329-B

# WARRANTY DEED

**MCM LAND AND DEVELOPMENT, LLC, a Utah Limited Liability Company,** grantor(s), of St. George, County of Washington, State of Utah, hereby

## CONVEY and WARRANT to

**DRL INVESTMENTS, LLC, an Idaho Limited Liability Company,** grantee(s) of Eagle, County of Ada, State of Idaho, for the sum of
TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION
the following described tract of land in WASHINGTON County, State of UTAH:

**SEE ATTACHED EXHIBIT "A" - LEGAL DESCRIPTION**

TOGETHER WITH all improvements and appurtenances thereunto belonging.
LESS AND EXCEPTING any and all water rights.
SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 15 day of December, A. D. 2006.

MCM LAND AND DEVELOPMENT, LLC, a Utah Limited Liability Company

JANA LYN MUSGRAVE, Member/Manager

MATTHEW C. MUSGRAVE, Member/Manager

**NOTARY**

STATE OF UTAH )
) ss
County of Washington )

On the 15 day of December, A. D. 2006, personally appeared before me Matthew C. Musgrave and Jana Lyn Musgrave, Managing Members of MCM LAND AND DEVELOPMENT,LLC,a Utah Limited Liability Company and known to me to be members or designated agents of the Limited Liability Company that executed the herein instrument and acknowledged the instrument to be the free and voluntary act and deed of the Limited Liability Company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and on oath stated that they are authorized to execute this instrument on behalf of the Limited Liability Company.

NOTARY PUBLIC
STEPHANIE L HUTCHINGS
40 SOUTH 100 EAST
ST. GEORGE, UT 84770
MY COMM EXP 09-01-08
STATE OF UTAH

Notary Public

Notary Public residing at:
My Commission Expires:

Unofficial Copy

**This Legal description is attached to that Warranty Deed, between DRL Investments, LLC, grantee(s), and MCM LAND AND DEVELOPMENT, LLC, a Utah Limited Liability Company,as to an undivided 50% interest, Grantor(s).**

**EXHIBIT "A"**

**AN UNDIVIDED 50% INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTIES:**

**PARCEL 1:**

**Beginning at the Northwest Corner of Section 29, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 89°57'52" East, along the Section line 2639.81 feet to the North Quarter Corner of said Section 29; thence South 0°05'25" East, along the Quarter Section line, 1019.60 feet; thence North 89°57'52" West 2639.41 feet to a point on the Section line; thence North 0°06'46" West, along the Section line, 1019.60 feet to the point of beginning.**

**PARCEL 2:**

**Easement for ingress and egress, as created by Warranty Deed, recorded August 9, 2006, as Doc. No. 20060035761, Official Washington County Records, across the North 50.00 feet of the following described parcel:**

**Beginning at the Northeast Corner of Section 29 Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 0°05'43" East along the Section line 1019.21 feet; thence South 89°57'16" West 2642.00 feet to a point on the Quarter Section line; thence North 0°04'45" West along the Quarter Section line, 1019.21 feet to the North Quarter Corner of said Section 29; thence North 89°57'16" East, along the Section line, 2641.71 feet to the point of beginning.**

Initials _____ / _____

Unofficial Copy

Agent Authorization

State of Utah )

:ss

County of Washington )

I (we) Kerry Holt, the owner(s) of the real property described in the attached final plat application for West Temple Village Phase 1 consisting of 29 lots , do authorize as my (our) agent (s) Travis Holm to represent me (us) regarding the attached final plat application for West Temple Village Phase 1 consisting of 29 lots and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached final plat application for West Temple Village Phase 1 consisting of 29 lots .

Kerry Holt

(Property Owner) – Manager of K & D Family, LLC and KDLR, LLC

Subscribed and sworn to me this 10 day of January 2022.

Coby Drake

(Notary Public)

Residing in : Enterprise Utah

My Commission Expires: 10/30/23

NOTARY PUBLIC
COBY DRAKE
708155
Commission Expires
October 30, 2023
STATE OF UTAH

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

| Fee: $500.00 + Acreage Fee | |
|---|---|
| 1 – 100 Acres: | $50.00/Acre |
| 101 – 500 Acres: | $25.00/Acre |
| 501 + Acres: | $10/Acre |

# Zone Change Application

**Applications Must Be Submitted A Minimum of 21 Days In Advance of The Planning Commission Meeting**

| | | |
|---|---|---|
| Name: 2000 Main LLC | | Phone: 702-701-1443 |
| Address: [redacted] | | Email: Holmbrand@gmail.com |
| City: Holm | State: ut | Zip: 84718 |
| Agent: (If Applicable) Travis Holm | | Phone: 702-701-1443 |
| Address/Location of Property: | Parcel ID: AV-1313-D-1 | |
| Existing Zone: Agriculture | | Proposed Zone: SF-1/2 |
| Reason for the request: Half acre Lots for development | | |

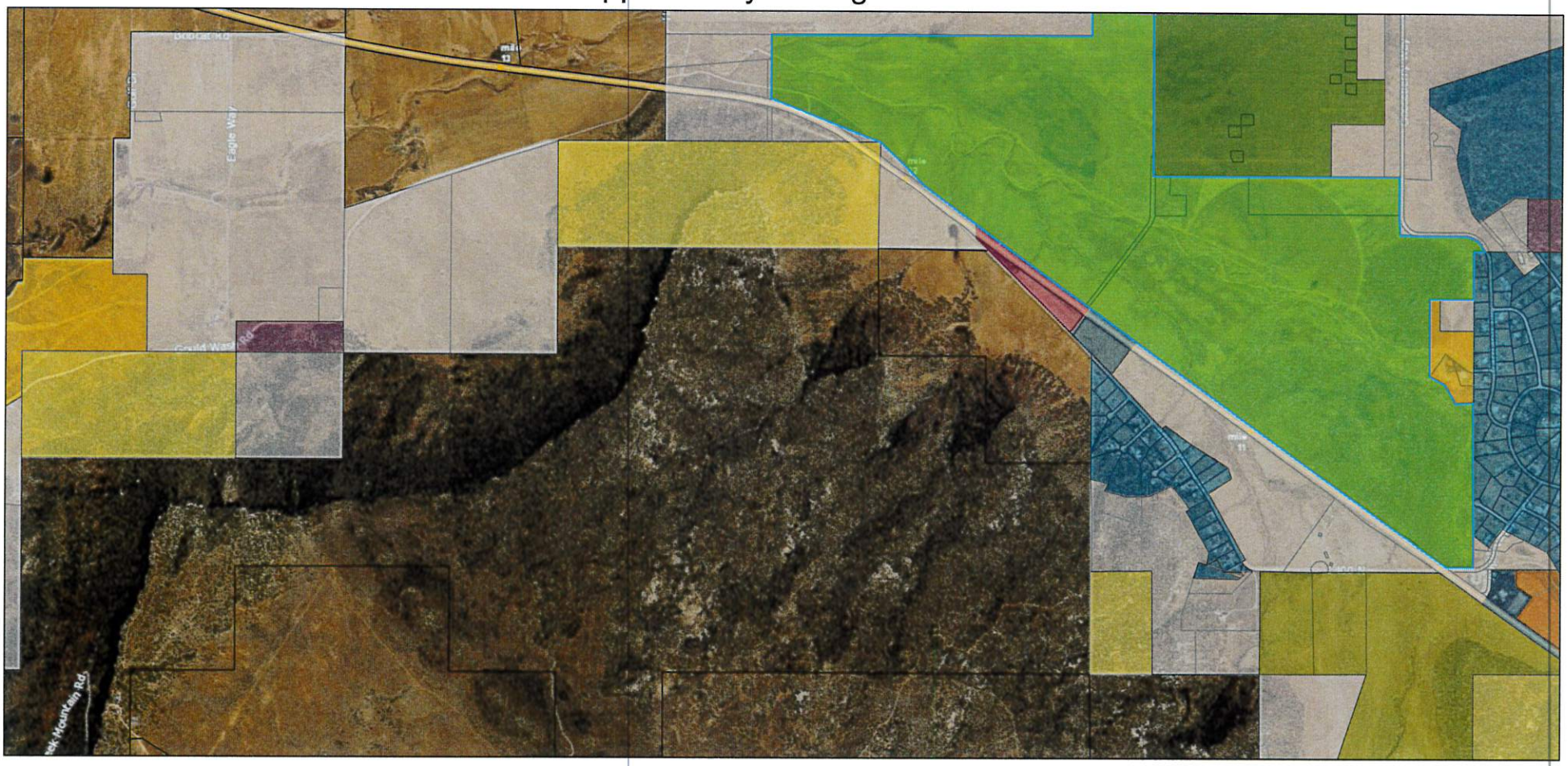
**Submittal Requirements: The zone change application shall provide the following:**

- ☑ A. The name and address of every person or company the applicant represents
- ☑ B. An accurate property map showing the existing and proposed zoning classifications
- ☑ C. All abutting properties showing present zoning classifications
- ☑ D. An accurate legal description of the property to be rezoned
- ☑ E. Stamped envelopes with the names and address's 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
- ☑ F. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence the applicant has control of the property

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.

| Official Use Only | |
|---|---|
| Date Received: 11/11/21 | By: JW |
| Date Application Deemed Complete: 11/11/21 | By: JW |

# Apple Valley Zoning Districts




11/11/2021, 12:43:32 PM

Zoning Districts

- A – Agricultural
- C-2 – Highway Commercial
- C-3 – General Commercial
- CABIN/TH – Cabin/Tourist Homes
- OSC – Open Space Conservation
- OST – Open Space Transition
- PD – Planned Development
- RE-1 – Residential Estate 1
- RE-10 – Residential Estate 10
- RV-Park – Recreational Vehicle Park
- SF-1/2 – Single-Family Residential ½
- Washington County Parcels

1:18,056

0 0.17 0.35 0.7 mi

0 0.28 0.55 1.1 km

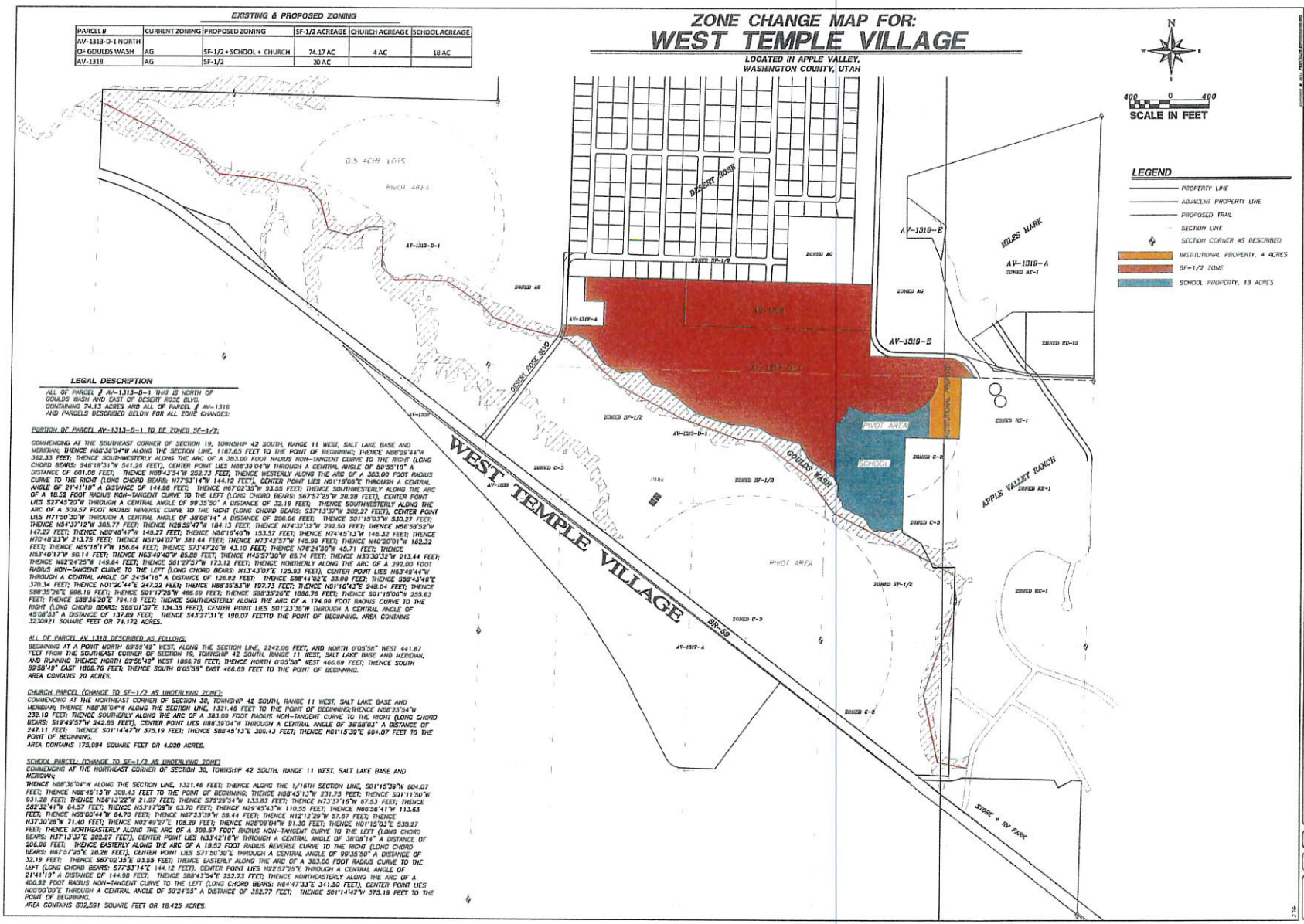
Town of Apple Valley
Sunrise Cloud SMART GIS®

# ZONE CHANGE MAP FOR:
# WEST TEMPLE VILLAGE

LOCATED IN APPLE VALLEY,
WASHINGTON COUNTY, UTAH

**EXISTING & PROPOSED ZONING**

| PARCEL # | CURRENT ZONING | PROPOSED ZONING | SF-1/2 ACREAGE | CHURCH ACREAGE | SCHOOL ACREAGE |
|---|---|---|---|---|---|
| AV-1313-D-1 NORTH OF GOULDS WASH | AG | SF-1/2 + SCHOOL + CHURCH | 74.17 AC | 4 AC | 18 AC |
| AV-1318 | AG | SF-1/2 | 20 AC | | |




**LEGAL DESCRIPTION**

ALL OF PARCEL # AV-1313-D-1 THAT IS NORTH OF GOULDS WASH AND EAST OF DESERT ROSE BLVD. CONTAINING 74.13 ACRES AND ALL OF PARCEL # AV-1318 AND PARCELS DESCRIBED BELOW FOR ALL ZONE CHANGES:

PORTION OF PARCEL AV-1313-D-1 TO BE ZONED SF-1/2:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N88°36'04"W ALONG THE SECTION LINE, 1167.65 FEET TO THE POINT OF BEGINNING; THENCE N88°29'44"W 362.33 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 383.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (LONG CHORD BEARS: S46°18'31"W 541.26 FEET), CENTER POINT LIES N88°39'04"W THROUGH A CENTRAL ANGLE OF 89°35'10" A DISTANCE OF 601.09 FEET; THENCE N88°43'34"W 232.73 FEET; THENCE WESTERLY ALONG THE ARC OF A 383.00 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS: N77°53'14"W 144.12 FEET), CENTER POINT LIES N01°16'06"E THROUGH A CENTRAL ANGLE OF 21°41'19" A DISTANCE OF 144.98 FEET; THENCE N67°02'35"W 93.65 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 18.52 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (LONG CHORD BEARS: S67°57'25"W 28.28 FEET), CENTER POINT LIES S22°45'29"W THROUGH A CENTRAL ANGLE OF 89°35'50" A DISTANCE OF 32.19 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 309.57 FOOT RADIUS REVERSE CURVE TO THE RIGHT (LONG CHORD BEARS: S37°13'37"W 202.27 FEET), CENTER POINT LIES N71°30'35"W THROUGH A CENTRAL ANGLE OF 38°08'14" A DISTANCE OF 206.08 FEET; THENCE S01°15'03"W 530.27 FEET; THENCE N54°37'12"W 305.77 FEET; THENCE N28°59'47"W 184.13 FEET; THENCE N74°32'32"W 292.50 FEET; THENCE N56°39'52"W 147.27 FEET; THENCE N80°48'47"W 149.27 FEET; THENCE N86°19'40"W 153.57 FEET; THENCE N74°45'13"W 146.32 FEET; THENCE N70°48'33"W 213.75 FEET; THENCE N51°04'07"W 381.44 FEET; THENCE N33°42'57"W 145.99 FEET; THENCE N40°20'01"W 162.32 FEET; THENCE N89°16'17"W 156.64 FEET; THENCE S73°47'26"W 43.10 FEET; THENCE N76°24'50"W 45.71 FEET; THENCE N53°40'17"W 50.14 FEET; THENCE N63°40'40"W 85.88 FEET; THENCE N45°57'30"W 65.74 FEET; THENCE N30°30'32"W 213.44 FEET; THENCE N62°24'25"W 149.64 FEET; THENCE S81°27'57"W 173.12 FEET; THENCE NORTHERLY ALONG THE ARC OF A 292.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (LONG CHORD BEARS: N12°43'07"E 125.93 FEET), CENTER POINT LIES N63°49'44"W THROUGH A CENTRAL ANGLE OF 24°54'18" A DISTANCE OF 126.92 FEET; THENCE S88°44'02"E 33.00 FEET; THENCE S88°43'46"E 370.34 FEET; THENCE N01°20'44"E 247.22 FEET; THENCE N88°35'53"W 197.73 FEET; THENCE N01°16'42"E 248.04 FEET; THENCE S88°35'26"E 998.19 FEET; THENCE S01°17'25"W 466.69 FEET; THENCE S88°35'26"E 1866.76 FEET; THENCE S01°15'06"W 233.62 FEET; THENCE S88°36'20"E 784.19 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 174.99 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS: S68°01'57"E 134.35 FEET), CENTER POINT LIES S01°23'36"W THROUGH A CENTRAL ANGLE OF 45°58'53" A DISTANCE OF 137.89 FEET; THENCE S43°27'31"E 190.07 FEETTO THE POINT OF BEGINNING. AREA CONTAINS 3230921 SQUARE FEET OR 74.172 ACRES.

ALL OF PARCEL AV 1318 DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT NORTH 89°35'50" WEST, ALONG THE SECTION LINE, 2242.06 FEET, AND NORTH 0°05'58" WEST 441.87 FEET FROM THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 89°58'42" WEST 1866.76 FEET; THENCE NORTH 0°05'58" WEST 466.69 FEET; THENCE SOUTH 89°58'42" EAST 1866.76 FEET; THENCE SOUTH 0°05'58" EAST 466.69 FEET TO THE POINT OF BEGINNING.
AREA CONTAINS 20 ACRES.

CHURCH PARCEL: (CHANGE TO SF-1/2 AS UNDERLYING ZONE):

COMMENCING AT THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N88°36'04"W ALONG THE SECTION LINE, 1321.48 FEET TO THE POINT OF BEGINNING;THENCE N08°25'54"W 232.19 FEET; THENCE SOUTHERLY ALONG THE ARC OF A 383.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (LONG CHORD BEARS: S19°49'37"W 242.85 FEET), CENTER POINT LIES N88°39'04"W THROUGH A CENTRAL ANGLE OF 36°58'03" A DISTANCE OF 247.11 FEET; THENCE S01°14'47"W 375.19 FEET; THENCE S88°45'13"E 309.43 FEET; THENCE N01°15'39"E 604.07 FEET TO THE POINT OF BEGINNING.
AREA CONTAINS 175,094 SQUARE FEET OR 4.020 ACRES.

SCHOOL PARCEL: (CHANGE TO SF-1/2 AS UNDERLYING ZONE)

COMMENCING AT THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN;

THENCE N88°36'04"W ALONG THE SECTION LINE, 1321.48 FEET; THENCE ALONG THE 1/16TH SECTION LINE, S01°15'39"W 604.07 FEET; THENCE N88°45'13"W 309.43 FEET TO THE POINT OF BEGINNING; THENCE N88°45'13"W 231.75 FEET; THENCE S01°11'50"W 931.28 FEET; THENCE N56°13'22"W 21.07 FEET; THENCE S79°29'34"W 133.83 FEET; THENCE N73°37'16"W 87.53 FEET; THENCE S62°32'41"W 64.57 FEET; THENCE N33°17'08"W 63.70 FEET; THENCE N29°43'43"W 110.55 FEET; THENCE N66°36'41"W 113.63 FEET; THENCE N59°00'44"W 64.70 FEET; THENCE N67°23'39"W 58.44 FEET; THENCE N12°12'29"W 57.67 FEET; THENCE N37°30'28"W 71.40 FEET; THENCE N02°49'27"E 108.29 FEET; THENCE N28°09'04"W 91.30 FEET; THENCE N01°15'03"E 530.27 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A 309.57 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (LONG CHORD BEARS: N37°13'37"E 202.27 FEET), CENTER POINT LIES N33°42'16"W THROUGH A CENTRAL ANGLE OF 38°08'14" A DISTANCE OF 206.08 FEET; THENCE EASTERLY ALONG THE ARC OF A 18.52 FOOT RADIUS REVERSE CURVE TO THE RIGHT (LONG CHORD BEARS: N67°57'25"E 28.28 FEET), CENTER POINT LIES S71°30'35"E THROUGH A CENTRAL ANGLE OF 89°35'50" A DISTANCE OF 32.19 FEET; THENCE S67°02'35"E 93.65 FEET; THENCE EASTERLY ALONG THE ARC OF A 383.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD BEARS: S77°53'14"E 144.12 FEET), CENTER POINT LIES N22°57'25"E THROUGH A CENTRAL ANGLE OF 21°41'19" A DISTANCE OF 144.98 FEET; THENCE S88°43'34"E 232.73 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A 400.92 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (LONG CHORD BEARS: N64°47'33"E 341.50 FEET), CENTER POINT LIES N00°00'09"E THROUGH A CENTRAL ANGLE OF 50°24'55" A DISTANCE OF 352.77 FEET; THENCE S01°14'47"W 375.18 FEET TO THE POINT OF BEGINNING.
AREA CONTAINS 802,591 SQUARE FEET OR 18.425 ACRES.

| NO | REVISIONS DESCRIPTION | DATE | BY |
|---|---|---|---|

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
1100 East 6600 South, Suite 207
Millcreek City, Utah 84121
Phone: (435) 656-9677 East Riverside
Phone: (435) 656-9677 Grand Vista

ZONE CHANGE MAP FOR:
WEST TEMPLE VILLAGE
LOCATED IN APPLE VALLEY, UTAH
WASHINGTON COUNTY, UTAH

DATE: 8/6/2020
SCALE: 1"=400'
JOB NO. 174-013
SHEET NO. 1 OF 1

## AFFIDAVIT
## PROPERTY OWNER

STATE OF UTAH )
)§
COUNTY OF WASHINGTON)

I (We) 2000 Main, 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 exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

Property Owner

Property Owner

Subscribed and sworn to me this 9th day of Nov, 2021.

NOTARY PUBLIC
Cara L Scott
706106
Commission Expires
May 3, 2023
STATE OF UTAH

Notary Public

Residing in: Hurricane, UT

My Commission Expires: May 3, 2023

---

## AGENT AUTHORIZATION

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

Property Owner

Property Owner

Subscribed and sworn to me this _____ day of _____, 20____.

Notary Public

Residing in: _____

My Commission Expires: _____

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

| Fee: $500.00 + Acreage Fee | |
|---|---|
| 1 – 100 Acres: | $50.00/Acre |
| 101 – 500 Acres: | $25.00/Acre |
| 501 + Acres: | $10/Acre |

# Zone Change Application

**Applications Must Be Submitted A Minimum of 21 Days In Advance of The Planning Commission Meeting**

| | | |
|---|---|---|
| Name: Standard Development LLC | | Phone: 702-701-1443 |
| Address: [redacted] | | Email: Holmbrand@gmail.com |
| City: Holm | State: ut | Zip: 84718 |
| Agent: (If Applicable) Travis Holm | | Phone: 702-701-1443 |
| Address/Location of Property: | Parcel ID: AV-1318 | |
| Existing Zone: Agriculture | | Proposed Zone: SF-1/2 |
| Reason for the request: Half acre Lots for development | | |

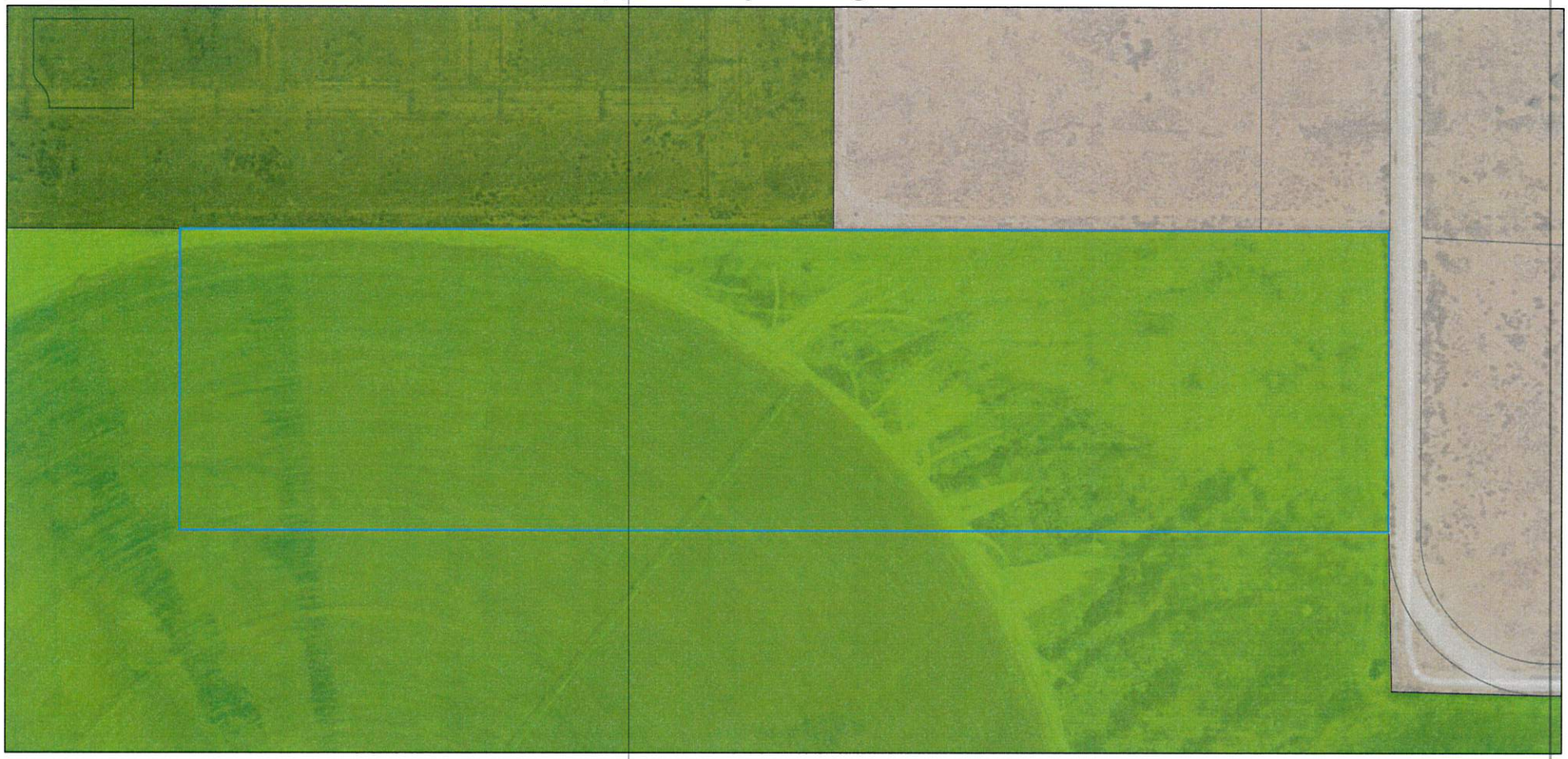
**Submittal Requirements: The zone change application shall provide the following:**

- ☑ A. The name and address of every person or company the applicant represents
- ☑ B. An accurate property map showing the existing and proposed zoning classifications
- ☑ C. All abutting properties showing present zoning classifications
- ☑ D. An accurate legal description of the property to be rezoned
- ☑ E. Stamped envelopes with the names and address's 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
- ☑ F. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence the applicant has control of the property — ATTACHED

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.

| Official Use Only | |
|---|---|
| Date Received: 11/11/21 | By: |
| Date Application Deemed Complete: 11/11/21 | By: |

# Apple Valley Zoning Districts



11/11/2021, 12:46:23 PM

Zoning Districts

- A – Agricultural
- OST – Open Space Transition
- SF-1/2 – Single-Family Residential ½
- Washington County Parcels

1:2,257

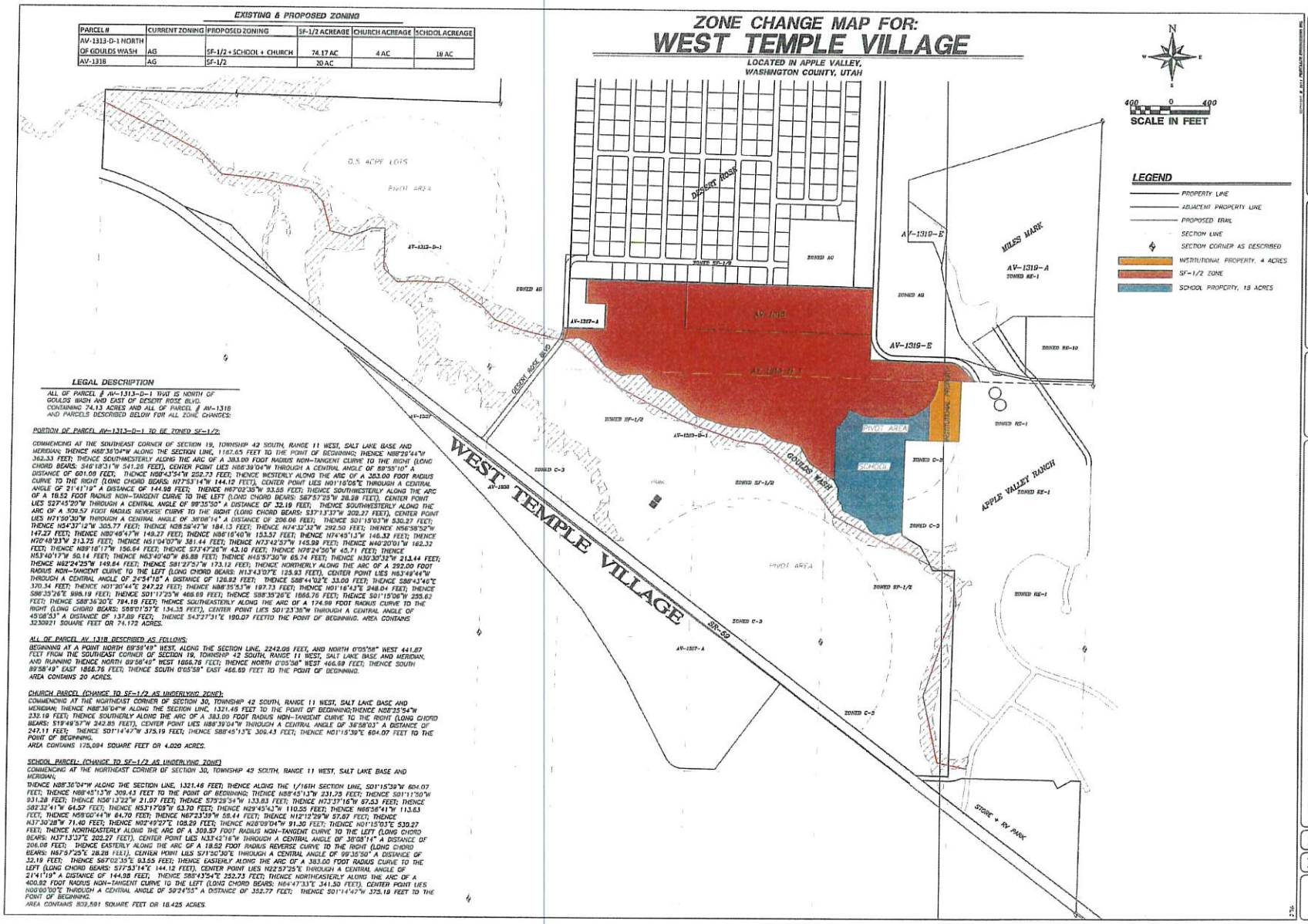
0 0.02 0.04 0.08 mi

0 0.03 0.07 0.13 km

Town of Apple Valley
Sunrise Cloud SMART GIS®

# ZONE CHANGE MAP FOR:
# WEST TEMPLE VILLAGE

LOCATED IN APPLE VALLEY,
WASHINGTON COUNTY, UTAH




## EXISTING & PROPOSED ZONING

| PARCEL # | CURRENT ZONING | PROPOSED ZONING | SF-1/2 ACREAGE | CHURCH ACREAGE | SCHOOL ACREAGE |
|---|---|---|---|---|---|
| AV-1313-D-1 NORTH OF GOULDS WASH | AG | SF-1/2 + SCHOOL + CHURCH | 74.17 AC | 4 AC | 18 AC |
| AV-1318 | AG | SF-1/2 | 20 AC | | |

## LEGAL DESCRIPTION

ALL OF PARCEL # AV-1313-D-1 THAT IS NORTH OF GOULDS WASH AND EAST OF DESERT ROSE BLVD. CONTAINING 74.13 ACRES AND ALL OF PARCEL # AV-1318 AND PARCELS DESCRIBED BELOW FOR ALL ZONE CHANGES:

PORTION OF PARCEL AV-1313-D-1 TO BE ZONED SF-1/2:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N88°36'04"W ALONG THE SECTION LINE, 1187.65 FEET TO THE POINT OF BEGINNING; THENCE N88°29'44"W 362.33 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 383.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (LONG CHORD BEARS: S46°18'31"W 541.26 FEET), CENTER POINT LIES N88°39'04"W THROUGH A CENTRAL ANGLE OF 89°55'10" A DISTANCE OF 601.09 FEET; THENCE N88°43'54"W 252.73 FEET; THENCE WESTERLY ALONG THE ARC OF A 383.00 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS: N77°53'14"W 144.12 FEET), CENTER POINT LIES N01°16'06"E THROUGH A CENTRAL ANGLE OF 21°41'19" A DISTANCE OF 144.98 FEET; THENCE N67°02'35"W 93.55 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 18.52 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (LONG CHORD BEARS: S87°57'25"W 28.28 FEET), CENTER POINT LIES S22°45'20"W THROUGH A CENTRAL ANGLE OF 89°35'50" A DISTANCE OF 32.19 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 309.57 FOOT RADIUS REVERSE CURVE TO THE RIGHT (LONG CHORD BEARS: S37°13'37"W 202.27 FEET), CENTER POINT LIES N71°50'30"W THROUGH A CENTRAL ANGLE OF 38°08'14" A DISTANCE OF 206.06 FEET; THENCE S01°15'53"W 530.37 FEET; THENCE N34°37'12"W 305.77 FEET; THENCE N28°58'47"W 184.13 FEET; THENCE N74°33'32"W 292.50 FEET; THENCE N56°58'52"W 147.27 FEET; THENCE N80°48'47"W 149.27 FEET; THENCE N84°16'40"W 153.57 FEET; THENCE N74°45'13"W 146.32 FEET; THENCE N70°48'23"W 213.75 FEET; THENCE N61°04'07"W 38.44 FEET; THENCE N73°43'57"W 145.99 FEET; THENCE N40°20'01"W 162.32 FEET; THENCE N89°16'17"W 156.64 FEET; THENCE S73°47'26"W 43.10 FEET; THENCE N78°24'30"W 45.71 FEET; THENCE N53°40'17"W 50.14 FEET; THENCE N63°40'40"W 85.88 FEET; THENCE N45°57'30"W 65.74 FEET; THENCE N30°30'32"W 213.44 FEET; THENCE N62°24'25"W 149.84 FEET; THENCE S81°27'57"W 173.12 FEET; THENCE NORTHERLY ALONG THE ARC OF A 292.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (LONG CHORD BEARS: N13°43'07"E 123.93 FEET), CENTER POINT LIES N63°49'44"W THROUGH A CENTRAL ANGLE OF 24°54'18" A DISTANCE OF 126.92 FEET; THENCE S88°44'02"E 33.00 FEET; THENCE S88°43'46"E 370.34 FEET; THENCE N01°30'44"E 247.33 FEET; THENCE N88°35'53"W 197.73 FEET; THENCE N01°16'43"E 348.04 FEET; THENCE S86°35'26"E 998.19 FEET; THENCE S01°17'25"W 468.69 FEET; THENCE S88°35'26"E 1868.76 FEET; THENCE S01°15'39"W 255.62 FEET; THENCE S88°36'20"E 784.16 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 174.99 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS: S55°01'53"E 134.35 FEET), CENTER POINT LIES S01°23'36"W THROUGH A CENTRAL ANGLE OF 45°08'53" A DISTANCE OF 137.89 FEET; THENCE S43°27'31"E 190.07 FEETTO THE POINT OF BEGINNING. AREA CONTAINS 3230921 SQUARE FEET OR 74.172 ACRES.

ALL OF PARCEL AV-1318 DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT NORTH 89°58'49" WEST, ALONG THE SECTION LINE, 2242.08 FEET, AND NORTH 0°05'58" WEST 441.87 FEET FROM THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 89°58'49" WEST 1868.76 FEET; THENCE NORTH 0°05'58" WEST 466.69 FEET; THENCE SOUTH 89°58'49" EAST 1868.76 FEET; THENCE SOUTH 0°05'58" EAST 466.69 FEET TO THE POINT OF BEGINNING.
AREA CONTAINS 20 ACRES.

CHURCH PARCEL (CHANGE TO SF-1/2 AS UNDERLYING ZONE):
COMMENCING AT THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N88°36'04"W ALONG THE SECTION LINE, 1321.46 FEET TO THE POINT OF BEGINNING;THENCE N88°25'54"W 330.19 FEET; THENCE SOUTHERLY ALONG THE ARC OF A 383.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (LONG CHORD BEARS: S19°49'57"W 242.85 FEET), CENTER POINT LIES N88°39'04"W THROUGH A CENTRAL ANGLE OF 36°58'03" A DISTANCE OF 247.11 FEET; THENCE S01°14'47"W 375.19 FEET; THENCE S88°45'13"E 309.43 FEET; THENCE N01°15'39"E 604.07 FEET TO THE POINT OF BEGINNING.
AREA CONTAINS 175,084 SQUARE FEET OR 4.020 ACRES.

SCHOOL PARCEL: (CHANGE TO SF-1/2 AS UNDERLYING ZONE)
COMMENCING AT THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN;
THENCE N88°36'04"W ALONG THE SECTION LINE, 1321.46 FEET; THENCE ALONG THE 1/16TH SECTION LINE, S01°15'39"W 604.07 FEET; THENCE N88°45'13"W 309.43 FEET TO THE POINT OF BEGINNING; THENCE N88°45'13"W 231.75 FEET; THENCE S01°11'50"W 931.28 FEET; THENCE N56°13'22"W 21.07 FEET; THENCE S73°28'54"W 133.83 FEET; THENCE N73°37'16"W 87.53 FEET; THENCE S82°32'41"W 64.57 FEET; THENCE N53°17'09"W 63.70 FEET; THENCE N29°45'43"W 110.55 FEET; THENCE N66°56'41"W 113.63 FEET, THENCE N59°00'44"W 84.70 FEET; THENCE N67°23'39"W 58.44 FEET; THENCE N13°12'29"W 57.87 FEET; THENCE N37°30'38"W 71.40 FEET; THENCE N02°49'27"E 108.29 FEET; THENCE N28°09'04"W 91.30 FEET; THENCE N01°15'53"E 530.27 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A 309.57 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (LONG CHORD BEARS: N37°13'37"E 202.27 FEET), CENTER POINT LIES N33°42'16"W THROUGH A CENTRAL ANGLE OF 38°08'14" A DISTANCE OF 206.08 FEET; THENCE EASTERLY ALONG THE ARC OF A 18.52 FOOT RADIUS REVERSE CURVE TO THE RIGHT (LONG CHORD BEARS: N87°57'25"E 28.28 FEET), CENTER POINT LIES S71°50'30"E THROUGH A CENTRAL ANGLE OF 89°35'50" A DISTANCE OF 32.19 FEET; THENCE S67°02'35"E 93.55 FEET; THENCE EASTERLY ALONG THE ARC OF A 383.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD BEARS: S77°53'14"E 144.12 FEET), CENTER POINT LIES N22°57'25"E THROUGH A CENTRAL ANGLE OF 21°41'19" A DISTANCE OF 144.98 FEET; THENCE S88°43'54"E 252.73 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A 400.92 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (LONG CHORD BEARS: N64°47'33"E 341.50 FEET), CENTER POINT LIES N00°00'00"E THROUGH A CENTRAL ANGLE OF 39°24'55" A DISTANCE OF 352.77 FEET; THENCE S01°14'47"W 375.19 FEET TO THE POINT OF BEGINNING.
AREA CONTAINS 809,591 SQUARE FEET OR 18.425 ACRES.

| NO | DESCRIPTION | DATE | BY |
|---|---|---|---|
| | | | |

PROVALUE ENGINEERING, INC.
Engineers- Land Surveyors - Land Planners
50 South 600 East, Suite 150
St. George, Utah 84770
Phone: (435) 628-6500 Fax: (435) 628-6553

ZONE CHANGE MAP FOR:
WEST TEMPLE VILLAGE
LOCATED IN APPLE VALLEY, UTAH
WASHINGTON COUNTY, UTAH

DATE: 8/6/2018
SCALE: 1"=400'
JOB NO. 274-013
SHEET NO. 1 OF 1

## AFFIDAVIT
## PROPERTY OWNER

STATE OF UTAH )
)§
COUNTY OF WASHINGTON)

I (We) Standard Development, 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 exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

Property Owner

Property Owner

Subscribed and sworn to me this 9th day of Nov, 2021.

NOTARY PUBLIC
Cara L Scott
706106
Commission Expires
May 3, 2023
STATE OF UTAH

Notary Public

Residing in: Hurricane, UT

My Commission Expires: May 3, 2023

---

## AGENT AUTHORIZATION

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

Property Owner

Property Owner

Subscribed and sworn to me this _____ day of _____, 20____.

Notary Public

Residing in: _____

My Commission Expires: _____

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

| Fee: $500.00 + Acreage Fee | |
|---|---|
| 1 – 100 Acres: | $50.00/Acre |
| 101 – 500 Acres: | $25.00/Acre |
| 501 + Acres: | $10/Acre |

# Zone Change Application

**Applications Must Be Submitted A Minimum of 21 Days In Advance of The Planning Commission Meeting**

| | | | |
|---|---|---|---|
| Name: Standard Development | | Phone: 702-701-1443 | |
| Address: [redacted] | | Email: holmbrand@gmail.com | |
| City: Holm | State: UT | Zip: 84718 | |
| Agent: (If Applicable) Travis Holm | | Phone: 424-425-5405 | |
| Address/Location of Property: | Parcel ID: AV-2184, AV-2165 | | |
| Existing Zone: OST | | Proposed Zone: CABIN/TH, PD, RE-1 | |
| Reason for the request: For Development | | | |

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

- ☑ A. The name and address of every person or company the applicant represents
- ☑ B. An accurate property map showing the existing and proposed zoning classifications
- ☑ C. All abutting properties showing present zoning classifications BLM, Open Space, Ag.
- ☑ D. An accurate legal description of the property to be rezoned
- ☑ E. ~~NA~~ Stamped envelopes with the names and address's 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
- ☑ F. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence the applicant has control of the property

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.

| Official Use Only | |
|---|---|
| Date Received: 10/21/21 | By: |
| Date Application Deemed Complete: 10/21/21 | By: |

# Apple Valley Zoning Districts




10/26/2021, 12:10:44 PM

Zoning Districts

- A – Agricultural
- C-2 – Highway Commercial
- C-3 – General Commercial
- CABIN/TH – Cabin/Tourist Homes
- OSC – Open Space Conservation
- OST – Open Space Transition
- PD – Planned Development
- RE-1 – Residential Estate 1
- RE-10 – Residential Estate 10
- SF-1-10 – Single-Family Residential 1-10
- SF-1/2 – Single-Family Residential ½

1:36,112

0 0.35 0.7 1.4 mi

0 0.5 1 2 km

Town of Apple Valley
Sunrise Cloud SMART GIS®

Gary Christensen Washington County Recorder
10/15/2021 01:45:37 PM Fee $40.00 By
SOUTHERN UTAH TITLE COMPANY

When recorded mail deed and tax notice to:
Ciel Holdings, L.L.C., a Utah limited liability company
809 Edgehill RD
Salt Lake City, UT 84103

SOUTHERN UTAH TITLE COMPANY
"Doing good Deeds for over 70 years"
suttc.com

Order No. 221449 - EFP
Tax I.D. No. AV-2184, AV-2182, AV-2165, and [redacted]

Space Above This Line for Recorder's Use

# WARRANTY DEED

**K & D Family, L.L.C., a Utah limited liability company** , grantor(s), of Enterprise, County of Washington, State of Utah, hereby **CONVEY and WARRANT to**

**Ciel Holdings, L.L.C., a Utah limited liability company, as to an undivided 50% interest and Colony Partners, L.L.C., a Utah limited liability company, as to an undivided 50% interest**, grantee(s) of Salt Lake City, County of Salt Lake, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

**See Attached Exhibit "A"**

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

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

WITNESS the hand(s) of said grantor(s), this 14th day of October, 2021.

K & D Family, L.L.C., a Utah limited liability company

By: Kerry Holt
Kerry Holt, Manager

STATE OF Utah )
:ss.
COUNTY OF Washington )

On the 14 day of October, 2021, personally appeared before me, Kerry Holt, who being by me duly sworn, did say that he/she is the Manager of K & D Family, L.L.C., a Utah limited liability company, and that said instrument was signed by him/her in behalf of said limited liability company by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and said Kerry Holt acknowledged to me that said limited liability company executed the same.

NOTARY PUBLIC

NOTARY PUBLIC
JUSTIN SEEGMILLER
Commission No. 702807
Commission Expires
OCTOBER 17, 2022
STATE OF UTAH

My Commission Expires: 10/17/22

Attachment to that certain Warranty Deed executed by K & D Family, L.L.C., a Utah limited liability company grantor(s), to Ciel Holdings, L.L.C., a Utah limited liability company, as to an undivided 50% interest and Colony Partners, L.L.C., a Utah limited liability company, as to an undivided 50% interest grantee(s).

Order No. 221449
Tax I.D. No. AV-2184, AV-2182, AV-2165, and [redacted]

**EXHIBIT "A"**

Parcel 1:
The Southwest Quarter of the Northeast Quarter (SW¼NE¼); the Southeast Quarter of the Northwest Quarter (SE¼NW¼); and the Southeast Quarter (SE¼) of Section 13, Township 42 South, Range 12 West, Salt Lake Base and Meridian.

Parcel 2:
Beginning at a point 720.00 feet South of the Northwest Corner of Section 13, Township 42 South, Range 12 West, Salt Lake Base and Meridian, and running 600.00 feet South; thence 5280.00 feet East; thence 200.00 feet North; thence 1320.00 feet West; thence 200.00 feet North; thence 2640.00 feet West; thence 200.00 feet North; thence 1320.00 feet West to the point of beginning.

Parcel 3:
The Southeast Quarter of the Northeast Quarter (SE¼NE¼) and the East One-Half of the Southwest Quarter (E½SW¼) of Section 13, Township 42 South, Range 12 West, Salt Lake Base and Meridian.

Parcel 4:
The North One-Half (N½) of Section 24, Township 42 South, Range 12 West, Salt Lake Base and Meridian.

Parcel 5:
Beginning at the Northeast Corner of the Northwest Quarter of the Southwest Quarter (NW¼SW¼) of Section 24, Township 42 South, Range 12 West, Salt Lake Base and Meridian, and running thence South 300.30 feet; thence Southwesterly to a point 419.76 feet from the West Quarter Corner of said Section 24; thence North 419.76 feet; thence East 1320.00 feet to the point of beginning.

***

Initials KH

Miles Mader

# PRELIMINARY PLAT APPLICATION

**Town of Apple Valley**
1777 North Meadowlark Dr.
Apple Valley, Utah 84737
(435)877-1190
Fax (435)877-1192

**Fee: $1,500, Lot Split $250**

*For Office Use Only:*
File No. AV-1319-A
Receipt No. V# 1081

**Name:** 2000 Main **Telephone:** 702-701-1443

**Address:** [redacted] Holm UT 84718 **Fax No.** _____

**Email:** holmbraud@gmail.com

**Agent (If Applicable):** Travis Holm **Telephone:** 702-701-1443

**Address/Location of Subject Property:** _____

**Tax ID of Subject Property:** AV-1319-A **Zone District:** RE-1.0 1ac or greater

**Proposed Use:** (Describe, use extra sheet if necessary) RE-1.0

1 acre to greater than 1 acre lots For development

**Submittal Requirements:** The preliminary plat application shall provide the following:

✓ 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
- ✓ a. The proposed name of the subdivision.
- ✓ b. The location of the subdivision, including the address and section, township and range.
- ✓ c. The names and addresses of the owner or subdivider, if other than the owner.
- ✓ d. Date of preparation, and north point.
- ✓ e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.

✓ 2. Existing Conditions: The preliminary plat shall show:
- ✓ a. The location of the nearest monument.
- ✓ b. The boundary of the proposed subdivision and the acreage included.
- ✓ c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
- ✓ d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
- ✓ e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
- ✓ f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.

___ g. Existing ditches, canals, natural drainage channels and open waterways and any proposed realignments.
___ h. Contours at vertical intervals not greater than five (5) feet.
___ i. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow groundwater, and windblown sand) and recommendations for their mitigation.
___ j. Information on whether property is located in desert tortoise take area

(Preliminary Plat Application – Page 2)

___ 3. Proposed Plan: The subdivision plans shall show:
___ a. The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys and easements.
___ b. The layout, numbers and typical dimensions of lots.
___ c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
___ d. Easements for water, sewers, drainage, utilities, lines and other purposes.
___ e. Typical street cross sections and street grades where required by the Planning Commission. (All street grades over 5% should be noted on the preliminary plat)
___ f. A tentative plan or method by which the subdivider proposes to handle the storm water drainage for the subdivision.
___ g. Approximate radius of all center line curves on highways or streets.
___ h. Each lot shall abut a street shown on the subdivision plat or on an existing publicly-dedicated street. (Double frontage or flag lots shall be prohibited except where conditions make other design undesirable)
___ i. In general, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allow to remain as unusable parcels.
___ j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
___ k. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
___ l. Will this subdivision be phased? If yes show possible phasing lines.
___ m. A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.

___ 4. Required copies of plans:
___ a. Three copies of all full scale drawings
___ b. One copy of each drawing on a 11 x 17 inch sheets. (8 ½ x 11 is acceptable if the project is small and the plans are readable at that size).

**5. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property**

**NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 noon 10 full business days before the Planning Commission meeting at which you plan for your application to be heard.**

**********

(Office Use Only)

Date Received: 11/16/21 Application Complete: YES ☑ NO ☐

Date application deemed to be complete: 11/16/21 Completion determination made by: JW

**PRELIMINARY PLAT APPLICATION page 3 (General Information)**

## PURPOSE

The preliminary plat application is the first step in land development process in those instances where land is divided for eventual sale. The process is established to insure that all proposed divisions of land conform to the Town General Plan and to adopted development standards of the Land Use Ordinance.

## WHEN REQUIRED

The preliminary plat is required any time land is to be divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on installment plan or upon any and all other plans, terms and conditions. It is not required on agricultural divisions where the agricultural parcel is divided to be combined with another agricultural parcel, nor is it required when two un-subdivided properties are merged, or where the boundary between two un-subdivided properties are adjusted.

The preliminary plat must be approved before a final plat can be processed and recorded.

Subdivision approval process:

- Determine current zoning for property.
- If zoning fits desired subdivision, meet with Planning staff to discussed the proposed project.
- Obtain a preliminary plat application form and complete the application and have a plat prepared by an engineer to meet the requirements on the preliminary plat application.
- Submit completed application, preliminary plat, and required fee to Planning Department before noon on the Wednesday two weeks before desired Planning Commission meeting. ( see submittal dates sheet)
- Appear at the scheduled Planning Commission meeting to discuss preliminary plat, hear comments, answer questions, and receive recommendation of approval or disapproval from Planning Commission.
- Appear at the next scheduled Town Council meeting that occurs after the Planning Commission meeting at which a recommendation was received. Hear Town Council comments, answer questions, and receive Town Council decision Town Council can approve the plat with conditions, recommend changes and send it back to the Planning Commission, or deny the plat.

If the preliminary plat is approved, have construction drawings for utilities and streets prepared by an engineer according to the Town standards. Construction drawings must be approved by the Planning and Zoning department, Town Engineer, Rocky Mountain Power, Southwest Public Health Department and Big Plains Water and Sewer Special Service District. Approval means changes are made and all required signatures are obtained.

Once the preliminary plat is approved by the Town Council, the applicant has one year after receiving approval of the preliminary plat to submit the final plat to the Planning Commission for action. The Planning Commission may authorize a one-year time extension, provided the extension request is made before the one year time limit is reached. The Planning Commission will review and make recommendation to the Town Council on the final plat when submitted. The Town Council will typically review the Planning Commission recommendation within 1-2 weeks after the Commission action on the final plat.

## APPEALS

The Planning Commission makes a recommendation to the Town Council, so there is no appeal. The Town Council's action on a preliminary plat is final unless appealed to the appropriate court.

## AFFIDAVIT
## PROPERTY OWNER

STATE OF UTAH )
:ss
COUNTY OF )

I(we) Zoe Mangum, 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 exhibits are in all respects true and correct to the best of my knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

(Property Owner)

Travis Hobbs
(Property Owner)

NOTARY PUBLIC
Layla Mangum
707678
Commission Expires
August 08, 2023
STATE OF UTAH

Subscribed and sworn to me this 16th day of NOV. 2021.

Layla Mangum
(Notary Public)

Residing in: UTAH

My Commission Expires: 8/8/2023

---

### AGENT AUTHORIZATION

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

_____
(Property Owner)

_____
(Property Owner)

Subscribed and sworn to me this _____ day of _____ 20__.

_____
(Notary Public)

Residing in: _____

My Commission Expires: _____

# PRELIMINARY PLAT FOR:
# MILES MARK

LOCATED NORTH END OF ROME AVENUE IN APPLE VALLEY, WASHINGTON COUNTY, UTAH
IN SOUTHEAST QUARTER OF SECTION 19, T42S, R11W, SLB&M.

**CONTACT OF OWNER:**

SCOUT HOLM, REP.
OWNER: 2000 MAIN LLC
ADDRESS: 2120 COTTONWOOD CYN #125, HOLM, UT 84718
PHONE: 435-690-0519

**CURRENT ZONING: SF-1.0**

**PLAN FOR STORM DRAINAGE**

- DETENTION BASIN AT SOUTH END OF LOT 14
- RIPRAP CHECK DAMS ON ALL ROADS
- EACH LOT TO RETAIN THEIR ON RUNOFF

**PLAN FOR COMMUNICATIONS INFRASTRUCTURE**

- COORDINATE WITH CABLE AND PHONE COMPANIES THE DESIGN AND INSTALLATION OF COMMUNICATIONS WIRE AND EQUIPMENT IN THE PUBLIC UTILITY EASEMENT THE SIDE OF EACH ROAD RIGHT-OF-WAY.

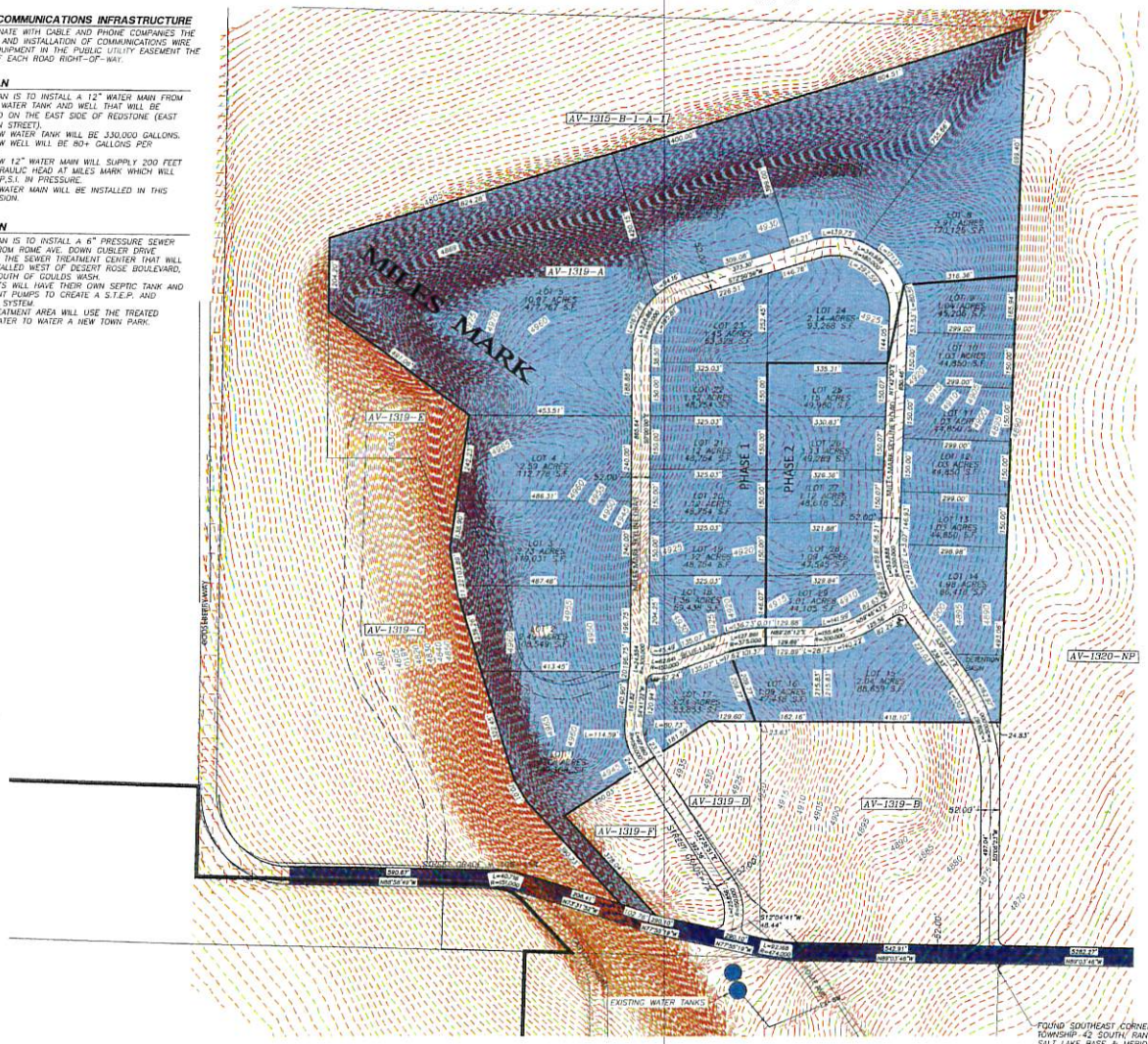
**WATER PLAN**

- THE PLAN IS TO INSTALL A 12" WATER MAIN FROM A NEW WATER TANK AND WELL THAT WILL BE LOCATED ON THE EAST SIDE OF REDSTONE (EAST OF MAIN STREET).
- THE NEW WATER TANK WILL BE 330,000 GALLONS.
- THE NEW WELL WILL BE 80+ GALLONS PER MINUTE.
- THE NEW 12" WATER MAIN WILL SUPPLY 200 FEET OF HYDRAULIC HEAD AT MILES MARK WHICH WILL BE 86 P.S.I. IN PRESSURE.
- AN 8" WATER MAIN WILL BE INSTALLED IN THIS SUBDIVISION.

**SEWER PLAN**

- THE PLAN IS TO INSTALL A 6" PRESSURE SEWER MAIN FROM ROME AVE. DOWN DUBLER DRIVE TOWARD THE SEWER TREATMENT CENTER THAT WILL BE INSTALLED WEST OF DESERT ROSE BOULEVARD, JUST SOUTH OF GOULDS WASH.
- THE LOTS WILL HAVE THEIR OWN SEPTIC TANK AND EFFLUENT PUMPS TO CREATE A S.T.E.P. AND S.T.E.G. SYSTEM.
- THE TREATMENT AREA WILL USE THE TREATED WASTEWATER TO WATER A NEW TOWN PARK.

PRELIMINARY PLAT FIGURES
LAND= 66 ACRES
LOTS VARY FROM 1 TO GREATER THAN 1 ACRE.
UNITS= 29

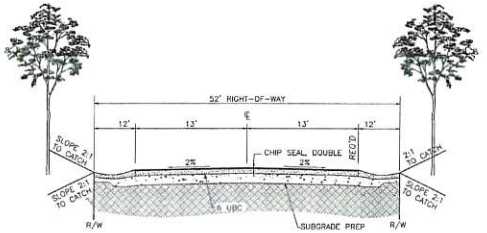






**LEGEND**

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- PROPOSED TRAIL
- SECTION LINE
- SECTION CORNER AS DESCRIBED
- CHURCH
- OPEN SPACE
- 0.5 ACRE LOTS
- > 1 ACRE LOTS — MILES MARK SUBD.
- COMMERCIAL LOTS




**TYPICAL SECTION**

**LEGAL DESCRIPTION**

ALL OF PARCEL # AV-1319-A
BEGINNING N 0°04'54 W 660 FT ALG SEC/L FM SE CORNER SEC 19, T42S, R11W, THENCE N 89°59'43 W 660 FT; THENCE S 0°04'54 E 660 FT TO S LN; THENCE N 89°59'43 W 265.66 FT ALG SEC/L; THENCE N42°41'51 W 582.977 FT; THENCE N 30°10'41 W 70.01 FT; THENCE N 17° W 561.691 FT; THENCE N 09°53'02 W 115.299 FT; THENCE N 07°40' E 380.775 FT; THENCE N 53°30' W 491.246 FT; THENCE N0°05'25 W 204.755 FT; THENCE N 71°45'53 E1980.339 FT TO E1/4 COR; THENCE S 0°04'54 E1973.81 FT ALG SEC/L TO POB LESS: BEGINNING AT A POINT ALONG THE SECTION LINE SITUATED SOUTH 89° 59' 23" WEST 660.0 FEET FROM THE SOUTH EAST CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M, AND RUNNING THENCE NORTH 00° 05' 48" WEST 660.0 FEET; THENCE SOUTH 89° 59' 23" WEST 153.23 FEET; THENCE SOUTH 55° 59' 06" WEST 483.63 FEET; THENCE SOUTH 42° 42' 45" EAST 430.03 FEET; THENCE SOUTH 89° 58' 49" WEST A DISTANCE OF 69.96 FEET; THENCE SOUTH 42° 42' 45" EAST 100.00 FEET; THENCE NORTH 89° 59' 23" EAST ALONG THE SECTION LINE 265.66 FEET MORE OR LESS TO THE POINT OF BEGINNING. CONTAINING 65.58 ACRES.

**GEOLOGICAL HAZARDS**

| | |
|---|---|
| FAULTS & SURFACE FAULTING | NONE |
| LIQUEFACTION | NONE |
| FLOODING | ZONE X- NO FLOODING |
| LANDSLIDE HAZARD | CLIFF BAND |
| ROCKFALL HAZARD | LOW TO HIGH |
| BRECCIA PIPES AND PALEOKARST | NONE |
| CALICHE | NONE |
| COLLAPSIBLE SOIL | NONE |
| EXPANSIVE SOIL | ESL=LOW SUSCEPTIBILITY TO EXPANSION |
| GYPSIFEROUS SOIL & ROCK | NONE |
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| SHALLOW BEDROCK | BRR=BURIED: BEDROCK GENERALLY > 5 FEET BENEATHENCE SOIL COVER |
| WIND BLOWN SAND | NONE |
| SHALLOW GROUND WATER | SGW3=MODERATLY TO FREELY DRAINING SOILS |

THE MITIGATION OF POTENTIAL HAZARDS WILL BE RECOMMENDED IN THE FUTURE GEOTECHNICAL REPORT.

| NO | DESCRIPTION | DATE | BY |
|---|---|---|---|
| | | | |

REVISIONS


PROVALLEY ENGINEERING, INC.
Engineers • Land Surveyors • Land Planners
1555 S. Mountain Rd. Suite J
Hurricane City, Utah 84737
Phone: 435-668-2567


PRELIMINARY PLAT FOR:
MILES MARK
IN SE 1/4 SECTION 19, T42S, R11W SLB&M
LOCATED IN NORTH END OF ROME AVENUE, APPLE VALLEY, UTAH
WASHINGTON COUNTY, UTAH

DATE: 8/16/2021
SCALE: 1"=150'
JOB NO. 21a-013
SHEET NO. 1 OF 1

# PRELIMINARY PLAT FOR:
# MILES MARK

LOCATED NORTH END OF ROME AVENUE IN APPLE VALLEY,WASHINGTON COUNTY, UTAH
IN SOUTHEAST QUARTER OF SECTION 19, T42S, R11W, SLB&M.

**CONTACT OF OWNER:**

SCOUT HOLM, REP
OWNER: 2000 MAIN LLC
ADDRESS: 2120 COTTONWOOD CYN #125, HOLM, UT 84718
PHONE: 435-690-0519

**CURRENT ZONING: SF-1.0**

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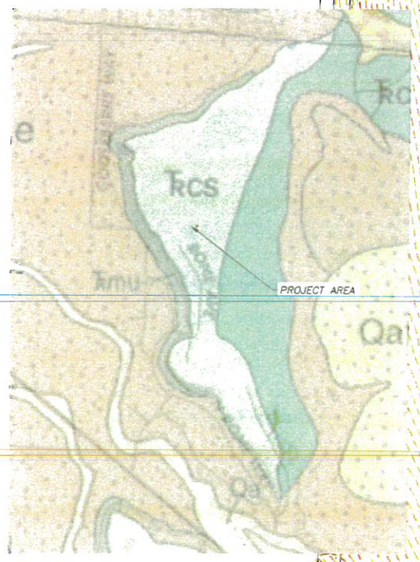
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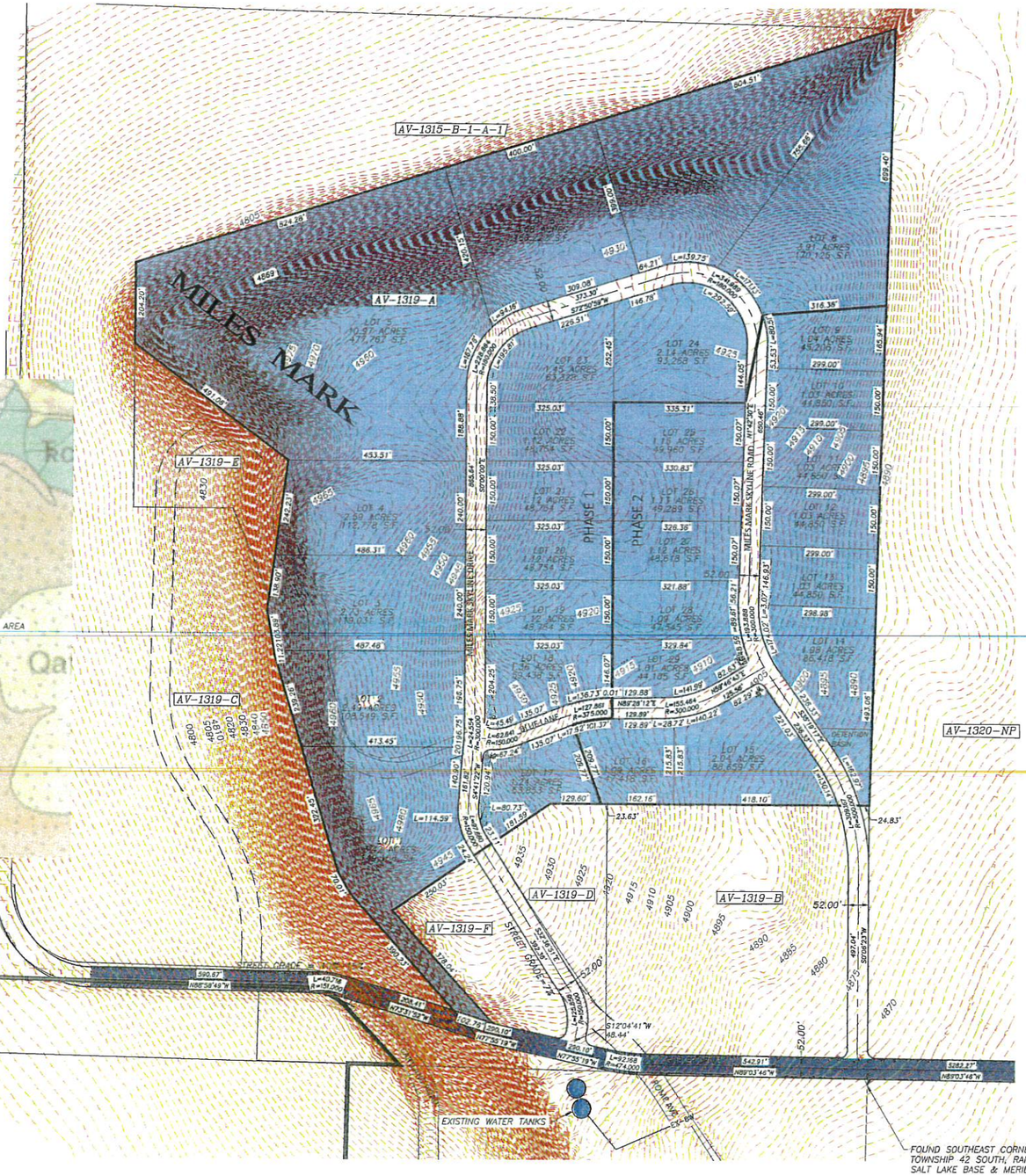
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- THE TREATMENT AREA WILL USE THE TREATED WASTEWATER TO WATER A NEW TOWN PARK.




SOILS DESCRIPTION OF PROPERTY:
TRCS: SHINARUMP CONGLOMERATE MEMBER (UPPER TRIASSIC) MEDIUM- TO COARSE-GRAINED SANDSTONE, PEBBLY SANDSTONE, AND LESSER PEBBLY CONGLOMERATE, LOCALLY WITH SILTY SANDSTONE, CLAYSTONE, AND SMECTITIC CLAYSTONE INTERBEDS, THAT FORMS PROMINENT CLIFFS, HOGBACKS, AND MESAS; CLASTS ARE SUBROUNDED CHERT AND QUARTZITE; MOSTLY THICK BEDDED WITH BOTH PLANAR AND LOW-ANGLE CROSS-STRATIFICATION, ALTHOUGH THIN, PLATY BEDS WITH RIPPLE CROSS-STRATIFICATION OCCUR LOCALLY; PREDOMINANTLY PALE- TO DARK-YELLOWISH-ORANGE, BUT PALE-RED, GRAYISH-RED, PALE-ORANGE, AND PALE-YELLOW-BROWN HUES ARE COMMON; COMMONLY STAINED BY IRON-MANGANESE OXIDES, LOCALLY FORMING "PICTURE STONE"; CONTAINS POORLY PRESERVED PETRIFIED WOOD AND PLANT DEBRIS, COMMONLY REPLACED IN PART BY IRON-MANGANESE OXIDES; UPPER CONTACT MARKS A SHARP TOPOGRAPHIC BREAK AND TYPICALLY CORRESPONDS TO THE FIRST APPEARANCE OF VARICOLORED, SWELLING MUDSTONE; DEPOSITED IN BRAIDED STREAMS THAT FLOWED NORTH AND NORTHWEST (STEWART AND OTHERS, 1972A; DUBIEL, 1994; DECOURTEN, 1998); TYPICALLY ABOUT 100 FEET (30 M) THICK, BUT RANGES FROM 5 TO 250 FEET (2-75 M) THICK DUE TO DEPOSITION OVER PALEOTOPOGRAPHY DEVELOPED ON THE TR-3 UNCONFORMITY

PRELIMINARY PLAT FIGURES
LAND= 66 ACRES
LOTS VARY FROM 1 TO GREATER THAN 1 ACRE.
UNITS= 29



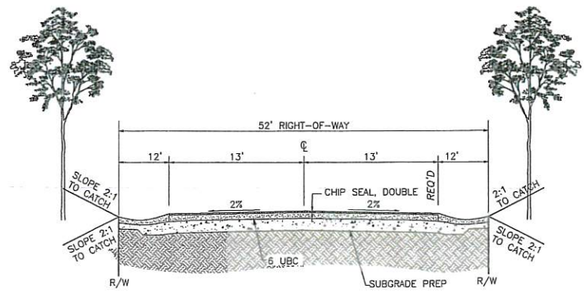




**LEGEND**

- PROPERTY LINE
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- PROPOSED TRAIL
- SECTION LINE
- SECTION CORNER AS DESCRIBED
- CHURCH
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- 0.5 ACRE LOTS
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MILES MARK SUBD.




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| CALICHE | NONE |
| COLLAPSIBLE SOIL | NONE |
| EXPANSIVE SOIL | ESL-LOW SUSCEPTIBILITY TO EXPANSION |
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THE MITIGATION OF POTENTIAL HAZARDS WILL BE RECOMMENDED IN THE FUTURE GEOTECHNICAL REPORT.

COPYRIGHT © 2013 PROVALUE ENGINEERING INC.

| NO | DESCRIPTION | DATE | BY |
|---|---|---|---|
| | REVISIONS | | |

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
30 SOUTH 850 WEST, SUITE 1
HURRICANE CITY, UTAH 84737
PHONE: (435) 668-0501

PRELIMINARY PLAT FOR:
MILES MARK
N 6E 1/4, SECTION 19, T.42S, R11W, SLB&M
LOCATED IN NORTH END OF ROME AVENUE, APPLE VALLEY, UTAH
WASHINGTON COUNTY, UTAH

DATE: 11/22/2021
SCALE: 1"=150'
JOB NO. 216-013
SHEET NO: 1 OF 1

Redstone Estates

# PRELIMINARY PLAT APPLICATION

**Town of Apple Valley**
1777 North Meadowlark Dr.
Apple Valley, Utah 84737
(435)877-1190
Fax (435)877-1192

**Fee: $1,500, Lot Split $250**

*For Office Use Only:*
File No. Redstone
Receipt No. #1080

**Name:** Scout Holm **Telephone:** 702-701-1443

**Address:** [redacted] Holm, UT 84718 **Fax No.** _____

**Email:** scoutholm7@gmail.com

**Agent (If Applicable):** Scout Holm **Telephone:** 435-690-0519

**Address/Location of Subject Property:** _____

**Tax ID of Subject Property:** AV-1345, 1327, 1326, 1346, 1348-A **Zone District:** SF-1.0/SF 1/2

**Proposed Use:** (Describe, use extra sheet if necessary) SF 1.0 / SF 1/2

**Submittal Requirements:** The preliminary plat application shall provide the following:

_____1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
- ✓ a. The proposed name of the subdivision.
- ✓ b. The location of the subdivision, including the address and section, township and range.
- ✓ c. The names and addresses of the owner or subdivider, if other than the owner.
- ✓ d. Date of preparation, and north point.
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___✓___j. Information on whether property is located in desert tortoise take area

(Preliminary Plat Application – Page 2)

_____3. Proposed Plan: The subdivision plans shall show:
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___✓___b. The layout, numbers and typical dimensions of lots.
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___✓___j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
___✓___k. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
___Y/S___l. Will this subdivision be phased? If yes show possible phasing lines.
___✓___m. A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.

___✓___4. Required copies of plans:
___✓___a. Three copies of all full scale drawings
___✓___b. One copy of each drawing on a 11 x 17 inch sheets. (8 ½ x 11 is acceptable if the project is small and the plans are readable at that size).

**5. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property**

**NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 noon 10 full business days before the Planning Commission meeting at which you plan for your application to be heard.**

**********

(Office Use Only)

Date Received: 11/17/21 Application Complete: YES ☑ NO ☐

Date application deemed to be complete: 11/17/21 Completion determination made by: JW

**PRELIMINARY PLAT APPLICATION page 3 (General Information)**

## PURPOSE

The preliminary plat application is the first step in land development process in those instances where land is divided for eventual sale. The process is established to insure that all proposed divisions of land conform to the Town General Plan and to adopted development standards of the Land Use Ordinance.

## WHEN REQUIRED

The preliminary plat is required any time land is to be divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on installment plan or upon any and all other plans, terms and conditions. It is not required on agricultural divisions where the agricultural parcel is divided to be combined with another agricultural parcel, nor is it required when two un-subdivided properties are merged, or where the boundary between two un-subdivided properties are adjusted.

The preliminary plat must be approved before a final plat can be processed and recorded.

Subdivision approval process:

- Determine current zoning for property.
- If zoning fits desired subdivision, meet with Planning staff to discussed the proposed project.
- Obtain a preliminary plat application form and complete the application and have a plat prepared by an engineer to meet the requirements on the preliminary plat application.
- Submit completed application, preliminary plat, and required fee to Planning Department before noon on the Wednesday two weeks before desired Planning Commission meeting. ( see submittal dates sheet)
- Appear at the scheduled Planning Commission meeting to discuss preliminary plat, hear comments, answer questions, and receive recommendation of approval or disapproval from Planning Commission.
- Appear at the next scheduled Town Council meeting that occurs after the Planning Commission meeting at which a recommendation was received. Hear Town Council comments, answer questions, and receive Town Council decision Town Council can approve the plat with conditions, recommend changes and send it back to the Planning Commission, or deny the plat.

If the preliminary plat is approved, have construction drawings for utilities and streets prepared by an engineer according to the Town standards. Construction drawings must be approved by the Planning and Zoning department, Town Engineer, Rocky Mountain Power, Southwest Public Health Department and Big Plains Water and Sewer Special Service District. Approval means changes are made and all required signatures are obtained.

Once the preliminary plat is approved by the Town Council, the applicant has one year after receiving approval of the preliminary plat to submit the final plat to the Planning Commission for action. The Planning Commission may authorize a one-year time extension, provided the extension request is made before the one year time limit is reached. The Planning Commission will review and make recommendation to the Town Council on the final plat when submitted. The Town Council will typically review the Planning Commission recommendation within 1-2 weeks after the Commission action on the final plat.

## APPEALS

**AFFIDAVIT**
**PROPERTY OWNER**

STATE OF UTAH )
)§
COUNTY OF WASHINGTON)

I (We) 2000 MAIN, 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 exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

Property Owner

Property Owner

Subscribed and sworn to me this 9th day of Nov, 2021.

NOTARY PUBLIC
Cara L Scott
706106
Commission Expires
May 3, 2023
STATE OF UTAH

Notary Public

Residing in: Hurricane, UT

My Commission Expires: May 3, 2023

---

**AGENT AUTHORIZATION**

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

Property Owner

Property Owner

Subscribed and sworn to me this _____ day of _____, 20____.

Notary Public

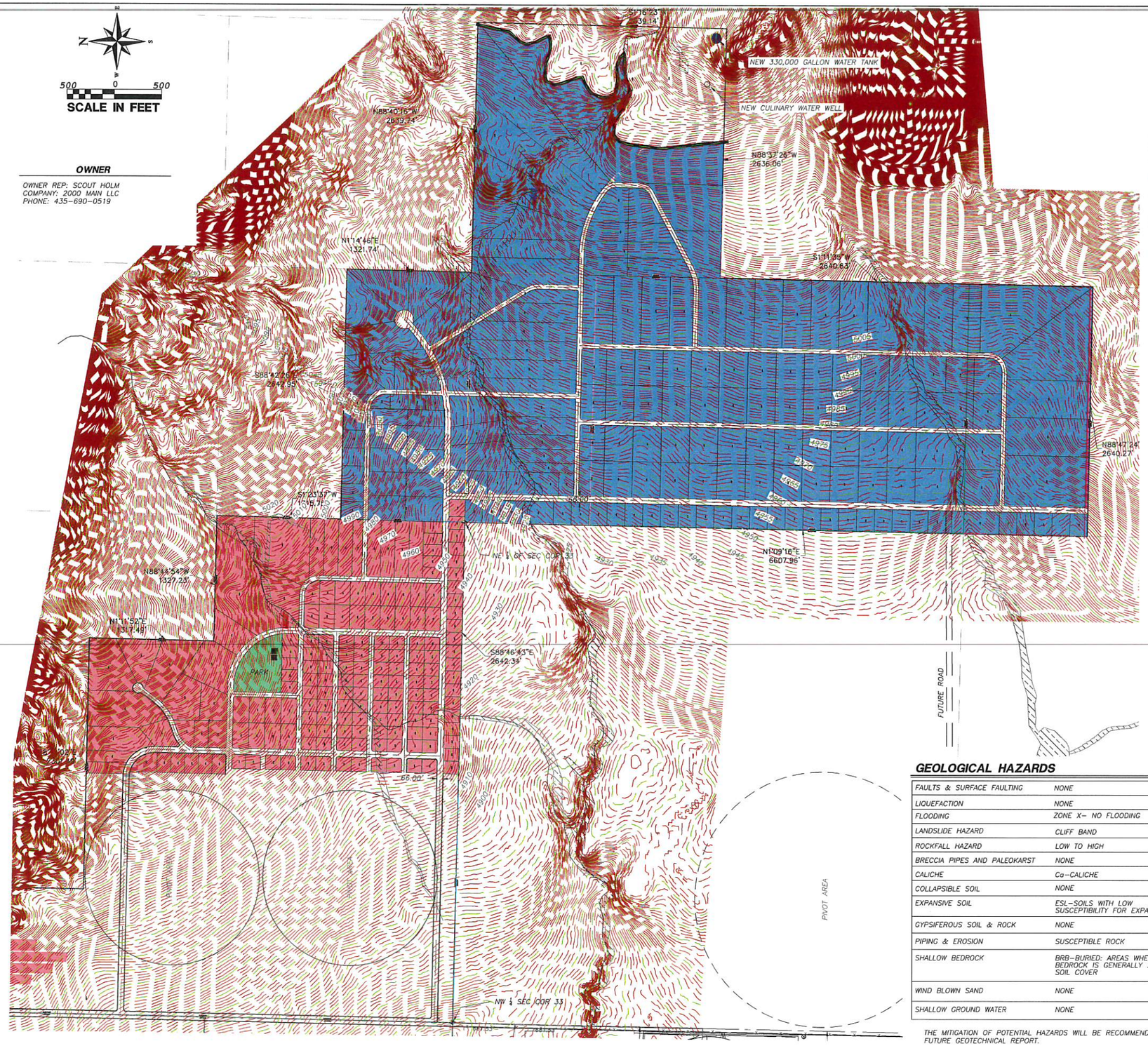
Residing in: _____

My Commission Expires: _____

# PRELIMINARY PLAT FOR:
# REDSTONE

**LOCATED IN APPLE VALLEY,**
**WASHINGTON COUNTY, UTAH**

PRELIMINARY PLAT FIGURES
LOTS = 344
TOTAL ACRES= 794.7



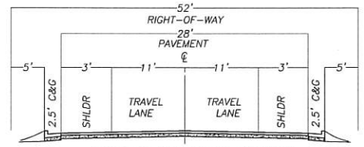

## OWNER

OWNER REP: SCOUT HOLM
COMPANY: 2000 MAIN LLC
PHONE: 435-690-0519

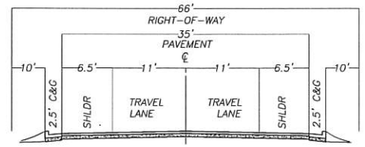
## LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- PROPOSED TRAIL
- SECTION LINE
- SECTION CORNER AS DESCRIBED
- EXISTING WASH

CURRENT ZONE
- SF-1/2
- SF-1.0




**TYPICAL 52' CROSS SECTION**
N.T.S




**TYPICAL 66' CROSS SECTION**
N.T.S

## LEGAL DESCRIPTION

ALL OF PARCELS # AV-1345, AV-1327, AV-1326, AV-1346, & AV-1348-A

## PLAN FOR COMMUNICATIONS INFRASTRUCTURE

- COORDINATE WITH CABLE AND PHONE COMPANIES FOR THE DESIGN AND INSTALLATION OF COMMUNICATIONS WIRE AND EQUIPMENTS IN THE PUBLIC UTILITY EASEMENT ON EACH SIDE OF ROAD AFTER RIGHT OF WAY.

## WATER PLAN

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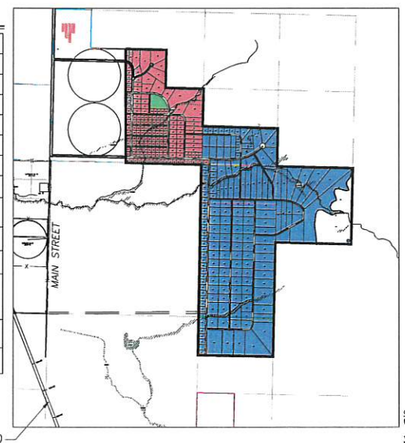
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- THE TREATMENT AREA WILL USE THE TREATED WASTEWATER TO WATER A NEW TOWN PARK.

## GEOLOGICAL HAZARDS

| | |
|---|---|
| FAULTS & SURFACE FAULTING | NONE |
| LIQUEFACTION | NONE |
| FLOODING | ZONE X- NO FLOODING |
| LANDSLIDE HAZARD | CLIFF BAND |
| ROCKFALL HAZARD | LOW TO HIGH |
| BRECCIA PIPES AND PALEOKARST | NONE |
| CALICHE | Ca-CALICHE |
| COLLAPSIBLE SOIL | NONE |
| EXPANSIVE SOIL | ESL-SOILS WITH LOW SUSCEPTIBILITY FOR EXPANSION |
| GYPSIFEROUS SOIL & ROCK | NONE |
| PIPING & EROSION | SUSCEPTIBLE ROCK |
| SHALLOW BEDROCK | BRB-BURIED: AREAS WHERE DEPTH TO BEDROCK IS GENERALLY >5 FEET BENEATH SOIL COVER |
| WIND BLOWN SAND | NONE |
| SHALLOW GROUND WATER | NONE |

THE MITIGATION OF POTENTIAL HAZARDS WILL BE RECOMMENDED IN THE FUTURE GEOTECHNICAL REPORT.




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PROVALUE ENGINEERING, INC.
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20 South 850 West, Suite 1
Hurricane, Utah 84737
Phone: (435) 668-8367 Kori Ritzmann
Phone: (435) 950-3171 CHAD HILL

PRELIMINARY PLAT FOR:
RED STONE
T42S R11W SECTIONS 28,21, AND 34
LOCATED IN APPLE VALLEY, UTAH
WASHINGTON COUNTY, UTAH

DATE: 11/17/2021
SCALE: 1"=500'

JOB NO.
276-013

SHEET NO:
**1 OF 3**

276-013

**OWNER**

OWNER REP: SCOUT HOLM
COMPANY: 2000 MAIN LLC
PHONE: 435-690-0519

# PRELIMINARY PLAT FOR:
# REDSTONE

**LOCATED IN APPLE VALLEY,**
**WASHINGTON COUNTY, UTAH**

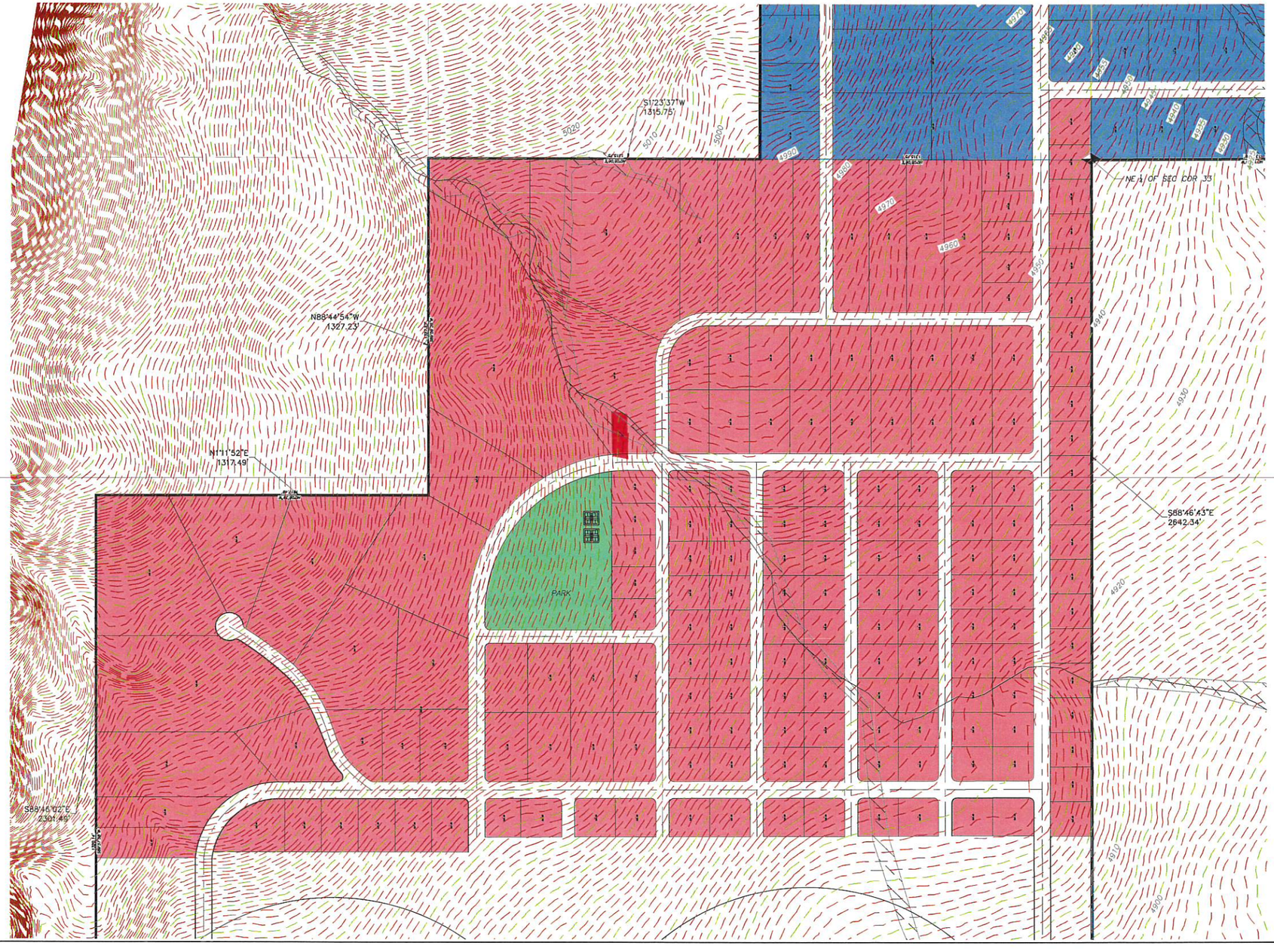
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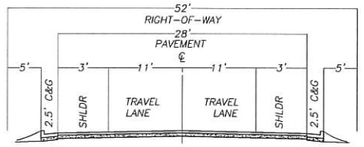
**LEGEND**

- PROPERTY LINE
- ADJACENT PROPERTY LINE
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- SECTION LINE
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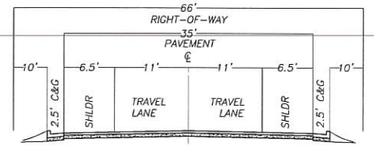
CURRENT ZONE
- SF-1/2
- SF-1.0

200 0 200
SCALE IN FEET




**TYPICAL 52' CROSS SECTION**
N.T.S




**TYPICAL 66' CROSS SECTION**
N.T.S

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20 South 850 West, Suite 1
Hurricane City, Utah 84737
(435) 635-5811 Kelly Ramsden
Phone (435) 950-3171 CHAD HILL

PRELIMINARY PLAT FOR:
RED STONE
T42S R11W SECTIONS 28,21, AND 34
LOCATED IN APPLE VALLEY, UTAH
WASHINGTON COUNTY, UTAH

DATE: 11/17/2021
SCALE: 1"=200'

JOB NO.
276-013

SHEET NO.
**2 OF 3**

276-013

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# REDSTONE

**LOCATED IN APPLE VALLEY,**
**WASHINGTON COUNTY, UTAH**

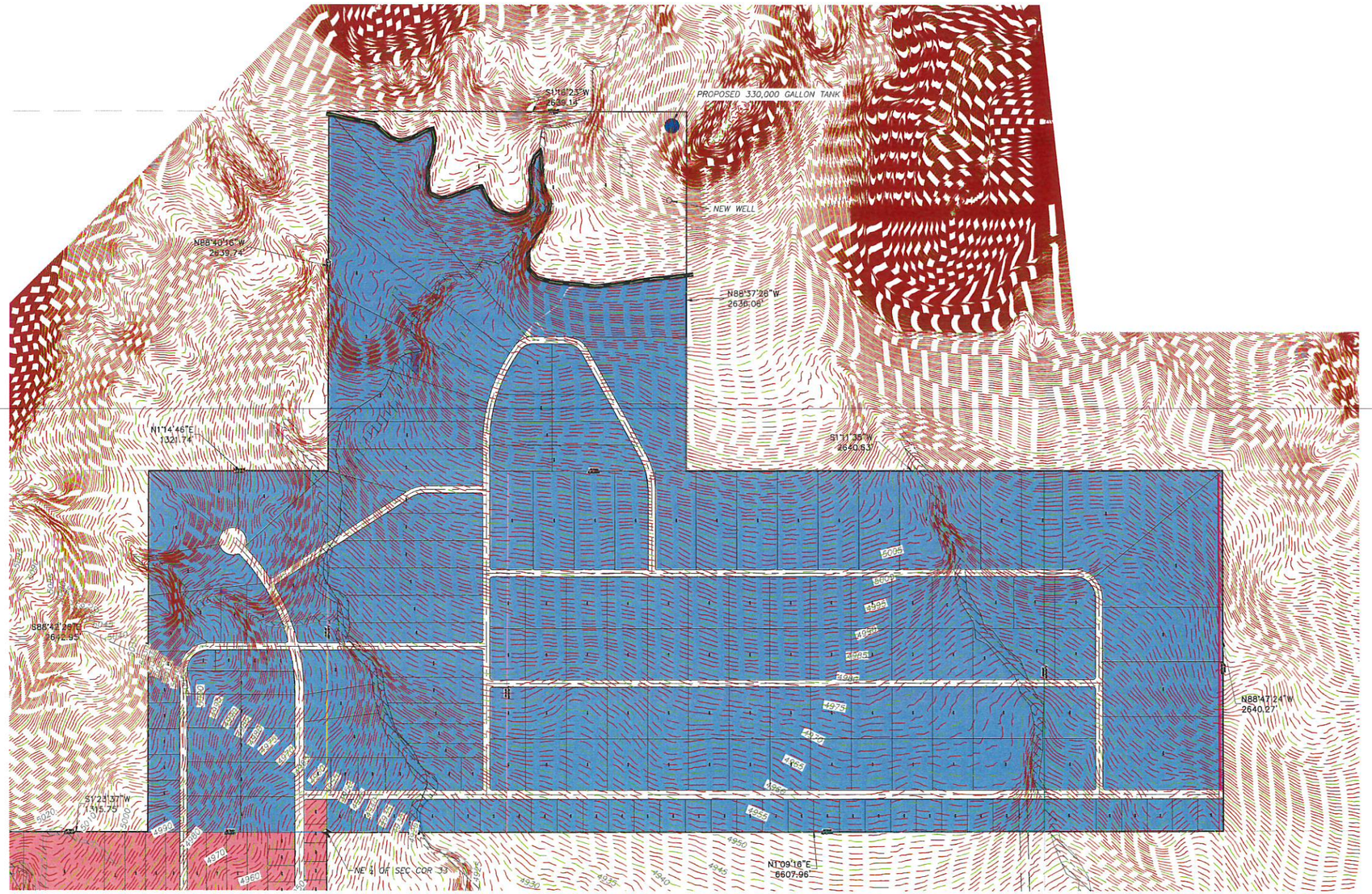
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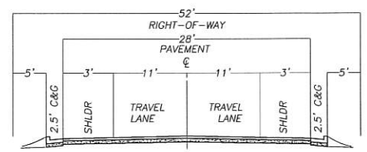
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SCALE IN FEET

**LEGEND**

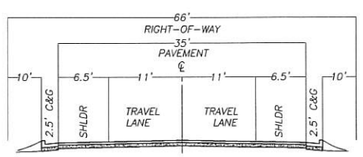
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- SECTION CORNER AS DESCRIBED
- EXISTING WASH

CURRENT ZONE
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20 South 850 West, Suite I
Hurricane, Utah 84737
Phone: (435) 668-8387 Karl Rasmussen
Phone: (435) 950-3971 CHAD HILL

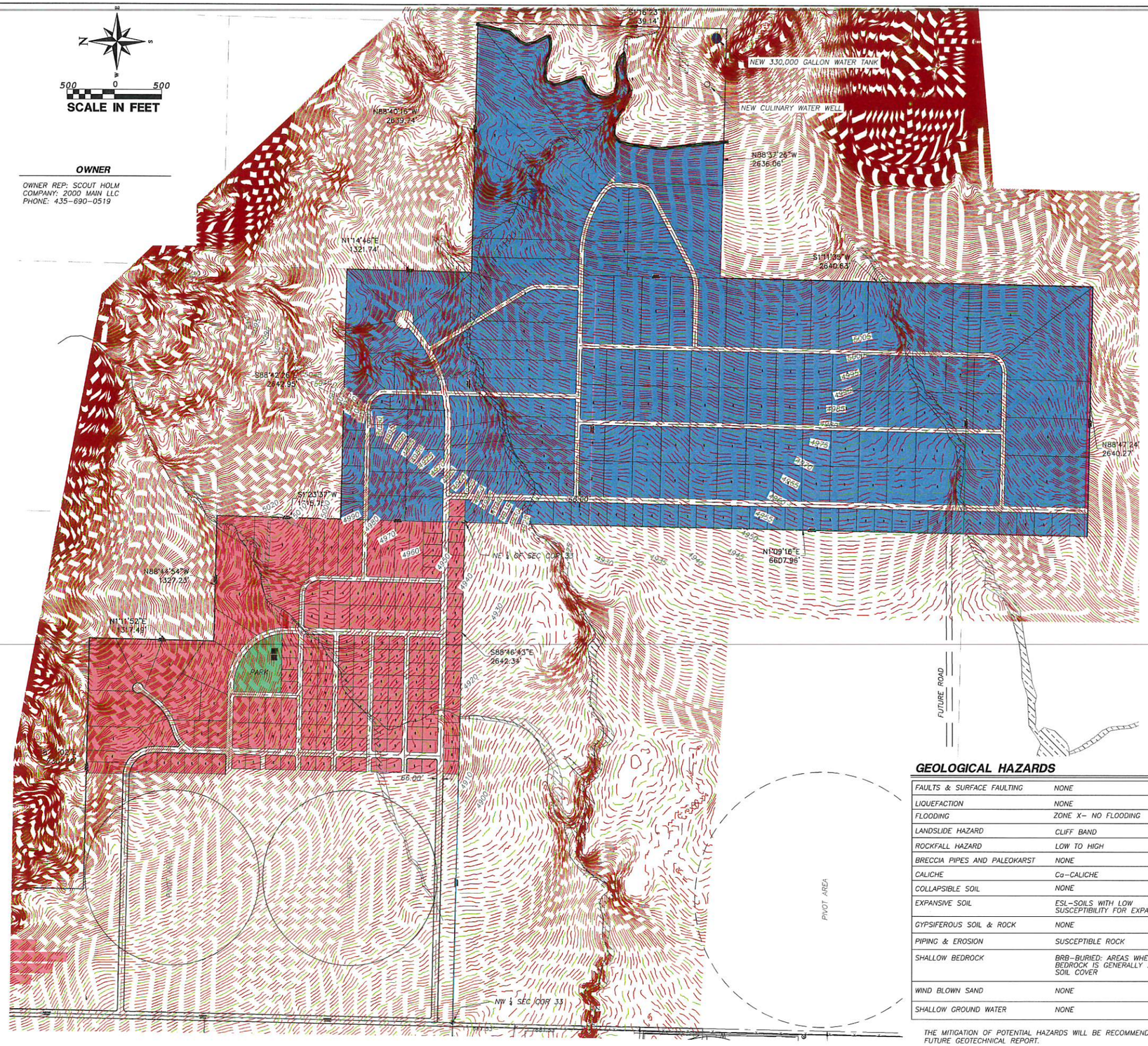
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LOCATED IN APPLE VALLEY, UTAH
WASHINGTON COUNTY, UTAH

DATE: 11/1/2021
SCALE: 1"=400'

JOB NO.
276-013

SHEET NO:
3 OF 3

276-013




**OWNER**

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PHONE: 435-690-0519

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# REDSTONE

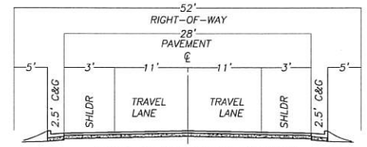
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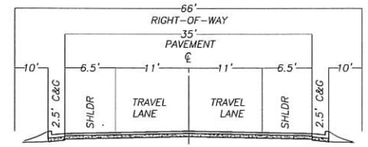
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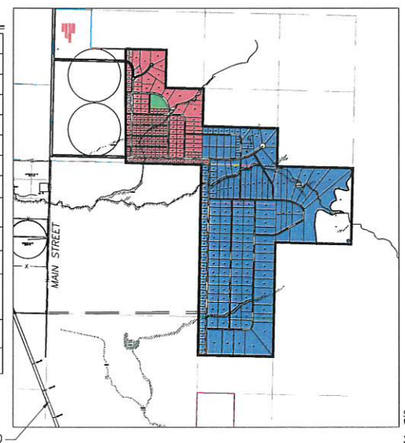
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THE MITIGATION OF POTENTIAL HAZARDS WILL BE RECOMMENDED IN THE FUTURE GEOTECHNICAL REPORT.




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20 South 850 West, Suite 1
Hurricane, Utah 84737
Phone: (435) 668-8367 Kori Ritzmann
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PRELIMINARY PLAT FOR:
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LOCATED IN APPLE VALLEY, UTAH
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DATE: 11/17/2021
SCALE: 1"=500'

JOB NO.
276-013

SHEET NO:
1 OF 3

276-013

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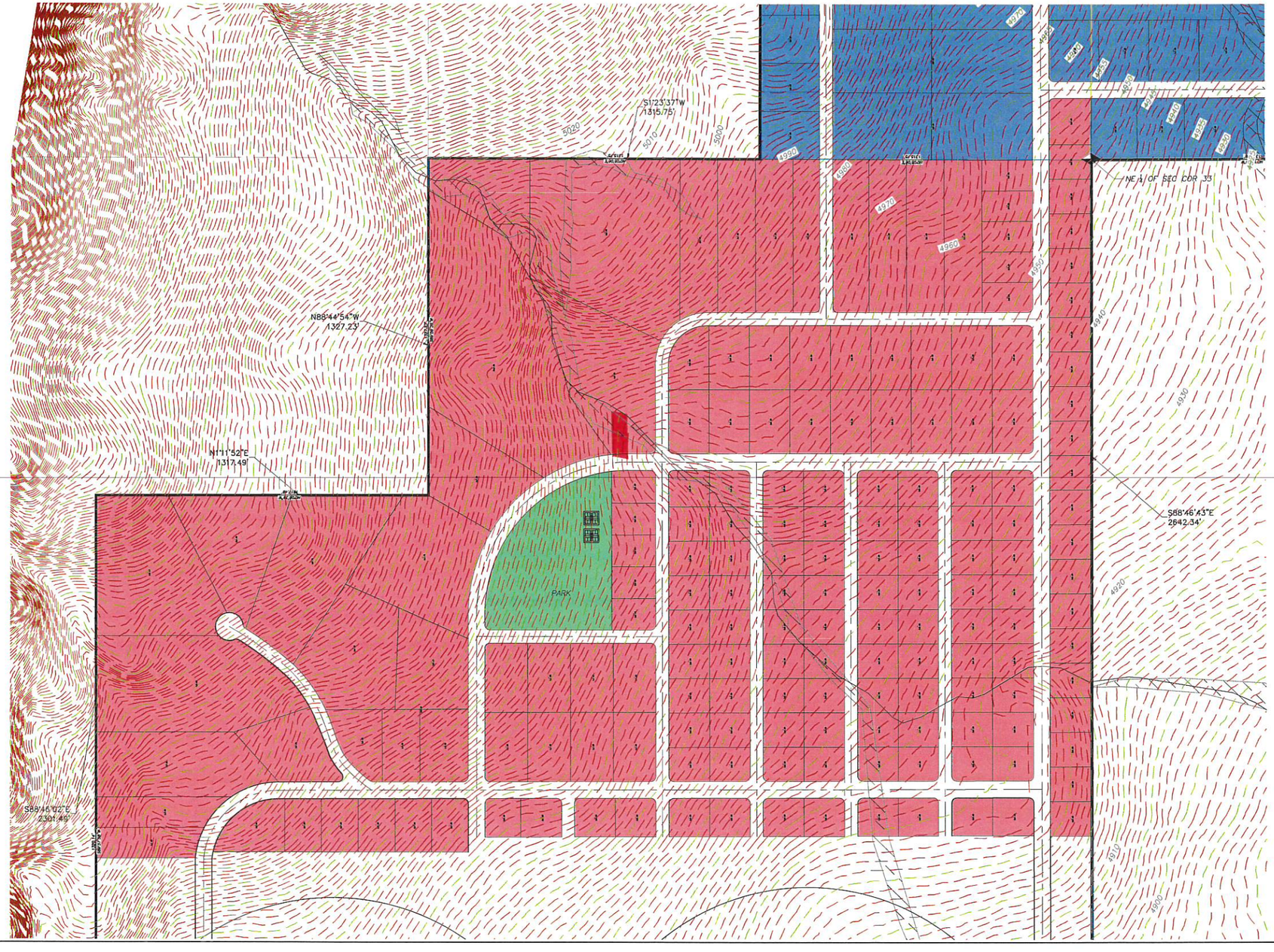
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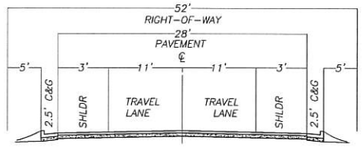
**LEGEND**

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- PROPOSED TRAIL
- SECTION LINE
- SECTION CORNER AS DESCRIBED
- EXISTING WASH

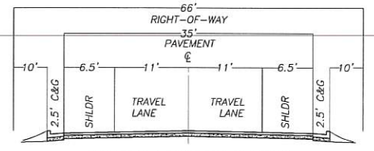
CURRENT ZONE
- SF-1/2
- SF-1.0

200 0 200
SCALE IN FEET




**TYPICAL 52' CROSS SECTION**
N.T.S




**TYPICAL 66' CROSS SECTION**
N.T.S

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20 South 850 West, Suite 1
Hurricane City, Utah 84737
(435) 635-5811 Fax (435) 627-1674
Phone (435) 950-3371 CHAD HILL

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276-013

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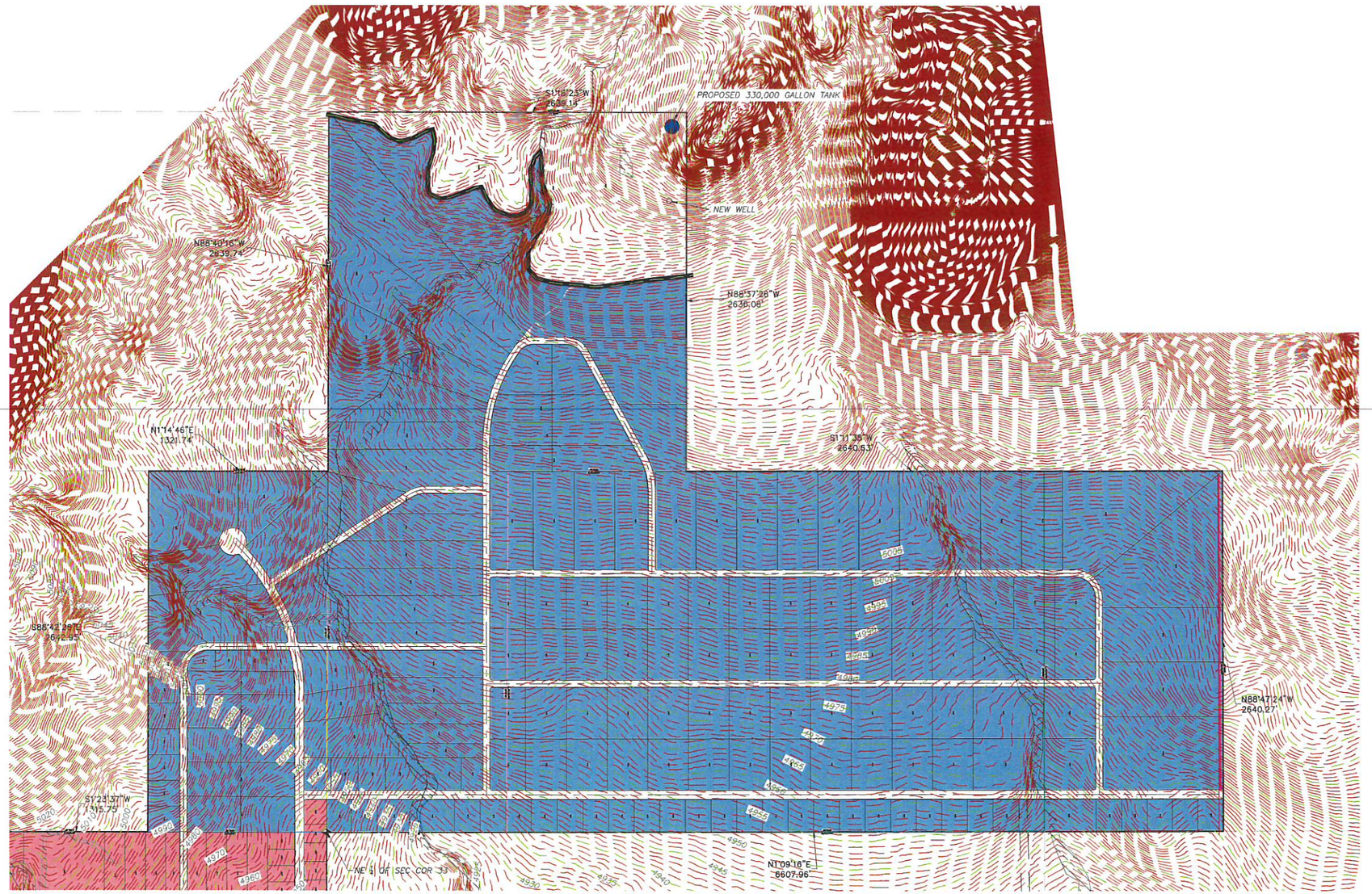
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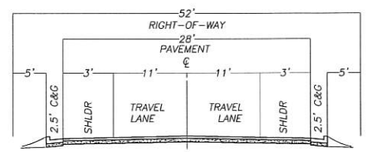
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400 0 400
SCALE IN FEET

## LEGEND

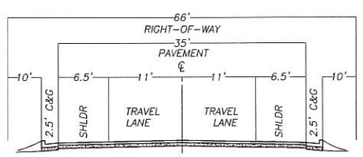
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- EXISTING WASH

CURRENT ZONE
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**TYPICAL 52' CROSS SECTION**
N.T.S




**TYPICAL 66' CROSS SECTION**
N.T.S

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| | | | |

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
20 South 850 West, Suite I
Hurricane, Utah 84737
Phone: (435) 668-8387 Kari Rasmussen
Phone: (435) 950-3171 CHAD HILL

PRELIMINARY PLAT FOR:
RED STONE
T42S R11W SECTIONS 28,27, AND 34
LOCATED IN APPLE VALLEY, UTAH
WASHINGTON COUNTY, UTAH

DATE: 11/1/2021
SCALE: 1"=400'

JOB NO.
276-013

SHEET NO:
3 OF 3

276-013

**TOWN OF APPLE VALLEY**

**RESOLUTION NO. R-2022-21**

**APPOINTMENT TO THE SOUTHWEST MOSQUITO ABATEMENT AND CONTROL DISTRICT**

**WHEREAS**, the Town of Apple Valley belongs to the Southwest Mosquito Abatement and Control District; and

**WHEREAS**, the Town of Apple Valley is entitled to appoint a Mosquito Abatement and Control District board member to the Southwest Mosquito Abatement and Control District Board; and

**WHEREAS**, the Town Council has determined that the Town's interests would be best served by the appointment of a TOWN RESIDENT to the Southwest Mosquito Abatement and Control District Board.

**NOW, THEREFORE**, IT IS RESOLVED by the Town Council of the Town of Apple Valley to

appoint _____to serve on the Southwest Mosquito Abatement and Control District Board.

**RESOLVED** this the 21st day of April 21, 2022.

TOWN OF APPLE VALLEY

_____
_____, Mayor

ATTEST:

_____
Jenna Vizcardo, Town Recorder

Councilmember Kevin Sair Voted _____
Councilmember Robin Whitmore Voted _____
Councilmember Marshal McGinnis Voted _____
Councilmember Barratt Nielson Voted _____
Mayor _____ Voted _____

**TOWN OF APPLE VALLEY**

**RESOLUTION NO. R-2022-22**

**A RESOLUTION APPOINTING EVENTS COMMITTEE MEMBERS**

**WHEREAS**, Deborah (Debbie) Kopp, Richard Kopp, Margaret (Margie) Ososki, Richard Ososki, Tara Hood, and Delila Russon have been nominated for appointment as a member of the Apple Valley Community Events Committee.

**NOW, THEREFORE**, at a meeting of the legislative body of the Township of Apple Valley, Utah, duly called , noticed and held on the 17th day of January, 2018, and upon motion duly made and seconded:

**BE IT RESOLVED AS FOLLOWS:**

Deborah (Debbie) Kopp, Richard Kopp, Margaret (Margie) Ososki, Richard Ososki, Tara Hood, and Delila Russon are appointed as members of the Apple Valley Community Events Committee.

**RESOLVED** this 21st day of April, 2022.

TOWN OF APPLE VALLEY

_____
Frank G. Lindhardt, Mayor

ATTEST:

_____
Jenna Vizcardo, Town Recorder

Mayor Frank Lindhardt voted _____
Council Member Kevin Sair voted _____
Council Member Andy McGinnis voted _____
Council Member Robin Whitmore voted _____
Council Member Barratt Nielson voted _____

**TOWN OF APPLE VALLEY**

**RESOLUTION NO. R-2022-23**

**APPOINTMENT OF TOWN ADMINISTRATOR**

**WHEREAS**, a vacancy exists in the office of Town Administrator; and

**WHEREAS**, the Town Council has chosen to appoint a Town Administrator; and

**WHEREAS**, the Town Council has determined that the Town's interests would be best served by the appointment of _____as the Town Administrator.

**NOW, THEREFORE**, IT IS RESOLVED by the Town Council of the Town of Apple Valley to appoint _____to serve as the Town Administrator.

**RESOLVED** this the 21st day of April, 2022.

TOWN OF APPLE VALLEY

_____
Frank G. Lindhardt, Mayor

ATTEST:

_____
Jenna Vizcardo, Town Recorder

Mayor Frank Lindhardt voted _____
Council Member Kevin Sair voted _____
Council Member Andy McGinnis voted _____
Council Member Robin Whitmore voted _____
Council Member Barratt Nielson voted _____

**TOWN OF APPLE VALLEY**

**RESOLUTION NO. R-2022-24**

**APPOINTMENT OF TOWN FINANCE DIRECTOR**

**WHEREAS**, the Town Finance Director position is vacant; and

**WHEREAS**, the Town Council has the authority to separate the financial function of the Recorder and transfer to the Finance Director; and

**WHEREAS**, the Town Council has chosen to separate the financial duties from the Town Recorder; and

**WHEREAS**, the Town Council has chosen to appoint a Finance Director from within; and

**WHEREAS**, the Town Council has determined that the Town's interests would be best served by the appointment of Michelle Kinney as the Town Finance Director.

**NOW, THEREFORE**, IT IS RESOLVED by the Town Council of the Town of Apple Valley to appoint Michelle Kinney to serve as the Town's Finance Director.

**RESOLVED** this the 21st day of April, 2022.

TOWN OF APPLE VALLEY

_____
Frank G. Lindhardt, Mayor

ATTEST:

_____
Jenna Vizcardo, Town Recorder

Mayor Frank Lindhardt voted _____
Council Member Kevin Sair voted _____
Council Member Andy McGinnis voted _____
Council Member Robin Whitmore voted _____
Council Member Barratt Nielson voted _____

**TOWN OF APPLE VALLEY**

**RESOLUTION NO. R-2022-25**

**APPOINTMENT OF TOWN PURCHASING AGENT**

**WHEREAS**, The Town of Apple Valley is a Utah municipal corporation; and

**WHEREAS**, The Mayor, with the advice and consent of the Town Council, is required to appoint a Purchasing Agent pursuant to Town of Apple Valley Town's Purchasing Policy, Article 2; and

**WHEREAS**, the Town Council has determined that _____ is a qualified person to be appointed to the office of Town Purchasing Agent; and

**WHEREAS**, the Town Council gives its advice and consent to the appointment of _____ to the office of Town Purchasing Agent;

**WHEREAS,** at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 14th day of April, 2022, and upon motion duly made and seconded:

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Town Council of the Town of Apple Valley that _____ is hereby appointed to the office of Town Purchasing Agent.

**PASSED** this 21st day of April, 2022.

(Signature block on next page)

TOWN OF APPLE VALLEY

_____
Frank G. Lindhardt, Mayor

ATTEST:

_____
Jenna Vizcardo, Town Recorder

Mayor Frank Lindhardt voted _____
Council Member Kevin Sair voted _____
Council Member Andy McGinnis voted _____
Council Member Robin Whitmore voted _____
Council Member Barratt Nielson voted _____

**TOWN OF APPLE VALLEY, UTAH**

**RESOLUTION NO. R-2022-26**

**A RESOLUTION APPROVING THE INTERLOCAL AGREEMENT FOR USE OF PERSONNEL AND EQUIPMENT BETWEEN BIG PLAINS WATER AND SEWER SPECIAL SERVICES DISTRICT AND THE TOWN OF APPLE VALLEY, UTAH AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN SAID DISTRICT AND SAID TOWN OF APPLE VALLEY**

**WHEREAS**, the Town, pursuant to Utah law, caused the creation of the District in order to provide for water services within the Town; and

**WHEREAS**, both the Town and the District are authorized under Utah law to enter into agreements for joint or cooperative action; and

**WHEREAS**, it is in the best interests of both the Town and the District to operate in an effective and efficient manner for the good of the citizens; and

**WHEREAS,** the Town is willing to allow the District to utilize certain Town personnel and physical resources in exchange for reimbursement to the Town.

**WHEREAS**, the District is willing to allow the Town to utilize certain District personnel and water in exchange for reimbursement to the District; and

**WHEREAS**, the previous interlocal agreement for personnel and physical resources, dated June 4, 2015, expired June 4, 2020; and

**WHEREAS,** the District and Town desire to repeal the interlocal agreement for use of water, dated July 1, 2016, for water.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Town that the Interlocal Agreement for Use of Personnel and Equipment, attached hereto as Exhibit "A" and by this reference incorporated herein, is hereby approved, and the Mayor is hereby authorized to execute said agreement on behalf of the District.

RESOLVED this 21st day April, 2022.

[Signature Block on Next Page]

TOWN OF APPLE VALLEY

_____
Frank G. Lindhardt, Mayor

ATTEST:

_____
Jenna Vizcardo, Town Recorder

Mayor Frank Lindhardt voted _____
Council Member Kevin Sair voted _____
Council Member Andy McGinnis voted _____
Council Member Robin Whitmore voted _____
Council Member Barratt Nielson voted _____

**APPLE VALLEY**
**ORDINANCE O-2022-11**

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

**SECTION 1:** **ADOPTION** "11.02.190 Grading Permit By Exception" of the Apple Valley Subdivisions is hereby *added* as follows:

BEFORE ADOPTION

11.02.190 Grading Permit By Exception (Non-existent)

AFTER ADOPTION

11.02.190 Grading Permit By Exception*(Added)*

Notwithstanding any other provision in this title to the contrary, the Zoning Administrator shall be authorized, upon an affirmative vote of the Town Council, to issue a grading permit for property not scheduled for immediate or reasonably imminent development upon such terms and conditions as may be deemed necessary by said Town Council to guarantee the protection of the property and neighboring properties against problems resulting from such grading, including, but not limited to, the accumulation of weeds, soil erosion, surface drainage and dust.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL _____.

| | AYE | NAY | ABSENT | ABSTAIN |
|---|---|---|---|---|
| Council Member / Mayor Pro Tem Kevin Sair | _____ | _____ | _____ | _____ |
| Council Member Robin Whitmore | _____ | _____ | _____ | _____ |
| Council Member Andy McGinnis | _____ | _____ | _____ | _____ |
| Council Member Barratt Nielson | _____ | _____ | _____ | _____ |

Attest

_____
Jenna Vizcardo, Town Clerk, Apple Valley

Presiding Officer

_____
Kevin Sair, Council Member / Mayor Pro Tem Apple Valley

**APPLE VALLEY**
**ORDINANCE O-2022-12**

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

**SECTION 1:** **AMENDMENT** "11.02.080 Construction Drawings" of the Apple Valley Subdivisions is hereby *amended* as follows:

BEFORE AMENDMENT

11.02.080 Construction Drawings

After preliminary plat approval by Town council, the applicant shall have construction drawings prepared by a licensed engineer for all on site and required off site improvements in accordance with the following:

A. Final plan and profile must be prepared in accordance with:
    1. Current Apple Valley Town standards and specifications;
    2. Apple Valley Town drainage manual;
    3. Big Plains Water and Sewer Special Service District construction standards;
    4. Apple Valley Town power standards and specifications as required;
    5. Applicable fire code; and
    6. Rocky Mountain power standards and specifications if applicable.
B. Specific geotechnical recommendations for the design and construction of the proposed subdivision shall include the following if applicable:
    1. A general assessment of the requirements needed to develop on the site.
    2. Site preparation and grading and the suitability of onsite soils for use as structural fill.
    3. Stable cut and fill slopes including recommendations concerning the effects of material removal and the introduction of water.
    4. Recommendations for foundation type and design criteria, including, but not limited to, bearing capacity of natural or compacted soils, provisions to mitigate the effects of expansive, compressible, or collapsible soils, differential settlement and varying soil strength, and the effects of adjacent loads.
    5. Anticipated total and differential settlement.
    6. Special design and construction considerations, as necessary, such as the excavation and replacement of unsuitable materials, excavation difficulties, stabilization, or special foundation provisions for problem soil conditions.
    7. Design criteria for restrained and unrestrained retaining or rockery wall.
    8. Moisture protection and surface drainage.
C. Eleven (11) sets of complete drawings must be submitted to the public works director. Construction drawings must contain a signature block for all required utility, Town,

and Big Plains Water and Sewer Special Service district representatives. Drawings shall be a minimum of twenty two inches by thirty four inches (22" x 34") (full size).

D. Applicant shall request placement on a joint utility committee agenda for initial review of the plans.
E. Applicant or applicant's authorized representative shall attend the joint utility committee meeting when the item is on the agenda. Utility, franchisee, Town, and Big Plains Water and Sewer Special Service District will take copies of plans to redline.
F. All street grades over five percent (5%) shall be noted on the preliminary plat.
G. When redlines are completed, public works director shall prepare a summary of the needed changes and return redlined plans to applicant.
H. Applicant shall then submit three (3) copies of the corrected construction drawings, addressing all redlined items, to the Town engineer for review and possible signature. After Town engineer signs, applicant must obtain all required signatures and return signed plans to public works director for final signature.
I. Construction drawings are valid for twenty four (24) months after final signature. Construction drawings signed more than twenty four (24) months prior to construction of improvements shall be considered expired. For a project where construction has started and all improvements shown on the plan will be constructed, the public works director may permit construction to continue. Construction drawings showing multiple phases of a project are valid only for those improvements constructed within the first twenty four (24) months of approval. New approvals must be obtained and any new standards shall apply for future phases or delayed projects.

AFTER AMENDMENT

11.02.080 Construction Drawings

After preliminary plat approval by Town council, the applicant shall have construction drawings prepared by a licensed engineer for all on site and required off site improvements in accordance with the following:

A. Final plan and profile must be prepared in accordance with, but not limited to the following standards~~:~~;
    1. Current Apple Valley Town standards and specifications;
    2. Apple Valley Town drainage manual;
    3. Big Plains Water ~~and Sewer~~ Special Service District construction standards;
    4. ~~Test~~Ash Creek Sewer Special Service District construction standards;
    5. Apple Valley Town power standards and specifications as required;
    6. Applicable fire code; and
    7. Rocky Mountain power standards and specifications if applicable.
    8. South Central Communications standards and specifications, if applicable.
B. Specific geotechnical recommendations for the design and construction of the proposed subdivision shall include the following if applicable:
    1. A general assessment of the requirements needed to develop on the site.
    2. Site preparation and grading and the suitability of onsite soils for use as structural fill.

3. Stable cut and fill slopes including recommendations concerning the effects of material removal and the introduction of water.
4. Recommendations for foundation type and design criteria, including, but not limited to, bearing capacity of natural or compacted soils, provisions to mitigate the effects of expansive, compressible, or collapsible soils, differential settlement and varying soil strength, and the effects of adjacent loads.
5. Anticipated total and differential settlement.
6. Special design and construction considerations, as necessary, such as the excavation and replacement of unsuitable materials, excavation difficulties, stabilization, or special foundation provisions for problem soil conditions.
7. Design criteria for restrained and unrestrained retaining or rockery wall.
8. Moisture protection and surface drainage.

C. Upon Completion of the complete proposed construction plans, the Applicant shall fill out an application for construction plan review, pay associated fees, and upon approval of the application by the Public Works Director, shall then deliver Eight (8) sets ~~Eleven (11)~~ sets of complete construction plans ~~drawings must be submitted~~ to the public works director along with a digital copy. Construction drawings must contain a signature block for all required utilities ~~y~~, including the Public Works Director, ~~Town, and~~ Big Plains Water ~~and Sewer~~ Special Service district representatives, Ash Creek Special Sewer District and Town Engineer. Drawings shall be a minimum of twenty two inches by thirty four inches (22" x 34") (full size).

D. Applicant shall request placement on a joint utility committee agenda for initial review of the plans.

E. Applicant or applicant's authorized representative shall attend the joint utility committee meeting when the item is on the agenda. Utility, franchisee, Town, and Big Plains Water and Sewer Special Service District will take copies of plans to redline.

F. All street grades over five percent (5%) shall be noted on the preliminary plat.

G. When redlines are completed, public works director shall prepare a summary of the needed changes and return redlined plans to applicant.

H. Applicant shall then submit three (3) copies of the corrected construction drawings, addressing all redlined items, to the Public Works Director who then will review and submit them to the Town engineer for review and possible signature. After Town engineer signs, applicant must obtain all required signatures and return signed plans to public works director for final signature.

I. Construction drawings are valid for twenty four (24) months after final signature. Construction drawings signed more than twenty four (24) months prior to construction of improvements shall be considered expired. For a project where construction has started and all improvements shown on the plan will be constructed, the public works director may permit construction to continue. Construction drawings showing multiple phases of a project are valid only for those improvements constructed within the first twenty four (24) months of approval. New approvals must be obtained and any new standards shall apply for future phases or delayed projects.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL _____.

| | AYE | NAY | ABSENT | ABSTAIN |
|---|---|---|---|---|
| Council Member / Mayor Pro Tem Kevin Sair | _____ | _____ | _____ | _____ |
| Council Member Robin Whitmore | _____ | _____ | _____ | _____ |
| Council Member Andy McGinnis | _____ | _____ | _____ | _____ |
| Council Member Barratt Nielson | _____ | _____ | _____ | _____ |

Attest

_____
Jenna Vizcardo, Town Clerk, Apple Valley

Presiding Officer

_____
Kevin Sair, Council Member / Mayor Pro Tem Apple Valley

**APPLE VALLEY**
**ORDINANCE O-2022-13**

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

**SECTION 1:** **AMENDMENT** "11.02.170 Fees" of the Apple Valley Subdivisions is hereby *amended* as follows:

BEFORE AMENDMENT

11.02.170 Fees

The following fees are hereby established:

A. Preliminary Plat Application Fee: At the time of filing of the preliminary plat, the subdivider shall deposit with the Town a nonrefundable fee made payable to Apple Valley Town. The Town council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the Town for the expense of checking and reviewing such Preliminary subdivision plats.
B. Final Plat Application Fee: At the time of filing the final plat, the subdivider shall deposit with the Town a nonrefundable fee made payable to Apple Valley Town. The Town council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the Town for the expense of checking and reviewing such final subdivision plats, and inspecting subdivision improvements.
C. Habitat Conservation Fee: Before plat is released for recordation, subdivider shall pay applicable per acre habitat conservation impact fee to Town, if applicable.
D. Recording Fee: At the time of recording the final plat, the subdivider shall be responsible for payment of the recording fee.

AFTER AMENDMENT

11.02.170 Fees

The following fees are hereby established:

A. Preliminary Plat Application Fee: At the time of filing of the preliminary plat, the subdivider shall deposit with the Town a nonrefundable fee made payable to Apple Valley Town. The Town council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the Town for the expense of checking and reviewing such Preliminary subdivision plats.
B. A construction plan review and inspection fee. At the time of completion of the proposed construction plans, and upon delivery of said plans to be reviewed by the Public Works Director, the subdivider shall deposit with the Town a nonrefundable fee

made payable to Apple Valley Town. The Town council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the Town for the expense of checking and reviewing such construction plans and performing inspections associated with the construction of the proposed subdivision. ~~Final Plat Application Fee: At the time of filing the final plat, the subdivider shall deposit with the Town a nonrefundable fee made payable to Apple Valley Town. The Town council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the Town for the expense of checking and reviewing such final subdivision plats, and inspecting subdivision improvements.~~

C. Final Plat Application Fee: At the time of filing the final plat, the subdivider shall deposit with the Town a nonrefundable fee made payable to Apple Valley Town. The Town council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the Town for the expense of checking and reviewing such final subdivision plats, and inspecting subdivision improvements. ~~Habitat Conservation Fee: Before plat is released for recordation, subdivider shall pay applicable per acre habitat conservation impact fee to Town, if applicable.~~

D. Recording Fee: At the time of recording the final plat, the subdivider shall be responsible for payment of the recording fee.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL _____.

| | AYE | NAY | ABSENT | ABSTAIN |
|---|---|---|---|---|
| Council Member / Mayor Pro Tem Kevin Sair | _____ | _____ | _____ | _____ |
| Council Member Robin Whitmore | _____ | _____ | _____ | _____ |
| Council Member Andy McGinnis | _____ | _____ | _____ | _____ |
| Council Member Barratt Nielson | _____ | _____ | _____ | _____ |

Attest

Presiding Officer

_____
Jenna Vizcardo, Town Clerk, Apple Valley

_____
Kevin Sair, Council Member / Mayor Pro Tem Apple Valley

**APPLE VALLEY**
**ORDINANCE O-2022-14**

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

**SECTION 1:** **AMENDMENT** "10.10.060 SF Single Family Residential Zone" of the Apple Valley Land Use is hereby *amended* as follows:

BEFORE AMENDMENT

10.10.060 SF Single Family Residential Zone

A. Purpose: The purpose of this zone is to provide appropriate locations where low density residential neighborhoods may be established, maintained and protected. The regulations also pennit the establishment, with proper controls, of public and semipublic uses such as churches, schools, libraries, parks and playgrounds which serve the requirements of families. The regulations are intended to prohibit uses that would be harmful to a single-family residential neighborhood.
B. Permitted Uses: Uses permitted in this zone are as follows:
    1. Single Family dwelling with a minimum of 1250 sq ft. on the main level
    2. Accessory use and buildings; permitted simultaneously or after obtaining a building permit and construction and occupancy of a residential dwelling.
    3. Home gardens and trees, keeping of household dogs, cats and chickens (up to six (6) per lot). No roosters allowed.
    4. Residential facility for persons with a disability (see AVLU 10.28 for supplementary information)
    5. Residential facility for the elderly (see AVLU 10.28 for supplementary information)
    6. Churches
    7. Group homes
    8. Home occupation
    9. Parks and playground

    Any use not specifically allowed under permitted uses shall be prohibited.
C. Height Regulations: No building shall be erected to a height greater than thirty five (35'). No accessory building shall be erected to a height greater than twenty five (25') feet.
D. Area Width and Yard Regulations:

| District | Area | Width in Feet | Yards in Feet | | |
|---|---|---|---|---|---|
| | | | Front | Side | Rear |
| SF-.25 | 10,000 sq. ft. | 80 | 25 | 10 | 10 |
| SF-.50 | 20,000 sq. ft. | 80 | 25 | 10 | 10 |
| SF-1.0 | 40,000 sq. ft. | 80 | 25 | 10 | 10 |
| SF-2.5 | 2.5 acres | 150 | 25 | 25 | 25 |
| SF-5.0 | 5.0 acres | 200 | 25 | 25 | 25 |
| SF-10.0 | 10.0 acres | 300 | 25 | 25 | 25 |

E. Modifying Regulations:
1. Side Yards: The side yard setback on a "street side" yard shall be fifteen (15) feet
2. Private Garages and Accessory Buildings: Private garages and accessory buildings located at least 10' behind the main dwelling on lots less than ½ acre may have a side yard of three feet (3'), all others must be ten feet (10'), provided that all corner lots shall maintain fifteen feet (15') on the street side.
3. Prohibited Materials and Storage: No trash, rubbish, weeds or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, debris, or junk cars shall be stored or allowed to remain on any lot in any residential zone.
4. Location of Required Parking: Required parking shall not be located in the front yard setback.
5. All lighting shall comply with AVLU 10.26 Outdoor Lighting Ordinance.
6. For additional restrictions and clarifications in this zone, see AVLU 10.28 Supplementary and Qualifying Regulations for Land Use and Building.
7. No industrial-looking buildings such as pre-engineered steel or pole barns allowed, unless specifically approved by the planning commission.

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

AFTER AMENDMENT

10.10.060 SF Single Family Residential Zone

A. Purpose: The purpose of this zone is to provide appropriate locations where low density residential neighborhoods may be established, maintained and protected. The regulations also pennit the establishment, with proper controls, of public and semipublic uses such as churches, schools, libraries, parks and playgrounds which

serve the requirements of families. The regulations are intended to prohibit uses that would be harmful to a single-family residential neighborhood.

B. Permitted Uses: Uses permitted in this zone are as follows:
    1. Single Family dwelling with a minimum of 1250 sq ft. on the main level
    2. Accessory use and buildings; permitted simultaneously or after obtaining a building permit and construction and occupancy of a residential dwelling.
    3. Home gardens and trees, keeping of household dogs, cats and chickens (up to six (6) per lot). No roosters allowed.
    4. Residential facility for persons with a disability (see AVLU 10.28 for supplementary information)
    5. Residential facility for the elderly (see AVLU 10.28 for supplementary information)
    6. Churches
    7. Group homes
    8. Home occupation
    9. Parks and playground

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

C. Height Regulations: No building shall be erected to a height greater than thirty five (35'). No accessory building shall be erected to a height greater than twenty five (25') feet.

D. Area Width and Yard Regulations:

| District | Area | Width in Feet | Yards in Feet | | |
|---|---|---|---|---|---|
| | Minimum | | Front | Side | Rear |
| SF-.25 | 10,000 sq. ft. | 80 | 25 | 10 | 10 |
| SF-.50 | 20,000 sq. ft. | 80 | 25 | 10 | 10 |
| SF-1.0 | 40,000 sq. ft. | 80 | 25 | 10 | 10 |
| SF-2.5 | 2.5 acres | 150 | 25 | 25 | 25 |
| SF-5.0 | 5.0 acres | 200 | 25 | 25 | 25 |
| SF-10.0 | 10.0 acres | 300 | 25 | 25 | 25 |

E. Modifying Regulations:
    1. Side Yards: The side yard setback on a "street side" yard shall be fifteen (15) feet
    2. Private Garages and Accessory Buildings: Private garages and accessory buildings located at least 10' behind the main dwelling on lots less than ½ acre may have a side yard of three feet (3'), all others must be ten feet (10'), provided that all corner lots shall maintain fifteen feet (15') on the street side.
    3. Prohibited Materials and Storage: No trash, rubbish, weeds or other

combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, debris, or junk cars shall be stored or allowed to remain on any lot in any residential zone.

4. Location of Required Parking: Required parking shall not be located in the front yard setback.
5. All lighting shall comply with AVLU 10.26 Outdoor Lighting Ordinance.
6. For additional restrictions and clarifications in this zone, see AVLU 10.28 Supplementary and Qualifying Regulations for Land Use and Building.
7. No industrial-looking buildings such as pre-engineered steel or pole barns allowed, unless specifically approved by the planning commission.

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

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL _____.

| | AYE | NAY | ABSENT | ABSTAIN |
|---|---|---|---|---|
| Council Member / Mayor Pro Tem Kevin Sair | _____ | _____ | _____ | _____ |
| Council Member Robin Whitmore | _____ | _____ | _____ | _____ |
| Council Member Andy McGinnis | _____ | _____ | _____ | _____ |
| Council Member Barratt Nielson | _____ | _____ | _____ | _____ |

Attest

_____
Jenna Vizcardo, Town Clerk, Apple Valley

Presiding Officer

_____
Kevin Sair, Council Member / Mayor Pro Tem Apple Valley

**APPLE VALLEY**
**ORDINANCE O-2022-15**

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

**SECTION 1:** **AMENDMENT** "10.28.260 Accessory Dwelling Units For An Owner Or Employee" of the Apple Valley Land Use is hereby *amended* as follows:

BEFORE AMENDMENT

10.28.260 Accessory Dwelling Units For An Owner Or Employee

A. An accessory dwelling unit for an owner or employee shall not be rented, leased or sold separately from the rental, lease or sale of the primary building located on the same lot.
B. A maximum of one accessory dwelling unit for an owner or employee may be established on each individual, separate lot, such lot meeting all requirements, including minimum lot size, for the zoning district in which the lot is located.
C. The lot proposed for an accessory dwelling unit for an owner or employee shall already have an existing primary structure provided, or approved, prior to the consideration of an application to allow an accessory dwelling unit.
D. Accessory dwelling units shall meet the required setbacks for attached or detached accessory buildings and uses as required by the zoning district in which they are located.
E. An accessory dwelling unit for an owner or employee shall be connected to, and served by, the same water, sewer, electrical, and gas meters that serve the primary building. No separate utility lines, connections or meters shall be allowed for an accessory dwelling unit for an owner or employee. Unless required by building code.
F. An accessory dwelling unit for an owner or employee shall provide a minimum of two (2) off street parking spaces, located as determined necessary and appropriate for approval of the accessory dwelling unit for an owner or employee.
G. The construction of an accessory dwelling unit for an owner or employee shall meet all requirements of the adopted building code, as applicable.
H. The architectural style, building materials and building colors of an accessory dwelling unit for an owner or employee shall be found to be compatible and consistent with the architectural style, materials and color of the primary building.
I. Mobile homes, travel trailers, boats or similar recreational vehicles shall not be used as an accessory dwelling unit for an owner or employee.
J. The land use application approval for an accessory dwelling unit for an owner or employee shall be received before a building permit is issued.
K. As a condition of approval required to establish an accessory dwelling unit for an owner or employee, 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 accessory dwelling unit for an owner or employee separately from the rental, lease or sale of the primary use or building. 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 accessory dwelling unit for an owner or employee.

AFTER AMENDMENT

10.28.260 Accessory Dwelling Units For An Owner Or Employee

~~A. An accessory dwelling unit for an owner or employee shall not be rented, leased or sold separately from the rental, lease or sale of the primary building located on the same lot.~~

~~B. A maximum of one accessory dwelling unit for an owner or employee may be established on each individual, separate lot, such lot meeting all requirements, including minimum lot size, for the zoning district in which the lot is located.~~

~~C. The lot proposed for an accessory dwelling unit for an owner or employee shall already have an existing primary structure provided, or approved, prior to the consideration of an application to allow an accessory dwelling unit.~~

~~D. Accessory dwelling units shall meet the required setbacks for attached or detached accessory buildings and uses as required by the zoning district in which they are located.~~

~~E. An accessory dwelling unit for an owner or employee shall be connected to, and served by, the same water, sewer, electrical, and gas meters that serve the primary building. No separate utility lines, connections or meters shall be allowed for an accessory dwelling unit for an owner or employee. Unless required by building code.~~

~~F. An accessory dwelling unit for an owner or employee shall provide a minimum of two (2) off street parking spaces, located as determined necessary and appropriate for approval of the accessory dwelling unit for an owner or employee.~~

~~G. The construction of an accessory dwelling unit for an owner or employee shall meet all requirements of the adopted building code, as applicable.~~

~~H. The architectural style, building materials and building colors of an accessory dwelling unit for an owner or employee shall be found to be compatible and consistent with the architectural style, materials and color of the primary building.~~

~~I. Mobile homes, travel trailers, boats or similar recreational vehicles shall not be used as an accessory dwelling unit for an owner or employee.~~

~~J. The land use application approval for an accessory dwelling unit for an owner or employee shall be received before a building permit is issued.~~

~~K. As a condition of approval required to establish an accessory dwelling unit for an owner or employee, 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 accessory dwelling unit for an owner or employee separately from the rental, lease or sale of the primary use or building. 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 accessory dwelling unit for an owner or employee.~~

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL _____.

| | AYE | NAY | ABSENT | ABSTAIN |
|---|---|---|---|---|
| Council Member / Mayor Pro Tem Kevin Sair | _____ | _____ | _____ | _____ |
| Council Member Robin Whitmore | _____ | _____ | _____ | _____ |
| Council Member Andy McGinnis | _____ | _____ | _____ | _____ |
| Council Member Barratt Nielson | _____ | _____ | _____ | _____ |

Attest

_____
Jenna Vizcardo, Town Clerk, Apple Valley

Presiding Officer

_____
Kevin Sair, Council Member / Mayor Pro Tem Apple Valley

**APPLE VALLEY**
**ORDINANCE O-2022-16**

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

**SECTION 1:** **AMENDMENT** "10.28.270 Guesthouses Or Casitas" of the Apple Valley Land Use is hereby *amended* as follows:

BEFORE AMENDMENT

10.28.270 Guesthouses Or Casitas

The purpose and intent of requirements for allowing 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 AMENDMENT

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.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL _____.

| | AYE | NAY | ABSENT | ABSTAIN |
|---|---|---|---|---|
| Council Member / Mayor Pro Tem Kevin Sair | _____ | _____ | _____ | _____ |
| Council Member Robin Whitmore | _____ | _____ | _____ | _____ |
| Council Member Andy McGinnis | _____ | _____ | _____ | _____ |
| Council Member Barratt Nielson | _____ | _____ | _____ | _____ |

Attest

_____
Jenna Vizcardo, Town Clerk, Apple Valley

Presiding Officer

_____
Kevin Sair, Council Member / Mayor Pro Tem Apple Valley