



PLANNING COMMISSION HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, September 10, 2025 at 6:00 PM

AGENDA

Notice is given that a meeting of the Planning Commission of the Town of Apple Valley will be held on **Wednesday, September 10, 2025**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Chairman | Bradley Farrar

Commissioners | Lee Fralish | Garth Hood | Stewart Riding | Kael Hirschi

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

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

if the meeting requests a password use 1234

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CONFLICT OF INTEREST DISCLOSURES

HEARING ON THE FOLLOWING

1. Ordinance O-2025-33, Proposed Zone Change, Open Space Transition Zone (OST) to Agricultural 10 Acres Zone (AG-10) for AV-1354-B, Applicant: Alan Dockstader.
2. Simple Lot Split Subdivision Application for parcel: AV-1311-V, 2745 N Purple Sage Rd (3 new parcels), Applicant: Jordan Holm.

DISCUSSION AND POSSIBLE ACTION ITEMS

3. Ordinance O-2025-33, Proposed Zone Change, Open Space Transition Zone (OST) to Agricultural 10 Acres Zone (AG-10) for AV-1354-B, Applicant: Alan Dockstader.
4. Simple Lot Split Subdivision Application for parcel: AV-1311-V, 2745 N Purple Sage Rd (3 new parcels), Applicant: Jordan Holm.

APPROVAL OF MINUTES

5. Minutes: August 13, 2025 - Planning Commission Hearing and Meeting.

ADJOURNMENT

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

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

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



Proposal: Zone Change

Current Zone: OST

Proposed Zone: AG-10

Acres: 80.24

Project location: AV-1354-B

Number of Lots: 1

Report prepared by Eldon Gibb, Planning Consultant with Shums Coda

On the Zone Change application, the applicant identified the proposed zone change for parcel AV-1354-B. I confirmed this parcel has a total acreage of 80.24 as identified in the application; however, on the third page of the application, the applicant highlighted parcel AV-1354-B-1 which I verified has a total acreage of 20. Both of these parcels have the same zoning designation of OST and a general plan designation as agricultural but this should be clarified as to which property the applicant intends to pursue the proposed zone change for.

Regarding parcel AV-1354-B, The applicant is proposing to change the zoning from the OST to a proposed AG-10. As stated above, there is a conflict for which the applicant identified and should be clarified. Regarding parcel AV-1354-B, this parcel is located off of and fronts south Main street. As stated in the application, the purpose for the zone change is to prepare for a lot-split.

The property (AV-1354-B) is currently zoned OST. Surrounding zoning is Agricultural to the north, OST and Agricultural to the east, Agricultural to the south and Open Space Transition to the west. The General Plan for this property is Agricultural. The applicant is asking to change the zone from OST to AG-10 which is in line with the General Plan map.

When looking at Section 2 of the General Plan, it is apparent that this zone change is in line with section 2.3 - Major Land Use Themes - as this proposal would require lots to be 10 acres in size or larger. Furthermore, in section 2.4 - Land Use Goals it is stated as a goal, "Maintain the small-town, rural feel of Apple Valley". It appears this zone change application is in line with the intent of the General as it would create large lot sizes and help preserve the agricultural and historic heritage of Apple Valley.

Access to the property (AV-1354-B) is available as the property fronts Main Street. If approved, the applicant would be required to abide by the A-10 zoning regulations as found in the town code.

TOWN OF APPLE VALLEY
ORDINANCE O-2025-33

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1354-B FROM OPEN SPACE
TRANSITION ZONE (OST) TO AGRICULTURAL 10 ACRES ZONE (AG-10)

WHEREAS, the Town of Apple Valley (“Town”) has petitioned to rezone parcel AV-1354-B from Open Space Transition Zone (OST) to Agricultural 10 Acres Zone (AG-10); and

WHEREAS, the Planning Commission held a duly noticed public hearing on September 10, 2025, to consider the request and, in a meeting on the same date, voted to recommend approval of the zone change; and

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation and finds that the proposed zone change aligns with the Town’s General Plan and serves a rational public interest; and

WHEREAS, on September 17, 2025 the Town Council of Apple Valley, Utah, convened in a duly noticed and held meeting to consider the proposed amendment;

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

SECTION I: Zoning Amendment
The zoning designation for parcel AV-1354-B is hereby changed from Open Space Transition Zone (OST) to Agricultural 10 Acres Zone (AG-10).

SECTION II: Official Zoning Map Update
The Official Zoning Map shall be amended to reflect this zoning change.

SECTION III: Effective Date:
This ordinance shall take effect immediately upon passage and adoption.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah, this 17th day of September, 2025.

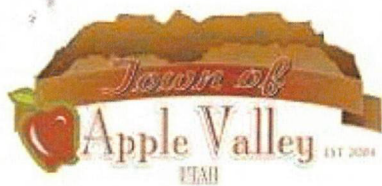
PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

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



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

See Fee Schedule Page 2

Item 3.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: 1703 S Manzanita Dr. LLC Alan Duckstadter		Phone: [REDACTED]	
Address: [REDACTED]		Email: [REDACTED]	
City: [REDACTED]	State: [REDACTED]	Zip: [REDACTED]	
Agent: (if Applicable)		Phone: [REDACTED]	
Address/Location of Property:		Parcel ID: AV-1354-B	
Existing Zone: OST		Proposed Zone: Agricultural 10	
For Planned Development Purposes: Acreage in Parcel 80.24		Acreage in Application 80.24	
Reason for the request prepare for lot split			

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

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

Applicant Signature Alan	Date 8-7-25
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Official Use Only	Amount Paid: \$ 4,209.60	Receipt No: 57421
Date Received: 8/7/25	Date Application Deemed Complete:	
By: [Signature]	By:	4

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 Wednesday of each month at 6:00 pm. Submission of a completed application does not guarantee your application will be placed on the next PC meeting agenda. It may be placed on the next available PC meeting agenda.

REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE

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

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

PROCESS

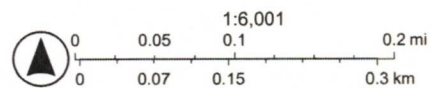
Contact the Planning Department for when the deadline for submission is. After it is deemed complete, staff will review the request, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and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

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



8/11/2025, 1:51:26 PM

- | | |
|--------------------------------|-------------------------------|
| Washington County Parcels | A-X - Agriculture |
| Town Boundary | OSC - Open Space Conservation |
| Zoning Districts | |
| A-5 - Agricultural > 5 Acres | OST - Open Space Transition |
| A-10 - Agricultural > 10 Acres | RE-5 - Rural Estate 5 |



Account Number 0155302
Parcel Number AV-1354-B
Tax District 45 - Apple Valley Town
Acres 80.24
Situs 0, 0

Name 1703 S MANZANITA DR LLC
2386 E CANAAN WAY
APPLE VALLEY, UT 84737

Item 3.

Legal S: 8 T: 43S R: 11W BEGINNING AT THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE N88°43'30"W, 1321.80 FEET ALONG THE SOUTH LINE OF SAID SECTION 8; THENCE N1°13'29"E, 2644.07 FEET TO A POINT ON THE EAST-WEST CENTER SECTION LINE OF SAID SECTION 8; THENCE S88°42'27"E, 1322.39 FEET ALONG THE EAST-WEST CENTER SECTION LINE TO THE EAST QUARTER CORNER OF SAID SECTION 8; THENCE S1°14'15"W, 2643.67 FEET ALONG THE EAST LINE OF SAID SECTION 8 TO THE POINT OF BEGINNING. CONTAINING 80.244 ACRES. (INST NO 20220051988 "PARCEL A DESCRIPTION")

Parent Accounts

Parent Parcels

Child Accounts 0555832
0602295
0697584
0155294

Child Parcels 1354-B-1

1354-C-SE
1354-D-SE
AV-1354-A-1

Sibling Accounts

Sibling Parcels

Warranty Deed Page 1 of 3

Gary Christensen Washington County Recorder
05/09/2025 03:36:25 PM Fee \$40.00 By FIRST
AMERICAN - ST. GEORGE MAIN

Recording Requested by:
First American Title Insurance Company
50 East 100 South, Suite 100
St. George, UT 84770
(435)673-5491

Mail Tax Notices to and
AFTER RECORDING RETURN TO:
1703 S. Manzanita Dr. LLC
2386 E. Canaan Way
Apple Valley, UT 84737

SPACE ABOVE THIS LINE (3 1/4" X 5") FOR RECORDER'S USE

WARRANTY DEED

Escrow No. **363-6348803 (AS)**
A.P.N.: **AV-1354-B**

Bang Properties LLC, a Utah limited liability company, and Roxstar Properties LLC, a Utah limited liability company, Grantor, of St. George, Washington County, State of UT, hereby CONVEY AND WARRANT to

1703 S. Manzanita Dr., LLC, a Utah limited liability company, Grantee, of Apple Valley, Washington County, State of UT, for the sum of Ten Dollars and other good and valuable considerations the following described tract(s) of land in Washington County, State of Utah:

Beginning at the Southeast corner of Section 8, Township 43 South, Range 11 West, Salt Lake Base and Meridian, running thence North 88°43'30" West, 1321.80 feet along the South line of said Section 8; thence North 1°13'29" East, 2644.07 feet to a point on the East-West Center Section line of said Section 8; thence South 88°42'27" East, 1322.39 feet along the East-West Center Section line to the East quarter corner of said Section 8; thence South 1°14'15" West, 2643.67 feet along the East line of said Section 8 to the Point of Beginning.

Subject to easements, restrictions and rights of way appearing of record and general property taxes for the year 2025 and thereafter.

Witness, the hand(s) of said Grantor(s), this 9th May, 2025.

[Signature page follows]

A.P.N.: AV-1354-B

Warranty Deed - continued

File No.: 363-6348803 (AS)

Bang Properties LLC, a Utah limited liability company

Roxstar Properties LLC, a Utah limited liability company

By: [Signature]Name: Kerry Bang
Title: MemberBy: [Signature]Name: Randall D. Paul
Title: ManagerBy: [Signature]Name: Brecken Bang
Title: Member

STATE OF

Utah

County of

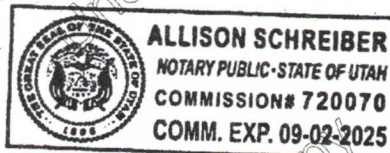
Washington) ss.

On May 9, 2025, before me, the undersigned Notary Public, personally appeared **Kerry Bang and Brecken Bang, Members of Bang Properties LLC, a Utah limited liability company**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires: 9/2/25

Notary Public



A.P.N.: AV-1354-B

Warranty Deed - continued

File No.: 363-6348803 (AS)

STATE OF

County of

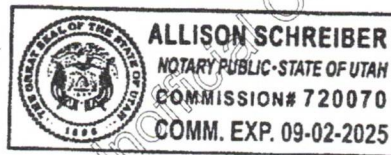
On

Utah
Washington) ss.
May 9, 2025
before me, the undersigned Notary Public,
personally appeared **Randall D. Paul, Manager of Roxstar Properties LLC, a Utah limited liability company**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires:

Notary Public



SUBDIVISION APPROVAL PROCESS

AFFIDAVIT

PROPERTY OWNER

Item 3.

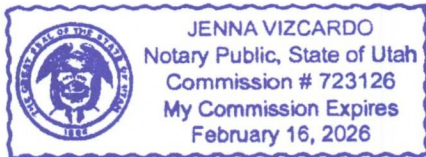
STATE OF UTAH)
)§
COUNTY OF WASHINGTON)

(We) 1703 S Mozanita Dr LLC Alan Dockstader, being duly sworn, depose and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

Alan Dockstader
Property Owner

Property Owner

Subscribed and sworn to me this 7 day of August, 2025.



Jenna Vizcardo
Notary Public

Residing in: Washington

My Commission Expires: 2/16/26

AGENT AUTHORIZATION

(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

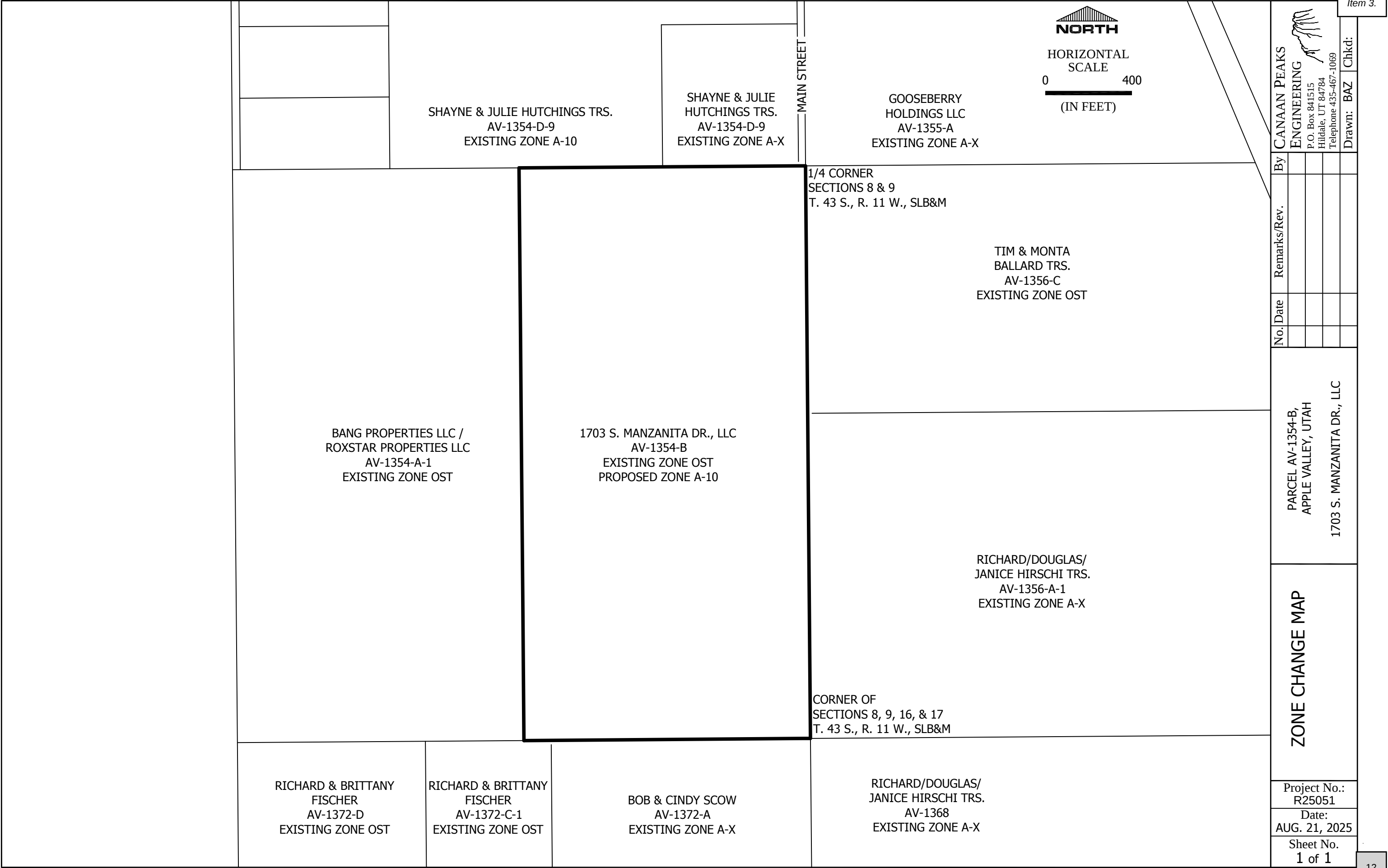
Property Owner

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

Notary Public

Residing in: _____

My Commission Expires: _____



Apple Valley Simple Lot Subdivision Application

Fee: _____

Applicant Full Name: Jordan Holm

Mailing Address: _____ City: Washington State: UT Zip: 84780

Phone Number: _____ Email Address: _____

Authorized Agent (if applicable): _____

Property Address: 2745 N Purple Sage Rd City: Apple Valley State: UT Zip: 84737

Tax ID Number: AV-1311-V

Current Zoning Designation: RE-5

Require Conditions

As per Apple Valley Subdivisions § 11.02.050(D), for a proposed subdivision to qualify for simple lot subdivision approval, the proposed simple lot subdivision shall:

- Be for a single-family dwelling or dwellings and any associated accessory dwelling.
- Be located on property zoned for such use.
- Contain no more than ten (10) lots.
- Not contain any legislative approval, such as a zone change or text amendment request. Any legislative approval necessary for the simple lot subdivision to meet all requirements shall be pursued separately and shall be completed before the Planning Commission may review the simple lot subdivision application.
- Not be traversed by the mapped lines of a proposed street as shown in the general plan unless the Town has approved the location and dedication of any public street, municipal utility easement, any other easement, or any other land for public purposes as the municipality's ordinances require.
- Conform to all applicable land use ordinances. A property that has previously obtained a variance shall be deemed to conform as it relates to the conflict that had necessitated the variance.

Submittal Requirements

An applicant shall submit an application to the Town for a Simple Lot Subdivision that includes, at a minimum, each of the following (*Apple Valley Subdivisions § 11.02.050(E)*):

- A current title report showing ownership by the applicant.
- Name of the applicant or authorized agent and contact information.
- Property address, acreage, boundary, and tax identification number.
- Date, scale, and North arrow.
- Vicinity map showing the property's location relative to municipal boundaries and roads that serve the property.
- A statement containing the zone, lot size, and amount of frontage along a public street for each proposed lot.
- A metes and bound description of the property proposed to be subdivided.
- A subdivision name.
- A record of survey map, showing each new lot, which includes the following details:
 - The location of survey by quarter section and township range.
 - The date of survey.
 - The scale of the drawing and North point.
 - The distance course of all lines traced or established, giving the basis of bearing and the distance and course to two or more section corners or quarter corners, including township and range, or to identified monuments within a recorded subdivision.
 - All measured bearings, angles, and distances separately indicated from those of record.
 - A written boundary description of property surveyed.
 - All monuments set and their relation to older monuments found.
 - A detailed description of monuments found and monuments set, indicated separately.
 - The surveyor's seal or stamp.
 - The surveyor's business name and address.
 - A written narrative that explains and identifies:
 - The purpose of the survey.
 - The basis on which the lines were established.
 - The found monuments and deed elements that controlled the established or reestablished lines.
 - If the narrative is a separate document, it shall contain:

- ☐ The location of the survey by quarter section and by township and range.
- ☐ The date of the survey.
- ☐ The surveyor's stamp or seal.
- ☐ The surveyor's business name and address.
- ☐ The map and narrative shall be referenced to each other if they are separate documents.
- ☐ The map and narrative shall be created on material of a permanent nature on stable base reproducible material in the sizes required by the county surveyor.

Site Specific Contents

The following documents shall accompany the simple lot subdivision application when deemed necessary by the Town Engineer (*Apple Valley Subdivisions § 11.02.050 (F)*):

- ☐ Soils Report: The applicant shall provide a detailed soils report addressing the following issues for the subdivision: hill stabilization, road design, foundation design, groundwater impacts, and general soil stability. The report must be stamped and signed by a Civil Engineer licensed in the state of Utah.
- ☐ Storm Water Plan: The applicant shall provide a detailed storm water plan for the subdivision. This plan shall include all calculations showing that it meets all applicable codes, standards, and specifications. Plans and calculations shall be stamped and signed by a civil engineer licensed in the state of Utah.
- ☐ Other Hazard Information: This may include FEMA floodplain information or other information to mitigate natural hazards.

(For Office Use Only)

Date Received: 8/18/2025 Date Paid: _____

Preliminary Review

The applicant shall submit the application and all required contents. The Town will check for completeness. If not all materials have been submitted, the application should be returned to the applicant until all required contents are included (*Apple Valley Subdivisions § 11.02.050(G)(2)*).

Date of Completion Determination: 8/26/2025

Administrative Review

Once the application is deemed to be complete, the Town shall complete a review of the simple subdivision application and Subdivision Improvement Plans and determine whether the application meets all requirements. If the application is found to meet all codes, standards, and specifications, Town staff shall forward the application on to the Planning Commission (*Apple Valley Subdivisions § 11.02.050(G)(3)*).

Date of Administrative Review Completion: 8/26/2025

Administrative Recommendation to Planning Commission:

Planning Commission Review

The Planning Commission shall hold a public hearing on the application and approve or deny the simple lot subdivision application (*Apple Valley Subdivisions § 11.02.050(G)(4)*).

Date of Public Hearing: 9/10/2025

Date of Planning Commission Decision: _____

- ☐ Approved
- ☐ Denied

Filing Date of the Record of Survey: _____



BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors

205 East Tabernacle Suite #4
St. George, Utah 84770

Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

5-AC LOT LAYOUT
HOLM RESIDENCE
LOCATED IN APPLE VALLEY, UTAH

SHEET 3 OF 3 SHEETS

FILE: 2008-APPROB17.PLS



Agent for
First National Title Insurance Company
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

Effective Date: May 9, 2025 at 8:00 AM

Commitment No.: 083869
 Amendment No. 1

- | | | |
|---|-------------|----------|
| 1. Policy or Policies to be issued: | Amount | Premium |
| a. ALTA Extended Loan Policy | \$55,000.00 | \$246.00 |
| Proposed Insured: A Natural Person or Legal Entity To Be Determined | | |
| Endorsements: | | |
2. The estate or interest in the land described or referred to in this Commitment and covered herein is **Fee Simple** and title thereto is at the effective date hereof vested in:
- Jordan Holm
3. The land referred to in the Commitment, located in Washington County, is described as follows:
- See Exhibit A attached hereto and made a part hereof.
- Said property is located in Washington County, State of Utah also known as:
- 2745 N Purple Sage Road, Apple Valley, UT 84737
 APN: AV-1311-V


 Shane Curlis, Title Officer
 US Title Insurance Agency

EXHIBIT "A"

Beginning at the Quarter Section corner common to Section 18 and Section 19 of Township 42 South, Range 11 West of the Salt Lake Base and Meridian, and running thence North $00^{\circ}05'23''$ West along the Quarter Section line 80.03 feet; thence East 724.06 feet to the West line of Apple Valley Ranch Subdivision Gooseberry Unit #1, recorded in the Office of the Washington County Recorder as Document No. 485280, said point also being the West line of Purple Sage Road; running along said line South 1134.53 feet to the Northeast corner of Lot 32 of said subdivision; thence West 400.00 feet to the Northwest corner of Lot 31 of said subdivision; thence South 129.89 feet; thence West 50.00 feet; thence Southerly along a 325.00 foot radius non-tangent curve to the left, (long chord bears South $02^{\circ}55'25''$ East a distance of 33.12 feet), center point lies North $89^{\circ}59'50''$ East through a central angle of $05^{\circ}50'29''$ a distance of 33.13 feet to the Northeast corner of Lot 30 of said subdivision; thence West along the North line of said Lot 30 273.51 feet to the Northwest corner of said Lot 30, said point also being on the Center Section line of Section 19, Township 42 South, Range 11 West of the Salt Lake Base and Meridian; thence North $00^{\circ}05'58''$ West along said Section line 1217.47 feet to the point of beginning.

Situated in Washington County, State of Utah

APN: AV-1311-V

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - PART I (Requirements)

Commitment No.: 083869

The following are the requirements to be complied with:

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Pay any amounts due under Exception No. 8-9.
6. Provide evidence of payment in full from those parties that have filed Preliminary Notices in the SCR to remove Exception No.(s) 18.
7. Sign and return Item No. 19 for approval by the Company.
8. Certificate of Occupancy from the City or a copy of the Final Inspection showing that the work has been completed on subject property.
9. Inspection of the State Construction Registry prior to the recording of the deed of trust. Should the inspection reveal either a preliminary notice or notice of retentions has been filed, additional requirements or exceptions may be added including a withdrawal of the preliminary notice pursuant to UCA ? 38-15(3)(b)(ii) and proof that the lien claimant has accepted payment in full for construction services that the claimant furnished before the recording of the deed of trust pursuant to UCA ? 38-1-5(3)(b)(i).
10. Trust Deed securing your note executed by Jordan Holm.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - PART II (Exceptions)

Commitment No.: 083869

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notice of such proceedings, whether or not shown by the records of such agency or the public record.
2. Any facts, rights, interest or claims which are not shown by the public records, but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, claims of easements or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of Schedule B, Part I - Requirements are met.
8. Taxes for the year 2025 now a lien, not yet due. General property taxes for the year 2024 were paid in the amount of \$2,261.49. Tax Parcel No. AV-1311-V.
9. Any charge upon the land by reason of its inclusion in Washington County, Apple Valley Town, Big Plains Water Special Service District, Ash Creek Special Service District, Southeastern Special Service District and Washington County Solid Waste District.
10. Any water rights or claims or title to water in or under the land.
11. All rights, title or interest in minerals of any kind, oil, gas, coal or other hydrocarbons and the consequences of the right to mine or remove such substances including, but not limited to, express or implied easements and rights to enter upon and use the surface of the land for the exploration, drilling or extraction related purposes. (The company does not purport to disclose documents of record pertaining to the above referenced rights.)
12. Rights of parties in possession of the subject property under unrecorded, Leases, Subleases, Rental or Occupancy Agreements and any claims or interest arising thereunder.
13. All existing roads, streets, alleys, ditches, reservoirs, utilities, canals, pipelines, power poles, telephone, sewer, gas or water lines and rights-of-way and easements thereof.
14. Subject to any and all matters disclosed on that certain survey prepared by Bush & Gudgeon, Inc, having been certified under the date of April 22, 2020 as Job No. 201072, by D Gregg Meyers, a Registered Land Surveyor holding License No. 312770.

SCHEDULE B - PART II
(Exceptions - Continued)

Item 4.

15. A right of way and easement over and across said land for underground electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, as granted to Rocky Mountain Power, an unincorporated division of PacifiCorp its successors and assigns, by Instrument recorded May 13, 2024 as Entry No. 20240014741 of Official Records.
16. Improvement Delay Agreement by and between the Town of Apple Valley and Jordan Holm recorded May 25, 2023 as Entry No. 20230015217 of Official Records
17. A Deed of Trust by and between Jordan Holm as Trustor in favor of US Title Insurance Agency as Trustee and Heaton Enterprises LLC as Beneficiary, to secure an original indebtedness of \$600,000.00 and any other amounts or obligations secured thereby, dated March 12, 2025 and recorded March 12, 2025 as Entry No. 20250008070 of Official Records.
18. A search of the Construction Registry for the State of Utah reveals the following Preliminary Notices: NONE.
19. Mechanics' and/or Materialmen's Lien, if any, which do not appear of record.

An Indemnity Agreement must be signed by Vested Owner and General Contractor for approval by the company and returned before an Alta Policy will be issued.

* * * * *

According to the official records, there have been no documents conveying the land described herein within 24 Months prior to the date of this commitment. Except the following:

NONE

NOTE: The names of
Jordan Holm

have been checked for Judgments and Tax Liens, etc., in the appropriate offices and if any were found would appear as Exceptions to title under Schedule B, Section 2 herein.

ESCROW/CLOSING INQUIRIES should be directed to your Escrow Officer: Corrie Glover, (435)652-9800 and 1086 South Main Street, Suite #101, Saint George, UT 84770

NOTE: The Policy(ies) to be issued as a result of this Commitment may contain an Arbitration Clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

**The First National Title Corporation
US Title Insurance Agency**

**Privacy Policy
PURPOSE OF THIS NOTICE**

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of First National Title Insurance Company.

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you such as on applications or other forms.
- Information about your transactions we secure from our files, or from our affiliates or others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.



PLANNING COMMISSION HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 13, 2025 at 6:00 PM

MINUTES

CALL TO ORDER - Chairman called the meeting to order at 6:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Chairman Bradley Farrar
Commissioner Lee Fralish
Commissioner Garth Hood
Commissioner Stewart Riding
Commissioner Kael Hirschi

CONFLICT OF INTEREST DISCLOSURES

None declared.

HEARING ON THE FOLLOWING

1. Proposed Amendment to Wells Estates Subdivision Plat – Combination of Lots 9 and 10 (AV-WEL-9 & AV-WEL-10).

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

2. Ordinance O-2025-25, Proposed Zone Change, Rural Estates 10 Acres Zone (RE-10) to Agricultural 5 Acres Zone (AG-5) for 2745 N Purple Sage Rd, AV-1311-V.

Chairman Farrar clarified that, following resident feedback, the application had been revised from AG-5 to RE-5. Chairman Farrar opened the public hearing. No public comments. Chairman Farrar closed the public hearing.

3. Ordinance O-2025-29, Proposed zone change from Open Space Transition (OST) and General Commercial (C-3) to Planned Development Overlay (PDO) for 525.73 acres in the Oculita Roca Development, submitted by De La Tierra Holdings LLC.

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

4. Ordinance O-2025-30 Development Agreement Addendum with Hidden Rock Development Group, Oculita Roca Project.

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

5. Proposed Simple Lot Split Subdivision for AV-1372-C-1 and AV-1372-D, Fischer, Richard and Brittany.

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

6. Ordinance O-2025-31, Amend Title 10.10.010 General Purposes.

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

DISCUSSION AND POSSIBLE ACTION ITEMS

7. Proposed Amendment to Wells Estates Subdivision Plat – Combination of Lots 9 and 10 (AV-WEL-9 & AV-WEL-10).

Chairman Farrar noted the request was straightforward, combining two lots into one, and the commissioners agreed. No comments or concerns.

MOTION: Commissioner Hood motioned that we approve the Proposed Amendment to Wells Estates Subdivision Plat – Combination of Lots 9 and 10 (AV-WEL-9 & AV-WEL-10).

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:

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

The motion carried unanimously.

8. Ordinance O-2025-25, Proposed Zone Change, Rural Estates 10 Acres Zone (RE-10) to Agricultural 5 Acres Zone (AG-5) for 2745 N Purple Sage Rd, AV-1311-V.

Chairman Farrar clarified that the application had been revised from AG-5 to RE-5 following resident feedback. Commissioner Riding asked about the acreage, and it was confirmed that the property consisted of 20 acres zoned RE-1, with the request seeking rezoning to RE-5. Commissioners agreed the change was reasonable, noting it would allow up to four lots and was preferable to RE-1, consistent with surrounding zoning.

MOTION: Commissioner Hood motioned that we approve Ordinance O-2025-25, Proposed Zone Change, for Rural Estates 10 Acres Zone zoned RE-10 to RE-5 for 2745 N Purple Sage Rd, AV-1311-V.

SECOND: The motion was seconded by Commissioner Riding.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Commissioner Hirschi - Aye
 Chairman Farrar - Aye
 Commissioner Hood - Aye

Commissioner Riding - Aye

The motion carried unanimously.

9. Ordinance O-2025-29, Proposed zone change from Open Space Transition (OST) and General Commercial (C-3) to Planned Development Overlay (PDO) for 525.73 acres in the Oculita Roca Development, submitted by De La Tierra Holdings LLC.

Mayor Farrar explained that the project expanded from 18 to 57 lots on five-acre minimum parcels, preserving low density and open space, and included a \$300,000 contribution for road improvements. Commissioner Hood asked about the Planned Development Overlay (PDO) process, and it was clarified that applicants must submit detailed plans in advance, with major changes requiring council approval. Commissioners agreed that the PDO ensures long-term adherence to the approved plan.

MOTION: Commissioner Riding motioned that we approve Ordinance O-2025-29, Proposed zone change from Open Space Transition and General Commercial (C-3) to Planned Development Overlay (PDO) for 525.73 acres in the Oculita Roca Development, submitted by De La Tierra Holdings LLC.

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:

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

The motion carried unanimously.

10. Ordinance O-2025-30 Development Agreement Addendum with Hidden Rock Development Group, Oculita Roca Project.

Chairman Farrar noted this item was tied to the previous approval, agenda item number 8.

MOTION: Commissioner Hood motioned that we approve Ordinance O-2025-30 Development Agreement Addendum with Hidden Rock Development Group, Oculita Roca Project.

SECOND: The motion was seconded by Commissioner Riding.

VOTE: Chairman Farrar called for a vote:

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

The motion carried unanimously.

11. Proposed Simple Lot Split Subdivision for AV-1372-C-1 and AV-1372-D, Fischer, Richard and Brittany.

Chairman Farrar confirmed that, under state law, the Planning Commission now has final approval authority for simple lot splits. The request involved dividing a 15-acre agricultural parcel into two lots.

MOTION: Chairman Farrar motioned that we approve the Proposed Simple Lot Split Subdivision for AV-1372-C-1 and AV-1372-D, Richard and Brittany Fischer.

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
 Commissioner Hirschi - Aye
 Chairman Farrar - Aye
 Commissioner Hood - Aye
 Commissioner Riding - Abstaining

The motion carried with four in favor and one abstention.

12. Ordinance O-2025-31, Amend Title 10.10.010 General Purposes.

Chairman Farrar noted the ordinance update was a housekeeping item, updating the general zoning map.

MOTION: Commissioner Fralish motioned that we approve Ordinance O-2025-31, Amended Title 10.10.010 General Purposes.

SECOND: The motion was seconded by Commissioner Hirschi.

VOTE: Chairman Farrar called for a vote:

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

The motion carried unanimously.

APPROVAL OF MINUTES

13. Minutes: July 9, 2025 - Planning Commission Hearing and Meeting.

The minutes were reviewed with no objections.

MOTION: Commissioner Riding moved that we approve the Minutes: July 9, 2025 - Planning Commission Hearing and Meeting.

SECOND: The motion was seconded by Commissioner Hood.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye

Commissioner Hirschi - Aye
Chairman Farrar - Aye
Commissioner Hood - Aye
Commissioner Riding - Aye

The motion carried unanimously.

ADJOURNMENT

MOTION: Commissioner Fralish motioned to adjourn.

SECOND: The motion was seconded by Commissioner Riding.

VOTE: Chairman Farrar called for a vote:

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

The motion carried unanimously.

Meeting adjourned at 6:15 PM

Date Approved: _____

Approved BY: _____

Chairman | Bradley Farrar

Attest BY: _____

Recorder | Jenna Vizcardo