# GRAND COUNTY Planning Commission

**Type of Meeting:** Regular Meeting  
**Facilitator:** Gerrish Willis, Chair  
**Attendees:** Planning Commissioners, interested citizens, and staff

<table>
<thead>
<tr>
<th>Time</th>
<th>Item</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>5:00 PM</td>
<td>Citizens to be heard</td>
<td>Chair</td>
</tr>
<tr>
<td><strong>Discussion Item</strong></td>
<td>Review the recently adopted temporary land use regulation prohibiting new overnight accommodations developments in unincorporated Grand County for a period of six (6) months.</td>
<td>Staff</td>
</tr>
<tr>
<td><strong>Action Item</strong></td>
<td>Ballard RV Park Expansion (Conditional Use Permit)</td>
<td>Staff</td>
</tr>
<tr>
<td><strong>Action Item</strong></td>
<td>3058 &amp; 3060 Spanish Valley Dr. (Sketch Plan)</td>
<td>Staff</td>
</tr>
<tr>
<td><strong>Action Item</strong></td>
<td>Approval of February 12, 2019 Meeting Minutes</td>
<td>Chair</td>
</tr>
</tbody>
</table>

**Future Considerations**  
Update on HDH Overlay Ordinance  
County Council Update – Terry Morse

**ADJOURN**

**DEFINITIONS:**

*Public hearing* = a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

*Public meeting* = a meeting required to be open to the public pursuant to the requirements of Title 52, Chapter 4, Open and Public Meetings; the public may or may not be invited to participate.

*Legislative act* = action taken by the County Council or Planning Commission; amending ordinances, adopting general plan, Annexations, zoning and rezoning; a reasonable debatable action that could promote the general welfare of the community.

*Administrative act* = action taken by the Planning Commission, County Council or staff interpreting ordinances and regulations, conditional uses, approving subdivision, site plans, issuing building permits; an administrative decision must satisfy the requirements prescribed under state law or the County Land Use Code, whichever is stricter.


**AGENDA SUMMARY**

**GRAND COUNTY PLANNING COMMISSION MEETING**
February 26, 2019

<table>
<thead>
<tr>
<th>TITLE:</th>
<th>Discussing approved temporary land use regulation prohibiting new overnight accommodations developments in unincorporated Grand County for a period of six (6) months (as passed by CC of February 5, 2019).</th>
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<tbody>
<tr>
<td>FISCAL IMPACT:</td>
<td>Unknown</td>
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<tr>
<td>PRESENTER(S):</td>
<td>Community &amp; Economic Development Staff</td>
</tr>
<tr>
<td>PREPARED BY:</td>
<td>Zacharia Levine, Community &amp; Economic Development Director</td>
</tr>
</tbody>
</table>

**STATED MOTION:**

N/A – Discussion only

**STAFF RECOMMENDATION:**

Staff hopes to accomplish the following with planning commission:

- Ensure planning commission members are clear on their directive from the county council
- Establish a timeline for providing a recommendation to the county council, with several intermediate benchmarks and opportunities for public involvement identified.
- Review and respond to the latest statements provided by the county council
- Determine interest in and support for establishing a citizen working group to assist with the research, analysis, and recommendation process.
- Explore possible dates for a joint planning commission – council meeting in late March or early April

**BACKGROUND:**

*Note: The following section will serve as a running catalog of discussions about the referenced Temporary Land Use Regulation (TLUR). It is provided in reverse chronological order so planning commissioners and members of the public can review the discussion as it evolves.*

**February 19, 2019:**

On February 19, 2019, the county council reviewed the questions and comments noted in the section dated February 15, 2019 below, and provided the following response (in no particular order):

- Pay particular attention to the whereas statements in the adopted ordinance, as these serve as the foundation for the TLUR and the issues Grand County needs to address.
- Segment the geographic areas under consideration to north of the Colorado River and south of Moab City Limits. While Thompson Springs, Crescent Junction, and Elgin (Green River) are of interest and import to the County, primary consideration shall be given to the areas south of I-70.
- Consider establishing a citizen working group to assist with the research, analysis, and recommendation process.
- Consider identifying the full range of zoning tools available to the County in its regulation of accommodations-based developments. For example, the County could permit accommodations-based developments through an overlay (like the HDH overlay), implement stricter form-based, implement higher energy efficiency or environmental performance standards, require collocation of uses (i.e. mixed-use), create new zone districts, or use a host of other tools.
• Consider the Council’s desire to provide for a mix of commercial uses available to both residents and visitors, and give particular consideration to the needs of small businesses serving residents and entrepreneurs furthering industry diversification in the area.

• While coordination with the City is desired, proceed with the analysis and recommendation process as directed by the county council. County staff will consult with City staff and, when and where appropriate, advise the Councils on needed areas for coordination and collaboration.

• The Council is interested in co-hosting open house and public participation events with the City of Moab when and where appropriate.

February 15, 2019:

As of February 15, 2019, staff and planning commissioners collectively developed the following list of questions and considerations. The intended use of this list is to gain additional clarity from the county council on desired next steps and pertinent issues related to the TLUR.

Key:
ZL = Zacharia Levine, CED Director  RN = Rachel Nelson
KG = Kenny Gordon, P&Z Administrator  RO = Robert O’Brien
TM = Terry Morse, CC Liaison  EC = Emily Campbell
GW = Chair Gerrish Willis  CG = Cricket Green
AS = Vice Chair Abby Scott  KW = Kevin Walker

ZL

1. How much lodging development does the County want and need?
2. Where should the County allow lodging development?
3. In what form should the County permit lodging development?
4. What is the role of lodging development within the larger Grand County economy?
5. What does the Planning Commission need from County Council (e.g. data, participation, direction, clarity, etc.)?
6. What role does the County Council want to play?
7. What can the County actually accomplish handle in six (6) months? What is a realistic scope of work/analysis?
8. How should the County PC, Council, and Staff coordinate with Moab City?
   1. Infrastructure: roads, water, sewer, etc.

KW:

ZL’s list of questions above looks great to me. Perhaps also

1. How does lodging development affect economic diversity in Grand County? (perhaps a sub question of ZL-Q4, above)

GW:

(I realize this is a long list and we need to spend some time winnowing down our issues and questions)

1. How will groundwater availability be affected by continued overnight accommodation construction if it continues at current rates of building and per capita use?
2. Are the economics of condo development such that if a permanent ban on overnight accommodations were enacted future condo construction demand would continue, but for long term occupancy instead of overnight rentals?

3. Are there sufficient land areas for light industrial and other commercial developments such as professional offices, stores, etc. outside the HC zone? I think this relates to Kevin’s bullet.

4. Are there examples of other resort communities that have banned or limited overnight accommodation development?

5. If it is decided that no use or zoning changes are warranted, how will this decision affect traffic congestion and wait lines in stores and restaurants? Is congestion quantifiable?

6. If it is decided that no use by right or zoning changes are necessary, what will be the effect of additional staffing needed to maintain and service future overnight accommodations on long-term housing affordability and availability?

7. I think Moab City might farm some of their analysis and data collection out to a consultant. Is there a consulting firm that the county could hire to assist with the analysis necessary to help the council decide on necessary zoning changes to address this issue? This relates to Z’s number 7.

8. Campgrounds are low density uses of land when compared to other overnight rentals. If a limit or ban of new overnight accommodations did not include new campgrounds, what effects would that have on land availability for long term housing and other commercial developments?

9. Some HC landowners expect to make windfall profits by developing or selling their property for overnight accommodations. How will a ban affect future land prices in the HC zone?

10. Would form based zoning improve diverse commercial development potential in the HC zone?

11. How appropriate and suitable are Cisco and Thompson for overnight accommodation development?

RN

- In regards to GW-Q2 above, is there a planning formula for determining how much commercial acreage (excluding overnight accommodations) should be allocated per capita (including seasonal visitors, whom I imagine would be counted as fraction of a full time resident)?
- In regards to GW-Q11 above, have there been any studies on water availability in Cisco and Thompson? Or is current data limited to the Moab Valley.
- In regards to GW-Q10 above, how would an application for development (including overnight accommodations) using form based codes play out from start to finish? For example we used increased height allowances, density, etc. to encourage development in the HD overlay areas. Form based seems like the exact opposite of this technique….so how does it work and is it even adoptable and practical?

AS:

2. What part of your constituency wants more lodging development? What types of lodging? Does any part of your constituency want more hotel development? Is the goal to restrict lodging (or just hotel/motels) as much as possible?

3. Would the Council like to see greater conditions put on lodging in areas where it will be permitted? What are the concerns that should be addressed with those conditions?

4. Does Council see a need to differentiate between types of lodging? For example, should campgrounds be considered separately?

5. Would the Council like to see greater restrictions on other types of non-residential use such as restaurants or automobile-related businesses?

6. Would the Council like to see greater restructuring of where non-residential zones exist and what is permitted in those zones, or address lodging only and leave other zone boundaries and descriptions as is?

7. What does the Council foresee as negative impacts from limiting hotels? Does the Council have any specifics about which impacts are most important or which impacts are most in need of mitigating?
8. What is the Council doing to reach out to the new San Juan County Commission or Planning Commission on this issue? Are there efforts at coordinating? Would the Council like to see meaningful involvement from San Juan County, or meaningful attempts to reach out to San Juan County Commissioners and Planning Commissioners? What type of coordination with San Juan County do we want to see, if any?
   
   1. Terry mentioned that there is will on the Council to be involved in this process and help the Planning Commission. If the County Council would like to see meaningful involvement from San Juan County, I think that this is an area where members of the County Council should take the lead and make the first attempts at reaching out, if this hasn’t been done already. I understand that historically, San Juan County has been resistant to coordinating with Grand County, but it might be worth trying again.

9. How much should Planning Commission factor in the potential for increased traffic if lodging moves to San Juan County?

10. Do you see a need for changes to the zoning in outlying areas such as Crescent Junction & Thompson? Does it make sense to try to make those areas attractive to hotel development? Has your constituency in outlying areas expressed desire for lodging development?

11. What degree of public involvement do you see being most beneficial? What are the ways that the County Council and Planning Commission should be reaching out to the public and encouraging public involvement?

12. Are there communities that have limited lodging development that we should look to as a guide?

RO

Great questions (above). In terms of Issues I think that this moratorium would not be in place except for the following:

1. The great pressure on housing for residents and affordable housing. Therefore we need to think about how overnight accommodations affect that issue. It would be nice to have some analysis here though I think we have some idea, we do not likely know the quantitative impact.

2. Crowding of everything is the second issue that people are likely to mention. Neighborhood streets and even 191 through town and on the edge of town. Markets, stores, eating establishments, favorite hiking places, and so on. This issue is certainly two pronged in terms of the tourist economy and the quality of life (outside of the economics).

3. Water is an issue often brought up. How many people can we have in the Spanish Valley area with climate change being a factor not often discussed?

4. Those are what I think are the main drivers of the moratorium, but please mention others. I likely will keep them in mind as we address this problem.

February 12, 2019:

The planning commission reviewed the directive and guide provided by the county council to initiate their planning efforts related to the TLUR. Planning commissioners asked questions of staff regarding the process. General conversation about the motivation and potential outcome of the TLUR occurred. With encouragement from staff, the planning commission compiled a list of questions to be shared with the county council for additional clarity in how to proceed with their analysis and development of a recommendation. The list of questions is provided above.

February 5, 2019:

On February 5, 2019 County Council passed an ordinance enacting a temporary land use regulation prohibiting new land use permits for any land use associated with overnight accommodations, including hotels/motels, campgrounds, bed and breakfasts, condominiums and townhomes used for overnight accommodations, or any
other land use associated with overnight accommodations. This temporary land use regulation does not apply to existing structures or vested development projects.

The County Council provided the following directive and guide to the Community and Economic Development staff and Planning Commission.

From the County Council:

DIRECTIVE AND GUIDE FOR COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT AND THE PLANNING AND ZONING COMMISSION

This document will serve to direct and guide the Community and Economic Development Department and the Planning and Zoning Commission in deliberations on the planning and regulation of future development in Grand County by locating and proposing appropriate zoning and/or rezoning of new development of the following Land Uses:

- All overnight rental accommodations, including but not limited to hotels, motels, condominiums, bed and breakfasts, apartments and bunk houses
- General retail and wholesale businesses
- Restaurants
- Light industry
- Automobile related businesses including ATV’s and OHV’s
- Other businesses which are appropriate for the economic benefit of the community

This should include considerations of:

- Where the respective uses should be located in the county
- A map of the placement of the uses that can be used to create the necessary zoning to ensure the intent of this moratorium is adhered to
- Attention given to a balance of services in locations that will serve the beneficial needs of the community
- Economic diversification
- Current essential needs

It is anticipated this study will result in legislative action being taken by the County Council on the recommendations of both the Community and Economic Development Department and the Planning and Zoning Commission once they have completed their evaluations and have put forth their conclusions.

ATTACHMENT(S):
STATED MOTION:

Move to forward a favorable recommendation of the Ballard RV Park Expansion (Conditional Use Permit) to the Grand County Council.

STAFF RECOMMENDATION:

Review and consider application materials provided to the planning commission related to the proposed Ballard RV Park Expansion (Conditional Use Permit). Staff recommends the planning commission move to forward a favorable recommendation to the Grand County Council with the following conditions:

- Establish no noise hours from 10:00 p.m. to 6:00 a.m.
- Establish a no fire policy
- Provide a landscaping and screening plan in accordance with Section 6.4 of the LUC

*Note: This campground established a vested application prior to the enactment of Ordinance 586 prohibiting applications for new accommodations based development for a six-(6)-month period.

BACKGROUND:

See staff report attached.

ATTACHMENT(s):

- Application
- Plan Set
- Applicant Statement
- Title Report
- Application Fee
- Public Waste Water Treatment System Design
- Will Serve Water
DATE: February 26, 2019
TO: Grand County Planning Commission
SUBJECT: Conditional Use Permit

PROPERTY OWNER: Mr. Walter Williams
PROP. OWNER REP.: SET Engineering, LLC, Attn: Mr. Jeff Pillus
ENGINEER: SET Engineering, LLC
PROPERTY ADDRESS: 1309 East 3rd Avenue, #21
SIZE OF PROPERTY: 6.98 acres
EXISTING ZONE: Highway Commercial (HC)
EXISTING LAND USE: N/A (Vacant Lot)

ADJACENT ZONING AND LAND USE
Highway Commercial (HC)

APPLICATION TYPE
Conditional Use Permit

SUMMARY OF REQUEST
The subject property is 6.98 acres located at Highway 94 and Nutter Ave., Thompson, UT. The Ballard RV Park Expansion will be comprised of 35 new full RV hookup spaces.

SITE IMPROVEMENTS / ADDITIONS / CHANGES
The Ballard RV Park Expansion includes 35 new full hookup spaces with associated road and utility extensions. The Park currently includes 31 full hookup spaces.
As directed by the water authority, a new water meter will be installed to accommodate the expansion. The Thompson Special Service District has provided a will serve letter stating that adequate water is available to serve the project.
The existing septic system will be replaced with a newly constructed and larger system to meet State health requirements. All new and existing sites will be served by the new system.

APPLICATION PROCEDURE
☐ Administrative
☐ Legislative
☒ Public Hearing at Planning Commission
☒ County Council
☒ Public Meeting at Planning Commission
☐ County Council

ATTACHMENTS
☐ Approval Letters
☐ Site Plan
☐ Landscape Plan
☐ Vicinity Map
☐ Legal Notice
☐ Legal Description
☐ Public Comments
☐ Agency Comments
☐ Response to Standards
☒ Other:
Application, Plan Set, Application Statement, Title Report, & Application Fee.
STAFF RECOMMENDATION: ☒ Approve with Conditions

Staff recommends the Planning Commission condition approval on the following:
Establish no noise hours of 10:00 p.m. to 6:00 a.m.
Establish a no-fire policy
Provide landscaping and screen in accordance with Section 6.4

CONSIDERATIONS FOR APPROVAL, DENIAL, AND/OR POSTPONEMENT

3.2.3 Commercial Use Standards

L. Recreational Vehicle/Travel Trailer Park

Recreational vehicle/ travel trailer parks shall comply with the following standards

1. Each space may be occupied only by persons using travel trailers, truck campers, small cabins (traditional KOA-style), and tents for overnight, short duration, or seasonal camping;

2. Each space RV/travel trailer space shall be at least 1200 square feet in area;
   Confirmed

3. Each cabin or tent space shall be at least 800 square feet in area;
   No cabin or tent spaces are proposed.

4. Each space shall be at least 30 feet in width;
   Confirmed

5. Each park shall be served by public water and sewer facilities;
   Thompson Special Service District has provided a will serve letter stating that adequate water is available to serve the project.
   The existing septic system will be replaced with a newly constructed and larger system to meet State health requirements. All new and existing sites will be served by the new system.

6. No space shall be located more than 200 feet from a water and sewage service building;
   Confirmed

7. The County may require landscaping and screening pursuant to the provisions of Section 6.4, Landscaping and screening; and
   The Applicant is not proposing any landscaping or screening. Staff recommends Planning Commission condition approval upon the developer committing to a landscaping or screening plan in accordance of Section 6.4.

8. One (1) tree of a species suitable for the area shall be provided for each 2 spaces, and shall be located in close proximity to those spaces. (Existing trees on the site may be used to satisfy this requirement.)
   Confirmed

9.11.6 Conditional Use Permit Considerations

A. Effect on Environment

The location, size, design and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property, nor cause substantial or permanent interference with the right to peaceful enjoyment of property.

Staff believes the location, size, design and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding occupants.

Continued on next page.
B. Compatible with Surrounding Area
The proposed site plan, circulation plan and schematic architectural designs shall be complementary with the character of the surrounding area with relationship to scale, height, landscaping and screening, building coverage, and density.

*The proposed development expands an existing campground. Staff believes it fits with the character of the vicinity.*

C. External Impacts Minimized
The proposed use shall not have negative impacts on existing uses in the area and in the county through the creation of noise, glare, fumes and odors, dust, smoke, vibration, fire hazard, excessive light, or other injurious or noxious impact. The applicant shall provide adequate mitigation responses to these impacts.

*Confirmed.*

D. Infrastructure Impacts Minimized
The proposed use shall not have negative impacts on existing uses in the area and in the county through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.

*Confirmed.*

E. Consistent with LUC and General Plan
The proposed use will be consistent with the purposes of this LUC, the General Plan, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses otherwise permitted in the zone in which it is located.

*See next text box.*

F. Parcel Size
The proposed use may be required to have additional land area, in excess of the lot area otherwise allowed by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the zoning district.

*Sufficient*

**COMPATABILITY WITH GENERAL PLAN**

Staff believes the proposed subdivision is supported by the General Plan.

Chapter 3.2 (Vision: Recreation and Access), Goal 1, Strategy E - Encourage development proposals that include dedication of easements that maintain access through historic corridors and to public lands and connect to existing and planned trails.

**COMPATABILITY WITH LANDUSECODE (ZONING)**

The subject property is zoned Highway Commercial (HC). RV Parks are a permitted use within the HC zone. Staff has reviewed the subject application and finds it compliant with the pertinent Land Use Code.
Section 3.1 Use Table

<table>
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<tr>
<th>Use Category</th>
<th>Specific Use</th>
<th>Residential</th>
<th>Nonresidential</th>
<th>Use-Specific Standards</th>
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<tbody>
<tr>
<td>Dude ranch or destination resort</td>
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<td>P</td>
<td>P</td>
<td>3.2.3F</td>
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<td>Hotel or motel</td>
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<td>All other overnight accommodation uses</td>
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Section 3.4.7 Residential Use Categories.

PROPERTY HISTORY

The Ballard RV Park is proposed expansion of an existing campground onto vacant lots. The application for the proposed expansion vested prior to the County’s recently adopted six-month moratorium.
CONDITIONAL USE APPLICATION
Grand County Courthouse: 125 E. Center St. Moab, UT 84532; Phone: (435)259-1343

FOR OFFICE USE ONLY
Date of Submittal: ___________ Conditional Use Processing Fees: $550.00
Submittal Received by: _______ Amount Paid: _______________ Fees Received by: _________________________

CONTACT INFORMATION
Property owner: Mr. Walter Williams
Address: _____________________________________________
Phone: __________________________ cell: ___________________________ fax: ____________________________
Email address: ________________________________________

Engineer: SET Engineering, LLC, Attn: Jeff Pillus
Address: 1309 East 3rd Ave., Durango, CO 81301
Phone: 865-250-8061 cell: ___________________________ fax: ____________________________
Email address: wwin57@gmail.com

Property owner representative: SET Engineering, LLC, Attn: Mr. Jeff Pillus
Address: 1309 East 3rd Avenue, #21
Phone: 970-759-8129 cell: ___________________________ fax: ____________________________
Email address: jeffp@setengineering.com

PROJECT INFORMATION
Project name: Ballard RV Park Expansion
General location of the property: Hwy 94 and Nutter Ave., Thompson, Utah
Size of the subject property: +/- 7 acres ________ acres
Current Zoning: Highway Commercial ________ district

REQUIRED SIGNATURES (or attach letter of approval by the agency)
Agency will review for ability to serve the lots and adequate existing and future easements.
Moab Valley Fire Department ________________________________________________
Grand County Road Supervisor or UDOT _______________________________________
Grand Water and Sewer Service Agency ______________________________________
Rocky Mountain Power _____________________________________________________
FEMA Floodplain Adm. ____________________________________________________ (provide map of site)
SUBMITTAL REQUIREMENTS

Conditional Use Permit applications shall contain, at a minimum, the following supporting materials through the approval process according to the following submittal schedule:

1. APPLICATION SUBMISSION. Two complete sets of all supporting materials shall be submitted with this application. These complete sets may require engineering plans, which may include two large (24" x 36), two small (11" x 17") sets of all plans and submitted electronically. (Check with Planning Department)

2. PRIOR TO MEETING. Revised sets of plans shall be submitted prior to the application being placed on a Planning Commission /County Council meeting. (Check with Planning Department)

3. POST MEETING. If the revised sets of plans are not approved as submitted two corrected sets of plans both large and small shall be submitted that comply with the Planning Commission's approval.

[X] Site Plan ( & Survey if applicable). The applicant shall submit a site plan (and certified survey if applicable) of the proposed land area. The site plan shall require, at a minimum, the following information:

1. Subject land area acreage;
2. Adjacent uses and predominant uses in the vicinity;
3. Existing zoning designation within 100 feet of the exterior boundary of the parcel;
4. Drives, streets, and rights-of-way; (LUC Sec. 6.2)
5. Easements;
6. Landscaping and screening; (LUC Sec. 6.4)
7. Location and dimensions of structures and signs; (LUC sign regulation Sec. 6.5)
8. Typical elevations of such buildings;
9. Access ways, including points of ingress, egress;
10. Topography; and
11. Specific areas proposed for specific types of land use.

Additional Information required for Site Plan review if there is new construction or occupancy changes.

1. Parking; (LUC Sec. 6.1)
2. Sidewalks and trails;
3. Fences and walls; (LUC Sec. 6.3)
4. Location and type of lighting; (LUC Sec. 6.6)
5. Building elevations;
6. Any areas in a natural drainage or the 100 year floodplain; ( LUC Sec. 6.7 and 6.8)
7. Any areas with slopes in excess of 30 percent;
8. Existing and proposed easements, areas proposed for public dedication.
9. Compatibility Standards (LUC Sec.6.10)

*A drainage plan shall be required if proposing installation of more than 7,000 square feet of impervious area.

[X] Applicant Statement. A written statement by the Applicant explaining the rationale for the conditional use request relative to the Conditional Use Criteria imposed by Sec 9.11.6, Grand County LUC and the Use Specific standards for the proposed use. In making its determination, the County Council shall consider the recommendation of the Planning Commission, staff reports, and the written and oral testimony presented, and the following criteria:
Sec. 9.11.6 Conditional Use Criteria:

A. Effect on Environment
   The location, size, design and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property, nor cause substantial or permanent interference with the right to peaceful enjoyment of property.

B. Compatible with Surrounding Area
   The proposed site plan, circulation plan and schematic architectural designs shall be complementary with the character of the surrounding area with relationship to scale, height, landscaping and screening, building coverage, and density.

C. External Impacts Minimized
   The proposed use shall not have negative impacts on existing uses in the area and in the county through the creation of noise, glare, fumes and odors, dust, smoke, vibration, fire hazard, excessive light, or other injurious or noxious impact. The applicant shall provide adequate mitigation responses to these impacts.

D. Infrastructure Impacts Minimized
   The proposed use shall not have negative impacts on existing uses in the area and in the county through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.

E. Consistent with LUG and General Plan
   The proposed use will be consistent with the purposes of this LUC, the General Plan, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses otherwise permitted in the zone in which it is located.

F. Parcel Size
   The proposed use may be required to have additional land area, in excess of the lot area otherwise allowed by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the zoning district.

X/Use-specific Standards. Check with the Planning Office for information regarding the use specific standards required for the proposed use you are requesting.

X/Title Report. A preliminary title report from a licensed title company or attorney listing the name of the property owner(s) and all liens, easements and judgments of record affecting the subject property, and of the preliminary plat.

X/Posting. The applicant is responsible for posting a sign noticing the public hearings (please see attached for a reduced size template and requirements). The applicant is responsible for wind and water proofing the sign as well as placing it in a prominent place on the land area proposed for subdivision with a notice of the hearing at least 10 days prior to the public hearings.

X/Application Fee. The process / filing fee of $550.00 shall be paid in full – additional engineer fees may apply. Hand delivered, 10/9/2018

X/Operating Data & Evaluation. Any and all information, operating data and expert evaluation necessary to clearly explain the location, function and characteristics of any building or use proposed;
See attached Narrative

APPLICANT CERTIFICATION
I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete and accurate to the best of my knowledge. I certify that if I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Grand County may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Grand County Land Use Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I have reviewed and understand the section from the Consolidated Fee Schedule and hereby agree to comply with this resolution. I also agree to allow the Staff, or County appointed agent(s) of the County to enter the subject property to make any necessary inspections thereof.

Property Owner's Signature: Walter M. Williams Date: 10-5-18
GRAND COUNTY
Public Hearing Notice
County Council

For: Conditional Use Permit for the Ballard RV Park Expansion (Action requested)

Applicant Information:
Mr. Walter Williams, Owner
2920 HWY 70 East, Crossville, TN 38555 (Applicant name and property address)

To be held at the Courthouse, 125 E. Center St

On: __________________ at __________________ (Date of Hearing) (Time of Hearing)

For more information contact the Grand County Planning Department
125 E. Center
Moab, Utah
435-259-1343

Note: It is the Applicant's responsibility to ensure the sign is in a prominent location on the land area proposed for public hearing, weather resistant, and posted at least 10 days prior to the public hearing.

The sign shall be at a minimum 17" x 22" (ANSI C printing option) in size.
GENERAL NOTES
1. ALL ITEMS LISTED IN THESE NOTES ARE INCIDENTAL TO THE PROJECT AND WILL NOT BE PAID FOR SEPARATELY UNLESS NOTED AND/OR A SPECIFIC ITEM IS LISTED IN THE BID TABULATION.
2. THE CONTRACTOR SHALL HAVE IN POSSESSION AT ALL TIMES ONE (1) COPY OF THE SPECIFICATIONS WHICH HAVE BEEN APPROVED BY THE APPROPRIATE AGENCIES.
3. ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE APPLICABLE STANDARDS (SEE LIST BELOW). THE CONTRACTOR MUST HAVE A COPY OF THESE DOCUMENTS ON SITE AT ALL TIMES, WHEN REQUIRED THE CONTRACTOR SHOULD REQUEST A COPY AND THE APPLICABLE STANDARDS CONFORM TO THE MORE STRINGENT REQUIREMENTS.
4. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS PRIOR TO THE COMMENCEMENT OF ANY WORK ON THE PROJECT AND/OR WORK IN THE PUBLIC RIGHT-OF-WAY.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE OWNER/DEVELOPER OF ANY PROBLEMS IN CONFORMING TO THE APPROVED PLANS FOR ANY ELEMENT OF THE PROPOSED IMPROVEMENTS PRIOR TO ITS CONSTRUCTION.
6. THE DEVELOPER SHALL BE RESPONSIBLE FOR RESOLVING CONSTRUCTION PROBLEMS THAT ARISE DURING CONSTRUCTION ACTIVITIES DUE TO CHANGED CONDITIONS OR DESIGN ERRORS ENCOUNTERED BY THE CONTRACTOR DURING THE PROGRESS OF ANY PORTION OF THE PROPOSED WORK. IF IN THE OPINION OF AN AGENCY INSPECTOR OR THE OWNER'S REPRESENTATIVES, THE MODIFICATIONS TO THE APPROVED PLANS PROPOSED BY THE DEVELOPER INVOLVE SIGNIFICANT CHANGES TO THE CHARACTER OF THE WORK OR TO FUTURE CONTIGUOUS PUBLIC OR PRIVATE IMPROVEMENTS, THE DEVELOPER SHALL BE RESPONSIBLE FOR SUBMITTING REVISED PLANS TO THE APPROVING AGENCIES FOR APPROVAL PRIOR TO ANY FURTHER CONSTRUCTION RELATED TO THAT PORTION OF THE WORK.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PREPARING PROJECT "RECORD DRAWINGS" FOR THE APPLICABLE STANDARDS (SEE LIST BELOW). THE CONTRACTOR SHALL ALSO PROVIDE ONE (1) COPY EACH TO THE OWNER, ENGINEER, AND ANY OTHER APPROPRIATE AGENCIES PRIOR TO FINAL ACCEPTANCE OF THE WORK.
8. THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS AT AND ADJACENT TO THE SITE INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
9. SURVEY INFORMATION IS PROVIDED BY RED DESERT LAND SURVEYING. THE VERTICAL DATUM IS NAVD 88. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL INFORMATION/LOCATIONS IDENTIFIED ON THESE PLANS PRIOR TO CONSTRUCTION.
10. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY PUBLIC OR PRIVATE IMPROVEMENTS, IN KIND, THAT WERE REMOVED OR DAMAGED DURING CONSTRUCTION INCLUDING BUT NOT LIMITED TO: RESIDENTIAL SERVICES, SIGNALS, WATER LINES, SEWER LINES, STORM DRAINS, ETC.
11. THE CONTRACTOR SHALL REPAIR OR REPLACE EXISTING LANDSCAPING, IN KIND, THAT WAS REMOVED OR DAMAGED DURING CONSTRUCTION. THE CONTRACTOR SHALL GUARANTEE SAID LANDSCAPING FOR ONE YEAR (1) AFTER THE FINAL ACCEPTANCE OF THE CONSTRUCTION.
12. THE CONTRACTOR SHALL REPAIR OR REPLACE NEW LANDSCAPING AND LAWN CARE AS REQUIRED BY CONTRACT.
13. ANY CONSTRUCTION DEBRIS OR MUD TRACKING IN THE PUBLIC RIGHT-OF-WAY SHALL BE REMOVED IMMEDIATELY BY THE CONTRACTOR.
14. THE CONTRACTOR SHALL REPAIR OR REPLACE EXISTING LANDSCAPING, IN KIND, THAT WAS REMOVED OR DAMAGED DURING CONSTRUCTION. THE CONTRACTOR SHALL GUARANTEE SAID LANDSCAPING FOR ONE YEAR (1) AFTER THE FINAL ACCEPTANCE OF THE CONSTRUCTION.
15. ALL EXISTING LANDSCAPING, IN KIND, THAT WERE REMOVED OR DAMAGED DURING CONSTRUCTION INCLUDING BUT NOT LIMITED TO: RESIDENTIAL SERVICES, SIGNALS, WATER LINES, SEWER LINES, STORM DRAINS, ETC.
16. ALL EXISTING LANDSCAPING, IN KIND, THAT WERE REMOVED OR DAMAGED DURING CONSTRUCTION INCLUDING BUT NOT LIMITED TO: RESIDENTIAL SERVICES, SIGNALS, WATER LINES, SEWER LINES, STORM DRAINS, ETC.
17. THE CONTRACTOR SHALL FIX ANY DAMAGE OR EXCESSIVE PAVEMENT FAILURES OUTSIDE OF THE PROJECT LIMITS CAUSED BY PROJECT CONSTRUCTION AND SHALL PROPERLY BARRECOAT THE AFFECTED AREA UNITS. NECESSARY REPLACEMENTS ARE COMPLETE, FAILURE BY THE CONTRACTOR TO CORRECT ANY OF THE ABOVE CONDITIONS WITHIN PUBLIC RIGHTS-OF-WAY WITHIN 48 HOURS OF WRITTEN NOTICE BY THE INSPECTING AGENCY SHALL CAUSE THE INSPECTING AGENCY TO ISSUE A STOP WORK ORDER. AT THIS TIME, THE AGENCY MAY PERFORM THE CORRECTIVE WORK AND MAKE CLAIM AGAINST THE BOND. NO COST INCURRED BY THE AGENCY.

INSPECTIONS AND MATERIAL TESTING:
11. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH THE APPROVING AGENCIES, AGENCY INSPECTORS, AND OWNER'S REPRESENTATIVES REGARDING MATERIAL TESTING AND INSPECTION PROCEDURES. ANY REQUIRED TESTING, REWORK, OR DELAYS RESULTING FROM THE FAILURE OF THE CONTRACTOR TO FOLLOW THE APPLICABLE PROCEDURES SHALL BE AT THE CONTRACTOR'S EXPENSE.
12. THE DUTY OF THE AGENCY REPRESENTATIVES, OWNER, OR OWNER'S REPRESENTATIVES TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES IN, ON, OR NEAR THE CONSTRUCTION SITE.

ROADWAY RECONSTRUCTION:
17. THE CONTRACTOR SHALL PROVIDE A UNIT PRICE FOR CUBIC YARDS OF 1'' ABC MATERIAL FOR BACKFILL. THE CONTRACTOR SHALL PROVIDE A UNIT PRICE FOR CUBIC YARDS OF 2'' ABC WITH THE CONTRACT.
18. THE CONTRACTOR SHALL PROVIDE A UNIT PRICE FOR CUBIC YARDS OF 2'' ABC WITH THE CONTRACT.
19. THE CONTRACTOR SHALL PROVIDE A UNIT PRICE FOR CUBIC YARDS OF 2'' ABC WITH THE CONTRACT.
20. THE CONTRACTOR SHALL PROVIDE A UNIT PRICE FOR CUBIC YARDS OF 2'' ABC WITH THE CONTRACT.

UTILITIES:
21. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING CROSSINGS AND DEPTHS PRIOR TO CONSTRUCTION.
22. THE CONTRACTOR SHALL PROVIDE A UNIT PRICE FOR CUBIC YARDS OF 1'' ABC WITH THE CONTRACT.
23. THE CONTRACTOR SHALL PROVIDE A UNIT PRICE FOR CUBIC YARDS OF 1'' ABC WITH THE CONTRACT.
24. THE CONTRACTOR SHALL PROVIDE A UNIT PRICE FOR CUBIC YARDS OF 1'' ABC WITH THE CONTRACT.

APPROVING AGENCIES:
GRAND COUNTY, UTAH; GRAND WATER & SEWER SERVICE AGENCY; AMERICAN PUBLIC WORKS ASSOCIATION MANUAL OF STANDARDS.

APPROVING OFFICIALS:
GRAND COUNTY UTAH; GRAND WATER & SEWER SERVICE AGENCY; AMERICAN PUBLIC WORKS ASSOCIATION MANUAL OF STANDARDS.

FOR REVIEW ONLY
NOT FOR CONSTRUCTION
GRADING NOTES:
1. MINIMIZE GRADING EFFORT TO MAINTAIN NATIVE SOIL PROFILES.
2. GRAVEL SURFACE SHALL BE MINIMUM 6" THICKNESS OF 1" MARRS GRAVEL, ON NATIVE SOIL, REQUIRED CONTACT GRADING CONTRACTOR
   BEFORE PROCEEDING.
3. ALL EXISTING GRADES TO BE VERSIFIED BY CONTRACTOR. IF EXISTING
   ELEVATIONS DIFFER SUBSTANTIALLY FROM THOSE LISTED IN THIS
   PLAN, CONTACT THE OWNERS REPRESENTATIVE PRIOR TO MOVING
   FORWARD WITH ROUGH GRADING.

EXISTING BALLARD RV PARK

EXISTING 10" CULVERT

EXISTING EDGE OF GRAVEL

CONNECT TO EXISTING GRAVEL ROAD

ELEVATION NOTES:
- INVERT IN = 5124.6
- INVERT OUT = 5124.2
- LP = 5126.5

EXISTING BALLARD RV PARK EXPANSION
GRADING PLANT
THOMPSON SPRINGS, UTAH
GRAND COUNTY

PROJECT: DATE: 7/13/18
DRAWN BY: AR
CHECKED BY: XX

FOR REVIEW ONLY
NOT FOR CONSTRUCTION

OLDROYD FAMILY TRUST
07-021-0137
ZONE RG

150 Rock Point Drive
Suite FD
Durango, CO 81301
970-403-5088

Revisions:
PLAN NO. C101
FOR REVIEW ONLY
NOT FOR CONSTRUCTION

GRAPHICAL SCALE (FT)

0
30
15

1. MINIMIZE GRADING EFFORT TO MAINTAIN NATIVE SOIL PROFILES.
2. GRAVEL SURFACE SHALL BE MINIMUM 6" THICKNESS OF 1" MARRS GRAVEL, ON NATIVE SOIL, REQUIRED CONTACT GRADING CONTRACTOR
   BEFORE PROCEEDING.
3. ALL EXISTING GRADES TO BE VERSIFIED BY CONTRACTOR. IF EXISTING
   ELEVATIONS DIFFER SUBSTANTIALLY FROM THOSE LISTED IN THIS
   PLAN, CONTACT THE OWNERS REPRESENTATIVE PRIOR TO MOVING
   FORWARD WITH ROUGH GRADING.
UTILITY NOTES:
1. ELECTRIC, WATER, AND SEWER TO SHARE A COMMON TRENCH AS ALLOWED BY UTAH CODE R392-301-3.6.2.

WATER LINE NOTES:
1. WATER CONNECTIONS SERVING SITES SHALL BE AT LEAST 4 INCHES ABOVE THE SURROUNDING SURFACE ELEVATION AND SHALL BE SEPARATED AT LEAST 1 FT.
2. WATER CONNECTORS SHALL EXTEND UP TO THE BOUNDARY LINE OF THE SITE AT THE INSTALLATION POINT. ALL WATER, SEWER, OR GAS LINES OR DEVICES ABOVE THE TOP OF THE WATER Meter OR SERVICE LINE AT ITS HIGHEST POINT, AND IN NO FURNISHINGS LESS THAN 12 INCHES (300 MM), EXCEPT FOR:
   a. SERVICE PLUMBING
   b. SERVICE ELECTRICITY
   c. SERVICE GAS
3. MAINTAIN A 24 INCH DEPTH FROM THE TOP OF THE WATER METER OR SERVICE LINE AT ITS HIGHEST POINT TO ANY ITEM OF A VALUE THAT WILL OCCUR AT ONE SIDE OF THE COMMON TRENCH.
4. MAINTAIN A 12 INCH DEPTH FROM THE TOP OF THE WATER METER OR SERVICE LINE AT ITS HIGHEST POINT TO ANY ITEM OF A VALUE THAT WILL OCCUR AT THE OTHER SIDE OF THE COMMON TRENCH.
5. MAINTAIN 24 INCH DEPTH FROM THE TOP OF THE WASTE LINE AT THE INSTALLATION POINT TO ANY ITEM OF A VALUE THAT WILL OCCUR AT ONE SIDE OF THE COMMON TRENCH.
6. MAINTAIN 12 INCH DEPTH FROM THE TOP OF THE WASTE LINE AT THE INSTALLATION POINT TO ANY ITEM OF A VALUE THAT WILL OCCUR AT THE OTHER SIDE OF THE COMMON TRENCH.

EXISTING 8" WATER MAIN
8" WATER
EXISTING 8" SADDLE ON MAIN
SEGO CYN ROAD
LOCATION.

EXISTING 6" WATER MAIN
INSTALL 6" PVC WATER MAIN AND 4" PVC SEWER MAIN IN COMMON TRENCH. SEE SHEET C-501 FOR DETAILS.

PROPOSED SEPTIC TANK LOCATION.
CONNECT TO PRIMARY SEPTIC TANK. SEE SEPTIC SYSTEM PLANS FOR DETAILS.

INSTALL 2" METER AND BALL VALVE IN METER VAULT
2" PVC METER MAIN (TYP.). MAINTAIN 6" COVER (MIN.).

INSTALL CLEANOUT I = 5124.15
INSTALL CLEANOUT I = 5124.20
INSTALL CLEANOUT I = 5124.24
INSTALL CLEANOUT I = 5124.19
INSTALL CLEANOUT I = 5124.50
INSTALL CLEANOUT I = 5124.90
INSTALL CLEANOUT I = 5133.20
INSTALL CLEANOUT I = 5132.00
INSTALL CLEANOUT I = 5132.40
INSTALL CLEANOUT I = 5132.84

WATER & WASTEWATER SERVICE (TYP.) SEE SHEET C-501 FOR DETAILS.

SEWER CLEANOUT (TYP.) SEE SHEET C-501 FOR DETAILS.

CAP AND STAKE UTILITY EXTENSIONS FOR FUTURE PHASE
October 8, 2018

Grand County Planning Department
Attn: Mr. Kenny Gordon, Planner
125 East Center Street
Moab, Utah 84532

Re: Ballard RV Park Expansion, Conditional Use Permit Application Narrative

Dear Mr. Gordon:

We are submitting this Conditional Use Application to allow the addition of 35 full service RV spaces at the Ballard RV Park in Thompson Springs. We are sending the attached Conditional Use Application Form and Preliminary engineering plan set for review and consideration at the upcoming DRT meeting. Additional background information is provided below.

General Information:
The proposed expansion includes the addition of 35 new full hookup RV spaces with associated road and utility extensions. The spaces will be served by gravel roads of adequate width and turning radii to accommodate larger RVs. All new spaces will be full service with water, sewer, and power provided.

Water:
As directed by the water authority, a new water meter will be installed to accommodate the expansion. Lines from the meter are sized to accommodate the additional spaces and looped to provide operational flexibility and fresh water. The Thompson Special Service District has provided a Will Serve letter stating that adequate water is available to serve the project.

Sewer:
The existing septic system will be replaced with a newly constructed and larger system to meet State health requirements. All new and existing sites will be served by the new system. Soil testing has been completed for the septic system and it is currently in the final design stages and permitting through the State. A copy of the Engineering Report is attached.

Access:
One additional access will be added to Highway 94. The access is being coordinated with UDOT. Internal roads will be looped and connected to the existing roads to allow internal circulation without driving onto the highway. Wheel tracking models were developed to ensure adequate turning radii are provided for maneuvering.
Drainage:
Thompson lies outside of the jurisdiction of the Spanish Valley Drainage Criteria, therefore no detention is required by code. However, the site is designed to allow for maximum infiltration in landscaped areas. Historic drainage patterns are generally followed, and offsite runoff is collected and directed to the arroyo on the southeast side of the site. Excess runoff from the site will sheet flow off the site to the southwest following historic drainage patterns.

Please feel free to contact us with any questions on the project. Thank you for your time and consideration in this matter.

Sincerely,

Jeff Pillus, PE
Principal
SET Engineering, LLC

Attachments: Conditional Use Permit Application, Preliminary Engineering Plan Set, Septic System Engineering Report, Thompson Special Service District Will Serve Letter
GRAND COUNTY
Public Hearing Notice

County Council

For: Conditional Use Permit for the Ballard RV Park Expansion
    (Action requested)

Applicant Information:
Mr. Walter Williams, Owner

2920 HWY 70 East, Crossville, TN 38555
(Applicant name and property address)

To be held at the Courthouse, 125 E. Center St

On: __________________ at __________________
(Date of Hearing) (Time of Hearing)

For more information contact the
Grand County Planning Department
125 E. Center
Moab, Utah
435-259-1343

Note: It is the Applicant's responsibility to ensure the sign is in a prominent location on the land area proposed for public hearing, weather resistant, and posted at least 10 days prior to the public hearing.

The sign shall be at a minimum 17" x 22" (ANSI C printing option) in size.
<table>
<thead>
<tr>
<th>DATE: November 16, 2017</th>
<th>Our File # 59646G</th>
</tr>
</thead>
<tbody>
<tr>
<td>BILL TO:</td>
<td>CLIENT/PROPERTY OWNER:</td>
</tr>
<tr>
<td>To: Jim Lindsey</td>
<td>BALLARD RV PARK, LLC</td>
</tr>
<tr>
<td>1012 21st Street</td>
<td>116 E. Nutter Avenue</td>
</tr>
<tr>
<td>Okeechobee, FL 34974</td>
<td>Thompson Springs, Utah 84540</td>
</tr>
<tr>
<td>TERMS: 30 DAYS</td>
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<tr>
<td>DESCRIPTION:</td>
<td>AMOUNT:</td>
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<tr>
<td>PR Only (for County):</td>
<td>FEE $150.00</td>
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</tbody>
</table>

Thank You for your Business, we appreciate it!
(Please reference our file # on your check.)

FEE TOTAL: $150.00
SCHEDULE A

REPORT ONLY No:  59,646-G

Any and all liability is limited to the fee paid for this report.

Effective date: November 16, 2017 at 8:00 AM

1. Fee simple interest in the surface estate described in this REPORT is owned, at the REPORT Date by:

BALLARD RV PARK, LLC

2. The land referred to in this REPORT is situated in the State of Utah, County of GRAND, and is described as follows:

A PARCEL OF LAND SITUATE IN THE NE1/4SW1/4 AND NW1/4SE1/4, SECTION 21, T21S, R20E, SLBM:

COMMENCING AT THE S1/4 CORNER OF SAID SECTION 21, A 1964 BLM BRASS CAP, WHENCE THE C1/4 CORNER OF SAID SECTION 21, A 1991 BLM BRASS CAP, BEARS S 01 DEG. 09'26" E 2650.70 FT., FOR THE BASIS OF BEARINGS, WITH ALL BEARINGS HEREIN BEING RELATIVE THERETO; THENCE N 01 DEG. 09'26" W 1325.35 FT. TO THE SE CORNER NE1/4SW1/4 OF SAID SECTION 21, A 2 INCH ALUMINUM CAP SUBSCRIBED LS 166642 ON #6 REBAR, THENCE N 01 DEG. 09'26" W ALONG THE EAST BOUNDARY OF THE NE1/4SW1/4 OF SAID SECTION 21, 893.01 FT., TO A POINT NOT SET, THENCE N 07 DEG. 39'09" E 180.93 FT. TO THE POINT OF BEGINNING, MONUMENTED WITH A 2 INCH ALUMINUM CAP SUBSCRIBED LS 166642 ON A #5 REBAR, THENCE ALONG THE FOLLOWING FIVE COURSES, CORNERS MONUMENTED WITH A 2 INCH ALUMINUM CAP SUBSCRIBED LS 166642 ON A #5 REBAR, S 82 DEG. 18'33" E 241.11 FT., S 07 DEG. 39'09" W 650.19 FT., N 82 DEG. 20'51" W 707.24 FT., N 07 DEG. 39'35" E 318.66 FT., S 82 DEG. 20'51" E 466.09 FT., THENCE N 07 DEG. 39'09" E 331.69 FT. TO THE POINT OF BEGINNING.

Tax Serial No. 07-0021-0072
Property Address: 116 E. NUTTER AVENUE, THOMPSON SPRINGS, UTAH 84540
REPORT ONLY No: 59,646-G

SCHEDULE B

Exceptions

This report and any policy does not insure against loss or damage (and the company will not pay costs, attorneys’ fees or expenses) that arise by reason of: N/A

1. The lien of real estate taxes or assessments imposed on the title by a governmental authority that are not shown as existing liens in the records of any taxing authority that levies taxes or assessments on real property or in the public records.

2. Any facts, rights, interests, or claims that are not shown in the public records but that could be ascertained by an inspection of the land or by making inquiry of persons in possession of the land.

3. Easements, claims or easement or encumbrances that are not shown in the public records.

4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the public records.

5. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; Claim, right, title or interest to water or water rights whether or not shown by public records.

6. Any lien or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown in the public records.

7. Taxes for the year 2017 were paid in the amount of $1,091.53, plus any other Assessments including but not limited to Special Service Districts and Personal property Taxes. Claim, right, title or interest to water or water rights whether or not shown by the public records. The taxes for the year 2016 were paid in the amount of $1,030.57.

Tax Serial No. 07-0021-0072

8. Said land is located within the boundaries of Thompson Springs/Grand County, and may be subject to taxes or assessments levied by said City/District.

9. Any rights, title or interests in minerals of any kind, together with any associated rights to mine or remove said minerals. Title Company does not purport to disclose documents of record pertaining to the above referenced rights.

10. Ditches, canals, easements, rights of way or fence lines that may be established upon said land.

11. Subject to tenants in possession and/or any current leases.


Page 2 of 3

14. (NOTE: Manufactured Home is being taxed as real property however no Affidavit of Mobile Home/Manufactured Home Affixture and Receipt for Surrender of Title/MSO was found of record.)

A judgment, federal tax lien, Utah State bankruptcy, and National SDN search was made in the following names.
Owners: BALLARD RV PARK, LLC

TITLE INQUIRIES concerning this Commitment can be directed to:
Leanne Blackmon/Title Agent ~ leanne@southeasttitle.com

EMAIL CLOSING DOCUMENTS TO:
Chantyll Navarre/Escrow Agent ~ chantyll@southeasttitle.com

Chain of Title
According to the Official Records, as of the Effective Date, there have been no documents conveying the land described herein within a period of 24 months prior to the date of this commitment except as follows:

<table>
<thead>
<tr>
<th>Doc</th>
<th>Grantor</th>
<th>Grantee</th>
<th>Rec Date</th>
<th>Entry No.</th>
<th>Book</th>
<th>Page</th>
</tr>
</thead>
<tbody>
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None were found recorded within the last 24 months
GRAND COUNTY CORPORATION
Tax Roll Master Record

Parcel: 07-0021-0072  Serial #:21-20-21-3  Entry: 508529
Name: BALLARD RV PARK LLC
Property Address
C/o Name:
Address 1: 2920 HWY 70 E
Address 2: 
City State Zip: CROSSVILLE TN 38555-0000
Mortgage Co: 
Status: Active
Year: 2017  District: 007 THOMPSON WATER DISTRICT 0.010162

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<th>Owners</th>
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<td>508529</td>
<td>04/06/2015</td>
<td>(0817/0718)</td>
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<td>BS01 RESIDENTIAL SECONDARY</td>
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<td>MANUF HOME</td>
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*** SPECIAL NOTE ***

Tax Rates for 2017 have been set and approved. All levied taxes and values shown on this printout for the year 2017 should be correct.

**Review Date: 04/17/2017**

**NO BACK TAXES!**

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DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

A PARCEL OF LAND SITUATE IN THE NE1/4SW1/4; NW1/4SE1/4 SEC 21 T21S R20E SLBM; COMMENCING AT THE S¼ COR OF SAID SEC 21; A 1964 BLM BRASS CAP; WHENCE THE C¼ COR OF SAID SEC 21; A 1891 BLM ALUMINUM CAP; BEARS S 01°09'26"E 2650.70 FT; FOR THE BASIS OF BEARING WITH ALL BEARINGS HEREFIN BEING RELATIVE THERETO; TH N 01°09'26"W 1325.35 FT; TO THE SE COR NE1/4SW1/4 OF SAID SEC 21; A 2 INCH ALUMINUM CAP Scribed LS 166842; ON #5 REBAR; THENCE N 01°09'26"W; ALONG THE E BOUNDARY OF THE NE1/4SW1/4 OF SAID SEC 21; 893.01 FT; TO A POINT NOT SET; TH N 07°39'09"E 180.93 FT; TO POE; MONUMENTED WITH A 2 INCH ALUMINUM CAP; Scribed LS 166842 ON #5 REBAR; TH ALONG THE FOLLOWING (5) COURSES; CORNERS BEING MONUMENTED WITH A 2 INCH ALUMINUM CAP Scribed LS 166842; ON #5 REBAR; S 82°18'33"E 241.11 FT; S 07°39'09"W 650.19 FT; N 82°20'51"W 707.24 FT; N 07°39'35"E 318.66 FT; S 82°20'51"E 466.00 FT; THENCE N 07°39'09"E 331.69 FT TO POE; CONTAINING 7.01 AC +/-

Page: 1 of 1
Ballard RV Cond Use Permit

<table>
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<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
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</tr>
<tr>
<td>Change Tendered</td>
<td>0.00</td>
</tr>
</tbody>
</table>

Duplicate Copy

10/10/2018 11:05 AM
Public Wastewater Treatment System Design:

Description of the Ballard RV Park & Water Use:

Ballard RV Park is a transient RV Park with spaces and small cabins for rent. Peak occupancy is from March through November. The purpose of this public system is to provide water and wastewater systems that are dependable and safe for guests and recreational vehicle hook ups.

Summary of the water and wastewater quantity requirements:

- There are 66 RV spaces proposed on the system during the peak season.
- There is a one bedroom apartment.
- Drinking water may be provided from a certified source in compliance with UDDW standards.
- The wastewater and water use quantities will be monitored and submitted to Southwest Utah District Health department as directed. The monitoring is proposed to verify wastewater discharge.

R317-4 General information:

(a) There is an existing wastewater facility on property. The wastewater facilities serve 32 RV spaces. The existing disposal area will be replaced with the addition of 34 spaces.

Figure PWTS, Site Plan, and Wastewater System, shows the location of the existing wastewater and proposed improvements. This figure is attached to this document.

(b) The area being served is also shown on Figure PWTS.

(c) Name and Mailing address:
  Ballard RV Park
  100 N Main St
  Thompson, UT 84540
  ballardrvpark@gmail.com
  www.moabrvpark.com
  (423) 836-5239
Extent of wastewater system:

(a) The extent of the proposed area being served is on Figure PWTS; the wastewater system would operate year round with septic tanks and wastewater collection lines. The proposed design will be compliance with UDEQ, R317-4.

The existing wastewater facilities were interpreted from site inspection. No as-built information has been found (to date). The existing system treats 32 RV spaces with deep wall trenches. The proposed disposal site will be moved to the southwesterly corner of the property. The proposed Wastewater System will replace the existing wastewater treatment system.

Wastewater Capacity:

<table>
<thead>
<tr>
<th>Proposed Uses</th>
<th>Design Capacity</th>
<th>Unit per</th>
<th># of Units</th>
<th>GPD</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Housing</td>
<td></td>
<td></td>
<td>150</td>
<td></td>
<td>150 Apartments R317-4-13 Table 3, Apartments</td>
</tr>
<tr>
<td>1-bedroom Apartments</td>
<td>150</td>
<td>Bedroom</td>
<td>1</td>
<td>150</td>
<td>R317-4-13</td>
</tr>
<tr>
<td>RV &amp; Camping Experience</td>
<td></td>
<td></td>
<td>125</td>
<td></td>
<td>4000 R317-5, Table 5-2</td>
</tr>
<tr>
<td>RV Spaces with Hook Ups - Existing</td>
<td>125</td>
<td>Space</td>
<td>32</td>
<td>4000</td>
<td>R317-5, Table 5-2</td>
</tr>
<tr>
<td>RV Spaces with Hook Ups - Proposed</td>
<td>125</td>
<td>Space</td>
<td>34</td>
<td>4250</td>
<td>R317-4-13 Table 5-2</td>
</tr>
<tr>
<td>Other Uses</td>
<td></td>
<td></td>
<td>580</td>
<td></td>
<td>580 R317-4-13 Table 3 - Launderette</td>
</tr>
<tr>
<td>Laundry</td>
<td>580</td>
<td>Washer</td>
<td>1</td>
<td>580</td>
<td>R317-4-13</td>
</tr>
<tr>
<td>General Store, 2 bathrooms</td>
<td>500</td>
<td>Bathroom</td>
<td>0</td>
<td>0</td>
<td>R317-4-13</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8980</td>
<td>TOTAL GPD</td>
</tr>
</tbody>
</table>

The minimum septic tank sizes based on requirements in R317-4-7 is \( V=1,125 + 0.75Q \) is as follows:

<table>
<thead>
<tr>
<th>Septic Tankage</th>
<th>Minimum Use</th>
<th>Tanks</th>
<th>R317-5-2.2, V=1125 + 0.75Q</th>
</tr>
</thead>
<tbody>
<tr>
<td>7860</td>
<td>9000</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

Estimates for deep trenches based on application rate of 0.7 gal/ft²/day:

<table>
<thead>
<tr>
<th>Seepage Trenches:</th>
<th>SF Required Lateral Length</th>
<th># 100' Laterals</th>
<th>Application Rate 0.7 gal/day/ft²</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 foot x 4 foot deep</td>
<td>12828.57</td>
<td>1603.57</td>
<td>Use 16</td>
</tr>
<tr>
<td>2 foot x 5 foot deep</td>
<td>12828.57</td>
<td>1282.86</td>
<td>Use 13</td>
</tr>
<tr>
<td>2 foot x 6 foot deep</td>
<td>12828.57</td>
<td>1069.05</td>
<td>Use 11</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Disposal - Deep Trench</th>
<th>Area</th>
<th>Lateral</th>
<th>100' laterals</th>
<th>use</th>
<th>space</th>
<th>acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 foot trench</td>
<td>12828.57</td>
<td>1603.57</td>
<td>16.04</td>
<td>16.00</td>
<td>19200.00</td>
<td>0.44</td>
</tr>
<tr>
<td>5 foot trench</td>
<td>12828.57</td>
<td>1282.86</td>
<td>12.83</td>
<td>13.00</td>
<td>18850.00</td>
<td>0.43</td>
</tr>
<tr>
<td>6 foot trench</td>
<td>12828.57</td>
<td>1069.05</td>
<td>10.69</td>
<td>11.00</td>
<td>18700.00</td>
<td>0.43</td>
</tr>
</tbody>
</table>
Location, General:

As shown on Figure PWTS, the proposed wastewater system will need to maintain separation distances to the Ballard RV Park water storage facilities and other appurtenances as required by UDEQ R309 and R317-4 and provide protection from any sources of contamination and are more than 50 feet from storage tanks.

Continued protection:

The site plan on Figure PWTS shows that there is a 50 foot separation from drinking water facilities and will demonstrate that the proposed facilities are outside any zones of influence for the wastewater system.

Any proposed septic or wastewater facilities should be located hydraulically down gradient of public water supplies for continued protection.

Contact information, owner, address, phone number

**Engineer/Agent:** William H. Anderson, P.E.  
Anderson Engineering, Inc.  
5520 Sourdough Rd.  
Bozeman, MT 59715  
Cell: 406 925 0590  
[bill@andersonmontana.com](mailto:bill@andersonmontana.com)

**Owner's Senior Site manager:** TBD  
Senior Site Manager

**Owner:** Ballard RV Park
Walt Williams and Ron Carter of Ballard RV park are planning to build an addition to their existing RV park which will basically double the size of the park as it is now.

This will double the amount of culinary water now supplied to their business.

The Board members of the Thompson Special Service District have agreed to sell additional water for use by the new addition to Ballard RV Park in Thompson Springs.

The Thompson Special Service District affirms that they have adequate water reserves in their Spring Collection Area to service the new Ballard Park addition as it is planned.

Sincerely, A J Rogers - Chairman - TSSD       Date: 8-31-18
<table>
<thead>
<tr>
<th><strong>Title:</strong></th>
<th>3058 &amp; 3060 Spanish Valley Drive (Sketch Plan)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fiscal Impact:</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Presenter(s):</strong></td>
<td>Community and Economic Development Staff</td>
</tr>
</tbody>
</table>

**Stated Motion:**

The applicant is seeking approval of the 3058 & 3060 Spanish Valley Drive (Sketch Plan) from the Planning Commission. Planning Commission shall express its approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons therefor.

**Staff Recommendation:**

Review and consider application materials provided to the planning commission related to the proposed subdivision of 3058 & 3060 Spanish Valley Drive. Staff recommends approval of the Sketch Plan, which is a non-binding, non-vesting approval. Approval of the sketch plan does not constitute legislative action applying the HDH overlay to the subject parcels or preliminary plat approval. The applicant will be required to seek legislative approval of the HDH overlay and administrative approval of the preliminary plat in subsequent phases.

**Background:**

See staff report attached.

**Attachment(s):**

- Application
- Sketch Plan
- Preliminary Plat Lot Plan
- Sewer and Water Plan
- Title Report
- Application Fee
DATE: February 26, 2019
TO: Grand County Planning Commission
SUBJECT: Conditional Use Permit

PROPERTY OWNER: Vk Byrnes Trust, Verd M. Byrnes & Kathy R. Byrnes
PROP. OWNER REP.: Glen Lent – Alpine Development
ENGINEER: City Consultants – Greg Day, P.E.
PROPERTY ADDRESS: 3058 & 3060 Spanish Valley Drive
SIZE OF PROPERTY: 4.28 acres
EXISTING ZONE: Rural Residential (RR), HDH10
EXISTING LAND USE: N/A (Vacant Lot)

ADJACENT ZONING AND LAND USE
Rural Residential (RR). The subject parcel is located within the HDH10 area.

APPLICATION TYPE
Sketch Plan

SUMMARY OF REQUEST
The subject property is made up of two (2) lots totaling 4.28 acres located in the Rural Residential (RR) zone. 3058 Spanish Valley Dr. is a 4.00 acre lot and 3060 Spanish Valley Dr. is a 0.28 acre lot. The developer plans to request application of the HDH 10 overlay to their parcels. If granted, the developer will propose a subdivision comprised of 40 new lots ranging from 1,960 SF to 3,517 SF, and 33,998.5 SF of open space.

SITE IMPROVEMENTS / ADDITIONS / CHANGES
The subdivision would extend power, water, and sewer services to each lot as well as a 20’ wide alley road around the perimeter of the property to access all lots. All improvement costs would are to be borne by the developer.

APPLICATION PROCEDURE
☐ Administrative
☐ Legislative
☐ Public Hearing at
☐ Planning Commission
☐ County Council
☒ Public Meeting at
☒ Planning Commission
☐ County Council

ATTACHMENTS
☐ Approval Letters
☐ Site Plan
☐ Landscape Plan
☐ Vicinity Map
☐ Legal Notice
☐ Legal Description
☐ Public Comments
☐ Agency Comments
☐ Response to Standards
☒ Other: Application, Sketch Plan, Draft Preliminary Plat, Sewer & Water Plan, Title Report, and Application Fee.
Staff recommends approval of the Sketch Plan, which is a non-binding, non-vesting approval. Approval of the sketch plan does not constitute legislative approval of the HDH overlay application to the subject parcels or preliminary plat approval.
9.3.2 Submittal Requirements
The subdivision sketch plan shall include conceptual plans for the entire parcel. Such plan shall be accompanied by or show the following information:

A. A preliminary title report from a licensed title company or attorney listing the name of the property owner(s) and all liens, easements and judgments of record affecting the property. Provided

B. Conceptual drawing. Provided

C. A conceptual drawing of the lot and street layout drawn at a scale of not less than one inch equals 200 feet and including the following:

D. Proposed number of lots and the approximate area of the individual lots; Provided

E. Topographic contours at five-foot intervals and all easements or rights-of-way necessary for drainage within or without the boundaries of the subdivision; Provided

F. Significant natural features of the site including streams, lakes, natural drainage lines, vegetation type, and other similar features; Provided

G. Manmade features such as existing buildings, irrigation ditches, utility lines and easements, bridges, culverts, drainage systems, mines or mine dumps; Provided

H. Zone district boundaries; Not shown on sketch plan. All adjacent properties are zoned Rural Residential, and all are located within the HDH10 overlay area. Properties to the west are zoned Highway Commercial within the highway corridor.

Continued on next page
I. General land use divisions into residential types, commercial, industrial, community facilities, and open space including proposed boundaries of public use or common areas; parking area, total number of dwelling units and total square footage of nonresidential space; Provided

J. Type and layout of water supply and sewage treatment system proposed; Provided. GWSSA has not reviewed or provided approval of the sketch level design of the water and sewer system. GWSSA approval of the water and sewer system will be required at the time of preliminary plat review and approval.

K. Acreage of the entire tract and the area to the nearest one-half acre and percent of total area to be devoted to open space; Provided by applicant - 33,998.5 SF of open space is planned.

L. The name and location of a portion of adjoining subdivisions shall be drawn to the same scale and shown in dotted lines adjacent to the tract proposed for subdivisions in sufficient detail to show actually the existing streets and alleys and other features that may influence the layout and development of the proposed subdivisions; where adjacent land is not subdivided, the name of the owner of the adjacent tract shall be shown; Provided

M. A vicinity-topography map (which may be a USGS one inch equals 2,000 feet scale) shall locate the property relative to surrounding areas; and Provided

N. A filing fee shall be submitted to cover the cost of review and processing with every subdivision sketch plan in accordance with the fee schedule adopted by resolution of the County Council. Provided

9.3.3(D)2. Items for Consideration by Commission

The Planning Commission shall, in its action on the subdivision sketch plan, consider the physical arrangement of the subdivision, and determine the adequacy of street rights-of-way and alignment, the street standards of Grand County, the existing street pattern in the area and with all applicable provisions of the General Plan. The Planning Commission shall also ascertain that adequate easements for proposed or future utility service and surface drainage are provided, and that the lot size and area are adequate to comply with the minimum requirements for the underlying zone district and for the type of sanitary sewage disposal proposed.

**Because the proposed subdivision depends upon the eventual legislative approval of applying the standards of the HDH Overlay District to 3058 and 3060 Spanish Valley Drive, Staff has included the pertinent development standards in Section 4.7. Staff notes that the developer is seeking sketch plan approval to establish a higher level of confidence in proceeding with the HDH overlay application. Sketch plan approval does not constitute approval of an HDH development or preliminary plat. The preliminary plat and architectural plans will need to comply with the following. The proposed density of 9.3 units per acre is within the limits allowed by the HDH 10 district.**

Article 4.7 HIGH DENSITY HOUSING (HDH) OVERLAY DISTRICT

4.7.1 Purpose.

A. Grand County has established a High Density Housing Overlay (HDHO) district to facilitate the provision of new housing units used for primary residential occupancy by actively employed households. The HDHO districts (See Map- Exhibit A) are intended to provide the opportunity and means for the County to meet its estimate of additional residential and workforce housing needs, to achieve the goals of the housing element of the County’s General Plan, and to implement the policies and goals of the housing element of the County’s General Plan.

B. These regulations are intended to encourage the development of new housing units by assisting both the public and private sector in making the provision of these units economically viable, while providing assurances to the County that these units will maintain a high degree of quality and will remain financially accessible to residents and local area workers.

C. These regulations are further intended to encourage the provision of primary residential housing through the combination of the HDHO districts with multiple-family and single-family residential zoning districts within the County where the residential housing projects are determined to be feasible and are consistent with the County’s General Plan.
D. The HDHO is intended to:
   1. Provide a means of directing and simplifying the process for creating and maintaining primary residential housing.
   2. Provide a means of directing and simplifying the process for creating and maintaining affordable housing constructed to meet the Assured Housing requirements of Section 6.15.
   3. Provide incentives to developers, whether in new or rehabilitated housing, to maintain primary residential rental and ownership units in perpetuity.

4.7.5(C)

C. Property Development Standards. The following development standards shall apply to HDHO units in the HDHO districts.

1. General Design Standards. The development shall be designed and developed in a manner compatible with and complementary to existing and potential development in the immediate vicinity of the development site. Site planning on the perimeter shall provide for protection of the property from adverse surrounding influences and shall protect surrounding areas from potentially adverse influences from the property. To the greatest extent possible, the design of the development shall promote privacy for residents and neighbors, security, and use of passive solar heating and cooling through proper placement of walls, windows, and landscaping.

   The developer is proposing alleys/roads on the exterior perimeters of the subject parcels in order to provide larger buffers between the proposed subdivision lots and adjacent properties.

2. Minimum Design Standards. Minimum design standards are included to ensure a high degree of quality in the development of HDHO units. Unless modified by the County Council, the following design standards shall apply to a development that utilizes the density increases allowed by this Article.

   Staff will review the proposed preliminary plat for compliance with the following at the time an HDH Overlay application and preliminary plat are provided.

   a. Sidewalks shall be installed along all street frontages where otherwise required by this LUC.

   b. Screening Requirements

   It does not appear that outdoor storage, parking lots, or parking islands are proposed.

   i. Outdoor Storage Screening. All outdoor storage areas for materials, trash, mechanical equipment, vehicles, or other similar items shall follow the standards outlined in Section 6.4.3.

   ii. Parking Lot Screening. Parking lot screening must be provided between those portions of an off-street parking area containing six (6) or more parking spaces and a different zoning district or a public street and shall be designed according to the following:

      a. Parking lot screening must be provided within ten feet (10’) of the perimeter of the parking lot to be screened, except for parking lots adjacent to rain gardens/bio-retention systems, other landscape features, or where screening may negatively impact the traffic sight distance (as defined by the American Association of State Highway and Transportation Officials (AASHTO) and verified by the County Engineer)

      b. Parking lot screening shall be not less than eighty percent (80%) opaque and be a minimum of three feet (3’) in height as measured from the highest finished adjacent grade of the
parking area. When shrubs are used to provide the screen, such shrubs must be at least two feet (2’) tall at planting and anticipated to grow to at least three feet (3’) tall at maturity.

c. No landscaping or screening shall interfere with driver or pedestrian visibility for vehicles entering or exiting the premises.

d. Screening for a parking lot may be comprised of plants found in Section 6.4.3.F.

e. Content: Parking lot screening must consist of at least two (2) of the following:

   i. A compact hedge of evergreen or densely twigged deciduous shrubs spaced to ensure closure into a solid hedge at maturity;

   ii. A berm with plantings as described above;

   iii. Transit shelters, benches, bicycle racks, and similar features may be integrated as a part of the screen;

   iv. Fencing may be integrated as part of the screen. All wood fencing shall be stained and sealed with a weatherproof product.

iii. Parking Island Design. Off-street parking areas with at least twenty-five (25) parking stalls shall contain interior landscaped islands. Such islands shall be bounded by a raised concrete curb, pervious curbing, or an approved equivalent and shall contain mulch to retain soil moisture. This provision shall not apply to parking structures. The standards for landscaped islands are as follows:

   a. Landscaped parking lot islands shall be required at the beginning and end of each parking row and shall contain a minimum of one hundred eighty (180) square feet and a minimum width of nine feet (9’).

   b. A minimum of one tree shall be provided for each island.

   c. Shrubs, perennials or ornamental grass shall be incorporated in each landscaped island that does not contain a tree.

   d. Islands shall be prepared with topsoil to a depth of two feet (2’) and improved to ensure adequate drainage, nutrient, and moisture retention levels for the establishment of plantings.

   e. All perimeter and interior landscaped areas in parking lots shall be equipped with an irrigation system adequate for establishing and maintaining the plant materials within it.

   c. Building Exterior Façade Standards.

   These standards are to be reviewed at the time a building permit is requested.

   i. Exterior finishes may be of wood, masonry, stone, stucco, HDG board or other high quality material permitted by the building code, but shall not utilize vinyl siding; cedar or wood shakes; highly reflective, shiny, or mirror-like materials; or exposed plywood or particle board.

   ii. Buildings shall utilize at least two (2) of the following design features to provide visual relief along the front of the residence:  

       a. Projections, recessions, or reveals such as, but not limited to, columns, pilasters, cornices, and bay windows

       b. Dormers.

       c. Gables.
d. Recessed entries, a minimum of three (3) feet deep.

e. Covered front porches.

f. Cupolas.

g. Architectural Pillars or Posts.

h. Quoins.

i. Corbeling on wall.

j. Decorative lintel.

k. Incorporation of brick or stone on at least 25% of front surface area

Planning staff shall have the authority to waive this requirement when the building is not visible from adjacent properties or the public right-of-way.

d. Where HDHO units may be placed on the same lot as current or future temporary or short-term accommodations, dedicated HDHO units shall be clustered together so as to minimize the exposure of residents to temporary guests. In all other developments, where temporary or short-term accommodations units do not exist and cannot exist due to zoning restrictions, dedicated HDHO units shall be dispersed throughout the residential development.

e. Where there is a combination of commercial and residential uses, the commercial uses shall front along the highest road designation. Residential development shall be located behind commercial development or on upper floors above commercial development.

f. The County Council may waive, or modify, any, or all, of these requirements when the Council finds it is infeasible to comply due to physical or other constraints on the lot.

3. Minimum Building Site Area and Lot Width. There shall be no minimum building site area, minimum lot width, or maximum lot coverage requirements for individual lots or individual dwelling sites in a HDHO district development. However, the building site area lot widths, and lot coverage percentages shall be designated on a site plan pursuant to Section 9.17 or preliminary plat pursuant to Section 9.4 approved by the Planning Commission.

Provided by applicant on the sketch plan. 40 new lots ranging from 1,960 SF to 3,517 SF are proposed.


The proposed density of 9.3 units per acre is within the limits allowed by the HDH 10 district.

5. Building Height.

These standards are to be reviewed at the time a building permit is requested.

a. Maximum building heights shall not exceed the limits defined in the underlying zone district except that buildings constructed in the HDHO 35b district shall not exceed four (4) stories or forty-two (42) feet in height.

b. To the maximum extent possible, building heights and locations shall minimize shading and interruption of solar access to adjacent properties with existing residential structures or commercial agricultural operations.

c. All structures shall conform to the Ridgeline Standards of Section 6.9.8.

d. Structures built under the HDHO must comply with the setback and buffer requirements of the underlying zone. The maximum height of the building at the exterior wall shall be the greater of:

i. 20 feet
ii. The building’s setback at that point

e. From the exterior wall, the building’s height may increase to its maximum height at a rate not greater than a 45° angle from the maximum allowable height of the exterior wall.

6. Setbacks. The minimum setbacks from the lot line of the development shall be determined by the buffer requirements of Section 5.4.1.B and the compatibility standards of Section 6.10.

The proposed buffer of 30 feet (plus setbacks from the proposed lot lines facing the alleys/streets) exceeds the required 20 foot buffer called for in Section 5.4.1.B. The preliminary plat will need to comply with all standards of Section 6.10.

7. Parking.

The developer has not specified parking provisions at this stage of sketch plan review.

i. Number of spaces required

a. For every single-family or two-family dwelling, there shall be provided at least two (2) off-street parking spaces for each unit. Parking spaces provided in a garage or carport may count towards the minimum requirement.

b. For every attached multifamily dwelling, off-street parking spaces shall be provided in accordance with Section 6.1.4:

<table>
<thead>
<tr>
<th>Multi-family dwellings</th>
<th>Efficiency and one-bedroom</th>
<th>1.5 per dwelling unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two-bedroom</td>
<td></td>
<td>1.75 per dwelling unit</td>
</tr>
<tr>
<td>Three-bedroom and Larger</td>
<td></td>
<td>2.0 per dwelling unit</td>
</tr>
</tbody>
</table>

ii. Parking design requirements

c. Parking areas for single-family or two-family dwellings need not be paved.

d. Parking areas for attached multifamily dwellings shall be subject to the off-street requirements outlined in Section 6.1.7.

e. Uncovered surface parking may be permitted in the rear and side setbacks but is not permitted in the front or street-side setback.

f. Garages, carports, and individual locking storage units are subject to the setback standards outlined in Section 5.4.1.

g. Required spaces for multifamily developments equal to or greater than five units shall be covered in a carport or a garage except that for multifamily dwellings with four or fewer units, parking spaces can be uncovered.

8. Minimum Standards of Physical Condition. A HDHO unit is required to have and maintain those minimum standards of physical conditions set forth in Exhibit B - Minimum Standards.

The developer has not specified parking provisions at this stage of sketch plan review.

9. Streets. All public streets within or abutting the proposed planned development shall be dedicated and
improved to County specifications for the particular classification of street; all private streets shall meet fire code and access standards.

*The County Engineer and Road Supervisor will need to approve any streets designed for dedication to the County in accordance with Grand County’s Construction Standards.*

10. Signs. Signs shall be permitted only to the extent allowed under Section 6.5, Signs, and must be approved by the Planning and Zoning Administrator.

11. Construction Timing. The HDHO units shall be ready for occupancy no later than the date of the initial or temporary occupancy of any unrestricted units within the development or applicable phase thereof. If the unrestricted units are developed in phases, then the HDHO units may be developed in proportion to the phasing of the unrestricted units. For example, in an approved development that includes 100 units built in two 50-unit phases the first phase must include at least 40 HDHO units.

*The developer has not designated which lots will be deed restricted in accordance with Section 4.7 at this stage of sketch plan review, but will need to at the time of preliminary plat review and approval.*

### COMPATABILITY WITH GENERAL PLAN

The proposed subdivision is not explicitly supported by the general plan, but it is supported by the HDH Overlay ordinance adopted by the County Council in January 2019. Inasmuch as Council anticipates adding the HDH Overlay to the General Plan as an amendment or complement to the Future Land Use Plan, the proposed subdivision is supported.

### COMPATABILITY WITH LAND USE CODE (ZONING)

The subject property is zoned Rural Residential (RR), and is in the HDH10 Overlay zone. Staff has conducted only sketch plan level of review at this stage. Sketch plan approval is recommended on the basis that the developer is seeking legislative approval of the High Density Housing Overlay being applied to the subject parcels. Once the HDH overlay is applied, the proposed preliminary plat will need to comply with all standards in Sections 4.7 and Articles 5, 6, 7, and 9.
4.7.4A

<table>
<thead>
<tr>
<th>High Density Housing (HDH) District</th>
<th>Maximum Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>HDH 35a</td>
<td>35 units per acre</td>
</tr>
<tr>
<td>HDH 35b</td>
<td>35 units per acre</td>
</tr>
<tr>
<td>HDH 25</td>
<td>25 units per acre</td>
</tr>
<tr>
<td>HDH 15</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>HDH 10</td>
<td>10 units per acre</td>
</tr>
<tr>
<td>HDH 5</td>
<td>5 units per acre</td>
</tr>
</tbody>
</table>

4.7.6 Assurance of primary residency and occupancy.

HDHO units developed under this Article shall remain available to persons and families who live and work in Grand County according to the standards set forth in Section 6.14.030 in perpetuity. The developer shall be required to enter into a development agreement with the County to ensure primary residential occupancy by actively employed households is maintained prior to recordation of final plat or issuance of a building permit for the applicable development. Each housing unit designated for primary restricted residential occupancy by an actively employed household (an HDHO unit) shall also include a deed restriction attached to its title in accordance with the standards set forth in this section. Grand County reserves the right to revoke, deny or suspend any permit, including a land development permit, conditional use permit, building permit, certificate of occupancy, or discretionary approval if the standards of this section are not met.
<table>
<thead>
<tr>
<th>PROPERTY HISTORY</th>
</tr>
</thead>
<tbody>
<tr>
<td>The subject parcels currently include one residence and accessory structures.</td>
</tr>
</tbody>
</table>

SKETCH PLAN APPLICATION
Grand County Courthouse: 125 E. Center St. Moab, UT 84532; Phone: (435)259-1343

FOR OFFICE USE ONLY
Date of Submittal: ________ Sketch Plan Processing Fees: $550.00
Submittal Received by: ________ Amount Paid: ________ Fees Received by: ________

CONTACT INFORMATION
Property owner: VK Byrnes Trust, Verol M. Byrnes, Kay R. Byrnes
Address: 1812 Doral Dr., Syracuse UT, 84075
Phone: 801-814-1778 cell: __________ fax: __________
Email address: byrnes @email.com

Engineer (if applicable): City Consultants - Greg Dry, PE
Address: 1812 Doral Dr., Syracuse UT, 84075
Phone: 801-814-1778 cell: __________ fax: __________
Email address: greg @cityconsultants.com

Property owner representative: Glen Lent - Alpine Development
Address: ____________
Phone: ____________ cell: ____________ fax: ____________
Email address: ____________

PROJECT INFORMATION
Project name: ____________
General location of the property: 3058 - 3060 Spanish Valley Dr.
Size of the subject property: 4.28 acres Number of lots: ____________
Surrounding land uses: southside-KOA, West - pasture, residency, North -
Current Zoning: Rural Residential district Spanish Valley Dr., East -

REQUIRED APPROVALS
Agency will review for ability to serve the lots and adequate existing and future easements.
Moab Valley Fire Department ____________
Grand County Road Supervisor ____________
Grand Water and Sewer Service Agency ____________
Rocky Mountain Power ____________
FEMA Floodplain Adm ____________ (Provide map)
SUPPORTING MATERIALS

Sketch plan applications shall contain, at a minimum, the following supporting materials through the approval process according to the following submittal schedule:

1. **APPLICATION SUBMISSION.** Two complete sets (with the exception of the public notice, title report, and fee) of all supporting materials shall be submitted with this application. These complete sets should include two large (24” x 36”) and two small (11” x 17”) sets of all plans and an electronic copy sent to the Planning Department.

2. **PRIOR TO MEETING.** Revised sets plans shall be submitted prior to the application being placed on a Planning Commission agenda.

3. **POST MEETING.** If the revised sets of plans are not approved as submitted two corrected sets of plans both large and small shall be submitted that comply with the Planning Commission’s approval.

☐ **Sketch Plan.** The subdivision sketch plan shall include conceptual plans for the entire parcel. Such plan shall require at a minimum the following information:
   1. Conceptual drawing
   2. A conceptual drawing of the lot and street layout drawn at a scale of not less than 1 inch = 200 feet and including the following:
      3. Proposed number of lots and the approximate area of the individual lots;
      4. Topographic contours at 5 foot intervals and all easements or rights-of-way necessary for drainage within or without the boundaries of the subdivision;
      5. Significant natural features of the site including streams, lakes, natural drainage lines, vegetation type, and other similar features;
      6. Man-made features such as existing buildings, irrigation ditches, utility lines and easements, bridges, culverts, drainage systems, mines or mine dumps;
      7. Zone district boundaries;
      8. General land use divisions into residential types, commercial, industrial, community facilities, and open space including proposed boundaries of public use or common areas; parking area, total number of dwelling units and total square footage of non-residential space;
      9. Type and layout of water supply and sewage treatment system proposed;
   10. Acreage of the entire tract and the area to the nearest one-half acres and percent of total area to be devoted to open space;
   11. The name and location of a portion of adjoining subdivisions shall be drawn to the same scale and shown in dotted lines adjacent to the tract proposed for subdivisions in sufficient detail to show actually the existing streets and alleys and other features that may influence the layout and development of the proposed subdivisions; where adjacent land is not subdivided, the name of the owner of the adjacent tract shall be shown;
   12. A vicinity-topography map (which may be a USGS one (1) inch equals 2000 feet scale) shall locate the property relative to surrounding areas; and

☐ **Application Fee.** The process / filing fee of $550.00 shall be paid in full.
APPLICANT CERTIFICATION

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Grand County may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Grand County Land Use Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I have reviewed and understand the section from the Consolidated Fee Schedule and hereby agree to comply with this resolution. I also agree to allow the Staff, Planning Commission, or County Council or appointed agent(s) of the County to enter the subject property to make any necessary inspections thereof.

Property Owner’s Signature: ___________________________ Date: 1-25-2019

Kathy R Byman

1-25-19
TOTAL SUBDIVISION AREA: 4.3 ACRES
PROPOSED USE: SINGLE FAMILY RESIDENTIAL 9.3 UNITS/ACRE

DATE: FEBRUARY 7, 2019
02/07/19
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<thead>
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<th>Lot</th>
<th>Square Footage +/−</th>
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<tr>
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<td>2632 SF</td>
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<td>2640 SF</td>
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<td>39</td>
<td>2632 SF</td>
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<tr>
<td>40</td>
<td>3384 SF</td>
</tr>
</tbody>
</table>

TOTAL AREA OF SUBDIVISION: 186,565.7 SF / ~4.5 ACRES
TOTAL OPEN SPACE (OUTLOT A): 33,998.5 SF / ~1 ACRE (18% OPEN SPACE)
40 SINGLE FAMILY DWELLING UNITS DEPICTED ON SKETCH PLAN
VK Byrnes Trust  
Verd M. and Kathy R. Byrnes, Trustees  
Via email: vkbyrnes@hotmail.com  

Glen K. Lent  
Alpine Development  
Via email: glen@alpine-development.com  

RE: File No. 11588  
VK Byrnes Trust to Alpine Development  
3058 and 3060 Spanish Valley Drive, Moab UT 84532

August 14, 2018  

Dear Folks:

Please find attached the Commitment for Title Insurance you requested on the above property. If you have any questions, or need additional copies of anything, please let us know. We do appreciate the opportunity to assist you on your real estate transaction.

Very truly yours,

Glenna Oliver  
Glenna Oliver  
Attachment
ALTA COMMITMENT FOR TITLE INSURANCE

ISSUED BY
STEWART TITLE GUARANTY COMPANY

NOTICE

IMPORTANT - READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, STEWART TITLE GUARANTY COMPANY, a Texas corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Countersigned by:

Authorized Countersignature

Anderson-Oliver Title Insurance Agency, Inc.
94 E. Grand Ave.
Moab, UT 84532
(435) 259-3000

For purposes of this form the “Stewart Title” logo featured above is the represented logo for the underwriter, Stewart Title Guaranty Company.

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File No. 11588
ALTA Commitment For Title Insurance 8-1-16 (4-2-18)
Page 1 of 3
1. DEFINITIONS
(a) “Knowledge” or “Known”: Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
(b) “Land”: The land described in Schedule A and affixed improvements that by law constitute real property. The term “Land” does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
(c) “Mortgage”: A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
(d) “Policy”: Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
(e) “Proposed Insured”: Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
(f) “Proposed Policy Amount”: Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
(g) “Public Records”: Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
(h) “Title”: The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company’s liability and obligation end.

3. The Company’s liability and obligation is limited by and this Commitment is not valid without:
(a) the Notice;
(b) the Commitment to Issue Policy;
(c) the Commitment Conditions;
(d) Schedule A;
(e) Schedule B, Part I - Requirements;
(f) Schedule B, Part II - Exceptions; and
(g) a countersignature by the Company or its issuing agent that may be in electronic form.

4. COMPANY’S RIGHT TO AMEND
The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY
(a) The Company’s liability under Commitment Condition 4 is limited to the Proposed Insured’s actual expense incurred in the interval between the Company’s delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured’s good faith reliance to:
   (i) comply with the Schedule B, Part I - Requirements;
   (ii) eliminate, with the Company’s written consent, any Schedule B, Part II - Exceptions; or
   (iii) acquire the Title or create the Mortgage covered by this Commitment.
(b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
(c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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File No. 11588
ALTA Commitment For Title Insurance 8-1-16 (4-2-18)
Page 2 of 3
(d) The Company’s liability shall not exceed the lesser of the Proposed Insured’s actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.

(e) The Company shall not be liable for the content of the Transaction Identification Data, if any.

(f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.

(g) In any event, the Company’s liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

(a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.

(b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.

(c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.

(d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.

(e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.

(f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company’s only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company’s agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company’s agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is $2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

STEWARD TITLE GUARANTY COMPANY

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252-2029.
ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

ISSUED BY
STEWARD TITLE GUARANTY COMPANY

Transaction Identification Data for reference only:

Issuing Agent: Anderson-Oliver Title Insurance Agency, Inc.
Issuing Office: 94 E. Grand Ave., Moab, UT 84532
ALTA® Universal ID: N/A
Loan ID Number: 
Commitment Number: 11588
Issuing Office File Number: 11588
Property Address: 3058 Spanish Valley Drive, Moab, UT 84532
Revision Number: 

1. Commitment Date: August 03, 2018 at 8:00 A.M.

2. Policy to be issued: 
   (a) ALTA Owner’s Policy Standard
       Proposed Insured: Alpine Development, LLC
   (b) ALTA Loan Policy Standard
       Proposed Insured:

   Proposed Policy Amount $550,000.00
   Premium: $2,246.00

3. The estate or interest in the Land described or referred to in this Commitment is:
   Fee Simple

4. Title to the said estate or interest in the Land is at the Commitment Date hereof vested in:
   Verd M. Byrnes and Kathy R. Byrnes, Trustees of the VK BYRNES TRUST dated December 21, 2004

5. The Land is described as follows:
   Grand County, Utah:
   Parcel 1:
   Beginning 381.9 feet South and 247 feet East of the West Quarter Corner Section 22, T26S, R22E, SLM, thence North 51°02' East 693.2 feet; thence South 38°58' East 254.1 feet; thence South 51°02' West 539.8 feet; thence North 38°58' West 116.9 feet; thence South 51°02' West 118.4 feet; thence North 53°23' West 141.5 feet to the point of beginning. (Parcel No. 02-0022-0049)
   EXCEPTING THEREFROM all gas and oil rights.

   Parcel 2:
   Beginning at a point which bears South 556.84 feet and East 482.35 feet from the West 1/4 Corner Section 22, T26S, R22E, SLM, running thence North 53°23' West 31 feet; thence North 51°02' East 627.9 feet; thence South 38°58' East 30 feet; thence South 51°02' West 620.2 feet to the point of beginning. (Parcel No. 02-0022-0049)
   EXCEPTING THEREFROM all gas and oil rights.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.
ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Parcel 3:
Beginning 466.3 feet South and 360.6 feet East of the West 1/4 corner, Section 22, Township 26 South, Range 22 East, SLM, thence North 51°02' East 118.4 feet; thence South 38°58' East 116.9 feet; thence South 51°02' West 88.1 feet; thence North 53°23' West 120.7 feet to the point of beginning. (Parcel No. 02-0022-0050)

EXCEPTING THEREFROM all gas and oil rights.
Requirements

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.
ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE B PART II

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Exceptions

File No.: 11588

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. 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 the Schedule B, Part I - Requirements are met.

2. 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 notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

3. Any facts, rights, interests, 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.

4. Easements, liens, or encumbrances, or claims thereof, which are not shown by the Public Records.

5. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.

6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; ditch rights; (d) minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel and other hydrocarbons in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities related thereto, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

7. 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.

8. Taxes for the year 2018 are accruing as a lien; not yet due and payable. Taxes for the year 2017 were paid in the amount of $2,157.80 for Parcel No. 02-0022-0049 and $818.18 for Tax Parcel No. 02-0022-0050.

9. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may
Exceptions

be leases, grants, exceptions or reservations of interests that are not listed.

10. Reservation to construct, maintain and repair water pipe lines and access roads in, under, over and across the land which is necessary or convenient to the use and operation of the water system of Moab City as reserved in the Quit Claim Deed from George M. White dated December 24, 1957 and recorded May 15, 1958 in Book 3-K at page 9 and in the Quit Claim Deed dated July 25, 1959 and recorded July 29, 1959 as Entry No. 289267 in Book 3-K at page 591. (Affects the S1/2 of Section 22)

11. Pole Line Easement granted by Lloyd Somerville and Naomi Somerville, as Grantors to Utah Power & Light Company, as Grantee and recorded June 12, 1956 as Entry No. 276220 in Book 6-R at page 535.

12. Reservation of all gas and oil rights reserved in the Warranty Deed dated March 1, 1962 between George M. White and Francis R. White, husband and wife, as Grantors and Venice C. Denney and Gloria Ann Denney, husband and wife, as Grantees and recorded April 4, 1962 as Entry No. 297745 in Book 107 at page 271.


14. Sewer Agreement dated June 24, 1984 between Spanish Valley and Sewer Improvement District and Robert M. Byrnes and recorded June 22, 1989 as Entry No. 418178 in Book 413 at page 342.

A judgment search was made in the following names and none were found of record except as noted above:
Verd M. Byrnes and Kathy R. Byrnes, Trustees of the VK BYRNES TRUST dated December 21, 2004
Alpine Development, LLC

CHAIN OF TITLE:

According to the Official Records, there have been no documents conveying the land described herein within a period of 24 months prior to the date of this commitment, except as follows: NONE
STG Privacy Notice
Stewart Title Companies

WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart Title Guaranty Company and its title affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

<table>
<thead>
<tr>
<th>Reasons we can share your personal information.</th>
<th>Do we share</th>
<th>Can you limit this sharing?</th>
</tr>
</thead>
<tbody>
<tr>
<td>For our everyday business purposes—to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>For our marketing purposes—to offer our products and services to you.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>For joint marketing with other financial companies</td>
<td>No</td>
<td>We don't share</td>
</tr>
<tr>
<td>For our affiliates' everyday business purposes—information about your transactions and experiences.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>For our affiliates’ everyday business purposes—information about your creditworthiness.</td>
<td>No</td>
<td>We don't share</td>
</tr>
<tr>
<td>For our affiliates to market to you—For your convenience, Stewart has developed a means for you to opt out from its affiliates marketing even though such mechanism is not legally required.</td>
<td>Yes</td>
<td>Yes, send your first and last name, the email address used in your transaction, your Stewart file number and the Stewart office location that is handling your transaction by email to <a href="mailto:optout@stewart.com">optout@stewart.com</a> or fax to 1-800-335-9591.</td>
</tr>
<tr>
<td>For non- affiliates to market to you. Non- affiliates are companies not related by common ownership or control. They can be financial and non-financial companies.</td>
<td>No</td>
<td>We don't share</td>
</tr>
</tbody>
</table>

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do not control their subsequent use of information, and suggest you refer to their privacy notices.]

SHARING PRACTICES

| How often do the Stewart Title Companies notify me about their practices? | We must notify you about our sharing practices when you request a transaction. |
| How do the Stewart Title Companies protect my personal information? | To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer, file, and building safeguards. |
| How do the Stewart Title Companies collect my personal information? | We collect your personal information, for example, when you request insurance-related services and provide such information to us. We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies. |
| What sharing can I limit? | Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances. |

Contact us: If you have any questions about this privacy notice, please contact us at: Stewart Title Guaranty Company, 1980 Post Oak Blvd., Privacy Officer, Houston, Texas 77056
**STG Privacy Notice 2 (Rev 01/26/09) Independent Agencies and Unaffiliated Escrow Agents**

**WHAT DO/DOES THE Anderson-Oliver Title Insurance Agency, Inc. DO WITH YOUR PERSONAL INFORMATION?**

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of Anderson-Oliver Title Insurance Agency, Inc., and its affiliates ("N/A"), pursuant to Title V of the Gramm-Leach-Billey Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as Anderson-Oliver Title Insurance Agency, Inc., need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

<table>
<thead>
<tr>
<th>Reasons we can share your personal information</th>
<th>Do we share?</th>
<th>Can you limit this sharing?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>For our everyday business purposes</strong>— to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td><strong>For our marketing purposes</strong>— to offer our products and services to you.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td><strong>For joint marketing with other financial companies</strong></td>
<td>No</td>
<td>We don't share</td>
</tr>
<tr>
<td><strong>For our affiliates' everyday business purposes</strong>— information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and non-financial companies.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td><strong>For our affiliates' everyday business purposes</strong>— information about your creditworthiness.</td>
<td>No</td>
<td>We don't share</td>
</tr>
<tr>
<td><strong>For our affiliates to market to you</strong></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td><strong>For non-affiliates to market to you. Non-affiliates are companies not related by common ownership or control. They can be financial and non-financial companies.</strong></td>
<td>No</td>
<td>We don't share</td>
</tr>
</tbody>
</table>

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. We do not control their subsequent use of information, and suggest you refer to their privacy notices.

**Sharing practices**

**How often do/does Anderson-Oliver Title Insurance Agency, Inc. notify me about their practices?**

We must notify you about our sharing practices when you request a transaction.

**How do/does Anderson-Oliver Title Insurance Agency, Inc. protect my personal information?**

To protect your personal information from unauthorized access and use, we use security measures that comply with federal and state law. These measures include computer, file, and building safeguards.

**How do/does Anderson-Oliver Title Insurance Agency, Inc. collect my personal information?**

We collect your personal information, for example, when you

- request insurance-related services
- provide such information to us

We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.

**What sharing can I limit?**

Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

**Contact Us**

If you have any questions about this privacy notice, please contact us at: Anderson-Oliver Title Insurance Agency, Inc., 94 E. Grand Ave., Moab, UT 84532
GRAND COUNTY CORPORATION
Tax Roll Master Record

Parcel: 02-0022-0049  Serial #:26-22-22-14.3 & 14.6  Entry: 465710
Name: BYRNES VERD M TRUSTEE  

Address 1: PO BOX 273
Address 2:
City State Zip: LA SAL UT 84530-0000
Mortgage Co
Status: Active
Year: 2018  District: 002 SPANISH VALLEY 0.010532

<table>
<thead>
<tr>
<th>Property Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPANISH VALLEY DR 3058</td>
</tr>
<tr>
<td>MOAB 84532-0000</td>
</tr>
<tr>
<td>Acres: 4.07</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Owners</th>
<th>Interest</th>
<th>Entry</th>
<th>Date of Filing</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>BYRNES VERD M TRUSTEE</td>
<td>465710</td>
<td>12/29/2004</td>
<td>(0637/0345)</td>
<td></td>
</tr>
<tr>
<td>BYRNES KATHY R TRUSTEE</td>
<td>465710</td>
<td>12/29/2004</td>
<td>(0637/0345)</td>
<td></td>
</tr>
<tr>
<td>BYRNES VK TRUST 12-21-04</td>
<td>465710</td>
<td>12/29/2004</td>
<td>(0637/0345)</td>
<td>QCD 12-29-04</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Information</th>
<th>2018 Values &amp; Taxes</th>
<th>2017 Values &amp; Taxes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Units/Acres</td>
<td>Market</td>
<td>Taxable</td>
</tr>
<tr>
<td>LS01 SECONDARY LAND</td>
<td>4.07</td>
<td>197,800</td>
</tr>
<tr>
<td>Totals:</td>
<td>4.07</td>
<td>197,800</td>
</tr>
</tbody>
</table>

**** SPECIAL NOTE ****
Tax Rates for 2018 have NOT BEEN SET OR APPROVED! Any levied taxes or values shown on this printout for the year 2018 are SUBJECT TO CHANGE!! (Using Proposed Tax Rate)

| 2018 Taxes: | 2,083.23 |
| Special Fees: | 0.00 |
| Penalty: | 0.00 |
| Abatements: | 0.00 |
| Payments: | 0.00 |
| Amount Due: | 2,083.23 |

Review Date: 03/10/2015
NO BACK TAXES!

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

BEG 381.9 FT S & 247 FT E OF W1/4 COR SEC 22 T26S R22E; N 51°02'E 693.2 FT; S 38°58'E 254.1 FT; S 51°02'W 539.8 FT; N 38°53'W 116.9 FT; S 51°02'W 118.4 FT; N 53°23'W 141.5 FT TO BEG: *** ALSO: BEG AT POINT WHICH BEARS S 556.84 FT & E 482.35 FT FROM W1/4 COR SEC 22 T26S R22E RNG TH N 53°23'W 31 FT; N 51°02'E 627.9 FT; S 38°58'E 30 FT; S 51°02'W 620.2 FT TO POB 4.07 AC

Page: 1 of 1
GRAND COUNTY CORPORATION

Tax Roll Master Record

Parcel: 02-0022-0050  Serial #:26-22-22-14.3.1  Entry:465709
Name: BYRNES VERD M TRUSTEEN
C/O Name: Property Address
Address 1: PO BOX 273  SPANISH VALLEY DR 3060 S
Address 2: MOAB 84532-0000
City State Zip: LA SAL UT 84530-0000
Mortgage Co
Status: Active  Year: 2018  District: 002 SPANISH VALLEY  0.010532

Owners  Interest  Entry  Date of Filing  Comment
BYRNES VERD M TRUSTEE  465709  12/29/2004 (0637/0344)
BYRNES KATHY R TRUSTEE  465709  12/29/2004 (0637/0344)
BYRNES VK TRUST 12-21-04  465709  12/29/2004 (0637/0344) QCD 12-29-04

2018 Values & Taxes  2017 Values & Taxes
Property Information  Units/Acres  Market  Taxable  Taxes  Market  Taxable  Taxes
LV01 LAND VACANT  0.28  75,000  75,000  789.90  75,000  75,000  818.18
Totals:  0.28  75,000  75,000  789.90  75,000  75,000  818.18

**** SPECIAL NOTE ****
Tax Rates for 2018 have NOT BEEN SET OR APPROVED! Any levied taxes or values shown on this printout for the year 2018 are SUBJECT TO CHANGE!!
(Using Proposed Tax Rate)

2018 Taxes: 789.90  2017 Taxes: 818.18
Special Fees: 0.00  Review Date: 02/02/2015
Penalty: 0.00
Abatements: ( 0.00)
Payments: ( 0.00)
Amount Due: 789.90  NO BACK TAXES!

NO BACK TAXES

__________________________________________
GRAND COUNTY TREASURER / DEPUTY

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

BEG 466.3 FT S & 360.6 FT E OF W1/4 COR SEC 22 T26S R22E TH N 51°02'0" 118.4 FT; S 38°58'E 116.9 FT; S 51°02'W 88.1 FT; N 53°23'W 120.7 FT TO BEG 0.28 AC

History
LOT LINE ADJUSTMENT CREATING NEW PARCELS, SEE NEW PARCELS 02-022-0092, 0093, 0094
QUITCLAIM DEED

THIS QUITCLAIM DEED is given by VERD M. BYRNES, with an address of P.O. Box 273, La Sal, Utah 84530 (as "Grantor"), to Verd M. Byrnes and Kathy R. Byrnes, as trustees of THE VK BYRNES TRUST dated December 21, 2004, with an address of P.O. Box 273, La Sal, Utah 84530 (as "Grantee").

For valuable consideration, Grantor hereby quitclaims to Grantee the following described real estate situated in Grand County, State of Utah:

02-022-0050/26-22-22-14.3.1

SPANISH VALLEY DR 3060 S - BEG 466.3 FT S & 360.6 FT E OF W1/4 COR SEC 22 T26S R22E TH N 51°02' E 118.4 FT, S 38°58'E 116.9 FT, S 51°02'W 88.1 FT, N 53°23'W 120.7 FT TO BEG 0.28 AC

DATED effective this 21st day of December, 2004.

VERD M. BYRNES

STATE OF UTAH

: ss

COUNTY OF SAN JUAN

: ss

The foregoing instrument was acknowledged before me this 21st day of December, 2004, by VERD M. BYRNES.

[Signature]

NOTARY PUBLIC
QUITCLAIM DEED

THIS QUITCLAIM DEED is given by VERD M. BYRNES, with an address of P.O. Box 273, La Sal, Utah 84530 (as "Grantor"), to Verd M. Byrnes and Kathy R. Byrnes, as trustees of THE VK BYRNES TRUST dated December 21, 2004, with an address of P.O. Box 273, La Sal, Utah 84530 (as "Grantee").

For valuable consideration, Grantor hereby quitclaims to Grantee the following described real estate situated in Grand County, State of Utah:

THE WHOLE OF WATER RIGHT 05-687

02-022-0049/26-22-22-14.3 & 14.6

SPANISH VALLEY DR 3058 - BEG 381.9 FT S & 247 FT E OF W1/4
COR SEC 22 T26S R22E, N 51°02'E 693.2 FT, S 38°58'E 254.1
FT, S 51°02'W 539.8 FT, N 38°53'W 116.9 FT, S 51°02'W 118.4
FT, N 53°23'W 141.5 FT TO BEG: *** ALSO: BEG AT POINT WHICH
BEARS S 556.84 FT & E 482.35 FT FROM W1/4 COR SEC 22 T26S
R22E RNG TH N 53°23'W 31 FT, N 51°02'E 627.9 FT, S 38°58'E
30 FT, S 51°02'W 620.2 FT TO POB 4.07 AC

DATED effective this 21st day of December, 2004.

VERD M. BYRNES

STATE OF UTAH

COUNTY OF SAN JUAN

The foregoing instrument was acknowledged before me this 21st day of December, 2004, by VERD M. BYRNES.

[Stamp] NOTARY PUBLIC
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous Balance</td>
<td>.00</td>
</tr>
<tr>
<td>Licenses &amp; Permits - Planning &amp; Z. Fees</td>
<td>550.00</td>
</tr>
<tr>
<td>10-3220-000-000 PLANNING &amp; Z.FEES</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>550.00</strong></td>
</tr>
<tr>
<td>Check Check No: 157</td>
<td>550.00</td>
</tr>
<tr>
<td>Total Applied</td>
<td>550.00</td>
</tr>
<tr>
<td>Change Tendered</td>
<td>.00</td>
</tr>
</tbody>
</table>

02/13/2019 10:07 AM
Grand County Planning Commission

February 12, 2019

A regular meeting of the Grand County Planning Commission convened on the above date at the Grand County Courthouse, 125 E. Center St., Moab, UT 84532

**Members Present:** Vice Chair Abby Scott, Christine “Cricket” Green, Kevin Walker, and Rachel Nelson

**Members Absent:** Chair Gerrish Willis, Robert O’Brien, and Emily Campbell

**Staff Present:** Zacharia Levine and Kenny Gordon

**Council Liaison:** Terry Morse

Meeting was called to order at 5:00 pm by Vice Chair Abby Scott.

**Citizens to be heard:** None.

**Action Item**

Seven Mile RV Park (CUP): The subject property is 127 acres located on the west side of N. Hwy. 191, just south of the Moab Giants Dinosaur Museum. The Seven Mile Park will be comprised of 60 RV sites located on roughly 12 acres.

The County maintains the Gemini Bridges Road, and UDOT plans to add a deceleration lane to the southbound side of Hwy. 191 (right-turn into property) in approximately one to two years. Applicant will provide water and sewer facilities as per the Southeastern Utah Health Inspector’s approval. The Applicant will improve road surfaces interior to the project and ensure emergency vehicle access. No electricity will be provided. In general, the proposed campground will formalize and improve long-standing unauthorized camping in the vicinity.

Kevin Walker inquires about previous numbers of people camping at this location on a busy weekend. Zacharia Levine commented that there have been no specific counts made.

Christine Green commented that she thinks this would be a beneficial use for this area.

Kevin Walker expressed some concern about the approval and possible future expansion. Zacharia Levine commented that there would need to be review at a later date if expansion is something the applicant requested at a later date.

Christine Green moves to forward a favorable recommendation to Grand County Council with the following conditions.

1. A final approval letter for the public water and sewer system will be provided prior to scheduling County Council review of a resolution to approve the conditional use.
2. The applicant will furnish an indemnification letter to the County regarding any future improvements to public rights-of-way as a result of this campground.
3. Applicant dedicates to Grand County for public use a 44’ wide right-of-way to accommodate Gemini Bridges Road, which right-of-way shall be measured 22’ in each direction from the centerline of the roadway in its as-built condition.
4. Applicant agrees that Gemini Bridges Road may be realigned through Applicant’s property with advance written permission of the Applicant, at no cost to Applicant.
5. Grand County accepts that portion of Gemini Bridges Road crossing through Applicant’s property in as-is condition and agrees to maintain the roadway in a similar or better condition.
6. Applicant shall indemnify, defend and hold harmless Grand County for and against all improvements to that portion of Gemini Bridges Road crossing through Applicant’s property deemed necessary as a result of Applicant’s development and use of Seven Mile Park by Union Pacific Railroad and the Utah Department of Transportation.

Seconded by Rachel Nelson. For 4, against 0, abstained 3 (Gerrish Willis, Robert O’Brien, and Emily Campbell were not present), vote carries.

**Discussion Item**
Kevin Walker asked to place this discussion item on the agenda. The question is in regards to ADU allowances within developments receiving approval through the HDH Overlay ordinance, and whether or not ADUs should be counted towards the maximum density of the applied HDH district.

**Approval of Minutes:** January 8, 2019: Motion to approve the January 8, 2019 meeting minutes with corrections made by Christine Green, Seconded by Rachel Nelson. For 4, against 0, abstained 3 (Gerrish Willis, Robert O’Brien, and Emily Campbell were not present). The January 8, 2019 minutes were approved.

**Future Considerations:**

**Community Development Department Update:** None.

**County Council Liaison report:** None.

**Adjournment:** Motion to adjourn meeting, all were unanimous. Adjourned at 6:08 pm.