



ORDINANCE NO. O-2025-30

AN ORDINANCE APPROVING THE SECOND DEVELOPMENT AGREEMENT ADDENDUM FOR THE OCULTA ROCA DEVELOPMENT TO BE LOCATED UPON PARCEL NOS. AV-2196-A-1, AV-2169-B, AV-2196-F, AV-2196-B, AV-2-2-28-110, AV-2-2-28-120, AV-2-2-28-220, AV-2-2-28-221, AV-2-2-28-240, AV-2196-C, AV-2196-D, AV-2196-E, AV-2196-G, AV-2196-H, AV-2196-I, AV-2-2-27-430, AV-2-2-27-431, AV-2169-A-1, AV-2195-B, AV-2194-A, AV-2194-C, AV-2-2-28-230, WHICH FURTHER MODIFIES AND REGULATES ALLOWED USES, DENSITIES AND STANDARDS FOR THE UNDERLYING ZONE DISTRICT FOR WHICH THE ABOVE-REFERENCED PARCEL(S) HAVE BEEN DESIGNATED PURSUANT TO THE TOWN OF APPLE VALLEY'S OFFICIAL ZONING MAP.

RECITALS

WHEREAS the Town of Apple Valley ("the Town") is an incorporated municipality duly organized and existing under the laws of the State of Utah;

WHEREAS the Town is authorized pursuant to Utah Code Annotated, Title 10, Chapter 9A, to enact ordinances necessary or appropriate for the use of land within the Town's municipal boundaries;

WHEREAS pursuant to Utah Code Annotated, Title 10, Chapter 3b, Section 301, the Apple Valley Town Council ("Town Council") is designated as the governing and legislative body of the Town;

WHEREAS pursuant to Utah Code Annotated Title 10, Chapter 9a, Section 503(1) the Town Council is the only body designated as the Town's "Land Use Authority" who may adopt "(a) the number, shape, boundaries, area, or general uses of any zoning district; (b) any regulation of or within the zoning district; or (c) any other provision of a land use regulation;"

WHEREAS pursuant to Utah Code Annotated Title 10, Chapter 9a, Sections 502 and 505, the Town Council may adopt or amend a land use regulation or its Official Zoning Map to redesignate parcels within the Town after proper notice and a recommendation from the Planning Commission following a public hearing;

WHEREAS pursuant to Utah Code Annotated Title 10, Chapter 9a, Section 532(2)(a)(iii), the Town Council may, via a development agreement, permit a use or development of land that would otherwise be prohibited, so long as proper procedures are followed;

WHEREAS the Town entered into a Development Agreement with Hidden Rock Development Group dated June 26, 2024, governing the Oculta Roca Project;

WHEREAS the Developer now seeks to amend the original agreement via the Second Development Agreement Addendum dated July 1, 2025, which proposes the following:

- Increase of project area from 204 to 727.872 acres
- Expansion of residential lots from 18 to 57 lots (minimum 5 acres each)
- Inclusion of additional parcels listed above
- Modification to infrastructure and fee responsibilities
- Revision of short-term rental allotments to permit up to 100% of residential lots
- Potential future gating of residential lots if mutually agreed upon
- Removal of original Sections 7.1 and 7.2 regarding infrastructure and reimbursement
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WHEREAS Town Officials and Developer representatives have reviewed and negotiated the addendum into a final form;

WHEREAS, on August 13, 2025, the Planning Commission conducted a public hearing and recommended approval of the Second Development Agreement Addendum and this corresponding Ordinance;

WHEREAS, the Town Council finds this Ordinance to be in the best interest of the health, safety, and general welfare of the Town;

ORDINANCE

NOW THEREFORE, be it ordained by the Town of Apple Valley, State of Utah, acting by and through the Town Council as follows:

Section 1. Approval of the Addendum. The Second Development Agreement Addendum for the Oculta Roca development, attached hereto as Exhibit “A,” is hereby approved. The Mayor or designee of the Town of Apple Valley is authorized to execute said Addendum on behalf of the Town.

Section 2. Recordation. Upon execution, the Addendum shall be recorded in the Official Records of Washington County, Utah, and indexed against all tax parcel numbers listed above.

Section 3. Severability. If any section or clause of this Ordinance is declared invalid, the remainder shall remain in effect.

Section 4. Conflicts/Repealer. This Ordinance supersedes any prior ordinances in conflict herewith.

Section 5. Effective Date. This Ordinance becomes effective upon adoption and signature by the Mayor.

ADOPTED AND APPROVED BY THE APPLE VALLEY TOWN COUNCIL this 20 day of August, 2025 based upon the following vote:

Councilmember (check one per seat):

Michael Farrar (Mayor)	Aye:	Nae:	Abstain:	Absent:
Kevin Sair	Aye:	Nae:	Abstain:	Absent:
Annie Spendlove	Aye:	Nae:	Abstain:	Absent:
Scott Taylor	Aye:	Nae:	Abstain:	Absent:
Richard Palmer	Aye:	Nae:	Abstain:	Absent:

TOWN OF APPLE VALLEY
A Utah municipal Corporation

ATTEST:

Michael Farrar, Mayor

Jenna Vizcardo, Town Recorder