CONDITIONAL USE PERMIT LIST OF CONDITIONS FOR (MOJAVE VILLAGE)

Description of Project

AnA Enterprises LLC has just under ten acres at Guy Lane and Fitness Way and is proposing 95 resort hotel units with overnight rentals. The resort hotels will be put in a pool of rentals and be available to rent if the owner so chooses. There will be a club house and amenities such as a pool, pickleball courts, etc.

The preliminary plan is showing proposed heights and location of all buildings. We will meet all Ivins Design guidelines such as color, lighting, materials. There will be a designated space in the clubhouse to accommodate checking in and out guests. As the plan further develops, applicant with provide further information.

Standard Conditions

1. The Project shall comply with the Ivins City Standard Specifications for Design and Construction.

2. The Project shall comply with all applicable requirements of the Ivins City Zoning Ordinance (Title 16 of the Ivins City Code), particularly chapters 11 (General Development Standards), 12 (Supplementary Development Standards), 19 (Site Plan and Building Design Requirements), 20 (Off Street Parking and Loading), 21 (Signs), 22 (Landscaping and Outdoor Lighting), and 26 (Building Code and Building Permits).

3. The Project shall comply with all applicable Building and Construction Codes as adopted by Ivins City in Title 14 of the Ivins City Code.

4. Before any grading begins or is allowed on the Property, a Grading Permit must first be obtained from the Ivins City Public Works Department and all conditions thereof must be strictly followed and complied with throughout the duration of such permit.

5. The Project must comply with all City Master Plans, including Transportation, Culinary Water, Secondary Water (Irrigation), Sewer, Storm Drain, Parks and Public Safety.

6. There is a potential shortage of culinary and secondary water in the City and building permits will be issued only upon availability.

Conditions Specific to this Project

1. The Project must conform to the Project plans shown to the City during the approval process.
2. Must show on the plans show landscaping in the buffer area on the west side of the Project.
3. A final drainage study, per Ivins City Standards, must be conducted and all recommended improvements from the drainage study should be incorporated into the final project plans.

The final drainage study must include an analysis of pre-project versus post-project hydrographs including flows from upstream of the detention basin, to show that the basin attenuates flows per standards.

4. As currently shown on the plans, certain lots will need to have sewer pumped. The affected lots need to be specified and a note needs to be on the plans.
5. The project is in the rural lighting zone, but some lighting will be required since the intersection of Guy Lane and Fitness Way is in the urban lighting zone and bollard lighting is required for crosswalks in the rural zone.
6. All resort hotel units must be in a rental pool operated by the resort; however, none of the units are required to be rented out.
7. The means of egress system will be reviewed on the Building Permit request. The width to the public way is determined by occupant load.
8. Compliance to design guidelines will be assessed at the time of Building Permit request. Samples of materials will be required.
9. The "Owner" needs to submit a final garbage plan that shows that the current site plan is adequate to handle the garbage needs.
10. Phasing?

Recordation

This List of Conditions shall run with the land, and shall be binding upon all heirs, successors and assigns of the Owner (and the term "Owner", as used herein, shall include all such successors and assigns). This List of Conditions shall not be recorded in the Office of the Washington County Recorder, but the City or the Owner may record a notice of the existence of the Conditional Use Permit for the Project, advising interested third parties that additional information regarding the CUP and this List of Conditions may be obtained from Ivins City, and including the appropriate contact information for the City.

Breach of Conditions

Any failure of the Owner to comply with any of the foregoing conditions shall entitle the City to withhold further permits for the Project until such conditions have been fully satisfied, modified by the City Council, or the City Council accepts a detailed plan to remedy the breach of the condition. This would be in addition to any other legal or equitable remedies the City may have.

STATE OF UTAH)
ss.
County of Washington)

On this ___ day of _____, 20__, before me personally appeared CHRIS HART and KARI JIMENEZ whose identities are personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that they are respectively the Mayor and Recorder of Ivins City, and that the foregoing document was signed by them by authority, and they acknowledged before me that Ivins City executed the document and the document was the act of Ivins City for its stated purpose.

_____
Notary Public