AMENDED CONDITIONAL USE PERMIT
HIDDEN SPRINGS RV RESORT

Ivins City, a Utah municipal corporation (the "City") hereby issues a amended conditional use permit as follows:

RECITALS

A. Hidden Springs RV Resort, LLC ("Applicant"), operates a recreational vehicle resort known as the Hidden Springs RV Resort (the "Resort") on approximately 22.62 acres located south of Highway 91 between 200 West and Main Street. The address of the Resort is 91 W. Old Highway 91, Ivins, UT 84738.

B. An RV Resort use within the City is governed by Title 16, Chapter 17, Part 2 of the Ivins City Code (the "Governing Ordinance") and requires a class V conditional use permit.

C. An original conditional use permit for the Resort was approved by the Ivins City Council on August 29, 2021. A true and correct copy of the original conditional use permit is attached hereto as Exhibit A. An amendment to the original conditional use permit was approved by the Ivins City Council on October 5, 2023. A true and correct copy of the amendment is attached hereto as Exhibit B. Together, the original conditional use permit and the amendment are referred to herein as the "CUP". The approved site plan for the Resort is attached hereto as Exhibit C (the "Site Plan").

D. Applicant has completed construction of a majority of the improvements related to the Resort. As of the date hereof, Applicant has not yet completed the following as required by either Chapter the City ordinance and/or the CUP (the "Remaining Improvements"):

- landscaping along the Resort frontage along Highway 91 and along the side boundaries of the Resort.
- paving of the RV pads.
- construction of two additional bathroom buildings.

E. Applicant has requested the ability to open for business prior to completion of the Remaining Improvements. Additionally, Applicant has requested that it not be required to pave the RV pads, but instead to install road base and compacted rock on the RV pads. Finally, Applicant has requested the ability to have a manager stay full time in an RV on the site and to use the residential areas of the clubhouse as short-term rentals.

F. The Planning Commission held a public hearing and considered these requests at its meeting on December 19, 2024. The City Council considered these requests at its meeting on December 21, 2024 and, after discussion, voted to approve the conditions as expressed herein.

G. In conjunction with approving this amendment to the CUP, the City Council also adopted an ordinance amending the Governing Ordinance. The City Council's willingness to amend the CUP herein is expressly conditioned upon the Applicant's consent to being bound by the amended Governing Ordinance.

CONDITIONS

1. Ratification of the CUP. Except as modified herein, the terms of the CUP continue to govern the Resort.

2. Governing Ordinance. The Governing Ordinance, as amended concurrently with the approval of this amendment, shall govern the Resort. Applicant shall abide by the Governing Ordinance, as amended, in full. The enforceability of this instrument is expressly conditioned upon the passage of the amendment to the Governing Ordinance considered concurrently herewith and with the execution by the Applicant of the Applicant's Acknowledgement below. If Applicant fails to execute below, the CUP as it existed prior to this instrument shall govern the Resort.

3. Timing of Landscape Completion. The Applicant shall complete all required landscaping along the Resort frontage along Highway 91 and along the side boundaries of the Resort no later than February 28, 2025, it being understood that the Governing Ordinance as amended requires only 2 qualifying trees every 30 feet.

4. Timing of RV Pad Completion. The Applicant shall complete all required concrete RV pads no later than February 28, 2027, it being understood that the Governing Ordinance as amended requires only pull-through RV pads to be concrete.

5. Additional Bathroom Building. The Applicant shall complete two additional bathroom buildings as the Applicant determines in the Applicant's sole discretion, it being understood that the Resort already has enough bathrooms to comply with the Governing Ordinance as amended.

6. Cabin Site Restrictions. The Applicant may, but is not obligated to, construct cabins or tiny homes on any sites designated "Cabin/RV" on the Site Plan. However, no recreational vehicles taller than 10 feet, including but not limited to popups, shall be allowed to occupy any such sites in the section of the Resort known as Panorama Point.

7. Full-time Manager Residence. The Applicant may allow a full-time manager to reside in an RV on the site, provided that the site occupied by the manager's RV shall not be visible from any public right-of-way.

8. Short-term Rental of Clubhouse Units. The Applicant may, but is not obligated to, use the clubhouse residential units as short-term rentals. Alternatively, the Applicant may, but is not obligated to, use one of the clubhouse residential unites as a residence for the full-time manager of the Resort in lieu of having the manager occupy a RV pursuant to section 7 above.

9. Recordation. The terms of the CUP and this amendment shall run with the land, and shall be binding upon all heirs, successors and assigns of the Applicant. The City may record a notice of the existence of the CUP and/or this amendment with the Washington County Recorder.

10. Breach of Conditions. If Applicant fails to comply with any of the terms of the CUP and/or this amendment, the City may revoke the CUP, this amendment, and/or any business license related to the Resort and/or may withhold further permits for

the Resort 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. Notwithstanding the foregoing, the City may exercise any other legal or equitable remedies the City may have.

Approved by the Ivins City Council on December 21, 2024.

IVINS CITY

_____ By: _____
Date Chris Hart, Mayor

Attested: By: _____
Kari Jimenez, City Recorder

APPLICANT ACKNOWLEGEMENT

Hidden Springs RV Resort, LLC, hereby acknowledges the terms and conditions of the foregoing amended CUP and covenants that it will abide by such terms and conditions in full, including the condition to abide by the Governing Ordinance, as amended concurrently herewith, in full as a material condition to induce the City Council to approve the foregoing amended CUP.

HIDDEN SPRINGS RV RESORT, LLC

_____ By: _____
Date Jon H. Graf, Manager

EXHIBIT A
Original Conditional Use Permit

EXHIBIT B
1st Amendment to Conditional Use Permit

EXHIBIT C
Resort Site Plan