



**SPECIAL APPLE VALLEY PLANNING COMMISSION  
PUBLIC HEARING AND MEETING**  
1777 N Meadowlark Dr, Apple Valley  
Wednesday, July 20, 2022 at 6:00 PM

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**MINUTES**

Notice is given that a meeting of the Planning Commission of the Town of Apple Valley will be held on **Wednesday, July 20, 2022**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

**Chair** | Allen Angell

**Commissioners** | Lee Fralish | Forrest Kuehne | Jeri-Burhorn Politte | Margaret Ososki

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE** - Commissioner Forrest Kuehne called meeting to order at 6:00pm

**ROLL CALL**

**PRESENT**

Commissioner Forest Kuehne

Commissioner Jeri Burhorn-Politte (present over Zoom call) and in person present at the meeting at 6:29 pm.

Commissioner Margaret Ososki

**ABSENT**

Chair Allen Angell

Commissioner Lee Fralish

**CONFLICT OF INTEREST DISCLOSURES**

None declared.

**JOINT WORK MEETING WITH TOWN COUNCIL**

1. **General Plan**

**Roll Call for Work Meeting**

**PRESENT**

Commissioner Forest Kuehne

Commissioner Jeri Burhorn-Politte

Commissioner Margaret Ososki

Mayor Frank Lindhardt

Council Member Andy McGinnis

Council Member Barratt Nielson

Council Member Robin Whitmore

Council Member Kevin Sair

**ABSENT**

Chair Allen Angell

Commissioner Lee Fralish

Brad Robbins and Michaela Adams are here from Sunrise Engineering. General Plan was presented on PowerPoint (see attached). In presentation discussed, Town of Utah is required 2 elements, land use and transportation. Zoning implements general plan.



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Council Member Nielson comments on page 8 of the General Plan about a typo supposed to be high density and not low density. The transportation plan was discussed and Mayor Lindhardt discusses he has spoken with LDS church who have a vacant parcel and they have no issue using for a collector road for future possibility.

Mayor Lindhardt discusses transportation plan gives buyers a heads up and gives the Town ability to not have streets that go nowhere. General Plan proposed maps were discussed among the Commissioners and Council Members. They discussed anything that is not designated leave open space/agricultural and leave that for the future annexation boundaries. Commissioner Kuehne commented what about having low density and Mayor Lindhardt asked why not just leave open space. Commissioner Politte asks do we have to designate this now or can we leave open space for now and change later as needed. Mayor Lindhardt problem is a lot of open space needs to be designated as open space conservation later as needed for the mountains. Council Member Whitmore commented that she likes open space. Mayor Lindhardt this is simply how we see the Town, and this is not set in concrete and can be changed as needed. Zones will overrule General Plan. Commissioner Ososki asks about the Commercial designation. Mayor Lindhardt commented the General Plan is guide for what is the Town's vision. The proposed maps were discussed.

Commissioner Kuehne scheduled a Special Planning Commission for the General Plan on August 2nd at 6pm.

### **HEARING ON THE FOLLOWING**

2. **Update Title 10.10.120 Planned Development Zone**
3. **Update Title 11.02.060 Preliminary Plat Process**
4. **Update Title 11.02.070 Preliminary Plat Requirements**
5. **Update Title 14.10 Ground Water Protection**

**Motioned to open public hearing for Planned Development, Preliminary Plat Process, Preliminary Plat Requirements, and Gound Water Protection.**

**Motion made by Commissioner Ososki, Seconded by Commissioner Burhorn-Politte.**

**Voting Yea: Commissioner Kuehne, Commissioner Burhorn-Politte, Commissioner Ososki**

**The vote was unanimous, 3-0 and the motion carried.**

Dennis Parker, Hurricane, UT- Commented careful about what you pass tonight.

Mathew Evans with Galloway Law Firm asked about the redlines in the packet.

Planning and Zoning Manager Lindhardt for Planned Development he simply tried to state what we have in our ordinances already. In Planned Development ordinance had its own definition of what preliminary and final plat but also have to follow town ordinances. He took out all the portions that have descriptions and simply referred to Town's ordinance on preliminary plat, final plat and construction plans. This is to prevent from having two slightly different standards. There are proposed



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changes as presented at the meeting that need to be added to this ordinance and Lindhardt reviews with the Commissioners the proposed changes and commented we are trying to make it simpler and easier to understand.

Tish Lisonbee 1367 N Mt Zion Dr asked if we are taking these hearing separate or all together.

Matthew Ekins with Galloway Law Firm makes suggestion if there is mortarium an existing preliminary plat application extended for the duration of the mortarium.

Richard Fischer-1241 S Desert Dr commented state law states any application that has been completed is excluded from the mortarium.

Mayor Lindhardt explains the amendment on the preliminary plat requirements.

Matthew Ekins with Galloway Law Firm comments that it is not clear who the utility providers are, standards of who they are and who to contact. He also asks about the design standards.

Travis Holm, Husky Ln, Apple Valley asks on Septic do we have a contract with Ash Creek.

Mayor Lindhardt states we are in public notice hearing of the approval of Washington County Commissioner for Ash Creek Special Sewer District.

Mayor Lindhardt states a few months ago when we are inundated with zone change for 3200 acres that would create 7,000 new lots/homes and why is it in that no other county or cities have people/developers asking to get Zone Changes for properties with septic tank. He was informed of Ground Water Protection had study for Washington County Conservancy District that included Apple Valley before we were a town and based on soil should not allow lots to be smaller than 5-11 acres and varies on septic system permit. He commented that we have the same ordinance that has been adopted in 2005. Other towns did not grow because they did not ignore it, that are on septic but other towns bloom that have sewer treatment. We already have this ordinance and is already on the books but changed a few things on page 112. When adopted there was no alternative methods, it would be not approved through the Town but through Ash Creek Special Sewer District. On page 113 added Ash Creek Sewer Special Service District and map that includes all of Apple Valley

Tish Lisonbee 1567N Mt Zion Dr asked if there is any area of the town that is not SGRA and commented what does SGRA stand for. 14.10.030 1b calls for Southwest Utah Public Health and Ash Creek Special Service District as authority and she is questioning who going to be in authority. Commented regarding the fees, she feels very arbitrary and unclear, and she recommends re-reading the ordinance.

Mayor Lindhardt states if there is an error, we will get it fixed with Ash Creek Special Sewer District.

Mayor Lindhardt explains that in theory for example if someone has 70 acres than can do 10 lots and leave the rest undeveloped, Town can approve if the overall density was approved with Ash Creek



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Special Sewer District and smallest lot in Apple Valley would be 7 acres, but Ash Creek Sewer Special Service District does approve a level 3 treatment system for 3.5 acres.

Matthew Ekins with Galloway Law Firm commented goes to the approving authority, there are systems large enough, concern that it is too narrow.

Mayor Lindhardt states when someone has RV Park and single entity its governed by the State, but any subdivision would be subject.

Jauna McGinnis 1777 Cougar Ln commented our ordinances will mirror Ash Creek Special Sewer District policies.

Travis Seals, AV-1365-G-1 commented preliminary plat approved to all the ordinances recently received letter and want to add requirement to me and other 5 other lots,

Dennis Parker, Hurricane, UT commented about the ground water and questions were not answered when asked previously.

No other comments.

**Motioned to close public hearing.**

**Motion made by Commissioner Ososki, Seconded by Commissioner Burhorn-Politte.**

**Voting Yea: Commissioner Kuehne, Commissioner Burhorn-Politte, Commissioner Ososki**

**The vote was unanimous, 3-0 and the motion carried.**

### **DISCUSSION AND POSSIBLE ACTION ITEMS**

**6. Update Title 10.10.120 Planned Development Zone--Ordinance-O-2022-26**

No further discussion amongst Commissioners.

**Motioned that were passing update to title 10.10.120 120 Planned Development Zone, Ordinance-O-2022-26, with the updated changes as presented with recommendation of approval to Town Council.**

**Motion made by Commissioner Burhorn-Politte, Seconded by Commissioner Ososki.**

**Voting Yea: Commissioner Kuehne, Commissioner Burhorn-Politte, Commissioner Ososki**

**The vote was unanimous, 3-0 and the motion carried.**

**7. Update Title 11.02.060 Preliminary Plat Process--Ordinance-O-2022-27**

Commissioner Kuehne asked if any further discussion. No further discussion amongst Commissioners.

**Motioned to recommend passing to the Town Council with the updates on title 11.02.060 Preliminary Plat Process.**

**Motion made by Commissioner Burhorn-Politte, Seconded by Commissioner Kuehne.**

**Voting Yea: Commissioner Kuehne, Commissioner Burhorn-Politte, Commissioner Ososki**





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**The vote was unanimous, 3-0 and the motion carried.**

**8. Update Title 11.02.070 Preliminary Plat Requirements--Ordinance-O-2022-28**

Commissioner Kuehne asked if any further discussion. No further discussion amongst Commissioners.

**Motioned that we recommend a passing to the Town Council with the updates on title 11.02.070 Preliminary Plat Requirements for Ordinance-O-2022-28.**

**Motion made by Commissioner Burhorn-Politte, Seconded by Commissioner Ososki.**

**Voting Yea: Commissioner Kuehne, Commissioner Burhorn-Politte, Commissioner Ososki**

**The vote was unanimous, 3-0 and the motion carried.**

**9. Update Title 14.10 Ground Water Protection--Ordinance-O-2022-29**

Commissioner Kuehne asked if any further discussion. Commissioner Politte commented we'll come back to revisit, but I recommend we pass this and make some changes later if necessary.

**Motioned that we recommend the update for Title 14.10 Ground Water Protection, Ordinance-O-2022-29 to Town Council to pass with the knowledge that we need to make some amendments on it in the future, with change "other government agencies as recommended by Ash Creek."**

**Motion made by Commissioner Burhorn-Politte, Seconded by Commissioner Kuehne.**

**Voting Yea: Commissioner Kuehne, Commissioner Burhorn-Politte, Commissioner Ososki**

**The vote was unanimous, 3-0 and the motion carried.**

**ADJOURNMENT**

**Motioned to adjourn meeting.**

**Motion made by Commissioner Ososki, Seconded by Commissioner Kuehne.**

**Voting Yea: Commissioner Kuehne, Commissioner Burhorn-Politte, Commissioner Ososki**

**The vote was unanimous, 3-0 and the motion carried.**

Meeting adjourned at 8:30pm

Date Approved: \_\_\_\_\_

Approved BY: \_\_\_\_\_

Chair | Allen Angell

Attest BY: \_\_\_\_\_

Recorder | Jenna Vizcardo



Town of  
*Apple Valley*

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# Town of Apple Valley General Plan





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Appendix A – Apple Valley Census and Demographic Data

Appendix B – Washington County Growth Projections

Appendix C – Community Survey

Appendix D – Apple Valley Zoning Map

Appendix E – Apple Valley Transportation Map





# General Plan Update- Public Process Summary

In late 2021, the Town of Apple Valley contacted Sunrise Engineering, Inc., to discuss the need for a general plan update. Sunrise Engineering was hired to engage the public, gather community input, and provide an updated general plan document.

The following is the process undertaken by Sunrise Engineering to update the general plan:

## 1. Data Collection:

- a. Land Use Inventory – An assessment of zoning and land use patterns within the town's corporate boundary and potential annexation areas.
- b. Transportation data.
- c. Collection of historic data/utility data.

## 2. Stakeholder Interviews and Community Preferences Survey:

- a. A survey of the citizenry was conducted to determine opportunities, constraints, and preferences.

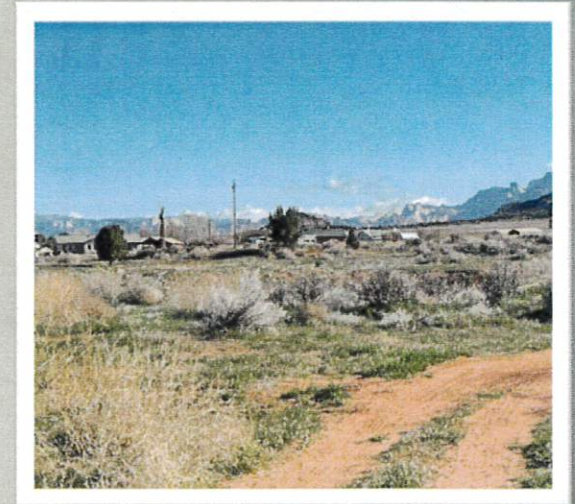




# General Plan Update- Public Process Summary

## 3. Public Participation:

- a. Sunrise Engineering participated in public hearings before the Apple Valley Planning Commission and Town Council to obtain input.
- b. Sunrise Engineering also worked closely with the Apple Valley Steering Committee to gather input from Apple Valley residents.
- c. Throughout 2022 Sunrise worked to update the general plan to reflect the vision, priorities, and goals outlined by Apple Valley citizens and the steering committee.
- d. The updated general plan was presented by Sunrise Engineering to the Apple Valley Planning Commission and Town Council at a public hearing for final comment and adoption.

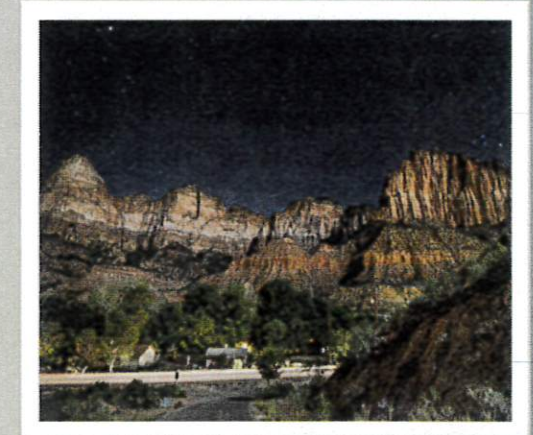




# Major Town General Plan Themes

## 1. Preserving the Rural Character of Apple Valley:

Most residents who responded to the survey live in Apple Valley for its small-town vibe and scenic vacant surroundings. Residents believe that it is imperative to maintain the rural, small-town feel and preserve open space.



## 2. Low-Medium Density Residential/ Agricultural Land/Commercial/Industrial:

Large lot developments (one acre or larger) and preservation of the town's agricultural land is preferred. Marginal support exists for new commercial development. Little support exists for industrial/manufacturing uses. Little support exists for large scale golf course-type communities.

## 3. Infrastructure:

Keeping up with infrastructure needs and requirements such as a storm water drainage system and road improvements (work with UDOT to improve exits, pavement, and access to town; maintenance of dirt/gravel roads) is desired.





# Major Town General Plan Themes

## 4. Recreational Activities and Parks:

Residents support and value parks and trails for riding, walking, and hiking.

## 5. Environment:

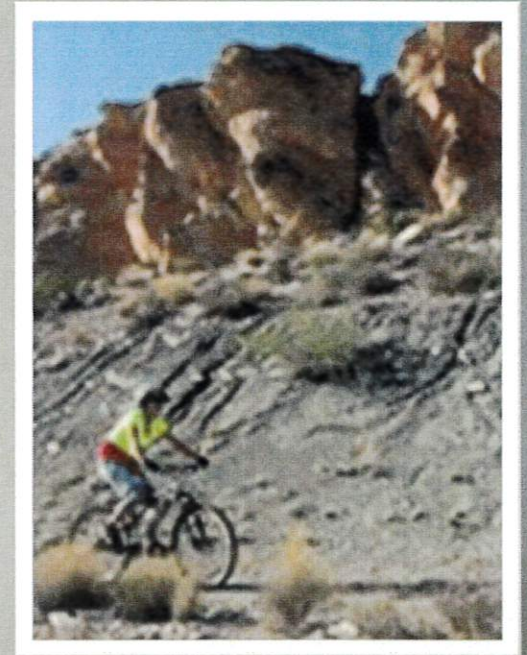
Maintaining the ridgelines, hilltops, stream bottoms, plateaus, clean air, safety, and dark night skies are important to residents in the town.

## 6. Develop and Support for Local Businesses:

Commercial development is supported only adjacent to State Route 59 and opposition exists with regard to promoting the town as a tourist destination. Historic preservation is a priority. Limiting warehouses and heavy manufacturing is important.

## 7. Fees:

There is little support for raising fees or taxes for any improvements in town. There is little support for waiving fees for development.





# Major Land Use Themes

Four major land use themes were obtained from the survey of Apple Valley residents:

## 1. **Small Town – Rural Feel:**

Most residents enjoy the town because it is rural, generally still agricultural, and has a small town charm. Residents want to continue to keep that feel to the town. A common goal is to preserve the town's rural character and history in all future planning and development activities.

## 2. **Large Lot/no High Density:**

Large lot development (one acre or larger) is preferred. High density development is not preferred.





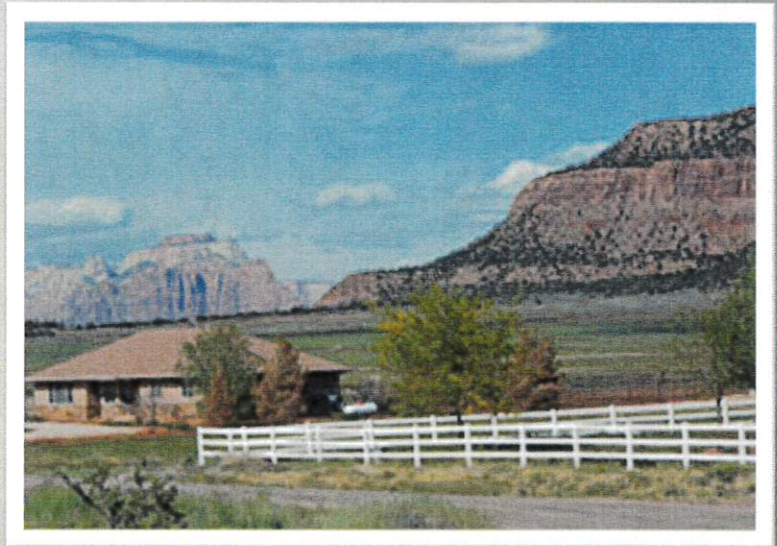
## Major Land Use Themes (cont.)

### 3. **Commercial:**

Commercial development is acceptable if located near State Route 59.

### 4. **Industrial:**

Industrial/manufacturing uses are not preferred.

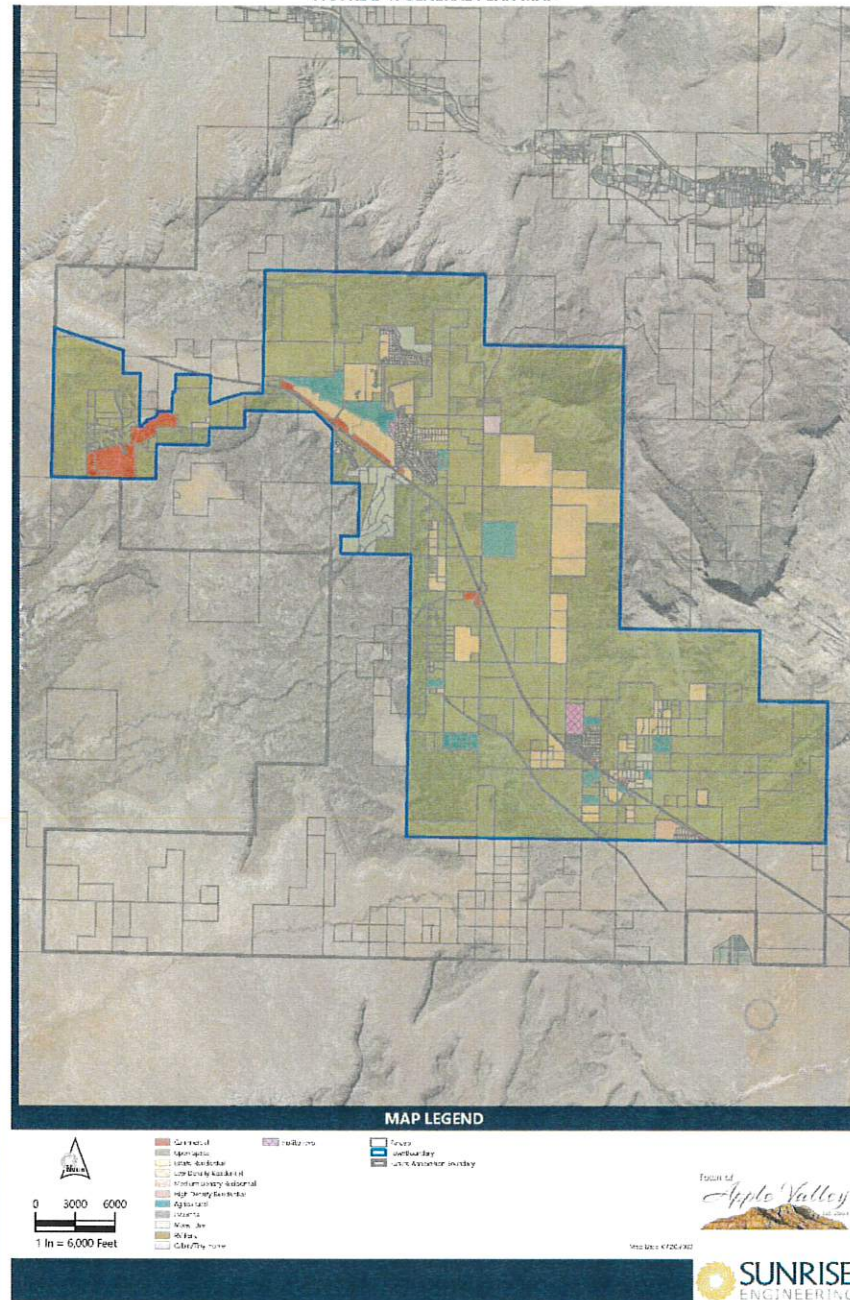




# General Plan Map



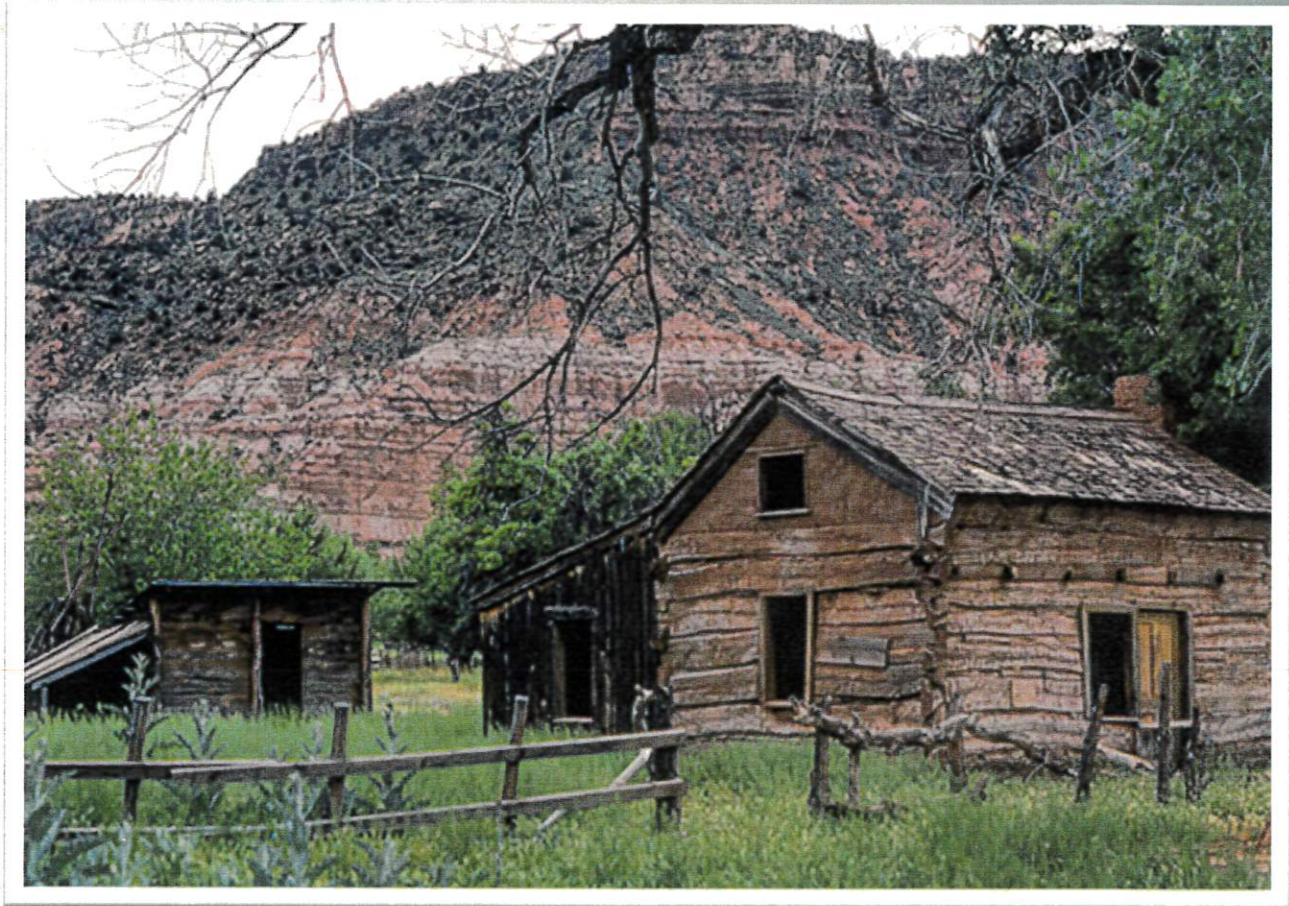
FIGURE 2-1: GENERAL PLAN MAP





# Historic Preservation Element

The purpose of the historic preservation element of the general plan is to enhance, preserve, and protect historic structures and areas within the town.





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# Public Services, Utilities and Recreation Element

## 1. Water:

The Big Plains Water and Sewer Special Service District is the domestic water purveyor for the town. According to the Big Plains Water District, the primary water source is AV Well #1 and AV Well #2. The wells draw from the Triassic Aquifer. A Big Plains Aquifer Evaluation study performed by Ensign Engineering and Land Surveying in 2015 indicated the following: "The estimated annual withdrawal from the aquifer is estimated to be 10,334 acre-feet, while the estimated recharge is estimated to be 10,651 acre-feet annually which would result in an overdraft of 317 acre-feet. Several assumptions were made in calculating these figures, (including water rights being fully used, hydraulic conductivities in parts of the basin, etc.) and in actuality the recharge and discharge figures might vary slightly. **However, it is reasonable to assume that the aquifer is at best case in balance, but likely could be slightly over-drafted.**"





# Public Services, Utilities and Recreation Element (cont.)

## 2. Wastewater:

"Current residents that have septic systems, as well as continued residential systems, can remain on septic. New commercial development would be required to install alternative wastewater collection and treatment processes. These alternatives (Orenco and others manufacture such systems) would be required to reduce pollutants (nitrates, etc.) by a certain percentage. It is common for these systems to reduce total nitrogen concentrations by 70%, and with refinement, nitrogen can often be reduced by Big Plains Water and Sewer Special Service District Wastewater Study 4 90%-95%. This option would allow existing home and business owners to not incur additional costs."





# Public Services, Utilities and Recreation Element (cont.)

## 3. Electricity, Gas, Solid Waste

Electricity in the Town of Apple Valley is provided by Rocky Mountain Power. Other than propane tanks for gas, there is no natural gas purveyor in town. Solid waste service is provided by Washington County Solid Waste.

## 4. Drainage

There is no formalized drainage system in the Town of Apple Valley. Little Creek traverses the town generally in a north/south direction, which carries water out of town. All other drainage consists of sheet flow into troughs, ravines, and gullies.





# Public Services, Utilities and Recreation Element (cont.)

## 5. Recreation

The Town of Apple Valley is located near Gooseberry Mesa, Little Creek Mesa, Zion National Park, and Water Canyon. There is a community park in Apple Valley (Apple Valley Volunteer Park) located adjacent to the fire station and town hall. There are many trails (both vehicular and walking) in the vicinity of the Town of Apple Valley, but none within town limits. Because of the location of the town, many hiking, ATV and camping enthusiasts visit the Apple Valley area and utilize the recreational resources near and around the town.





# Environment and Conservation Element

The Town of Apple Valley's location is in a unique area of Southern Utah and boasts beautiful views of plateaus, hills, mountains, the Arizona Strip, and desert landscapes. The environment and conservation element of this general plan provides goals and strategies by which to preserve the unique environmental resources of the town for the enjoyment of future generations.

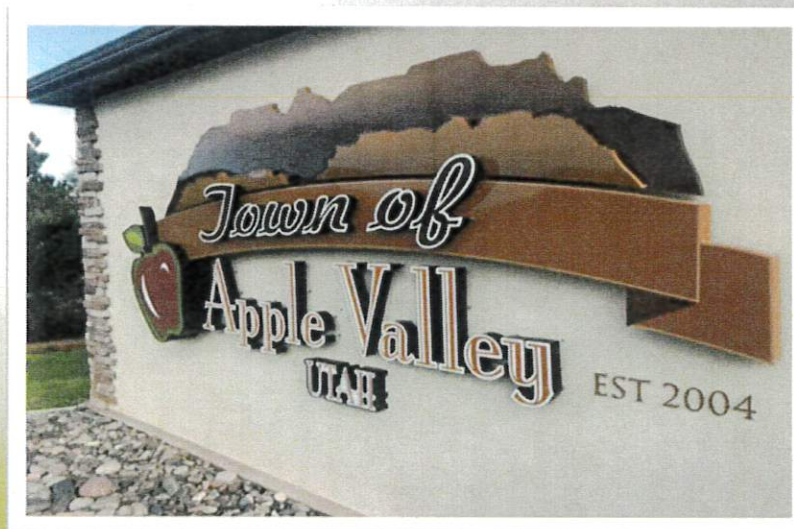




# Economic Development Element

Implementing a successful economic development strategy is essential to the strength and fiscal security of any municipality. Apple Valley's local economy has competitive strengths and economic opportunities based on its superior location and beautiful natural environment. The most competitive strength is the town's location adjacent to State Route 59.

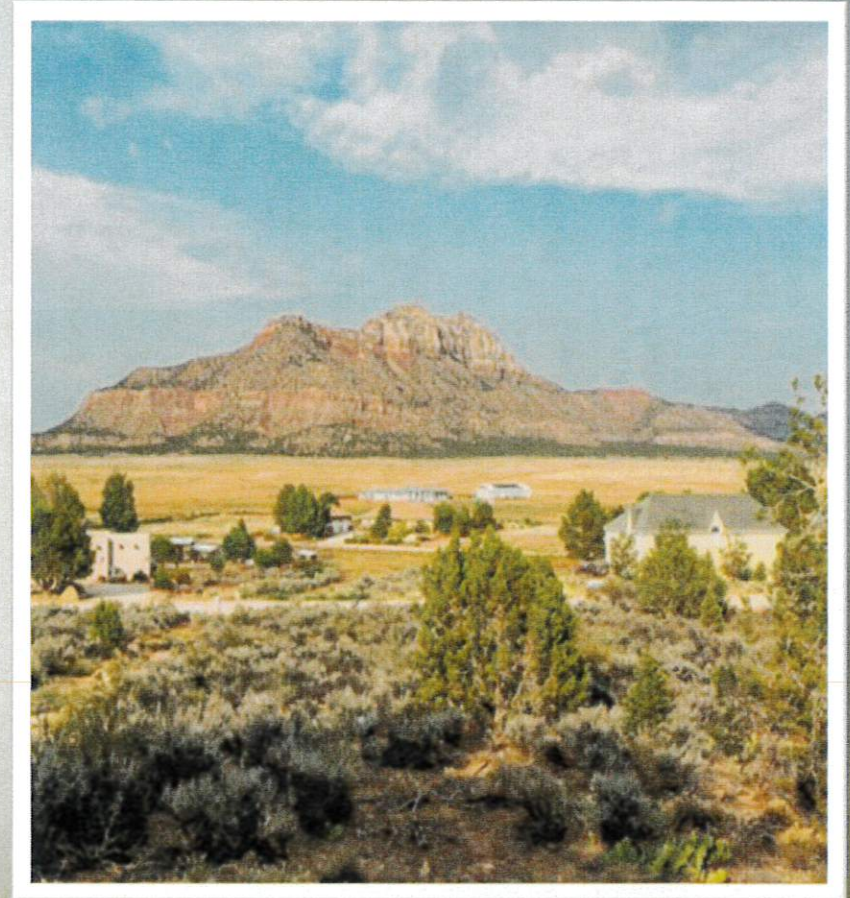
A strong local economy provides residents with a high quality of life. To prepare for a balanced economy, broad goals, strategies, and actions are provided in this general plan to guide future economic development efforts. The economic development element goals are meant to be long-term in nature and implementation, flexible, and provide an organizational framework to help guide decision makers in responding to differing market conditions.





# Housing Element

Housing in Apple Valley currently consists of single-family homes on lots ranging in size. The 2020 census states that there are 308 housing units in the Town of Apple Valley. Single family homes comprise the majority of available housing. The average household size is approximately 3.0 persons. Approximately 95 percent of the homes are owner occupied. While most of the housing stock in Apple Valley is single family, the architecture is varied. Apple Valley, being a newer town, does not have the traditional wide range in house ages that other more established towns have in the State of Utah.





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*Thank you!*

