



SPECIAL APPLE VALLEY TOWN COUNCIL WORK MEETING WITH PLANNING COMMISSION

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 06, 2022 at 6:30 PM

MINUTES

Mayor | Frank Lindhardt |

Council Members | Andy McGinnis | Barratt Nielson | Kevin Sair | Robin Whitmore |

Chair | Allen Angell

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

CALL TO ORDER- Mayor Lindhardt called meeting to order at 7:08pm.

PLEDGE OF ALLEGIANCE

PRAYER- Prayer led by Council Member Nielson.

ROLL CALL

PRESENT

Mayor Frank Lindhardt

Council Member Kevin Sair

Council Member Robin Whitmore on zoom

Council Member Andy McGinnis

Council Member Barratt Nielson

PRESENT

Chair Allen Angell

Commissioner Forrest Kuehne

Commissioner Margaret Ososki

Commissioner Lee Fralish

ABSENT

Commissioner Jeri-Burhorn Politte

DECLARATION OF CONFLICTS OF INTEREST

All Council Members' and Planning Commissioners' own property in Apple Valley.

DISCUSSION

1. Discuss General Plan Map

Mayor Lindhardt discussed we want to not create conflicts with other zoning.

Commissioner Angell wants to point out that 80% of residents wants to remain open space. Mayor Lindhardt makes suggestion to strike golf course and leave parks.

Mayor Lindhardt discusses R1 acre and R-1/2 acre stricken and included in high density and med density. From this existing list that is missing that shows up in zoning is industrial. Town needs to decide if wants to turn into something like Hurricane. We certainly can. But if our goal is to stay a rural farming community than we need to remove industrial. We listened to the will of the people, and they made it clear they do not want industrial.

Consensus is no industrial.



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Mayor Lindhardt explained about school trust land. He discussed how Planned Developments get flexibility. We do not have any treatment plants. Our aquifer needs to be protected. Once we get City status, we need to have low-income housing in our plan. Allowing casitas takes care of this. This is one of the tools to accommodate for low-income housing and we have already incorporated that.

Council Member McGinnis questions if this is rule or suggestion. Mayor Lindhardt discussed all the Towns around use a General Plan not as a law but as a guide to be followed. Mayor Lindhardt discussed the General Plan Map Amendment process.

Commissioner Angell suggest putting a procedure in place that General Plan Amendment must be done before a Zone Change. Mayor Lindhardt states this is how it is done in other towns and only twice a year. Town Council has the ultimate say so in zone change. Discussed open space transitional as someday in the future as the town changes and is done on zone change level. Water and sewer are the other issues that we have for all issues. Developers need to solve those problems. Agricultural zoning satisfies open space. Our current general plan is to keep it rural and agricultural.

Mayor Lindhardt discusses that the Town removed tourist commercial as a zone. Discussed Ground Source Protection which states no lot should be smaller than 7 acres for septic. But with treatment system can be 3.5 acres. All other Towns in vicinity follows this and there is no subdivision that is lower than 7 acre lots. Discussed the ordinance that we adopted in 2005, which has been completely ignored. Just because the Town has been doing something wrong in the past does not mean we have to keep doing it. You cannot grandfather in a prohibited use. Ash Creek Sewer System will be making that decision moving forward.

Discussion continued about the zoning and separating the zoning map legend or condensing the residential and agricultural. Commissioner Angell suggests Agricultural one color and Rural Estates one color as well Commercial. Basically, condense all but designate Open Space separately. Condense Rural Estates. Planning Commission Chair Angell discussed about open space and how the general plan is supposed to show what the Town sees. As rule whenever we can add low density we should. Mayor Lindhardt comments does not make sense to do agricultural on open space. Mayor Lindhardt comments that will not make any difference. It will not change until there is a sewer treatment system. It was suggested to deliberate what classification of acres for low density should be. Decided on Residential-High Density-less than 1 acre, Residential-Medium Density-less than 7, Residential-Low Density, more than 7 acres.

DISCUSSION AND ACTION

2. Closed Session RE: Litigation

Motioned to move into closed session for litigation.

Motion made by Council Member Nielson, Seconded by Council Member McGinnis.

Voting Yea: Mayor Lindhardt, Council Member Sair, Council Member Whitmore, Council Member McGinnis, Council Member Nielson



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The vote was unanimous, and the motion carried.

ADJOURNMENT

Meeting called back to order and Adjournment at 10:18pm

Motioned to adjourn meeting.

Motion made by Council Member McGinnis, Seconded by Council Member Sair.

**Voting Yea: Mayor Lindhardt, Council Member Sair, Council Member Whitmore, Council Member McGinnis,
Council Member Nielson**

The vote was unanimous, and the motion carried.

Date Approved: _____

Approved BY: _____
Mayor | Frank Lindhardt

Attest BY: _____
Recorder | Jenna Vizcardo