



WORK SESSION - TOWN COUNCIL AND PLANNING COMMISSION

1777 N Meadowlark Dr, Apple Valley
Tuesday, April 09, 2024 at 4:00 PM

MINUTES

Mayor | Michael Farrar |

Council Members | Kevin Sair | Robin Whitmore | Barratt Nielson | Janet Prentice |

Chairman | Bradley Farrar

Commissioners | Lee Fralish | Richard Palmer | Garth Hood | Annie Spendlove

CALL TO ORDER- Mayor Farrar called the meeting to order at 4:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor Michael Farrar

Council Member Janet Prentice

Council Member Annie Spendlove

Chairman Bradley Farrar

Commissioner Lee Fralish

Commissioner Richard Palmer

DECLARATION OF CONFLICTS OF INTEREST

None declared.

DISCUSSION

1. Town Fee Schedule

Mayor Farrar initiated discussions on the fee schedule, citing feedback from a poll. There was a split opinion on increasing fees, with concerns raised about fairness and the impact on residents versus businesses. Council Member Prentice suggested differentiating fees based on whether properties are primary residences or strictly rental units. Mayor Farrar acknowledged the need for further consideration, particularly regarding enforcement and the differentiation between resident and non-resident-owned properties.

Commissioner Fralish and Council Member Prentice highlighted concerns about the impact of fee increases on small rental businesses and emphasized the need to balance revenue generation with fairness to residents. They discussed raising commercial business license fees but opted to keep home-based businesses unaffected. They also considered increasing single-event license fees to account for attendance size, with a consensus that these fees were justified given the profit-making nature of events held in the town.

Overall, the council aimed to strike a balance between revenue generation and fairness to residents and small businesses, with a willingness to reconsider fee structures in the future. Mayor Farrar agreed to explore differentiated fees for properties based on residency status but suggested leaving fees



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unchanged for the time being. The discussion also addressed zoning-related matters, including general plan amendments and zone change fees, emphasizing that fees should reflect the costs of processing requests. Refund policies were reviewed, with adjustments considered to cover administrative costs. Council Member Prentice raised concerns about standing sign fees and suggested revisiting the sign ordinance.

2. Oculita Roca DA

Mayor Farrar discussed a proposed development agreement (DA) regarding egress concerns at a town council meeting. There was a discussion about adjusting the emergency exit to address safety issues, with developers agreeing to relocate it to meet town standards. The district is also working on a water agreement for a feasibility study, considering storage capacity and potential well drilling.

Mayor Farrar mentioned a change in the number of units in a project from 44 to 84, with a plan to charge a resort fee once a certain number of units were reached. The discussion highlighted the benefits of the project, including revenue potential and the preservation of open space. Commissioner Fralish expressed support for the project's growth, emphasizing its positive impact.

Questions were raised about the water system's connection to Apple Valley's system, with Mayor Farrar explaining the plan for a connection and the need for additional storage capacity. The discussion emphasized the importance of ensuring water sustainability and avoiding past mistakes.

Mayor Farrar also discussed the PDO (Planned Development Overlay) zoning, noting its benefits in regulating land use. The PDO was seen as a positive tool for controlling future development and maintaining community standards.

3. Nuisance Complaint Process

Mayor Farrar discussed a proposed nuisance complaint procedure at a town council meeting. The procedure required complaints to be within 300 feet of the complainant's property and directly affecting their daily life or pursuit of happiness. Anonymous and verbal complaints were not accepted; complaints had to be submitted via a form available online, at the town's website, or in person at the town office.

Upon receiving a complaint, the mayor or designated official would review it to determine if it violated town ordinances. If valid, the property owner would be notified and given 30 days to correct the violation. Extensions were possible with valid reasons. A fee schedule was also discussed for non-compliance, with the intention not to generate revenue but to enforce compliance.



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Council Member Prentice raised a concern about a neighbor's activities impacting their daily life, such as creating a fire hazard. Mayor Farrar clarified that safety issues, like fire hazards, would be addressed, and non-compliance could lead to fees. Discussion also touched on the challenge of addressing harassment, with the council and commissioners acknowledging the difficulty in creating an ordinance against it. Mayor Farrar expressed a desire to address harassment but noted the legal complexities involved.

Commissioner Palmer expressed support for the proposed procedure. Mayor Farrar reiterated the importance of having rules and laws within reason. Overall, the meeting highlighted the town's efforts to address nuisance complaints while balancing the rights and privacy of its residents.

4. Shums Coda - Planning Review

Mayor Farrar discussed the planning review process. It was explained that when planning submissions were sent to the town for review, there were often issues because the officials were not familiar with the town's ordinances. As a result, two members, including Mayor Michael Farrar and Chairman Bradley Farrar, took on the responsibility of reviewing these submissions themselves. They had become familiar with the town's ordinances and had developed a checklist to ensure thorough reviews. They emphasized that even though they were overseeing the initial review, all plans still went to the town engineer for final approval.

The reason for this change was to address cost concerns. Previously, the town paid the officials for their review services, but it was found to be expensive and sometimes resulted in oversights. Overall, they believed this change was beneficial for the town, despite the increased workload for themselves.

5. AG-X and Temporary Fee Waiver

Mayor Farrar addressed the issue of the Ag X and temporary waiver fee, aiming to clarify any confusion. The town planned to allow residents a one-time opportunity to switch their zoning to agricultural (AG) for free, aiming to maintain the rural and farmland character of Apple Valley. This change would prevent developments that were not in line with the town's general plan and surrounding zoning. The waiver would not cost the town anything but would require residents to cover any recording fees.

6. Council Mayor Flow Chart



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Mayor Farrar also discussed a flowchart outlining the roles of the mayor and council members. The mayor is also considered the executive officer. The council's role is to ensure that the mayor adheres to state guidelines and does not act outside of his authority. The council serves as a check on the mayor's power, ensuring that decisions are made in the best interest of the town's residents. The council's primary function is to protect the people and prevent the mayor from making unilateral decisions. Overall, the flowchart was intended to provide clarity on the roles within the town government and to ensure that decisions are made in accordance with state laws and regulations.

The flowchart aimed to clarify the roles and responsibilities of each party, highlighting the checks and balances within the town's governance structure.

7. Roundtable

Council Member Prentice and Mayor Farrar discussed the retention of records, especially on social media. They highlighted the challenges of maintaining records on pages set up by residents and emphasized the importance of following rules for record retention, including federal government rules.

The discussion also touched on promoting town matters on social media and the town's official Facebook page managed by the town clerk. Mayor Farrar mentioned the need to avoid violating rules on social media and the importance of promoting transparency and engagement with residents.

There was a discussion about a temporary ordinance related to rezone changes. Commissioner Fralish suggested promoting the ordinance to increase awareness and compliance among residents.

The roundtable also included conversations about community engagement, including involving elderly residents in town activities and organizing town events to unite the community. Mayor Farrar expressed his support for town events and emphasized the importance of community involvement.

Towards the end of the roundtable, Mayor Farrar announced changes to the planning review process, stating that the Planning Commission would be in charge of approving all preliminary plats and construction drawings by the end of the year. He emphasized the Planning Commission's important role.

ADJOURNMENT

MOTION: Commissioner Fralish motioned to adjourn the meeting.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Mayor Farrar called for a vote:



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Mayor Michael Farrar - Aye
Council Member Janet Prentice - Aye
Council Member Annie Spendlove - Aye
Chairman Bradley Farrar - Aye
Commissioner Lee Fralish - Aye
Commissioner Richard Palmer - Aye

The vote was unanimous and the motion carried.

The meeting was adjourned at 4:55 p.m.

Date Approved: _____

Approved BY: _____
Mayor | Michael L. Farrar

Attest BY: _____
Town Clerk/Recorder | Jenna Vizcardo