



PLANNING COMMISSION HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, December 04, 2024 at 6:00 PM

MINUTES

CALL TO ORDER - Chairman Farrar called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Chairman Bradley Farrar

Commissioner Lee Fralish

Commissioner Richard Palmer

Commissioner Garth Hood

Commissioner Stewart Riding arrived at 6:02 p.m.

CONFLICT OF INTEREST DISCLOSURES

None declared.

HEARING ON THE FOLLOWING

1. Adopt Title 10.41 Pigs, Ordinance O-2024-88.

Chairman Farrar opened the public hearing.

Resident Margie Ososki inquired about the logistics of housing pigs on a 10-acre property. She noted that while the minimum acreage requirement was 10 acres, the pigs would typically be confined to a smaller pen within that area. Margie sought clarification on how many pigs could reasonably be accommodated within a pen.

Chairman Farrar clarified that the guideline is one pig per acre, which would determine the number of pigs allowed within the designated space on the property.

Resident Jeff Spendlove shared his perspective on the pig-related ordinances, emphasizing a lack of understanding and education about pigs and urging residents to educate themselves rather than rely on misconceptions. He highlighted that both pot-bellied pigs and market pigs can be equally clean when managed properly, noting that pigs in uncrowded pens naturally separate their waste from their living areas, minimizing odor. Jeff also addressed concerns about commercial farming practices, such as keeping pigs on concrete with lagoons for waste, which he explained contribute to the negative perceptions of pigs but are not reflective of small-scale farming. He advocated for flexibility in how pigs are housed, including allowing pastured pigs on larger properties, and stressed that well-managed pigs can be kept with minimal impact on neighbors. Jeff argued against overly restrictive regulations, such as requiring pigs to be kept on concrete, as these hinder small-scale farming and food production. Instead, he supported case-by-case assessments of complaints rather than requiring residents to seek prior approval for raising pigs. Jeff concluded by encouraging balanced regulations that support both large and small property owners and by urging the community to educate themselves on the realities of raising pigs.

Resident Margie Ososki shared their perspective, acknowledging that pigs are likely clean animals as claimed but expressing concerns based on past experiences with large animals in the community. They noted that some residents fail to maintain cleanliness with horses and cows, leading to unpleasant odors, especially in the summer. While they are personally accustomed to such smells, they emphasized

that others who are not familiar with farm animals may find it challenging. They concluded that concerns about pigs stem from fears that poor maintenance by owners could result in similar issues with odor.

Mayor Farrar addressed the attendees, emphasizing that a significant amount of effort had gone into the discussion of the pig ordinance during a previous work meeting involving the Planning Commission and Town Council. The mayor explained that their role, along with the Town Council and Planning Commission, is to balance the needs and preferences of all residents, from those with farming interests to those with a more urban perspective.

Mayor Farrar noted that the new proposal was a result of compromises made during the work meeting. It addressed various concerns, such as removing the requirement for pigs to be kept on concrete, and aimed to reflect a fair middle ground. The mayor stressed that the proposal is not set in stone and can be revised based on its effectiveness or resident feedback over time. This collaborative effort was presented as a starting point to accommodate as many residents as possible.

Resident Terry Riding voiced concerns about health risks associated with allowing pigs in the community, emphasizing the importance of adhering to agricultural laws to prevent disease. They highlighted that many residents in Apple Valley are older or have compromised health, making them especially vulnerable. Terry questioned who would address the needs of these individuals if pigs negatively affected their well-being or property values, potentially forcing relocation. They stressed the need to prioritize the health and welfare of all community members.

Resident Colton Winder voiced support for Jeff Spendlove's comments about raising pigs and addressed concerns regarding the associated challenges. Colton noted that many perceptions about raising pigs might be inaccurate and emphasized that proper management practices and enforcement frameworks could address issues like odor and noise. Colton also urged the Planning Commission to reconsider the 10-acre minimum lot size requirement, suggesting a more flexible approach. They proposed allowing up to three pigs on properties between five and ten acres, while keeping the one-pig-per-acre standard for lots larger than ten acres. Colton highlighted that a small number of pigs on smaller lots would still be manageable and could provide a valuable food source for local farmers. They expressed concern that requiring residents to seek special permission to raise pigs could place an unnecessary burden on farmers, particularly in a community with agricultural roots.

Chairman Farrar closed the public hearing.

2. Amend Title 10.10.020 A Agricultural Zone, Ordinance O-2024-85.

Chairman Farrar opened the public hearing.

No public comments.

Chairman Farrar closed the public hearing.

3. Amend Title 10.10.050 RE Rural Estates Zone, Ordinance O-2024-86.

Chairman Farrar opened the public hearing.

No public comments.

Chairman Farrar closed the public hearing.

4. Amend Title 10.07.090 Conditional Use Permit, Ordinance O-2024-87.

Chairman Farrar opened the public hearing.

Resident Margie Ososki raised concerns about the proposal to reduce the minimum house size requirement to 800 square feet, specifically in the rural estate zone. Margie questioned the reasoning behind this change and expressed opposition, stating that it could attract more people to the town unnecessarily. They noted that the state's minimum standard is 1,000 square feet and did not understand why the town would lower its requirement.

Resident Jeff Spendlove advocated for reducing minimum house size requirements to make housing more affordable, particularly for young adults and small families. He shared his perspective as a parent of adult children seeking to build modest, functional homes. Jeff questioned the need for restrictions on house sizes, noting that smaller homes, such as 900 square feet, can provide sufficient living space and meet practical needs. He argued that societal expectations for large homes are often impractical, especially in times of financial difficulty. Jeff emphasized that lowering the minimum size would allow young people to affordably enter homeownership by starting small, rather than being forced to build beyond their means. He called for greater flexibility in housing requirements to support residents in achieving affordable and practical living options.

Resident Rich Ososki voiced concerns about lowering the minimum house size to 800 square feet, highlighting potential long-term impacts on the community. He noted that the standard had already been reduced from 1,200 to 1,000 square feet to align with state guidelines and questioned the need for further reductions. Rich warned that allowing smaller homes could set a precedent for developers to build more compact homes, potentially leading to higher-density housing that might not align with the town's rural character. He emphasized the importance of maintaining a standard to protect property values, expressing concerns about the visual and financial implications of pairing large lots with smaller homes. While acknowledging the financial struggles faced by younger generations, Rich opposed further reductions, citing risks of unintended consequences that could shift the town's development trajectory away from its established vision.

Resident Margie Ososki shared her perspective on housing affordability, acknowledging the challenges young people face today. She reflected on her own experience in the 1980s when, as a single woman, she secured a loan at a 9.75% interest rate. Margie noted that it took significant time and effort to save the money needed to afford a home. She emphasized that financial challenges in purchasing a home are not new and require discipline and perseverance, regardless of the circumstances.

Chairman Farrar closed the public hearing.

DISCUSSION AND POSSIBLE ACTION ITEMS

5. Conditional Use Permit Application for 1747 N Apple Valley Dr. Applicant: Spencer, Stacy Christine.

The Planning Commission discussed a conditional use permit application for a 400-square-foot home located at 1747 North Apple Valley Drive. The applicant, Stacy Christine, presented plans for a prefabricated home designed to be expanded later to meet the town's minimum square footage requirements of 800 square feet, pending approval of an ordinance amendment. The Commission debated the merits of allowing the smaller home and the broader implications of conditional use permits for reduced square footage.

Commissioner Riding supported the use of conditional use permits for flexibility, while expressing a preference for maintaining minimums of 800 or 1,000 square feet, with case-by-case exceptions. Commissioner Palmer advocated for inclusive housing options, emphasizing affordability and the need to accommodate residents with diverse financial situations. Commissioner Fralish raised concerns about ensuring applicants follow through on expansion plans and maintaining community standards.

Mayor Farrar clarified the intent behind the ordinance amendment, highlighting efforts to create affordable housing while preserving Apple Valley's rural character and avoiding high-density developments. He explained that conditional use permits allow the Commission to evaluate applications individually, ensuring they align with the town's values and avoid setting unwanted precedents.

The discussion also touched on the importance of obtaining certificates of occupancy and ensuring compliance with local and state building codes. Concerns about property values, community aesthetics, and the potential for misuse of conditional use permits were raised, but it was noted that each permit is assessed independently.

The Commission concluded the discussion by focusing on the current application, reiterating that the decision before them was whether to approve the conditional use permit for the 400-square-foot home, independent of any planned future expansion.

MOTION: Chairman Farrar motioned that we approve the Conditional Use Permit Application for 1747 N Apple Valley Dr, applicant Stacey Christine Spencer, pending the approval of Ordinance O-2024-87 and Ordinance O-2024-86 by the Town Council.

SECOND: The motion was seconded by Commissioner XX.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
Commissioner Palmer - Aye
Chairman Farrar - Aye
Commissioner Hood - Aye
Commissioner Riding - Aye

The vote was unanimous and the motion carried.

6. Adopt Title 10.41 Pigs, Ordinance O-2024-88.

Chairman Farrar introduced Ordinance O-2024-88, which proposed updates to Title 10.41 regarding the regulation of pigs. The chairman highlighted that extensive discussions during prior work meetings had resulted in a balanced proposal. The ordinance was presented as a starting point that could be adjusted in the future if needed. Chairman Farrar also noted that conditional use permits would allow for flexibility in addressing special circumstances. He expressed confidence in the ordinance as a workable solution and invited further comments from the commissioners.

Commissioner Hood expressed concerns about adopting the ordinance without sufficient understanding or public input. They cited past efforts and feedback from other towns, noting common issues like odor and nuisances associated with pigs. Hood emphasized the need for broader public engagement, including polls and discussions, before making a decision.

MOTION: Commissioner Hood motioned to table it and get more input from the public.

The Planning Commission continued its discussion of Ordinance O-2024-88 regarding regulations for pigs in agricultural zones. Commissioner Riding shared feedback from residents, noting most were opposed to the ordinance and suggested conducting a public poll to gauge the community's opinion. Concerns were also raised about enforcement capabilities if issues arose, with Mayor Farrar acknowledging limited resources but confirming the town's responsibility for code enforcement.

Mayor Farrar clarified that the ordinance limits pigs to agricultural zones with a minimum lot size of 10 acres and a maximum of one pig per acre, capped at 40 pigs. He explained that the current ordinance is flawed, allowing pigs without restriction, even in residential zones, and highlighted the importance of implementing changes to address this loophole.

Suggestions included implementing agricultural inspections and requiring acknowledgment from property owners to ensure compliance. However, resource constraints were noted as a challenge for enforcement. Discussions reflected differing opinions on whether to proceed or gather additional public input. The debate underscored the need for balancing agricultural activities with community concerns.

SECOND: The motion was seconded by Commissioner Riding.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
Commissioner Palmer - Nay
Chairman Farrar - Nay
Commissioner Hood - Aye
Commissioner Riding - Aye

The vote was three aye and two nay and the motion carried.

7. Amend Title 10.10.020 A Agricultural Zone, Ordinance O-2024-85.

Chairman Farrar suggested tabling this item as well since it pertains to the previously tabled item. A motion to table was requested.

MOTION: Commissioner Hood motioned that we table Ordinance O-2024-85.

Mayor Farrar stated that the Planning Commission would need to take responsibility for the work required on the item, emphasizing that they would need to step up and address the necessary tasks.

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
Commissioner Palmer - Nay
Chairman Farrar - Nay
Commissioner Hood - Aye
Commissioner Riding - Aye

The vote was three aye and two nay and the motion carried.

8. Amend Title 10.10.050 RE Rural Estates Zone, Ordinance O-2024-86.

Chairman Farrar introduced item number eight, proposing to amend Title 10.10.050, Ordinance O-2024-86, to lower the minimum home square footage from 1,000 to 800 and allow conditional use permits. He emphasized the importance of granting the Planning Commission flexibility to evaluate applications individually and noted that this aligns with item number five, supporting affordability while maintaining oversight.

MOTION: Commissioner Riding moved that we amend Title 10.10.050 RE Rural Estates Zone, Ordinance O-2024-86.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
Commissioner Palmer - Aye
Chairman Farrar - Aye
Commissioner Hood - Nay
Commissioner Riding - Aye

The vote was four aye and one nay unanimous and the motion carried.

9. Amend Title 10.07.090 Conditional Use Permit, Ordinance O-2024-87.

Chairman Farrar introduced item number nine, proposing amendments to Title 10.07.090 on conditional use permits. He suggested removing the pig-related section while retaining the provision for smaller home sizes to address that portion immediately.

MOTION: Chairman Farrar motioned to amend Title 10.07.090 Conditional Use Permit, Ordinance O-2024-87 with removing the section about pigs.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
Commissioner Palmer - Aye
Chairman Farrar - Aye
Commissioner Hood - Aye
Commissioner Riding - Aye

The vote was unanimous and the motion carried.

APPROVAL OF MINUTES

10. Minutes: November 6, 2024.

MOTION: Commissioner Fralish motioned that we approve the minute of 11/6/2024 Planning Commission.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
Commissioner Palmer - Aye
Chairman Farrar - Aye
Commissioner Hood - Aye
Commissioner Riding - Aye

The vote was unanimous and the motion carried.

ADJOURNMENT

MOTION: Commissioner Fralish motioned to adjourn.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Farrar called for a vote:

Commissioner Fralish - Aye
Commissioner Palmer - Aye
Chairman Farrar - Aye
Commissioner Hood - Aye
Commissioner Riding - Aye

The vote was unanimous and the motion carried.

The meeting was adjourned at 6:58 p.m.

Date Approved: _____

Approved BY: _____
Chairman | Bradley Farrar

Attest BY: _____
Town Clerk/Recorder | Jenna Vizcardo