

**MAPLETON CITY
PLANNING COMMISSION MINUTES
March 13, 2008**

PRESIDING AND CONDUCTING: Vice-Chairman Skip Tandy

Commissioners in Attendance: Jared Bringhurst
Pam Elkington
Rick Maingot
Barbara Pratt
Bill Bleggi (Alternate)

Commissioners not in Attendance: Oscar Mink
Leo Thomsen
Steve Roden (Alternate)

Staff in Attendance: Matthew Brady, Planner I

Minutes Recorded by: April Houser, Executive Secretary

Call to order

Vice-Chairman Tandy called the meeting to order at 6:30pm. Jared Bringhurst led the Pledge and Bill Bleggi gave the invocation.

Items below are not necessarily in the order they appear.

Alternate Commissioner Bill Bleggi was seated as a voting member at the beginning of the meeting.

Item 1. Planning Commission Minutes – January 24, 2008.

Motion: Commissioner Pratt moved to approve the January 24, 2008 Planning Commission as corrected.

Second: Commissioner Bringhurst

Vote: Unanimous

Item 2. Planning Commission Minutes – February 28, 2008.

Motion: Commissioner Pratt moved to approve the February 28, 2008 Planning Commission as corrected.

Second: Commissioner Elkington

Vote: Unanimous

Item 3. Brian Esquivel, agent for Maple Mountain Bee Company LLC, requests approval of a beekeeping Home Occupation Permit, including offsite hives, located generally at 1475 North 900 West. The subject property is located in the RA-2 (Residential Agricultural) Zone.

Matthew Brady (Matt), Planner I, went over the Staff Report for those in attendance. Home Occupations are a Permitted Use in the RA-2 Zone. The applicant would like for additional beehives that may come in the future not to require a return to the Planning Commission. Staff talked with Derald Cook, Utah County Extension, in regards to this Home Occupation Permit request. He said there was no State Regulations on beekeeping. Staff felt the office and garage uses for the Home Occupation Permit met City Standards. **Commissioner Pratt** brought up the concern with the applicant having more than one employee. Matt stated that health, safety and welfare concerns can be addressed in regards to conditions on a Home Occupation Permit. **Commissioner Bleggi** felt that some of these conditions should be put into an Ordinance to help with other beehives in the City. He did not feel the applicant should be restricted on where he can move the beehives. **Commissioner Pratt** felt that the size of the lots should be a factor on the restrictions put on the beehives. **Bryan Esquivel, Brian Hatch and Bryan Jensen**, gave a presentation for all in attendance in regards to the Home Occupation Permit/Business License they are requesting. There will be sales tax revenue brought in off this permit if approved. A history of bee keeping was given. Utah is the number 1 consumer of honey in the United States. The applicants are hoping to place the hives on large tracts of land, not typically in a residential area. They do not have any place currently within the City limits lined up to place their hives on. All sales will take place at Farmer's Markets, Orchards, etc. The applicants do not agree with most of the conditions listed in this evening's Staff Report. There would be sufficient parking at the site for cars, along with the hives that are being stored. They hope to move the hives around so they can be productive year round. It was stated that bees would not fly through a chain link fence that they would in fact fly over it. **Vice-Chairman Tandy** opened the Public Hearing. **Sam Francis** greatly supported this Home Occupation Permit request, and did not want a fence to be required around the hives. He feels it would be a benefit to the community. **Niel Shelley**, President of the Utah County Bee Keepers Association, commended the Planning Commission on the rethinking of the restrictions. He did not feel there should be an Ordinance that would restrict beekeeping. **Bruce Howsler**, neighbor, said that they have not had any problems with the hives in the area, and supported this request. **Lee Knight** stated that he thinks this is a great business, and the type of business that supports his family. He felt it would be a good addition to the community. No additional comments were given and the Public Hearing was closed.

Motion: Commissioner Pratt moved to approve Brian Esquivel's Home Occupation Permit for the Mapleton Mountain Bee Company LLC, including offsite hives, located generally at 1475 North 900 West, with the conditions listed below:

1. Applicant obtains a Business License after Planning Commission approval, which must be signed by the applicable City Departments.
2. That the applicant abides by all provisions of the Mapleton City Code 18.84.380: regarding Home Occupations.

3. That if Staff receives complaints regarding the Home Occupation, that the Home Occupation shall be re-considered at the next possible Public Hearing of the Planning Commission.
4. That hives be placed only in residential zones on lots of great than 14,500 square feet.
5. The applicant's emergency contact phone number shall be kept on one hive in each apiary.
6. The applicant shall conform to all Federal and State regulations regarding beekeeping.
7. Beehive(s) shall be registered with the Utah Department of Agriculture, and comply with the rules and regulations set forth in the Utah Code 04 Chapter 11.
8. All beehives shall consist of moveable frames and combs.
9. Beehives shall be managed for swarm prevention and gentleness.
10. Beehives shall be requeened if bee behavior is likely to cause a nuisance.
11. A consistent water source shall be provided at the apiary unless it occurs naturally within 300 feet. Water is to be changed weekly to prevent the water from becoming stagnant. This requirement is intended to discourage bee visitation at swimming pools, hose bibs, animal watering sources, birdbaths or other places where people congregate.
12. Apiaries shall be managed and kept in a clean and orderly manner in appearance to prevent a nuisance.
13. Apiary identification shall comply with the Utah Bee Inspection Act Governing Inspection of Bees R68-11-3.

Second: Commissioner Maingot
Vote: Unanimous

Item 4. Frances Holmes requests to amend Title 18, Development Code, Part III, Zoning, Section 18.36.060, Lots Buildings, Yards, and Open Spaces.

Matthew Brady (Matt), Planner I, went over the Staff Report for those in attendance. Storm water is not a large issue in this case. Most homes do not get close to meeting the lot coverage requirements, as this request does. The applicant is willing to put in french drains if required to maintain lot drainage. **Vice-Chairman Tandy** stated that the proposed home meets all required city setbacks. There was some reasoning given as to why staff did not feel this would be approved for a variance, since there are five strict criteria that would need to be met. **Francis Holmes** stated that she has been planning this home for 6 years. The home they want to build will be very energy efficient. It would also be handicap accessible. She was directed to request this Ordinance change. There are no drainage problems in this area. The Holmes' have owned the lot for four years. Vice-Chairman Tandy opened the Public Hearing. **Richard Marshall**, developer of the subdivision where Mrs. Holmes' lot is located, stated that a water problem does not exist. He laid out the development to allow for a larger lot for Mrs. Holmes to build her dream home on. Animals are restricted in the subdivision, as well as on-street parking. Mr. Marshall feels it should be approved for Mrs. Holmes, not necessarily for the rest of the City.

No additional comments were given and the Public Hearing was closed. Staff was directed to look into how other cities measure their lot coverage; if it is by the footprint of the home or inclusion of roof and overhangs.

Motion: Commissioner Pratt moved to recommend denial to City Council of an Ordinance amending Title 18, Development Code, Part III, Zoning, Section 18.36.060, Lots, Buildings, Yards and Open Spaces, with the reason listed below:

1. It does not meet with the policies of the General Plan, creating aesthetics issue with higher lot coverage.

Second: Commissioner Elkington

Vote: 5:1:0 with Commissioners Bringhurst, Maingot, Elkington, Pratt and Tandy voting aye and Commissioner Bleggi voting naye feeling there should be an adjustment made that could help work with the applicant.

Item 5. Mapleton City requests to amend Title 18, Development Code, Part III, Zoning, Chapter 18.30, CE-1 (Critical Environment) Zone.

Matthew Brady (Matt), Planner I, went over the Staff Report for those in attendance. This would allow reservoirs as a Permitted Use under the CE-1 Zone. The City did not purchase the site for the future reservoir, but exchanged it for Transferable Development Rights (TDR's). **Commissioner Bleggi** does not feel this should be a recreational reservoir. **Vice-Chairman Tandy** opened the Public Hearing. No comments were given and the Public Hearing was closed.

Motion: Commissioner Maingot moved to recommend approval to City Council of an Ordinance amending Title 18, Development Code, Part III, Zoning, Chapter 18.30, CE-1 (Critical Environment) Zone, with the condition listed below:

1. That the Ordinance includes "Municipal Reservoirs" as a Permitted Use in the CE-1 Zone.

Second: Commissioner Pratt

Vote: Unanimous

Item 6: Adjourn

Motion: Commissioner Elkington moved to adjourn the meeting at 9:25pm.

Second: Commissioner Bringhurst

Vote: Unanimous

April Houser, Executive Secretary

Dated:

Skip Tandy, Planning Commission Vice-Chairman

Dated:

Matthew Brady, Planner I

Dated: