

MAPLETON CITY
PLANNING COMMISSION MINUTES
March 24, 2016

PRESIDING AND CONDUCTING: Chairman Rich Lewis – arrived at 6:38pm

Commissioners in Attendance: Therin Garrett
Sharee Killpack
Golden Murray
Keith Stirling

Staff in Attendance: Brian Tucker, Planner

Minutes Taken by: April Houser, Executive Secretary

Vice Chairman Murray called the meeting to order at 6:30pm. Keith Stirling gave the invocation and Sharee Killpack led the Pledge of Allegiance.

Items are not necessarily heard in the order listed below.

Alternate Commissioner Sharee Killpack was seated as a voting member this evening. Vice-Chairman Golden Murray conducted the meeting for Items 1 & 2. Chairman Rich Lewis conducted the meeting for Item 3.

Item 1. Planning Commission Meeting Minutes – March 10, 2016.

Motion: Commissioner Killpack moved to approve the March 10, 2016 Planning Commission Minutes.

Second: Commissioner Garrett

Vote: Unanimous

Item 2. Consideration of Preliminary and Final Plat approval for the Sadey Subdivision Plat “A”, consisting of one lot, located at approximately 540 East 1200 North in the Residential Minor-Agriculture (RA-2) Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. This is a one lot subdivision for final approval, with a Preliminary Plat that needs to be addressed in order to make this possible. There are 2.52 acres in the RA-2 Zone, which allows for 1/3 acre lots with 100’ of frontage. The applicant is asking for one 1/2 acre lot, leaving the remaining piece intact. Staff has asked the applicant to do a concept plan for the entire parcel. They have come up with 5 lots that vary from 1/3-1/2 acre in size. The additional 4 lots will be part of a future phase. In

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doing this future phase, roads, etc. need to be planned at this time. The street that would service the future parcels would be located to the west side of this lot. Typically this would require a partial street to be installed, which the City Engineer has asked to have done. The entire 2.52 acre is currently in a trust. Staff is not aware of how quickly the future phases could be completed. Road width is also a concern, with a proposed future right-of-way (ROW) of 25'. If the street was to be installed between this parcel and the one to the west, a half plus 5' street width could be required. This would require the applicant to install the half plus 5' section, and the property owner to the west will put in the remainder of the street improvements. There are possible improvement reimbursements to the first developer at the time that the second property owner develops their land. The possible stub street is not part of the Transportation Master Plan. **Commissioner Murray** felt it would be reasonable to have the street put in at the time the future developments take place, and not at this time. **Commissioner Killpack** felt if there was a concern with the proposed lot 1 owners paying their share of these improvements, they would get some type of agreement in writing at this time by the future trustee owners of lot 1.

Sadey Lee, the applicant, stated that this property was inherited from her Grandparents. She stated that if and when the street is put in she is willing to pay her share of the improvements. Mrs. Lee would prefer not to have to put in the street stub at this time, as the future development might stay farm land for a long time. **Commissioner Garrett** asked the applicant if she is aware that they would possibly need to pay their 1/5 share of the improvement cost in the future, which she stated that she would. Commissioner Murray asked what could possibly happen if the applicant was to move in the future as to how they would guarantee her lot paid its fair share. She stated that they would pay their portion. Water, sewer, pressurized irrigation and storm water would all have to be addressed when the improvements are installed. Brian went over the history of the original discussions on the property. These discussions went from not asking for the street stub, to having the City Engineer request to have them done at this time. The Planning Commission is the approving authority, and it is their decision to make. The City Engineer's concerns are of two minds. One that he does not want the cost of maintaining the property yet worried about the future phase's undue burden of paying for all of the improvements. **Chairman Lewis** did not feel the curb and gutter should be changed from what is currently is, and should be done when the future phase is completed.

Vice-Chairman Murray opened the Public Hearing. **Don Bleggi** has a concern that the concepts of the Preliminary Plat remain how it is shown now, and not changed in the future. He would like the street dedication to be done so they are covered in the future. Brian feels an easement would cover this concern, and that it would be a logical thing to require on the plat. The ditch that Don Bleggi put in will have to be moved at the time that the future phases are done, since it is currently located where the street would be installed. The current 40' ROW would put the sidewalk and park strip on the property owners land. A plat is enforced until a different one is adopted in its place. Therefore if this Preliminary Plat was approved, it would remain as shown until a request to change it is received. **Keith Austin** is the contractor who would like to build the home for the Lee's on this property. He feels it is important to note that the future phase may never be done. No additional comments were given and the Public Hearing was closed.

Commissioner Garrett feels the requirement for the improvements should not be required at this time.

Motion: Commissioner Garrett moved the below:

1. Approve the 5 lot Sadey Subdivision Preliminary Plat.
2. Approve the 1 lot Sadey Subdivision Plat "A" Final Plat with the condition that the stub road providing access to the future phase(s) not be constructed as part of the Plat "A" approval, in addition to the attached findings and condition.
3. Approve the 1 lot Sadey Subdivision Plat "A" with the attached findings and condition and defer road construction to future phases.
4. The applicant shall address all outstanding items of the Development Review Committee (DRC) comments dated 3/8/16 prior to plat recording.

Second: Commissioner Lewis

Vote: Unanimous

Item 3. Consideration of an ordinance amending Mapleton City Code (MCC) Section 18.84.240 related to the keeping of animals on lots without animal rights and Section 18.08.035 related to the definition of an animal unit.

Brian Tucker, Planner, went over the Staff Report for those in attendance. The movement across the nation is there for the return of chickens to urban areas. Currently the code requires a person to have 20,000 square foot lots in order to have chickens. Previously there have been approximately 1-2 calls per year with complaints in regards to chickens. However, there are a large number of calls from individuals interested in having them. Brian went over the proposed ordinance amendment. The allowance, based off square footage, was discussed. The requirements were in line with those simply of good nature. Both the coop and the enclosure must be kept clean, and no odor visible at the property lines.

Chairman Lewis opened the Public Hearing. No comments were given and the Public Hearing was closed. **Commissioner Stirling** is appreciative of this request, and feels it is an appropriate action. **Commissioner Garrett** agrees, and feels many people will be in favor of this. There was a discussion that the opaque fencing requirement be removed, and listed as unsightly and maintained in a neat and sanitary way. The coop should not be allowed within the front yard setback. The slaughter wording can be changed to allow it if it is out of the public view and in a humane manner. The number of allowed chickens was proposed to be doubled from those proposed, leaving those under 6,000 square feet at zero.

Motion: Commissioner Murray moved that the City Council amend MCC Chapters 18.08.035 and 18.84.240 as described in the attached ordinance, with the proposed changes listed below:

1. 18.84.240:

- Section 1A – “Lots at least 20,000 square feet can have up to 16 chickens, with up to 8 additional chickens per each additional 10,000 square feet of property” and that “8” be changed to “16”
 - Section 1B – “6” be changed to “12”
 - Section 1C – “Up to 4” should be changed to “Up to 8”
 - Section 1D – “Up to 2” should be changed to “Up to 4”
2. 18.84.240 Section A.3.E:
- Strike the third sentence beginning with “*the coop and enclosure shall be hidden from public view...*”
 - Include language requiring that the coop NOT be within the front setbacks.
3. 18.84.240 Section A.5:
- Strike the second sentence stating that “*a watering device incorporates...*”
 - #6 be changed to “*slaughtering of chickens must be done in a humane fashion, not within public view*”
4. 18.08.035:
- Section D – Unstrike the beginning “*36 chickens and 36 pigeons...*”
 - Section D – Keep the proposed addition which states “*for regulations regarding the keeping of chickens...*”

Second: Commissioner Killpack
Vote: Unanimous

Item 4. Adjourn.

April Houser, Executive Secretary

Date