

2 The Lindon City Planning Commission held a regularly scheduled meeting on
3 **Wednesday, February 11, 2009**, beginning at 7:00 p.m. in the Lindon City Center, City
4 Council Chambers, 100 North State Street, Lindon, Utah.

5 Conducting: Gary Godfrey, Chairperson

6 Invocation: Sharon Call

7 Pledge of Allegiance: Gary Godfrey

8 **PRESENT**

ABSENT

10 Gary Godfrey, Chairperson

Debra Cullimore, City Recorder

12 Ron Anderson, Commissioner

Mark Johnson, Commissioner

13 Matt Bean, Commissioner

14 Sharon Call, Commissioner

15 Jim Peters, Commissioner

16 Adam Cowie, Planning Director

17 Woodworth Mataele, Assistant Planner

18 The meeting was called to order at 7:05 p.m.

20
21 Chairperson Godfrey introduced Christopher Burton to the Commission. Mayor
22 Dain has recommended to the City Council that Mr. Burton be appointed to serve a three
23 year term as a Planning Commissioner. The Council will appoint Mr. Burton to that
24 position at the next regular City Council meeting.

26 **APPROVAL OF MINUTES** – The minutes of the meeting of January 14, 2009 were
27 reviewed.

28
29 COMMISSIONER PETERS MOVED TO APPROVE THE MINUTES OF THE
30 MEETING OF JANUARY 14, 2009. COMMISSIONER ANDERSON SECONDED
31 THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

32 **PUBLIC COMMENT** –

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35 Chairperson Godfrey called for comments from any resident present who wished
36 to address an issue not listed as an agenda item. There was no public comment.

38 **CURRENT BUSINESS** –

- 40 1. **Site Plan** – *Colledge Machine – 445 North 1030 West*. This is a request by Joe
41 Colledge for approval of a site plan for a new steel office/warehouse facility
42 located in the Light Industrial (LI) zone. The applicant is proposing to construct
43 an 8,750 square foot building that would be used in conjunction with the existing
44 adjacent “Lindon Collision” auto repair business. Mr. Colledge’s plan shows a
45 steel building with a wainscot, off-street parking, ADA parking, dumpster
46 enclosure, asphalt driveway, and an off-site detention basin.

2 Joe Colledge was present as the representative for this application. Mr. Mataele
4 explained that this is a request for site plan approval for an 8,750 square foot steel
6 building which will be used in conjunction with the existing business on the site. The site
8 is located in the Light Industrial zone. The site plan will be required to comply with all
10 development standards of the zone, including architectural and landscaping requirements.
12 The applicant has proposed off-site storm water detention on the adjacent lot.

14 Commissioner Peters asked if the plat for the adjacent lot would reflect the
16 location of the detention basin. Mr. Colledge explained that the owner of the adjacent lot
18 will sign a storm water easement which will be recorded on the subdivision plat.

20 Mr. Colledge has proposed a wainscot around the perimeter of the building which
22 will comply with the architectural standards of the zone. Mr. Colledge has also requested
24 that a portion of the parking area surface remain gravel rather than asphalt. The applicant
26 has also requested that parking be shared between the two businesses on the site in order
28 to comply with parking requirements for the new structure. The applicant has indicated
30 that the businesses will not typically operate during the same time periods, and that
32 shared parking should not be problematic.

34 Mr. Colledge stated that there have been some changes to the architectural
36 elevations of the building since he submitted the drawings which are included in the
38 information packets given to the Commissioners.

40 Commissioner Peters asked if there would be any outside storage on the site. Mr.
42 Colledge stated that no outdoor storage is anticipated on the site, and that the new
44 structure will provide indoor parking for vehicles being worked on at the Lindon
46 Collision business.

Chairperson Godfrey requested clarification regarding the proposed storm water
easement. He inquired as to whether the easement would be valid if the property were
sold in the future. Mr. Mataele stated that the easement will be recorded permanently on
the plat. Chairperson Godfrey expressed concern regarding the possibility that the
detention basin may be removed by future owners who are unaware of the function of
detention basin. Mr. Cowie noted that piping will cross the property line, and the
detention basin will be a recognizable facility.

Commissioner Peters suggested the possibility of adjusting the lot line to locate
the detention basin on the Colledge property rather than the proposed easement on the
neighboring lot. Mr. Cowie stated that there is no requirement that storm water detention
must be located on site. He noted that the recorded easement will show up on a title
search of the subject property. Commissioner Anderson noted that the detention basin can
serve the adjacent lot as it develops in the future.

Commissioner Peters inquired as to the effect on the proposed shared parking
arrangement if the use of either business changed and both operate during the same peak
hours. Mr. Colledge stated that he has discussed the shared parking arrangement with the
Development Review Committee. Mr. Cowie noted that the parking requirements for the
adjacent dance studio are greater than an office/warehouse type use, and that if the use
were to change back from the current dance studio business to a warehouse use, parking
requirements would be reduced. Commissioner Peters informed the applicant that the
City may regulate future uses of both sites based on available parking and applicable
parking requirements. Commissioner Anderson lives in the area, and noted that he has

2 observed a high volume of drop off traffic at the dance school, but that parking has not
4 been problematic. Mr. Cowie clarified that City ordinance does allow shared parking
6 arrangements in specific circumstances. He explained that a future use may not meet the
8 criteria for the shared parking arrangement, and that the issue could be addressed by the
10 City at that time to ensure that adequate parking would be available.

12 Chairperson Godfrey asked about the five overhead doors shown on the drawings.
14 He noted that the revised drawings show three overhead doors. He asked if the long term
16 concept for the building is to divide the building into three separate units in the future.
18 Mr. Colledge stated that his long term plan is to house two businesses in this facility.
20 Chairperson Godfrey inquired as to the impact on required parking if three businesses are
located at the site. Mr. Cowie stated that parking is typically based on square footage,
and that the parking requirements should not be affected based on the number of
businesses unless the use is significantly different than the current uses.

14 Chairperson Godfrey inquired as to what portion of the parking area would be
16 paved. Mr. Colledge outlined areas which are currently paved, as well as additional areas
18 which will be paved as part of this project. Commissioner Anderson noted that there will
20 be an increase in the number of paved parking stalls. The applicant noted that additional
parking will be made available as cars at the body shop which have been parked outside
are moved into the new building, providing additional outdoor parking above that which
is currently available.

22 The Commission went on to discuss the dumpster location and landscaping
24 requirements. Commissioner Anderson suggested that trees be located in alternate
26 locations rather than every 30 feet on center in order to maintain visibility of existing
28 signage. He emphasized that the same number of trees would be required, but that the
alternate locations may be more suitable to the existing structures and signage.

26 Chairpersons Godfrey inquired as to what material would be used for the wainscot
28 on the building. Mr. Colledge stated that the wainscot will be constructed of split faced
block.

30 Chairperson Godfrey called for further comments or discussion. Hearing none, he
called for a motion.

32 COMMISSIONER PETERS MOVED TO APPROVE THE COLLEDGE
34 MACHINE SITE PLAN APPLICATION WITH THE FOLLOWING CONDITIONS:

- 34 1. THAT AN ALLOWANCE WILL BE MADE FOR A SHARED PARKING
36 AGREEMENT BASED ON HOURS OF OPERATION OF THE BUSINESSES.
- 36 2. THAT THE LOCATION OF TREES MAY BE ADJUSTED FOR BETTER
38 VISIBILITY WITH NO NET LOSS OF TREES.

38 COMMISSIONER BEAN SECONDED THE MOTION. ALL PRESENT VOTED IN
40 FAVOR. THE MOTION CARRIED.

- 42 2. **Conditional Use Permit** – *Skin Science Institute – 135 South State Street*. This is
44 a request by Candice Caudle for approval of a conditional use permit for a
cosmetic institute located in the General Commercial (CG) zone. Currently, the
Lindon City Standard Land Use Table requires any professional/vocational
schools located in the CG zone to acquire a conditional use permit. The applicant

2 is proposing a masters esthetics program/institute that would be an extension to
their Salt Lake campus to accommodate students in Utah County.

4 Bethanie Page was present as the representative for this application. Mr. Mataele
stated that this is an application for a professional school to be located in a Commercial
6 Zone. The Standard Land Use Table currently requires a Conditional Use Permit for this
use in a Commercial Zone. The proposed site is located at approximately 135 South
8 State Street. The strip mall unit the business will occupy is approximately 1500 square
feet. The applicant is proposing a maximum of six students at the facility at one time.
10 The school will consist of a reception area, two classroom areas, and a study hall area.

Commissioner Call inquired as to whether there would be any full time staff at the
12 facility in addition to the students. Ms. Page stated that there will be one full time staff
member and up to two part time staff members at the facility. In addition, clients will be
14 seen at the facility on Wednesday and Friday afternoon from 12:30 until 5:00, and all day
on Saturday. The remainder of the time will be used for classroom instruction.

16 Commissioner Bean inquired as to whether parking is adequate for the number of
students and staff anticipated at the site. Mr. Cowie stated that it appears that parking
18 will meet requirements.

Commissioner Anderson asked how long clients would be at the facility for
20 appointments. Ms. Page stated that appointment times will range from 20 minutes to one
hour, and that a maximum of ten vehicles would be expected at the facility at any given
22 time.

Chairperson Godfrey asked for details regarding the classes which will be taught
24 at the facility. Ms. Page stated that instruction will include facials, manicures, pedicures,
body treatments, and micro-derm abrasion. The school will offer a basic course of
26 instruction, as well as a Masters course, which requires 1200 hours of instruction,
followed by a State licensing exam.

28 Chairperson Godfrey noted that it does not appear that there are any specific
concerns related to this application which would require conditions to mitigate negative
30 impacts. He called for further comments or discussion from the Commission. Hearing
none, he called for a motion.

32
34 COMMISSIONER ANDERSON MOVED TO APPROVE THE SKIN SCIENCE
INSTITUTE CONDITIONAL USE PERMIT WITH NO CONDITIONS.
36 COMMISSIONER PETERS SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

38 3. **Public Hearing** – *Ordinance Changes to LCC Section 17.04.290 – 17.04.310;*
Clear Vision & Fencing. This is a City initiated ordinance change to the ‘Clear
40 Vision’ and ‘Fencing’ sections of the Lindon City Code. These changes were
originally advertised to be reviewed at the January 28, 2009 Planning
42 Commission meeting, and postponed until this meeting. Recommendations from
the Planning Commission will be forwarded to the City Council for final action.
44

COMMISSIONER PETERS MOVED TO OPEN THE PUBLIC HEARING.
2 COMMISSIONER BEAN SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

4
6 Mr. Cowie introduced Scott Gottfredson, Planning Intern. Mr. Cowie stated that
Mr. Gottfredson has been with the City as an intern for approximately one year. Mr.
Cowie invited Mr. Gottfredson to present this item for the Commission.

8 Mr. Gottfredson stated that the ordinance clarifies fencing standards, and includes
modifications to the decision making authority regarding fencing. Proposed revisions
10 give approval authority to the Planning Director and the City Engineer to approve various
modifications to fencing standards if specific safety and visibility criteria are met. Mr.
12 Gottfredson reviewed additional language changes, including fence permit and the
associated \$25 fee. After a fence application is submitted, City staff will visit the site and
14 determine whether specific criteria are met to allow installation of fencing. Current
ordinance allows staff to make modifications to fencing requirements on corner lots.
16 Revisions will provide authority for staff to approve modifications to fencing on lots
other than corner lots.

18 Additional revisions to the ordinance will increase the maximum allowable height
for fencing from seven feet to eight feet. Mr. Gottfredson noted that pre-cast concrete
20 fence panels are available in eight foot high panels rather than seven feet. Chairperson
Peters expressed concern regarding fencing height. He noted that a fence he installed on
22 his property is seven feet high from the grade on his side of the fence, but on the
neighbors side the finished height is over nine feet due to the fence being a combination
24 fence/retaining wall. He inquired as to how the finished height of the fence is measured.
Mr. Cowie stated that this ordinance will allow staff to review and approve unique
26 situations based on topography if no safety concerns exist.

28 Chairperson Godfrey suggested that it would be appropriate to provide an appeal
authority in the event that a resident is unhappy with a decision made by City staff. Mr.
Gottfredson stated that proposed revisions include the Planning Commission as an appeal
30 authority on fencing decisions made by City staff.

32 Chairperson Godfrey noted that there are various locations within the City where
an eight foot fence could be excessively high on the neighboring side of the fence due to
slopes. Mr. Cowie stated that neighbors have the right to appeal fencing decisions to the
34 Planning Department if they feel their property will be negatively impacted. He stated
that specific criteria will be reviewed prior to approving any fence permit.

36 Commissioner Peters expressed concern regarding language which indicates that
fencing can be allowed up to the building height. Mr. Cowie explained that fences higher
38 than eight feet, and up to the allowable building height, are permitted if the fence is
within the buildable area of the lot behind required setbacks.

40 Mr. Gottfredson explained that ordinance revisions clarify requirements for
fencing on corner lots, including a maximum fence height of three feet. He presented
42 photographs of four foot high chain link fence, noting that chain link does not obstruct
views in the same way that a sight obscuring fence does. He asked the Commission to
44 consider whether four foot high chain link fencing should be permitted. Commissioner
Peters noted that the current ordinance requires fencing to be installed two feet behind the
46 sidewalk. He suggested that the City consider allowing fencing to be installed directly

2 behind the sidewalk due to maintenance issues associated with the placement of fencing
4 two feet behind the sidewalk. Mr. Cowie explained that if fencing is not located two feet
6 behind the sidewalk, the fence would technically be located within the street right-of-way
8 in many locations. Chairperson Godfrey suggested that applicants sign an
10 acknowledgement that the fence is being voluntarily placed within the right-of-way, and
12 that if it becomes necessary to relocate the fence in the future the relocation will be at the
14 property owners expense. Mr. Cowie noted that the required placement two feet behind
16 the sidewalk also accommodates the public utility easement located at the back of the
18 sidewalk. Commissioner Peters requested that a recommendation be forwarded to the
20 City Council to consider permitting placement of fencing immediately behind the
22 sidewalk.

24 Chairperson Godfrey called for public comment. Doug Christiansen suggested
26 that alternatives be provided for maintenance of the two foot strip.

28 The Commission went on to discuss allowing four foot chain link fence at a
30 maximum height of four feet in the front yard setback. It was the general feeling of the
32 Commission that the maximum height of fencing should be three feet.

34 Mr. Cowie noted that fencing on Commercial and Residential sites is addressed in
36 other ordinances as well. He observed that the Planning Commission is the approval
38 authority on the majority of fences associated with new development.

40 Chairperson Godfrey called for further public comments. There was no additional
42 public comment. He called for further comments or discussion from the Commission.
44 Hearing none, he called for a motion.

46 COMMISSIONER PETERS MOVED TO APPROVE PROPOSED
ORDINANCE REVISIONS TO LCC 17.04.290-17.04.310, CLEAR VISION AND
FENCING, AND RECOMMEND APPROVAL TO THE CITY COUNCIL WITH THE
FOLLOWING RECOMMENDATION:

1. THAT THE COUNCIL REVIEW ORDINANCE LANGUAGE AS IT RELATES
TO THE TWO FOOT SETBACK BEHIND THE SIDEWALK TO CONSIDER
ALLOWING FENCING TO BE PLACED DIRECTLY BEHIND THE
SIDEWALK IN SPECIFIC CIRCUMSTANCES, SUCH AS ON PASTURE
LAND.

COMMISSIONER BEAN SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

4. **Public Hearing** – *Ordinance changes to LCC Section 17.44; Single Family Residential.* This is a City initiated ordinance change to the ‘Single-Family Residential’ section of the Lindon City Code. These changes were originally advertised to be reviewed at the January 28, 2009 Planning Commission meeting, and postponed until this meeting. Recommendations from the Planning Commission will be forwarded to the City Council for final action.

Chairperson Godfrey noted that the Public Hearing is still open. Mr. Cowie stated that this is a City initiated ordinance change. He noted that due to a slow down in development, City staff is reviewing current ordinances for necessary updates and changes. He reviewed proposed changes to this ordinance, including clarification in the

2 Purposes and Objectives section to more specifically define the intent of the residential
zone. Language which was duplicated in several other code sections has been removed
4 from this section. The number of dwellings permitted on a lot is defined as one single
family residence and one attached accessory apartment. Corner lot setback definitions
6 are more clearly defined in proposed revisions. Corner lots require a 30 foot setback on
three sides, with a ten foot setback on the lot line determined to be the rear setback.

8 Commissioner Peters noted that there have been situations, in R2 projects in
particular, where members of the Planning Commissioner were not in agreement with
10 rear yard setback chosen by the property owner. He suggested that ordinance
requirements should clearly define the location of the rear yard to minimize impact on
12 neighboring properties. Mr. Cowie noted that the situation Commissioner Peters is
referring to was a unique situation due to the fact that the adjacent access was not a
14 public street but a private drive. Mr. Cowie also noted that the ordinance does not
regulate the orientation of homes on the lot. Commissioner Peters observed that the issue
came up with at least one other application.

16 Mr. Cowie reviewed the definition of the front lot line for interior lots. City code
defines the front lot line as the line adjoining the street. On corner lots the front lot line is
18 defined as the two lines adjoining the street, and the rear lot line is defined as the line
opposite from the front lot line.

20 Additional revisions specify that a shade structure or uncovered deck may extend
from the main floor level or ground level. Previous language allowed patios, which are
22 built on the ground surface rather than extending from the dwelling. Mr. Cowie clarified
that proposed language allows such structures to extend up to 12 feet into the setback.
24 Roofs on deck structure are permitted if the deck is located within the buildable area
behind the required setbacks.

26 Commissioner Peters requested clarification regarding language which was
removed specifying landscaping elements which are permitted in yards. Mr. Cowie
28 explained that the code section refers specifically to ‘structures’ which are permitted, and
that landscaping elements are not structures.

30 Additional revisions allow construction of unenclosed balconies, landings, fire
escapes, or stairs to doors which extend into the setback. The maximum width of such
32 structures would be four feet. The Commission discussed the required ten foot separation
distance between the dwelling and accessory structures, as well as lot coverage
34 requirements. The residential dwelling and any accessory buildings can not exceed 40%
lot coverage. An additional 40% requires landscaping. The Commission discussed
36 possible landscaping standards which would require sod or other landscaping. Following
discussion, the Commission recommended that based on current standards which do not
38 require any specific landscaping elements, that language be changed from “landscaping”
to “landscape area”. Mr. Cowie noted that the intent of this requirement is to prevent a
40 full front setback from being asphalt or concrete. Mr. Cowie noted that currently, the
City enforces the nuisance ordinance which requires any weeds to be kept under six
42 inches in height.

44 Mr. Cowie went on to discuss accessory building height and size requirements.
An exemption for agricultural buildings such as barns is proposed to be removed from the
ordinance. Commissioner Anderson noted that architectural requirements for buildings
46 in Industrial zones are more restrictive than requirements in residential areas. Mr. Cowie

recommended that language be removed which requires accessory buildings to use architectural materials similar to the main building for accessory buildings.

Commissioner Call expressed concern that requirements for accessory structures in residential areas may not adequately protect neighbors. Mr. Cowie stated that height, lot coverage and setback requirements are enforced by the City, but that no architectural standards are imposed on accessory buildings in residential areas. Homeowners associations may enforce more restrictive CC&R's in some areas.

The Commission discussed the possibility of leaving language which refers to architectural elements in the ordinance in order to protect against extremes which may adversely affect neighboring properties. Mr. Cowie stated that enforcement of architectural standards for accessory buildings would be difficult, and that without specific architectural requirements, enforcement could be somewhat subjective. Chairperson Godfrey suggested that leaving the language in would give the City a tool to address problematic situations. Mr. Cowie stated that he is hesitant to leave language in the ordinance which the City does not intend to actively enforce. Following further discussion, the majority of the Council felt that language referring to architectural elements for accessory buildings should be removed from the ordinance.

Mr. Cowie went on to discuss lot coverage requirements for accessory buildings in rear yard setbacks. Current requirements permit accessory buildings in the rear yard setback to cover no more than 25% of the rear yard. Mr. Cowie recommended that revisions address appropriate setbacks rather than a percentage of lot coverage.

References to signage are proposed to be removed from this ordinance. Requirements relative to signage are addressed in Title 18 of the Lindon City Code in the sign ordinance. The Commission also discussed fencing for sport courts and similar structures. Following discussion, the Commission felt that current language in the ordinance adequately addressed this issue.

Mr. Cowie discussed a reference to provisions for 'private recreational grounds', which are currently undefined. The Commission discussed situations which may be considered private recreational grounds. Mr. Cowie suggested that this vague reference be removed from the ordinance language. He noted that some specific recreational uses could be permitted as a Conditional Use. Chairperson Godfrey agreed that the current language is somewhat ambiguous. Following discussion, the Commission felt that the language should be removed, and specific situations could be dealt with on an individual basis in the future.

Chairperson Godfrey called for further comments or discussion. Hearing none, he called for a motion.

COMMISSIONER PETERS MOVED TO APPROVE ORDINANCE REVISIONS TO LCC 17.44, SINGLE FAMILY RESIDENTIAL, AND RECOMMEND APPROVAL TO THE CITY COUNCIL WITH AMENDMENTS AS DISCUSSED. COMMISSIONER ANDERSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

5. **Public Hearing** – *Ordinance addition – LCC Sections 17.33; Plat Amendments and 17.34; Property Line Adjustments.* This is a City initiated ordinance addition to include requirements for "Plat Amendments" and "Property Line

2 Adjustments”. These additions to the Lindon City Code were originally
advertised to be reviewed at the January 28, 2009 Planning Commission meeting,
4 and postponed until this meeting. This is intended to only be a draft/revision
item. Staff feels that the item should be continued to the March 11, 2009
6 Planning Commission meeting for final review and approval.

8 Chairperson Godfrey noted that the Public Hearing is still open. Mr. Cowie
explained that this ordinance is still being written, and is not yet ready for thorough
10 review and discussion. He noted that there is no existing process for plat amendments or
property line adjustments. The intent of revisions is to streamline the process for
applicants rather than going through a complete subdivision application process.

12 Mr. Cowie noted that the City Council met on February 7th for their annual retreat
meeting at the Veterans Hall. The Council discussed plans and goals for the upcoming
14 year, including delegating specific functions to City staff or to the Planning Commission.
The Council felt that plat amendments could be approved by the Planning Commission,
16 and property line adjustments could be approved at a staff level without City Council
review and approval. Mr. Cowie will review State code to make sure the City Code
18 complies with State requirements.

20 Details will be discussed at future meetings. Chairperson Godfrey called for a motion
to continue this item.

22 COMMISSIONER PETERS MOVED TO CONTINUE THE PUBLIC
HEARING FOR LCC 17.32, 17.33, 17.34 AND 17.38 AND TO CLOSE THE PUBLIC
24 HEARING FOR THIS MEETING. COMMISSIONER CALL SECONDED THE
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

26

28 6. **Public Hearing** - *Ordinance changes to LCC Section 17.32; Subdivisions and*
17.38; Bonding. This is a City initiated ordinance change to the “Subdivision and
30 “Bonding” sections of the Lindon City Code. These changes were advertised for
this meeting. This is intended to only be a draft/revision item. Staff feels that the
item should be continued to the March 11, 2009 Planning Commission meeting
32 for final review and approval.

34 This item was continued in the previous motion.

36 **NEW BUSINESS** – Reports by Commissioners

38 Commissioner Peters inquired as to any ordinance which would prohibit outdoor
storage of old refrigerators. Mr. Cowie stated that the nuisance ordinance would regulate
40 this issue as a safety concern.

42 Chairperson Godfrey inquired as to the status of the Solicitors ordinance. Mr.
Cowie stated that the City Attorney is currently drafting the ordinance.

44 **PLANNING DIRECTOR’S REPORT** –

46 Mr. Cowie reported on the following items:

1. Annual reviews for the three group homes in Lindon will be conducted at the next Planning Commission meeting.
2. New Commissioner, Christian Burton. Mr. Burton introduced himself. He stated that he has lived in Lindon for five years, and that he works for Quest. He expressed appreciation and excitement for the chance to serve the community. Each of the Commissioners introduced themselves to Mr. Burton as well.
3. The City has been contacted by several residents expressing concern regarding beekeeping in the City. Beekeeping is currently not regulated by any ordinance. Staff has researched the issue in response to concerns expressed by residents regarding a neighbor who is planning to obtain bee hives. There are several existing bee hives in within the City. The City is unaware of any complaints or problems associated with any of the existing hives. Staff has reviewed ordinances of other municipalities who regulate beekeeping. Beekeeping is allowed in multiple large municipalities, and many municipalities do not regulate bee keeping in any way, while others prohibit beekeeping. Regulations in other cities include setback and fencing requirements. Staff recommends that if any restrictions are imposed that only setbacks and fencing should be considered. Beehives must be licensed and registered through the Department of Agriculture. This issue will also be discussed with the City Council.
4. Golden Years Group Home has applied for a zone and General Plan Map change requesting a modified commercial zone which would allow limited uses for their parcel and surrounding properties, including the old City Hall and Public Works properties. The appeal filed with the courts regarding the City's denial of the group home has been put on hold pending the outcome of the zone change request. The Office of the Property Rights Ombudsman reviewed the denial and upheld the City's action to deny the application.
5. The City Council has reviewed the Canberra Estates Subdivision application, and conducted a site visit. Representatives of the Metropolitan Water District were present at the site visit to discuss issues relative to the aqueduct easement. The applicant is still working through several modifications to the plans prior to final City Council review and action.
6. Current City Code requires accessory apartment to be attached to the main dwelling unless otherwise approved by the Planning Commission. The Code lists acceptable methods of attaching the accessory apartment, including an internal connection in the main dwelling. Mr. Cowie stated that his interpretation is that the design of accessory apartments should allow access to the accessory apartment through the main dwelling. The City has received an application for a home with an accessory apartment with a solid wall between the apartment and the main dwelling. Mr. Cowie asked the Commission for their interpretation of the ordinance requirements, and whether an accessory apartment should be required to have a connection with the main dwelling. It was the general feeling of the Commission that there should be some connection and access between the main dwelling and the accessory apartment.

ADJOURN –

CHAIRPERSON GODFREY MOVED TO ADJOURN THE MEETING AT
2 10:25 P.M. COMMISSIONER BEAN SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

4
6 Approved – February 25, 2009

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10 _____
12 Gary Godfrey, Chairperson

14
16 _____
18 Adam Cowie, Planning Director