

**Bountiful City  
Planning Commission Minutes  
May 6, 2014  
7:00 P.M.**

Present: Chairman - Tom Smith; Vice Chairman - Dave Badham; City Council Representation – Richard Higginson; Planning Commission Members – Mike Allen, Sean Monson, Sharon Spratley, and Von Hill; City Attorney - Russell Mahan; Assistant City Engineer – Lloyd Cheney; City Planner – Chad Wilkinson; and Recording Secretary – Darlene Baetz

Excused: City Engineer – Paul Rowland.

**1. Welcome and Introductions.**

Chairman Smith opened the meeting at 7:00 pm and welcomed all those present. Mr. Mahan introduced the new Planning Director, Chad Wilkinson, to the Planning Commission.

**2. Approval of the minutes for April 15, 2014.**

Richard Higginson made a motion to approve all the minutes except for item #6 for April 15, 2014 as written. Dave Badham seconded the motion. Voting passed 5-0 in favor with Sean Monson and Sharon Spratley abstaining as they were not present at the meeting.

- 3. PUBLIC HEARING -** Consider amending the Bountiful City Land Use Ordinance to:
- (A) permit large flags and flag poles on large commercial sites,
  - (B) to change the definition of electronic signs to exclude gas station price signs, and
  - (C) to permit and regulate the keeping of bees within the City.

Mr. Mahan presented the staff report.

Chairman Smith opened the Public Hearing at 7:28 p.m. and closed the Public Hearing at 7:52 p.m.

**BEES.**

14-22-102.    Bees.

Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Title 4, Chapter 11 of the Utah Code.

Hives on residential lots will consist of not more than five hives and may be maintained in a side yard or the rear yard of any residential lot that is larger than 5,000 sq ft. On a residential lot that is 0.5 acre or larger, the number of hives located on the lot may be

increased to ten hives. Hives shall not be located in front yards. Hives may be on rooftops situated in such a way as to minimize the impact on adjacent properties.

Honeybee colonies shall be kept in hives with removable frames which shall be kept in sound and usable condition, and shall be operated and maintained as provided in the Utah Bee Inspection Act and the Utah Administrative Code. Hives shall be placed at least five feet from any property line or sidewalk or street right of way, and six inches above the ground, as measured from the ground to the lowest portion of the hive. Hives within twenty-five feet of a property line or sidewalk or street right of way shall be shielded by a flyway barrier. Each hive shall be properly marked. Hives shall not exceed seven feet in height above ground or rooftop level.

Staff recommends that the Bountiful City Land Use Ordinance be amended to permit and regulate the keeping of bees within the City.

Mr. Steve Joy at 36 E. 1000 S. was in favor of permitting the keeping of bees within the City. He discussed the requirements for keeping bees in other cities in Utah.

Mr. Jerry Lynn at 3484 S. 525 W. reviewed Utah state registration of bee hives and would like to propose that Bountiful City follow the same rules of marking the hives that the Utah Department of Agriculture and Food enforce.

Scott Bradbury at 148 W. 400 S. was in favor of permitting and regulating the keeping of bees within the City. He would like to confirm the City's flyway requirements.

Julian Basinger at 984 Canyon Creek Dr would like to encourage the Planning Commission and City Council to approve this ordinance. She noted the threat of food supplies when the bee colonies collapse.

Mr. Mike Nobel at 135 E. 400 S. was in favor of permitting and regulating the keeping of bees within the City.

Staff, Council and Mr. Steve Joy discussed flyway measurements, types of honeybees, permission from neighbors and setbacks for the hives.

Sharon Spratley would like to suggest that Bountiful City educate/inform the citizens of this ordinance if City Council approves it.

Sharon Spratley made a motion to recommend the City Council approve the amendment to the Bountiful City Land Use Ordinance 8-4-104 and 14-22-102 to permit and regulate the keeping of bees within the City with the following modifications to staff's proposal

1. Side yards are acceptable and hives need to be 10 ft off the property line or sidewalk or street right of way, which can be waived with the neighbor by mutual agreement.

2. Ownership labeling as required by Utah Department of Agriculture and Food
3. Flyway barrier should be 25 ft
4. Permission: A person shall not locate or maintain ~~allow~~ a hive on property owned or occupied by another person without first obtaining written permission from the owner or occupant.

Richard Higginson seconded the motion. Voting passed 7-0 in favor.

## **FLAGS AND FLAGPOLES**

### 14-19-110. Flags and Flagpoles.

- (a) Flags greater than 32 sq ft in size and flagpoles greater than 50 ft in height, are prohibited in all zones except as provided in this section.
- (b) In Commercial-General (C-G) and Commercial-Heavy (C-H) zones only, and on municipal property in all zones, flags more than 32 square feet and up to 1800 square feet in size, and flagpoles more than 50 feet and up to 80 feet in height, may be granted as a conditional use.

A conditional use permit may be granted if the property is three acres or greater in size, total street frontage of at least 500 ft, and a second flagpole cannot be located within one thousand feet of an existing flagpole.

A Conditional Use Permit should be granted subject to the following regulations:

- i. Only the flag of the United States shall be flown or it cannot be flown;
- ii. The flag must be maintained in good condition.
- iii. In the event of a high wind the City Engineer may, in the reasonable exercise of discretion, order the flag to be taken down immediately until the wind subsides.
- iv. The flagpole is subject to the abandoned sign ordinance of Title 14
- v. There may only be one flag on the flagpole
- vi. There may only be one flagpole per property
- vii. Lighting shall be restricted as much as possible and shall not create a light problem for traffic, other businesses, or residents.
- viii. The flagpole shall be maintained in such a manner that it does not create noise from the chain, rope or other mechanisms or parts.

Additional conditions may be imposed to mitigate any adverse affects relating to the viewscape, noise, location upon the property, lighting, traffic, visibility, and other issues related to the flag and flagpole.

A sign permit and a building permit are required for any such flagpole.

Staff and Commission members discussed the noise of the flags and the mechanisms.

Sharon Spratley made a motion to recommend the City Council approve the amendment to

the Bountiful City Land Use Ordinance 14-19-110 to permit large flags and flag poles on large commercial sites with the standards outlined by staff and change viii to read:

viii. The flagpole shall be maintained in such a manner that it does not create unreasonable noise from the flag chain, rope or other mechanisms or parts.

Von Hill seconded the motion. Voting passed 7-0 in favor.

## **ELECTRONIC MESSAGE CENTER**

### Chapter 3. Definitions

Current ordinance reads: Electronic Message Center: A sign, or portion of a sign, containing graphics, text, or any other form of visual communication which can be changed or rearranged by electronic means.

Staff proposes the ordinance should be changed to read:

Electronic Message Center: A sign, or portion of a sign, containing graphics, text, or any other form of visual communication which can be changed or rearranged by electronic means, but does not include a digital electronic gasoline price sign that shows numbers only, and does not flash, change colors, show pictures, video or words, or exceed the brightness allowed for electronic message centers.

Richard Higginson made a motion to recommend the City Council approve the amendment to the Bountiful City Land Use Ordinance Chapter 3 Definitions to change the definition of electronic signs to exclude gas station price signs as written. Von Hill seconded the motion. Voting passed 7-0 in favor.

#### **4. Planning Director's report, review of pending applications and miscellaneous business.**

1. Next Planning Commission meeting to be held on May 20
2. Upcoming agenda items.

Chairman Smith ascertained there were no other items to discuss. The meeting was adjourned at 8:15 pm.