

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION
MINUTES OF THE PUBLIC MEETING
May 12, 2008**

CALL TO ORDER - 3:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Jere Jarrell, James Scheidt, Hal Baas, Russell Goddard, Joel Mona, Gary Bedsworth, and Lori Meyers.

ABSENT/EXCUSED: None

STAFF PRESENT: Ray Erlandsen, Zoning Administrator, Jerry Owen, Community Development Director, LaRon Garrett, Town Engineer, Tim Wright, Deputy Town Attorney, and Chris Floyd, Secretary.

A. APPROVAL OF MINUTES

1. Public Meeting 4-14-08 Pages 1-5

The minutes were approved as submitted.

**B. PUBLIC COMMENTS - Comments concerning items not on the agenda.
Note: Those wishing to address the Planning and Zoning Commission during this time need not request permission in advance. Action taken as a result of public questions and comments shall be limited to directing staff to study the matter or rescheduling the matter and decision at a later date. There shall be no discussion regarding any issues presented.**

There were no public comments.

C. SCHEDULED HEARING(S)

1. A-13-08 Abandonment Request
Filed by: Town of Payson, LaRon Garrett, Town Engineer
Location: 104 West Phoenix Street
Purpose: To abandon the southerly 135 feet of the utility easement in the easterly 8 feet of Wooded Estates.

LaRon Garrett, Town Engineer, summarized the staff report. He didn't see a problem with approving the request subject to approval from APS and the cable company, prior to Council action.

The Commission asked questions, which were answered by staff and the applicant.

Chairman Baas opened the public hearing.

Chairman Baas closed the public hearing.

Several Commissioners had concerns with forwarding this request to Council until all information had been received regarding the utilities.

Several Commissioners felt that this was an excellent project and would like to see it move forward.

Gary Bedsworth moved, seconded by Jim Scheidt, to table A-13-08, at 104 West Phoenix Street, the easement abandonment request, until the approvals are received that are mentioned in the document, to the June 9, 2008, meeting.

Motion carried 5-2 (with Russell Goddard and Jere Jarrell casting the dissenting votes).

2. A-14-08 Abandonment Request

Filed by: Town of Payson, LaRon Garrett, Town Engineer

Location: 2800 East Highway 260

Purpose: To abandon the easement for public road and incidental purposes, commonly referred to as "Pete's Road".

LaRon Garrett, Town Engineer, summarized the staff report.

Forrest Switzer, Tetra Tech, stated that they were trying to eliminate the ingress/egress easement. He said they were working with APS and possibly creating a new easement for them.

The Commission asked questions, which were answered by staff.

There was discussion regarding the utility portion of the easement.

Gary Bedsworth moved to table to next meeting until we get a definition of everything that is going on.

Jere Jarrell suggested that if the Commission were to table then the hearing should be held now.

Russell Goddard stated that he didn't feel that it was time for a motion.

Chairman Baas opened the public hearing.

Chairman Baas closed the public hearing.

Several Commissioners felt that this abandonment request should move forward and not be put on hold.

Motion: Recommend to the Town Council approval of the abandonment of easement 94-652674 and reserve an underlying utility easement, if required by APS.

Chairman Baas commented that the description submitted to the Commission said 'has submitted a request to abandon an ingress, egress and public utility easement.' He felt that it had been clarified, at this meeting, that it is an ingress/egress easement only and there is no public utility easement there, which is the context of the motion and the second.

Moved by Jere Jarrell, seconded by Russell Goddard.

Vote: Motion carried 7 - 0

Yes: Jere Jarrell, James Scheidt, Hal Baas, Russell Goddard, Joel Mona, Gary Bedsworth, and Lori Meyers.

D. SCHEDULED DISCUSSION/POSSIBLE ACTION

1. Discussion regarding beekeeping

Ray Erlandsen, Zoning Administrator, stated that this was still a discussion item. He commented that due to specific questions that were asked at the March 10 meeting more research had been done regarding apiary use (beekeeping). Mr. Erlandsen felt that the Town was being very conservative, if these regulations were made part of the code.

The Commission asked questions, which were answered by staff and Mr. David Jones.

There was discussion regarding barriers and enforcement.

It was suggested that maybe the Town should consider adopting a code of practice in regards to beekeeping and also possibly issuing a license instead of a conditional use permit.

Chairman Baas opened the public hearing.

Chairman Baas closed the public hearing.

Chairman Baas asked that staff incorporate what has been discussed

and bring back to the Commission. He felt that this was good for the environment and the Town, but the main issue is enforceability and what/how it will be done.

2. Discussion regarding accessory dwelling units (ADU's)

Ray Erlandsen, Zoning Administrator, summarized the progress report from the study group meeting regarding accessory dwelling units (ADU's). He commented that notices had been sent to the HOA's and were getting some responses returned. Mr. Erlandsen also noted that A-E, of the progress report, would be a starting point for discussions.

The Commission asked questions, which included the possibility of renting the ADU's, enforcement issues with past stipulations on guest quarters, and impact fees for these type units.

Other comments made were that there would be no separate meters for utilities, primary residence would be owner occupied, and CUP's could be eliminated for guest quarters if ADU's were available.

Several Commissioners felt that the Town needed to move forward on this issue and establish a code amendment. Another issue mentioned was density and how it would relate to ADU's. A discussion ensued regarding the possible requirement that the primary residence be owner/occupied. Another possible requirement could be for parking.

E. REQUESTS TO STAFF FOR THE PLACEMENT OF ITEMS ON FUTURE PLANNING & ZONING COMMISSION AGENDAS

Gary Bedsworth stated that he received postcards in the mail requesting attendance at different meetings throughout the state and he questioned what meetings should members of the Commission attend and if there was a budget for it.

F. INFORMATION TO COMMISSION (Not for Discussion)

Jerry Owen, Community Development Director, commented that the second reading of the fence ordinance is scheduled for Thursday night's Council meeting.

Adjournment - 5:04 p.m.



Hal Baas, Chairman



Approved

Chris Floyd

Chris Floyd, Secretary