

**WORK MEETING AGENDA OF THE CITY COUNCIL OF LAYTON, UTAH**

PUBLIC NOTICE is hereby given that the City Council of Layton, Utah, will hold a regular public meeting in the Council Conference Room in the City Center Building, 437 North Wasatch Drive, Layton, Utah, commencing at **5:30 PM on August 6, 2015.**

**Item:**

1. Discrimination Training
  
2. Zoning and Land Use Training
  
3. Open Meeting Act Training
  
4. Rezone Request – Flint/Van Drimmelen – A (Agriculture) to R-S (Residential Suburban) –Ordinance 15-18 – Approximately 150 North 2200 West
  
5. Update of Draft Beekeeping Ordinance - Title 19 (Zoning), Sections 19.02.020, 19.06.010 (Table 6-1, 6-2) and 19.06.080(3) – Ordinance 15-17
  
6. Mayor's Report

In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.

This meeting may involve the use of electronic communications for some of the members of the public body. The anchor location for the meeting shall be the Layton City Council Chambers, 437 North Wasatch Drive, Layton City. Members at remote locations may be connected to the meeting telephonically.

Notice is hereby given that by motion of the Layton City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that Chapter.

**Date:** \_\_\_\_\_ **By:** \_\_\_\_\_  
**Thieda Wellman, City Recorder**

LAYTON CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify Layton City eight or more hours in advance of the meeting. Please contact Kiley Day at 437 North Wasatch Drive, Layton, Utah 84041, 801.336.3825 or 801.336.3820.

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 1.

**Subject:**

Discrimination Training

**Background:**

Mr. Steven Garside, Assistant Layton City Attorney, will instruct the Mayor and Council on required discrimination training.

**Alternatives:**

N/A

**Recommendation:**

N/A

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 2.

**Subject:**

Zoning and Land Use Training

**Background:**

Mr. Gary Crane, Layton City Attorney, will instruct the Mayor and Council on required zoning and land use training.

**Alternatives:**

N/A

**Recommendation:**

N/A

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 3.

**Subject:**

Open Meeting Act Training

**Background:**

Mr. Gary Crane, Layton City Attorney, will instruct the Mayor and Council on required Open Meeting Act training.

**Alternatives:**

N/A

**Recommendation:**

N/A

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 4.

**Subject:**

Rezone Request – Flint/Van Drimmelen – A (Agriculture) to R-S (Residential Suburban) –Ordinance 15-18 –  
Approximately 150 North 2200 West

**Background:**

On July 2, 2015, the City Council continued the rezone request to August 6, 2015. The purpose for continuing the rezone request was to determine the street classification for 2200 West. It has been determined that 2200 West will be classified as a collector street and not an arterial street.

The applicant, Castle Creek Homes, is requesting to rezone 6.06 acres of vacant farm land from A to R-S. The property has agricultural zoning to the east, north and south and recently zoned R-S property to the west.

The proposal is to develop a single family subdivision in connection with the recently zoned R-S property to the west. The proposed subdivision on both properties is similar to the many R-S lot averaged subdivisions in Layton City. Zoning for a single lot is proposed to front 2200 West. Based on the recent determination that 2200 West will be classified as a collector street, there is not a need for an associated Development Agreement with the rezone request.

The Land Use Element of the General Plan indicates that low density, single family residential developments are appropriate for this area of Layton City.

**Alternatives:**

Alternatives are to 1) Adopt Ordinance 15-18 approving the rezone from A to R-S subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Not adopt Ordinance 15-18 denying the rezone request.

**Recommendation:**

On June 9, 2015, the Planning Commission voted 5 to 1 in favor to recommend the Council adopt Ordinance 15-18 approving the rezone from A to R-S subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.

**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 5.

**Subject:**

Update of Draft Beekeeping Ordinance - Title 19 (Zoning), Sections 19.02.020, 19.06.010 (Table 6-1, 6-2) and 19.06.080(3) - Ordinance 15-17

**Background:**

The draft code proposes to permit the keeping of bees on single family residential lots and includes lot regulations for the keeping of bees on Agriculture parcels. The Planning Commission first reviewed the draft beekeeping ordinance during the June 9, 2015, work and regular meetings. Based on comments and feedback from the Utah Department of Agriculture and Food and from the Davis County Association of Beekeepers, the Planning Commission continued the public hearing to July 14, 2015. On July 14, 2015, the Planning Commission forwarded a positive recommendation to the Council to approve regulations and guidelines for beekeeping in residential and agricultural zoning districts.

The public hearing before the Council is scheduled for August 20, 2015. Staff would like to take the opportunity to review the Planning Commission's recommended draft beekeeping ordinance with the Council in this work meeting prior to the upcoming public hearing.

**Alternatives:**

N/A

**Recommendation:**

N/A

ORDINANCE 15-17

**AN ORDINANCE AMENDING TITLE 19, SECTION 19.02.020 ENTITLED "DEFINITIONS" BY ADDING DEFINITIONS RELATED TO BEEKEEPING; SECTION 19.06.080 ENTITLED "FARM ANIMALS" BY ADDING SUBSECTION 19.06.080(3) ENTITLED "BEEKEEPING" WHICH ESTABLISHES REGULATIONS FOR BEEKEEPING IN SINGLE-FAMILY RESIDENTIAL AND AGRICULTURE ZONING DISTRICTS; PROVIDING FOR REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE**

**WHEREAS**, upon evaluating this issue and after receiving a recommendation from the Planning Commission, the City Council has determined to allow beekeeping in single family zoning districts; and

**WHEREAS**, it is the desire of the City Council to allow beekeeping in single family districts within regulations regarding lot area, setbacks, and fencing; and

**WHEREAS**, beekeeping in single family zoning districts provide citizens a more sustainable way of living; and

**WHEREAS**, maintaining beehives in the City addresses the problem of the declining bee population, which poses a threat to fruit, vegetable, and flower product; and

**WHEREAS**, the provisions require existing and new beekeepers to register with the Utah Department of Agriculture and Food for better protection and management of honey bees through inspection, education, and promotion of best management practices; and

**WHEREAS**, providing these provisions will enhance the general health, safety, and welfare of the general public.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:**

**SECTION I: Repealer.** If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

**SECTION II: Enactment.** Title 19, Chapter 19.06, Section 19.06.080(3) shall be enacted to read as follows:

**19.02.020 Definitions:**

..  
"Apiary": An area where one or more colonies of honeybees are kept.

..  
"Bee": The common honeybee, *Apis Mellifera* species, at any stage of development, but not including the African honeybee, *Apis Mellifera Scutellata* species, or any hybrid thereof.

..  
"Beekeeping Equipment": Anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors

..  
"Colony": Honeybees, as defined in this section, in any hive including queens, workers, or drones.

..  
"Flyway barrier": A solid wall, fence, dense vegetation or a combination thereof which modifies the bee flight pattern.

..  
 "Hive": A frame hive, box hive, box, barrel, log, gum skep, or other artificial or natural receptacle which may be used to house bees.

**19.06.080 – Farm Animals**

..  
**(3) Ownership and Maintenance of Apiaries (Honeybee, Apis Mellifera).** The purpose of this section is to provide regulations for the keeping of apiaries in residential zones.

- a. Each beekeeper must register and maintain an active license with the Utah Department of Agriculture and Food.
- b. A suitable source of water must be available to the colony(s) continuously between March 1 and October 31 of each year. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property.
- c. Hives(s) shall be restricted to the rear or backyard of a residential use.
- d. Hive(s) shall be placed on a property in a location that directs the general flight pattern of bees in a direction that will deter bee contact with humans and domesticated animals.
- e. A person shall not locate nor allow a hive on a property owned or occupied by another person without first obtaining written permission from the owner or occupant.
- f. Each beekeeper shall ensure that bee comb and all beekeeping equipment are not abandoned on the site. All such equipment shall promptly be stored within a building or other bee-proof enclosures or disposed of in a sealed container.
- g. It is the beekeeper's responsibility to make attempts to prevent swarming.
- h. Notwithstanding compliance with the various requirements for owning and maintaining apiaries, it shall be unlawful for any person to maintain an apiary or to keep any colony on any property in a manner that threatens public health or safety, or creates a nuisance. Bees and associated beehives may be ordered removed from any property if they are determined to be a nuisance.

**(4) Hives located in R-1-10, R-1-8, R-1-6, R-S, or A zoning districts on one (1) acre or less shall adhere to the following setbacks and criteria:**

- a. Hives shall be set back a minimum of five feet (5') from any property line and public right of way.
- b. Hives shall be a minimum of six inches (6") above the average grade with the total height not to exceed six feet (6').
- c. A flyway barrier is required when any aspect of a hive is located within twenty-five feet (25') of any property line or public right of way.
  - i. Flyway barrier(s) must be six feet (6') in height, adjacent to the hive(s) and extend a minimum of ten feet (10') in length beyond the hive.
- d. The number of hives permitted is based on the residential lot size shown in Table 1.

Table 1

Lot Size	Permitted Number of Hives
0 – 10,890 sq ft	Up to 3 hives
10,891 – 21,780 sq ft	Up to 5 hives
21,781 – 32,670 sq ft	Up to 6 hives
32,671 – 43,560 sq ft	Up to 8 hives



**(5) Hives located in A and R-S zoning districts on lots larger than one (1) acre shall adhere to the following setbacks and criteria.**

- a. Hives shall be set back a minimum of ten feet (10') from any property line and public right of way.
- b. Hives shall be set back a minimum of fifty feet (50') from any primary residential structure on any adjacent lot.
- c. Hive(s) shall be placed on the property in a manner that the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals.
- d. Hives must be a minimum of six inches (6") above the ground.
- e. The keeping of apiaries for commercial purposes is permitted within A and R-S zoning districts on lots larger than one (1) acre.
- f. A flyway barrier is required when any aspect of a hive is located within twenty-five feet (25') of any property line or public right of way.
  - i. Flyway barrier(s) must be six feet (6') in height, adjacent to the hive(s) and extend a minimum of ten feet (10') in length beyond the hive.
- g. The number of hives permitted in A and RS zones is based on lot size as shown in Table 2.

Table 2:

Lot Size	Permitted Number of Hives
43,561 sq ft or larger	No Limit

...

**SECTION III: Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

**SECTION IV: Effective Date.** This ordinance shall go into effect at the expiration of the 20th day after publication or posting or the 30th day after final passage as noted below or whichever of said days is the most remote from the date of passage thereof.

**PASSED AND ADOPTED by the City Council of Layton, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.**

**ATTEST:**

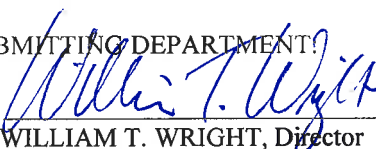
By: \_\_\_\_\_  
THIEDA WELLMAN, City Recorder

By: \_\_\_\_\_  
ROBERT J STEVENSON, Mayor

APPROVED AS TO FORM:

By:  \_\_\_\_\_  
GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:






By:  \_\_\_\_\_  
WILLIAM T. WRIGHT, Director  
Community & Economic Development

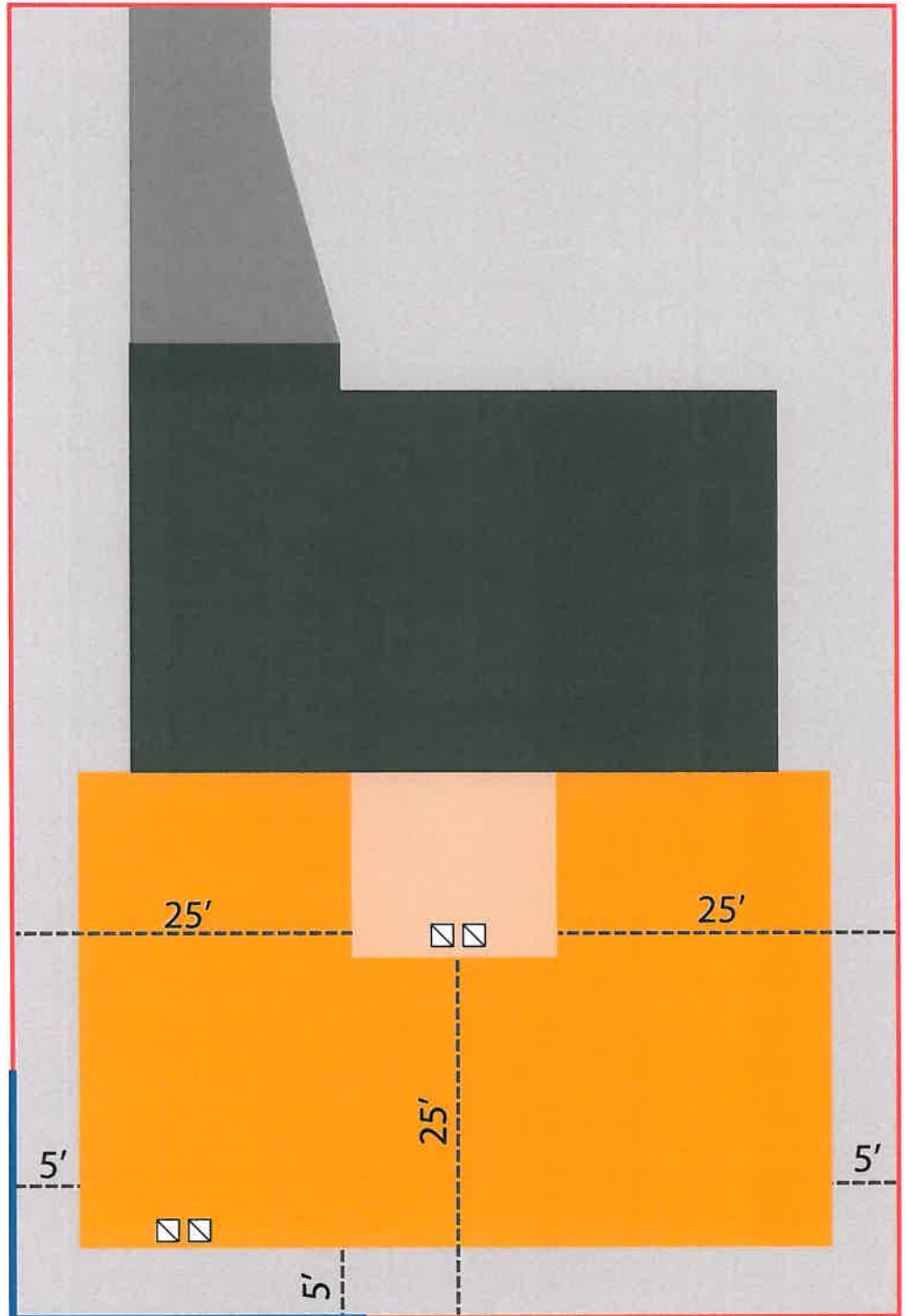
## Beekeeping Ordinances In Utah

City	Max # of Hives	Lot Size	Zones	Setback	Height Requirements	Flyway Barrier is Required When Hive is:	Require Registration	Required Water Source
Bountiful	5	5,000 s/f	All Residential	10' from any property line or public right of way	6" above ground/ 7' max height	Located within 25' of property line or public right of way, extends 10' beyond the colony in each direction	Y	Y
	10	.5 acre						
Centerville	4	.5 acre or less	Agri. Low Density Residential	None	None	Located within 25' of property line or public right of way, extends 10' beyond the colony in each direction	Y	Y
	6	.5 - 1 acre						
	8	Over 1 acre						
Ogden	5	.5 acre or less	All Residential	5' from any property line or public right of way	6" above ground/ 7' max height	Located within 25' of property line or public right of way.	Y	Y
	10	over .5 acre						
Orem	2	Not Specified	Med. Density Residential	15' from any property line	6" above ground	Located within 25' of property line or public right of way, extends 10' beyond the colony in each direction	Y	Y
	3	Not Specified	Low Density Residential					
	5	over .5 acre	Low Density Residential					
Provo	5	5000 s/f	All Residential	None	None	Located within 15' of property line or public right of way, extends 10' beyond the colony in each direction	Y	Y
	10	.5 acre						
Roy	1	8,000-9,999 s/f	All Residential	30' from any dwelling on adjacent lot. 10' from any property line. 10' from dwelling on same lot	None	Located within 25' of property line or public right of way, extends 10' beyond the colony	Y*	Y
	2	10,000-14,999 s/f						
	3	15,000 s/f or Larger						
South Jordan	2	.25 - .5 acre	All Residential	10' from any property line or public right of way	7' max height	Located within 25' of property line or public right of way, extends 10' beyond the colony	Y	Y
	4	.5 - 1 acre						
	1 additional colony for each additional 1/2 acre increment	Over 1 acre						

\* Registration is required with the City as well as the Utah Department of Agriculture and Food

# Example Apiary Layout (10,000 Square Foot Lot)

-  Flyway Required
-  Flyway Not Required
-  Property Line
-  Flyway (Solid Fence)  
10' In Each Direction
-  Hive Box





## Examples of Typical Residential Beehives





## Examples of Typical Residential Beehives



**LAYTON CITY COUNCIL MEETING  
AGENDA ITEM COVER SHEET**

**Item Number:** 6.

**Subject:**

Mayor's Report

**Background:**

N/A

**Alternatives:**

N/A

**Recommendation:**

N/A