

**SPRING HILL PLANNING COMMISSION
REGULAR MEETING
AGENDA
THURSDAY, June 5, 2014
7:00 P.M.
SPRING HILL CIVIC CENTER
401 N. MADISON – ROOM 15**

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

FORMAL COUNCIL ACTION

1. Approval of Minutes:
 May 1, 2014
2. Public Hearing
 Beekeeping

DISCUSSION

3. July 3, 2014 Planning Commission Meeting

ANNOUNCEMENTS and REPORTS

ADJOURN

Chairman Mitchell asked for all in favor or Ms. Bitner raise your hand.
Weber-yea. Motion carries 1-6-0

With a majority ruling, Mr. Weber was elected as the Planning Commission Vice Chairman.

C. Planning Secretary

Motion by Houpt, seconded by Pollom, to nominate Natalie Lazenby as the Planning Commission Secretary.

Roll Call Vote: Haupt-yea, Squire-yea, Houpt-yea, Weber-yea, Pollom-yea, Sly-yea, Mitchell-yea.
Motion carried 7-0-0

DISCUSSION

3. Beekeeping

The Community Development Director presented a brief review of a request for beekeeping in the city limits. Recently the city investigated a complaint in regards to beekeeping which lead to a discussion with Dave and Carol George of 108 S. Hamilton. This discussion resulted in Mr. George coming to city hall to discuss the matter. Mr. George believes current codes regulating beekeeping are too restrictive. He would like the Planning Commission to consider amending the current code. Current code allows beekeeping in AG and RR Districts only. Mr. George would like a public hearing date to be established for consideration of an amendment to this code.

Chairman Mitchell opened the floor for open discussion. Mr. Ron Post gave a presentation regarding his expertise on the honey bee.

Motion by Weber, seconded by Sly to set a public hearing for June 5, 2014 regarding honey bees.

4. Conflict of city code sections regarding animals and fowl

The Community Development Director explained the conflict between Section 17.336.A.1 of the Zoning Ordinance, which allows raising of chickens, ducks, beekeeping, domestic fowl, dairy cattle, etc. in AG and RR Districts with certain limitations. Section 2-101 of the Municipal Code prohibits all raising of animals such as cattle, chickens, ducks, fowl, etc.

Motion by Sly, seconded by Weber to recommend modification of the city code Chapter 2, Section 2-101 A, B to correspond with the Zoning Regulations Section 17.336.

ADJOURN

Motion by Weber, seconded by Houpt, to adjourn.

The meeting adjourned at 8:07 p.m.

Natalie Lazenby, Planning Secretary

SECTION 17.336 - USE REGULATIONS

A. Supplemental Use Regulations. No permit shall be issued for any development or use of land unless the activity is in compliance with all-applicable supplementary use regulations specified in this section. In case of conflict with zoning district property development standards or other regulations of this Code, the more restrictive requirement shall apply, unless otherwise specifically provided.

1. Agriculture. There shall be no retail or wholesale sales permitted in conjunction with agriculture uses in any district from AG through M-1 except on sites of at least 10 acres in size, unless a conditional use permit has been approved in accordance with Section 17.354. In addition, agricultural uses within the Spring Hill City Limits will be allowed in any district R-1 through M-1, but restricted to: grains and feed crops; and fruits, nuts, and berries.

In districts AG and R-R nursery, gardening produce, riding stables, livestock, poultry, swine, ducks, geese, beekeeping, domestic fowl, dairy cattle will be allowed provided that any building structure or yard for the raising, feeding, breeding, or housing of livestock or poultry shall be located at least two hundred feet from a residential structure; and further provided within the Spring Hill City Limits that there shall be no obnoxious fertilizer stored or processed on the premises and no killing or butchering or dressing of animals on the farm tract.

(Ord. 2006-48)

2. Animal care (limited) in C-1 to C-2. Limited animal care facilities shall be subject to the following standards when located within the C-1 to C-2 districts.
 - a. No noise or odors shall be discernible at the property line.
 - b. Treatment shall be limited to dogs, cats and other small animals.
 - c. All animals shall be harbored indoors.
3. Auto wrecking and salvage yards in MP and M-1. Auto wrecking and salvage yards may be approved as a conditional use in MP and M-1 districts, provided that such operation:
 - a. is not on an arterial or expressway;
 - b. in the opinion of the Planning Commission, will not adversely affect the character of the neighborhood; and
 - c. is enclosed by a fence or wall not less than six feet in height and having cracks and openings not in excess of five percent of the area of such fence.

CITY OF OVERLAND PARK

Chapter 6.14 BEEKEEPING

Sections:

- 6.14.010 Legislative Findings.
- 6.14.020 Keeping of Bees.
- 6.14.030 Keeping of a Hive, Stand, Box or Apiary.
- 6.14.040 Multiple Number of Beehives.
- 6.14.050 Subsequent Development of Adjacent Properties.
- 6.14.060 Owner's Hives on Other Properties.
- 6.14.070 Water Facilities.
- 6.14.080 Exemptions.
- 6.14.085 Severability.
- 6.14.090 Violations and Penalty.

6.14.010 Legislative Findings.

The Governing Body of the City of Overland Park, Kansas, finds that there is a need to regulate and set minimum standards for the keeping of bees within the corporate limits of the City to protect the public health, safety, and welfare of the residents of Overland Park.
(History: Ord. BK-1198 '1, 83)

6.14.020 Keeping of Bees.

It shall be unlawful for any person to place, establish, or maintain any hive, stand, box, or apiary or keep any bees in or upon any premises within the corporate limits of the City unless the bees are kept in accordance with the provisions of this chapter.
(History: Ord. BK-1198 '2, 83)

6.14.030 Keeping of a Hive, Stand, Box, or Apiary.

No hive, stand, or apiary shall be placed or kept:

- A. Closer than 25 feet to the property line of adjoining residential property if a house or other building used for residential purposes is located on such property;
- B. Or closer than 75 feet to any house or other building used for residential purposes other than the residence of the keeper of such bees without first obtaining written permission of such land, which permission may be revoked at any time;
- C. Or closer than 100 feet to the exterior line of the traveled portion of a public street;
- D. Or upon land not owned or possessed by the keeper of such bees without first obtaining written permission to do so from the owner or person lawfully in possession of such land, which permission may be revoked at any time.

(History: Ord. BK-1198 '3, 83)

6.14.040 Multiple Number of Beehives.

No more than three beehives shall be placed or kept in a location which is between 75 feet and 600 feet from a house or other building used for residential purposes other than the residence of the keeper of such bees.

(History: Ord. BK-1198 '4, 83)

Chapter 6.14

6.14.050 Subsequent Development of Adjacent Properties.

Provided that should adjacent property be later developed, or residential structures located closer than the distances herein prescribed, the keeper shall move such hives, stands, boxes, or apiaries to comply with these regulations.

(History: Ord. BK-1198 '5, 83)

6.14.060 Owner's Hives on Other Properties.

Every person owning a hive, stand, box, or apiary located on premises other than where he resides shall identify such hive, stand, box or apiary by a sign or other prominent marking stating in letters at least one inch high on a contrasting background the name, address, and phone number of the owner of such equipment.

(History: Ord. BK-1198 '6, 83)

6.14.070 Water Facilities.

Fresh, clean, watering facilities for the bees shall be provided within 25 feet of each hive, stand, box or apiary.

(History: Ord. BK-1198 '7, 83)

6.14.080 Exemptions.

Nothing in these regulations shall be deemed or construed to prohibit the keeping of bees within a school or university building for the purpose of study or observation, or within a physician's office or laboratory for the purpose of medical research, treatment, or other scientific purposes.

(History: Ord. BK-1198 '8, 83)

6.14.085 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this chapter or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not effect the validity or effectiveness of the remaining portions of this chapter or any part thereof.

(History: Ord. DAC-1311 '23, 85)

6.14.090 Violations and Penalty.

The violation of any provision of 6.14.030 through 6.14.080 is a public offense and any person convicted thereof shall be punished as provided in 1.12.010 of the Overland Park Municipal Code. Each day that any violation of these sections shall continue shall constitute a separate offense.

(History: Ord. BK-1198 '9, 83)

[Next Page is 6-700]