

MAPLETON CITY

PLANNING COMMISSION MINUTES

February 13, 2020

PRESIDING AND CONDUCTING: Acting Chairman Rich Lewis

Commissioners in Attendance: Jake Lake
Christy Nemelka
Lewis Nuttall
TJ Uriona

Staff in Attendance: Brian Tucker, Planner

Minutes Taken By: April Houser, Executive Secretary

Acting Chairman Rich Lewis called the meeting to order at 6:00pm. An Invocation and Pledge of Allegiance was given.

Alternate Planning Commissioners Lewis Nuttall and TJ Uriona were seated as voting members this evening.

Item 1. Appointment of Planning Commission Chair and Vice-Chair for 2020.

Motion: Commissioner Nemelka recommended to approve Jesse McLean as the Planning Commission Chairman, and Rich Lewis as the Planning Commission Vice-Chairman, for 2020.

Second: Commissioner Lake

Item 2. Planning Commission Meeting Minutes – December 12, 2019.

Motion: Commissioner Lake moved to approve the December 12, 2019 Planning Commission Meeting Minutes.

Second: Commissioner Nuttall

Vote: Unanimous

Item 3. Consideration of a request for a Home Occupation Permit for Karen Josephson to operate an in-home Medical Office at 903 South 1300 East in the A-2 Agricultural-Residential Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. The application is for approximately 3 patient visits per day. The business would include house calls to patients. No procedures and overnight stays will be done on the property. This would be a small-scale Home Occupation similar to those operating a hair salon, massage therapy, etc. Staff recommends approval with the conditions listed in the Staff Report. No more than 6 cars can be parked at the

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residence at any one time, including those of the property owners. The applicant is not requesting any employees at this time. **Commissioner Lake** asked if there were any type of HIPPA laws that the applicant would need to meet in order to operate this out of their home. **Commissioner Nuttall** asked how inspections are being conducted to ensure the conditions of approval are being met. Brian stated that any follow-up inspections are intermittent, with a hope of doing them every couple of years. If there were complaints however, they would be addressed at that time.

Karen Josephson, the applicant, gave a little history on what type of work she would be doing. Procedures are documented as anything that is invasion or requires hazardous waste, which will not be part of the on-site operation. No blood draws, or anything that requires OSHA to be involved. The HIPPA requirements are in place for Dr. Karen Josephson to maintain and keep up to date.

Brian stated that the property is not zoned commercial and has always been zoned A-2. The short-term rental allowance formerly in place expired when the Nemelka's sold the home, so it is no longer approved for that use. Unless there is a specific reason, Staff would not recommend limiting timeframes on Business Licenses unless there is a reasonable request to do so. **Commissioner Lewis** felt no additional restrictions should be put in place aside of those listed in the Staff Report.

Motion: Commissioner Nuttall moved to approve the Home Occupation Permit for Karen Josephson to operate an in-home Medical Office at 903 South 1300 East in the A-2 Agricultural-Residential Zone with the conditions listed below:

1. The applicant shall obtain a Business License prior to opening for business.
2. The applicant shall maintain a current medical license on file with Mapleton City.
3. The Home Occupation shall be conducted within the confines of the structure.
4. No signs shall be placed on the property without a sign permit.
5. The business shall remain "by appointment only", no medical procedures shall be conducted on the site and no overnight stays.
6. Mapleton City Police and Fire Department approval required.
7. Violations of the terms and this Use Permit or other ordinances of the City may constitute grounds for revocation of this permit and associated business license by the Planning Commission.
8. If the proposed use is abandoned for a period of six months or more, the use permit will become null and void.

Second: Commissioner Lake

Vote: Unanimous

Item 4. Consideration of a request for a Home Occupation Permit for Preston Back to operate an in-home Accounting Business at 998 West 1050 North in the RA-2 Residential Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. The applicant is proposing to do a tax preparation and accounting business out of his home. The Home Occupation

would be done on an appointment only basis. Most hours of operation would be on evenings and weekends. Staff recommends approval with the conditions listed in the Staff Report.

Motion: Commissioner Lake moved the approve the Home Occupation Permit for Preston Back to operate an in-home Accounting Business at 998 West 1050 North in the RA-2 Residential Zone, with the conditions listed below:

1. The applicant shall obtain a Business License prior to opening for business.
2. Background checks for all employees and residents of the dwelling shall be maintained with Mapleton City.
3. The Home Occupation shall be conducted within the confines of the structure.
4. No signs shall be placed on the property without a sign permit.
5. The business shall remain “by appointment only”.
6. Mapleton City Police and Fire Department approvals are required.
7. Violations of the terms of this Use Permit or other ordinances of the city may constitute grounds for revocation of this permit and associated Business License by the Planning Commission.
8. If the proposed use is abandoned for a period of six months or more, the Use Permit will become null and void.

Second: Commissioner Nemelka

Vote: Unanimous

Item 5. Adjourn.

April Houser, Executive Secretary

Date