

**City Council Chamber**  
200 Old Bernal Avenue, Pleasanton, CA 94566

**DRAFT**

**Wednesday, October 8, 2014**

## **CALL TO ORDER**

The Planning Commission Meeting of October 8, 2014, was called to order at 7:00 p.m. by Chair O'Connor.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by the Commission.

### **1. ROLL CALL**

Staff Members Present: Adam Weinstein, Planning Manager; Larissa Seto, Assistant City Attorney; Natalie Amos, Associate Planner; and Maria L. Hoey, Recording Secretary

Commissioners Present: Commissioners Nancy Allen, Jack Balch, Greg O'Connor, and Herb Ritter

Commissioners Absent: Commissioner Gina Piper

### **2. APPROVAL OF MINUTES**

#### **a. August 27, 2014**

Chair O'Connor requested the following modifications:

- Modify the sentence in the eighth paragraph of page 6 to read as follows: "Mr. McKay replied that ~~customers~~ employees will be told not to park there."
- Modify the first sentence of the second full paragraph on page 22 to read as follows: "Chair O'Connor clarified that his question is, ~~if there were a zoning change, and even if the applicant is not able to operate 24 hours a day now,~~ if the business could go to 24 hours right away with a zoning change, even if the applicant is not able to operate 24 hours a day now."

**Commissioner Allen moved to approve the Minutes of the August 27, 2014 Meeting, as amended.**

Commissioner Balch seconded the motion.

**ROLL CALL VOTE:**

**AYES:** Commissioners Allen, O'Connor, and Ritter  
**NOES:** None  
**ABSTAIN:** None  
**RECUSED:** Commissioner O'Connor on Item 6.a.  
**ABSENT:** Commissioner Piper

The Minutes of the August 27, 2014 Meeting were approved as amended.

**3. MEETING OPEN FOR ANY MEMBER OF THE AUDIENCE TO ADDRESS THE PLANNING COMMISSION ON ANY ITEM WHICH IS NOT ALREADY ON THE AGENDA**

**4. REVISIONS TO THE AGENDA**

Mr. Weinstein indicated that there were no changes to the Agenda.

**5. CONSENT CALENDAR**

*Consent Calendar items are considered routine and will be enacted, approved, or adopted by one motion unless a request for removal for discussion or explanation is received from the Planning Commission or a member of the public by submitting a speaker card for that item.*

- a. P14-1151, Dara A. Youngdale & Quarry Lane School  
Application for a Conditional Use Permit to operate a tutoring facility at 5959 W. Las Positas Blvd. Zoning for the property is PUD-I/C-O (Planned Unit Development – Industrial/Commercial & Offices) District.**

Commissioner Ritter moved to make the required Conditional Use Permit findings as described in the staff report and to approve Case P14-1151, subject to the Conditions of Approval as listed in Exhibit A of the staff report. Commissioner Allen seconded the motion.

**ROLL CALL VOTE:**

**AYES:** Commissioners Allen, O'Connor, and Ritter  
**NOES:** None  
**ABSTAIN:** None  
**RECUSED:** Commissioner Balch  
**ABSENT:** Commissioner Piper

Resolution No. PC-2014-45 approving Case P14-1151 was entered and adopted as motioned.

## **6. PUBLIC HEARING AND OTHER MATTERS**

There are no Public Hearing items for consideration.

## **7. MATTERS INITIATED BY COMMISSION MEMBERS**

### **Small-Animal Farm on Bernal Property**

Commissioner Balch stated that at its recent meeting, the Parks and Recreation Commission considered an information item regarding small-animal farm on the Bernal Property. He inquired if this was an item that would come before the Planning Commission in any regard.

Mr. Weinstein stated that he was not familiar with this specific issue or its background but indicated that the Planning Division is oftentimes involved in park projects even if they do not require Planning Division approval or permit.

Commissioner Ritter noted that the Planning Commission would see it if it required a zoning change.

Ms. Seto said that was correct. She explained that the proposal would go forward as long as it is consistent with the Bernal Park Master Plan. She indicated, however, that if part of the proposal for the small-animal farm included a small building requiring design approval at the staff level, the Planning Division would review the proposal; and if it involved a significant building, it may have to go through Planning Commission review. She noted that with a lot of issues that went forward with the Bernal Park in terms of voter approval, it would very difficult to change something significant out there.

## **8. MATTERS FOR COMMISSION'S REVIEW/ACTION/INFORMATION**

### **a. Future Planning Calendar**

No discussion was held or action taken.

### **b. Actions of the City Council**

No discussion was held or action taken.

### **c. Actions of the Zoning Administrator**

No discussion was held or action taken.

### **d. Matters for Commission's Information**

#### **1. Initiation of staff work on an amendment to the Pleasanton Municipal Code to consider allowing small-scale beekeeping in residential zoning districts.**

Natalie Amos presented the staff report and indicated that staff's memo is simply to inform the Planning Commission of staff's intent to come up with a beekeeping ordinance in residentially-zoned districts within the City. She added that staff is just in the beginning stages of its research and is here tonight to see if the Commissioners have any specific questions they want staff to look into in terms of where beekeeping might be best located specific to residential districts within the City. She noted that the City already allows for a Conditional Use Permit for

apiaries in agricultural land, and staff is looking into the possibility of allowing it on a smaller scale in One-Family and Multiple-Family Residential Districts.

Chair O'Connor stated that staff has provided the Commission with a list of things to look at and is inquiring if there is anything the Commissioners wanted to add to that. He indicated that the Commissioners may also ask questions, but discussion will not take place until the item comes back to the Commission as a public hearing.

Commissioner Balch inquired if staff had a PowerPoint presentation.

Mr. Amos replied that there is no PowerPoint presentation at this time since the purpose of tonight's meeting is only to inform the Commission about where staff is in the process and what the Commission may see at an upcoming Commission hearing.

Commissioner Ritter stated that he liked the spreadsheet comparisons and would like to see more of that in the Tri-Valley area. He indicated that it is good to see what other California cities and other states are doing in terms of beekeeping and how Pleasanton compares with them, but it would also be helpful to be able to compare with what other cities around the Pleasanton area are doing.

#### **THE PUBLIC HEARING WAS OPENED.**

David Browne thanked the Commission for the time and opportunity to talk about potentially allowing residential beekeeping as a hobby in Pleasanton. He stated that he had some training in beekeeping and kept bees in his house in Pleasanton from March to July, at which time he found out that beekeeping is not allowed in Pleasanton. He indicated that he then moved his beehives to Castro Valley, and he is now looking into the process of maybe having the Pleasanton Municipal Code (PMC) amended to allow beekeeping.

Mr. Browne stated that there is a very deep history of beekeeping in the United States that goes as far back as the colonial days when honeybees were first imported from Europe. He indicated that certain strains of European honeybees are the most common in the United States and are also used for commercial pollination. He noted that the PMC allows vegetables and fruits to be grown in residential areas; however, these require honeybees for pollination. He indicated that honeybees are incredibly important to the food supply and that roughly one-third of food that is consumed is directly dependent upon pollination by honeybees. He noted that colony collapse disorder (CCD) is causing the United States government to spend almost \$10 million on trying to increase the amount of pollinators in the United States. He indicated that there is a lot of controversy on what the causes of CCD are, but like most complex things, a lot of things contribute to the loss of honeybees. He added that there are strong data on the fallout in populations because for a long time, the number of beehives that exist in the United States for commercial uses has been monitored. He noted that California uses over a million bees to pollinate its almonds, and those farmers get \$150 per hive to pollinate; hence, they monitor how many beehives they have because these are worth so much. He indicated that there are arguments being made that if there were an allowance for residential beekeeping, it could offset some of commercial beekeeping losses, because one of the problems contributing to CCD is monocrops. He gave an example that when an almond growth that goes for five miles stops producing nectar, the bees have nothing to live on. He added that there is a large amount of spraying in agricultural areas. He noted that there have been some studies that residential-kept bees can be healthier because they are not exposed to monocrops and insecticides.

Mr. Browne stated that the trend of urban agriculture going local including beekeeping is a fast-growing trend in the United States, and many cities now allow residential beekeeping, such

as New York, Denver, Milwaukee, Santa Monica, Fremont, Oakley, Oakland, and San Francisco. He indicated that the San Francisco Public Health Code addresses beekeeping and states that honeybees are not considered wild or potentially dangerous, and urban beekeeping is allowed without any specific permits, such that even apartments are allowed to have a bee hive. He added that in 2009, Michelle Obama had 70,000 beehives installed in the White House garden to help pollinate it.

Mr. Browne stated that one thing to consider is that bees, like dogs, are not nuisances of themselves. He added that dogs can be nuisances if they bark, bite, or claw through some fence, in which case the city has to take action. He noted that there are ways to keep bees in residential areas without being a nuisance to the neighborhood, and should they go to the neighbors' homes, there are ways to address that. He indicated that beekeepers are trained in those ways, such as constraining their flypaths, offering them water alternatives so they do not go to the neighbors' pool, or modifying their hives so they do not move into the neighbors' yard.

Mr. Brown stated that Pleasanton can also use beekeeping as a public relations instrument to support locally grown bees by allowing beekeeping in residential districts, which will be consistent with a lot of other cities that have recently made this change.

### **THE PUBLIC HEARING WAS CLOSED.**

Mr. Weinstein reiterated Ms. Amos' earlier statement that staff is in the preliminary stages of its research effort and is looking to the Commission for comments and specific research topics that it would like staff to look into in more detail. He indicated that staff is just starting to review other ordinances that have been adopted in the region and across the State and is looking for specific issues that might need to be dealt with in any proposed regulation or PMC amendment.

Commissioner Allen stated that Mr. Browne prompted her to ask what the licensing and permit requirements would be to qualify for a beekeeping license, what other people do in this respect, and how people are trained to manage issues that occur as a result. She referred to the benchmarking that staff has done and stated that glancing at the document has prompted her to ask more questions. She noted, for example, that San Francisco does not have a lot of data about what learnings have happened since it started beekeeping, what issues it has had and how they were managed, what complaints have been registered and how those have been dealt with. She added that she would also like to see a little more benchmarking in neighboring cities such as in Livermore and what their implications and learnings are, so Pleasanton can craft the right design and understand where to go with it.

Chair O'Connor stated that he got a lot of information from the way the document was laid out. He acknowledged Commissioner Allen's questions and noted that some cities have certain lot size requirements and others do not. He pointed out that Mr. Browne mentioned that some have beehives in apartments, and he indicated that his first thought when he read through this was that it would not be allowed in a high-density or multi-family environment, as it would be difficult to know how to control them.

Chair O'Connor stated that he would like to see what these other cities are doing to correct some of the things that they did not anticipate. He noted that if all the data in the document are current, there obviously is a very large discrepancy between cities in terms of what they allow, their sizes, and where they are permitted. He added that he would also want to know what staff thinks about noticing and whether this would be a Conditional Use Permit. He indicated that there should be some kind of noticing requirement because there may be a neighbor who is allergic to beestings, and the City would certainly not want to do anything that would jeopardize the health and safety of the community.

Commissioner Ritter stated that he has heard that local honey is a positive for beekeeping and that putting locally grown honey in food can make allergies go away. He indicated that he does not know what that really entails and would like to know the positives of beekeeping as he does have allergies.

Commissioner Balch stated that he realizes that the survey was from the City of Laguna Beach and not Pleasanton. He indicated that he would like to know what lessons were learned and what Pleasanton can gain from that year of experience. He noted that the document shows different factors used to evaluate, such as direction, how restrictive, lot size, and number of beehives. He added that Pleasanton should definitely not recreate the wheel when it can look into what other cities have had, and then modify them accordingly.

Commissioner Balch also pointed out that the number of years of implementation should also be considered, such that a recent implementation might not necessarily be a good data source, versus one with a much longer experience. He indicated that he does not want it to be one of those things where everyone makes a big fuss in the beginning, but once implemented, would not be a big deal. He stated that he strongly feels that this is something the City should consider.

Chair O'Connor asked staff if they have enough information.

Ms. Amos said yes. She stated that this is a good starting point for staff to look into, including some of the questions that were raised.

Commissioner Balch inquired how this would move from here and if there were a timeline or some sort of road map.

Ms. Amos replied that whatever information staff has gathered tonight will definitely be added to what staff is already looking into, including what other cities have in effect, what they are doing, and how they process. She indicated that some cities handle it through different divisions and departments, as opposed to Planning or Community Development. She added that staff is evaluating what is similar to the characteristics of Pleasanton, look into what these other cities have done, and modify them to what may be best for the residents in Pleasanton in terms of minimum lot sizes, certain densities, buffer zones, and zoning. She indicated that once staff has established these well, possibly within a couple of months, staff will move forward and present a draft of the proposed Code amendment to the Commission for its review.

Commissioner Balch stated that Mr. Browne made a comparison to dogs and noted that the City has a dog license ordinance. He indicated that one of the elements staff might consider is licensing, similar to dog licensing. He added that he just does not want it to be such a barrier and that what other cities eventually have done would be important to consider.

No action was taken.

## **9. ADJOURNMENT**

Chair O'Connor adjourned the Planning Commission at 7:23 p.m.

Respectfully,

ADAM WEINSTEIN  
Secretary