

**City of Taylorsville
 Planning Commission Meeting Minutes
 September 10, 2013
 Pre-meeting – 6:30 p.m. – Regular Session – 7:00 p.m.
 2600 West Taylorsville Blvd – Council Chambers**

Attendance:

Planning Commission

Anna Barbieri, Chair
 Dale Kehl
 Garl Fink
 Steven Fauschou
 Israel Grossman
 Dan Fazzini, Jr.
 Curt Cochran
Excused: Ted Jensen

Community Development Staff

Mark McGrath – Director/Community Development
 Michael Meldrum – Principal Planner
 Jean Gallegos – Admin Asst/Recorder

PUBLIC: Ernest Burgess, Mayor Jerry Rechtenbach, Jason Wilcox, Laural Wilcox, Brigitte Tucker, Stacie Mui, Walt Cunningham, Ronda Cunningham.

CONSENT AGENDA

7:01

Agenda/File #	Application	Applicants	Action
1. 2S13	Simple Subdivision	Brigitte Tucker 4497 and 4499 S Edgeware Lane	Approved with Staff's recommendations.
2. 3S13	Simple Subdivision	Walt Cunningham 2274 and 2276 W Heatherglen Drive	Approved with Staff's recommendations.
3.	Review/Approval of Minutes for May 14 and 28, 2013.		Approved as presented.

MOTION: [Commissioner Fink](#) - I will make a motion that we approve the Consent Agenda, consisting of Items 1 through 3.

SECOND: [Commissioner Fauschou](#)

VOTE: All Commissioners present voted in favor. Motion passes.

4. 7C13	<u>Jason Wilcox</u> – Animal Hobby Permit for Five Dogs – 4425 S. Jarrah Street. (Michael Meldrum/ Principal Planner) <u>7:07:28</u>
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4.1 **Mr. Meldrum** presented this item. This application first came before the Planning Commission on May 14, 2013, at which time the Planning Commission denied the application. The applicant appealed this decision to the City Council. The City Council considered the disposition of this item on July 10, 2013 and determined that they would not hear the appeal and remanded the item back to the Planning Commission for further review and consideration.

- The applicant has requested a conditional use permit for an animal hobby permit to allow five dogs on his property. The applicant is requesting a German Shepherd mix, Collie-Labrador mix, Bassett Hound mix, American Staffordshire Terrier and a Boxer mix.
- The dogs are currently on the property. The dogs are indoors approximately 90 percent of the time. The applicant stated that a family member recently moved into the single-family home and brought three dogs with her. The family member is planning to live in the home for approximately two years.
- On March 1, 2013, West Valley Animal Services received a complaint in regards to dogs barking and too many dogs on the subject property. The applicant was informed by West Valley Animal Services to obtain an animal hobby permit through the City of Taylorsville.
- The applicant lives on a 9,583 square foot lot in a single-family home. There is a 6' high vinyl and chain link fence that surrounds the entire rear yard of the property, which is in an R-1-8 zone.
- Staff has visited the site and found that the odors complained of appear to be coming from the neighbor to the north and not from the applicant's property. In staff's opinion, the odor is feline, not canine in nature.

- With the first public notice that was sent out to the surrounding property owners, staff received the following complaints in regards to the five dogs: Three complaints in regards to dog feces and odor, two complaints with too many dogs on the property and one complaint in regards to dogs barking. Staff has also sent a notice for the public hearing for the September 10, 2013 Planning Commission meeting and no comments or complaints have been received as a result of that notice.
- The applicant has stated that they are currently repairing one of their fences, which should be done before the applicant receives an animal hobby permit.

4.2 **Findings of Fact:** Staff finds the following findings of fact regarding File #7C13:

- 4.2.1 The applicant is proposing an animal hobby permit for five dogs.
- 4.2.2 The animal hobby permit is an administrative conditional use.
- 4.2.3 West Valley Animal Services received a complaint that dogs were barking and there were too many dogs on the subject property.
- 4.2.4 City Staff has received three complaints in regards to dog feces and odor. two complaints with too many dogs on the property and one complaint in regards to dogs barking.

4.3 **Staff recommends approval with the following conditions:**

- 4.3.1 The use is compliant with all requirements of applicable reviewing agencies.
- 4.3.2 The Conditional Use Permit is subject to review upon substantiated and unresolved complaints. Complaints which cannot be resolved by Staff or West Valley Animal Services personnel may be grounds for permit revocation.
- 4.3.3 The applicant must comply with all requirements that are applicable under Chapter 8 (animal permit regulations). All dogs need to be licensed and immunized.
- 4.3.4 The perimeter fence must be maintained and secured.
- 4.3.5 Unless supervised and on a leash, the dogs must be contained on the subject property.
- 4.3.6 If any dogs are found to be running at large, the Non-administrative Conditional Use Permit is subject to review and/or revocation.
- 4.3.7 Keep dog barking to a minimum.

4.4 **APPLICANT ADDRESS:** Jason Wilcox. 7:10:28 Mr. Wilcox said that he has hired a company to do maintenance on his yard, which includes removing any dog feces. He advised that he has fixed his back fence, however, has not yet replaced the fence. Commissioner Fauschou asked if the three new dogs are the ones not licensed in Taylorsville and Mr. Wilcox said that was correct, however, that they have been licensed in Washington County subsequent to coming to Taylorsville.

4.5 **Commissioner Barbieri** opened the public hearing and asked if anyone wished to speak either in favor or opposition to this application and there being none, she closed the public hearing and opened the meeting up for Planning Commission discussion.

4.6 **DISCUSSION:** Commissioner Fink advised that the property looks considerably better than it did previously, which to him indicated Mr. Wilcox is a responsible dog owner. Commissioner Kehl said that he too has noticed a change for the better concerning the look of the property in general, along with Staff's findings that the odor seems to be coming from another property. Mr. Wilcox added that part of the problem with the litter in the yard had been construction materials from the renovation they recently were doing. Commissioner Fauschou commented that the condition of the fence was a big issue for him and he was pleased to hear that the owner is going to replace it very soon. Commissioner Barbieri advised that she too appreciated the obvious efforts put forth to clean up the site. (7:18:39).

4.7 **MOTION:** Commissioner Fauschou - Based on Findings of Fact and Staff's recommendations, I move for approval of File #7C13.

SECOND: Commissioner Fink

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Fauschou	AYE	Barbieri	Chair	Kehl	AYE
Jensen	Excused	Fazzini	AYE	Fink	AYE
Grossman	AYE	Cochran	AYE		
Motion passes 6 to 0.					

DEVELOPMENT CODE TEXT CHANGE

5. Text Change for Off Premise Signs for Shopping Centers. (Mark McGrath/Director of Community Development)

3.1. **Mr. McGrath** presented this item The Taylorsville Community Development Department was recently approached by the Economic Development Department to assist in seeking amendments to the current sign code concerning off-premise signage. The request was made in order to help with access issues created by intersection improvements in the vicinity of 5400 South and Bangerter Highway. The proposed amendments would allow “commercial districts” (i.e., commercial areas with individually owned properties such as 5400 South and Bangerter Highway; 6200 South and Redwood Road; 4800 South and Redwood Road, etc.) to have gateway or directional signage at key access points into the district.

• **Specifically the proposed amendments include:**

1. 13-26-03 Part 4 (Prohibited Sign Devices – Off-Premises Signs): makes an exception for off-premise commercial district monument signs.
2. 13-26-09 Section F (Standards for Signs Requiring a Permit – Monument Signs): creates a new “Commercial District” category of permissible monument signs. The proposed amendment makes Commercial District Monument Signs a non-administrative conditional use and requires that in order to qualify for a sign, the district must have at least five contiguous acres and 1,000 linear feet of street frontage. The amendments also stipulate that the maximum number of signs for any one district is two and that all signs include landscaping.

Findings of Fact:

1. Recent intersection improvements have made access to certain business districts very difficult.
2. Safe and efficient access to businesses in Taylorsville is in the best interest of the City and is consistent with the City’s economic development strategy.

Staff Recommendation:

Staff recommends sending a positive recommendation to the City Council concerning the proposed amendments to Chapter 13-26.

3.2 **DISCUSSION:** **Commissioner Kehl** wanted to make sure this applied only to monument signs and **Mr. McGrath** advised that was correct and they are limited to the same size restrictions as every other monument sign in the City. He was concerned that the individual signs placed thereon would be too small to read. **Commissioner Fazzini** commented that the proposal says 1,000 feet of frontage but doesn’t say frontage of what. That for instance the Family Center, there would need to be something in there to restrict them because they already have pole signs in place. This would add monument signs in addition to those pole signs on the property. It would seem that a direction sign would be helpful to get them down the road. His main concern was the 1,000 feet of frontage comment. **Mr. McGrath** said that the proposal says “1,000 feet of street frontage”. **Commissioner Fazzini** gave a for instance in that on Bangerter Highway, it is not adjacent to the property and not even included in the property included in the group. **Commissioner Kehl** asked if the intent was of what Commissioner Fazzini just said, was to have a sign on one of the properties that is included or can they go anywhere they want and put one up just because they have the right amount of acreage. **Mr. McGrath** advised that the sign would have to be on private property on street frontage to which at least one of them is located. **Commissioner Fink** wanted to know if this would allow, say McDonald’s to have numerous signs under this change. **Mr. McGrath** replied that they would have their sign and could potentially have additional signage as depicted. **Commissioner Fink** said for instance on Bangerter Highway they could technically go onto private property and put one of these signs along Bangerter. **Mr. McGrath** commented that would put it behind the sound wall and would not be visible from Bangerter. **Commissioner Kehl** stated that first of all a monument sign like that is not going to direct anybody anywhere, secondly, the problem involves the whole City. All of the ones that are along 5400 South are readily visible. The only place that it could possibly help would be for the people who are located in the back that are not visible from the main street. **Commissioner Barbieri** felt it would be more advantageous to the businesses to have directional signs. They just may need help getting their customers to understand how to get into the plaza itself. **Mr. McGrath** agreed that the signs would be more effective if they were treated as directional signs rather than advertising signs. **Commissioner Barbieri** wondered if the businesses had been approached with that concept. **Mr. McGrath** advised that the businesses want both directional and advertising type signage. **Commissioner Fazzini** added that they want to be treated like a shopping center with several pads basically. **Mr. McGrath** said that Staff’s position is to provide a better situation for those businesses. The goal is to make the commercial properties more valuable and improve their present situation, especially those along 5400

South with the new traffic direction signs now functioning. Regarding maintenance, Staff felt like the situations are not going to be one size fits all so this proposal was made a non-administrative conditional use, meaning that if anybody wants to do this they must appear before the Planning Commission and during that process, the applicant must get on the public record outlining their plan and covering landscaping and maintenance. He went on to say there are probably three areas in the City that would be applicable under this, one at 4800 South and Redwood, 6200 South and Redwood Road and the area along 5400 South. **Commissioner Fazzini** wondered if there were alternatives such as the City actually putting the sign up. **Mr. McGrath** said that would be on private property and would not be permitted. **Commissioner Kehl** commented that UDOT actually created the problem and should help out with the solution. **Commissioner Fink** asked if the centers already have signs would this open the door for individual stores to place signs. **Mr. McGrath** said that was a good comment and something could be added to the proposal that says something along the lines that the only advertising on the signs would be for businesses within the actual commercial district. **Mayor Rechtenbach** addressed the Commission saying that this is an unfortunate situation where the measures taken to solve a problem on one side of the street created embellished a problem on the other side of the street. That the City has been working with the business owners on the north side of 5400 South for several months in an effort to help them find a solution to the access problem. Some of the smaller businesses are struggling and something like this could put them out of business essentially. The Economic Development committee have been meeting with them to find workable solutions. There have been discussions with UDOT wherein they might consider putting in a break in the median which would be very helpful to the situation. **Commissioner Kehl** felt that the biggest problem is access and was willing to allow a monument sign if that would help, however, expressed doubt that would help at all. **Commissioner Barbieri** commented that she had no doubt that the changes UDOT has made along 5400 South has hurt those businesses. **Commissioner Fazzini** added that he did not feel that the Commission has received enough information to make a decision on this tonight and wanted a little more research done. **Commissioner Barbieri** asked if the Commission does approve this would it take some of the pressure off of UDOT to make things right or would they say that the signs would be sufficient. **Mayor Rechtenbach** again suggested that representatives from the Economic Development committee be invited to address the Commission on this proposal. **Commissioner Kehl** said he was fine with that and would like them to tell the Commission why the signage is considered a solution. It is difficult for him to understand why that is the solution and why the larger businesses would care because it really does not impact them.

3.3 **Commissioner Barbieri** opened the meeting for public discussion and there being none, closed the meeting for discussion and or a motion by the Planning Commission.

MOTION: Commissioner Fink - I will make a motion to send a positive recommendation to the City Council concerning the proposed amendment of Chapter 13-26.

SECOND: Commissioner Grossman

Commissioner Fink – (Re-stated his motion). I recommend we forward a positive recommendation to the City Council concerning the proposed amendment to Chapter 13-26 with provisions that Staff recommended previously to limit where we could do this. **Commissioner Fazzini** – Does that include the restriction on who can be on the sign? **Commissioner Fink** – Yes.

SECOND: Commissioner Grossman

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Barbieri	Chair	Kehl	NAY
Jensen	Excused	Fazzini	NAY	Fink	AYE
Grossman	AYE	Cochran	AYE		
Motion passes 4 to 2.					

OTHER BUSINESS: None

CITY COUNCIL MEETING DISCUSSION: **Commissioner Fazzini** advised that the City Council had approved the item regarding food trucks.

ADJOURNMENT: By motion of **Commissioner Fink** the meeting was adjourned at 8:15 p.m.
Respectfully submitted by:

Jean Gallegos, Admin Asst/Recorder for the
Planning Commission

Approved in meeting held on October 8, 2013.
Planning Commission
September 10, 2013