

**City of Taylorsville  
 Planning Commission Meeting  
 Minutes  
 August 9, 2011  
 Pre-meeting – 6:00 p.m. - Regular Session – 7:00 p.m.  
 2600 West Taylorsville Blvd – Council Chambers**

**Attendance:**

**Planning Commission**

Dale Kehl, Chair  
 Ted Jensen  
 Kristie Overson  
 Garl Fink  
 Steven Faurischou  
 Ernest Burgess  
 Anna Barbieri  
 Dan Fazzini, Jr. (Alternate)

**Community Development Staff**

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

**PUBLIC:** Fred C. Cox, Pam Bergeron, Scott Carlson, Becky Holder, Olivia Holder, Steve Holder, Danielle Marshall, Tina Huybregts, Amy DeWidt, Matthew Brown, Jessica Brown

**WELCOME:** **Commissioner Kehl** assumed duties as Chair and welcomed those present, explained the process to be followed this evening and opened the meeting at 7:00 p.m. He outlined the items on the Consent Agenda and asked if there were anyone in the audience wishing to speak to any of them or any changes deemed appropriate by the Planning Commission. There being none, **Commissioner Kehl** asked for a motion regarding the Consent Agenda. [19:00:14](#)

**CONSENT AGENDA**

Agenda/File #	Application	Applicants	Action
1.	Review/approval of Minutes for April 26 and May 10, 2011.		Approved as presented.
2.	8H11 – Home Occupation – Beauty Salon – Amy De Widt – 6456 S Calnita Circle		Approved with Staff Recommendations.
3.	24C11 – CUP – Animal Hobby Permit (4 Dogs) – Steve and Becky Holder, 5037 South 3200 West.		Approved with Staff Recommendations.
4.	26C11 – CUP – Animal Hobby Permit (4 Dogs) – Byron Marshall, 6422 South Coral Drive.		Approved with Staff Recommendations.
5.	27C11 – CUP – Animal Hobby Permit (Chickens) – Matthew Brown – 1866 West Champagne Avenue		Approved with Staff Recommendations.
6.	28C11 – CUP – Jagdish Gill (Sikh Temple) – Addition to Temple – 4897 South Redwood Road		Approved with Staff Recommendations.

**MOTION:** **Commissioner Overson** - I move for approval of the Consent Agenda consisting of Items 1 through 6. [19:02:27](#)

**SECOND:** **Commissioner Faurischou**

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurischou	AYE	Fink	AYE	Kehl	Chair
Jensen	AYE	Barbieri	AYE	Fazzini	ALT
Overson	AYE	Burgess	AYE		
Motion passes 6 to 0					

**CONDITIONAL USES**

7. 25C11 – <b>Tina Huybregts – 4894 South 3200 West</b> – Conditional Use Permit – Animal Hobby Permit for Chickens (Michael Meldrum/Principal Planner) <a href="#">19:03:12</a>
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7.1 **Mr. Meldrum** presented this item. [19:06:54](#) The applicant is requesting approval for an Animal Hobby Permit for backyard chickens. The subject property contains 0.22 acres which would allow a maximum of 6 chickens. The applicant currently has 17 chickens on the property and has had the chickens for approximately four years.

- This property is located in an R-1-8 zoning district. Staff has researched the history of the property back to 1995 prior to the City's incorporation. The 1995 Salt Lake County zoning map shows the subject property to be located in an R-1-8 zoning district. Chickens were not allowed in single-family residential properties until the Backyard Chicken Ordinance was passed in Taylorsville in May 2010. Roosters are not allowed under the provisions of this ordinance.
- A complaint was received by the City's code Enforcement Officers regarding the chickens. Upon inspection of the property, the Code Enforcement Officers were able to verify that there were chickens on the site. They were not able to verify the number of chickens, however. The applicant was notified by letter of the violation of Section 8.12.140 of the Zoning Ordinance.

- After receiving the notice of non-compliance, the Applicant contacted the City and indicated that she had received permission from the Mayor to have the chickens. In a subsequent meeting, the applicant was informed that she needed to obtain a backyard chicken permit. Several of the chickens that the applicant has are apparently approaching the end of their egg laying ability and the applicant was informed that the number of chickens would be allowed to be gradually reduced through attrition until the maximum number allowed for a lot of this size was reached.

**Findings of Fact:** Staff finds the following findings of facts or reasons regarding **File # 25C11:**

1. The use is a conditional use in the R-1-8 zoning district.
2. The yard has a mix of fencing enclosing the back yard.
3. The application is a result of the relatively new ordinance that allows the keeping of back yard chickens.
4. The applicant's lot is 0.22 acres and allowed up to six chickens.
5. No roosters are allowed under Section 8.12.140 of the Zoning Ordinance.
6. A complaint was received by the City Code Enforcement Officers.

**Staff recommends approval of File #25C11 with the following conditions:**

1. Comply with the requirements of all reviewing agencies.
  2. The coop and enclosure must meet the requirements of Section 8.12.140.
  3. No roosters are allowed.
  4. Compliance with all requirements of Section 8.12.140 of the Taylorsville Code of Ordinances regarding back yard chickens is mandatory.
  5. West Valley animal Services will conduct an on site inspection.
  6. The Animal Hobby Permit is subject to review upon substantiated and unresolved complaint.
- 3.2 **APPLICANT ADDRESS:** **Tina Huybregts** was present and said she had read the Staff Report and would comply with all stipulations therein. She was agreeable with reducing the number of allowed chickens down to six through attrition.
- **Commissioner Fink** asked her how long she thought that would take and she replied probably about three years.
  - **Commissioner Fink** asked her if a rooster was needed in order for the hens to lay eggs and was informed by **Ms. Huybregts** that the hens did not need a rooster present in order to lay the eggs. The rooster's role was for fertilization of the eggs and for the well being of the hens in general.
  - **Commissioner Overson** asked her how many roosters there were and **Ms. Huybregts** replied there were none. She brings over a stud rooster to her flock for one or two days and then takes him back. **Commissioner Overson** then wanted to know how many eggs the chickens lay and was informed that the hens lay one egg per day for a period of about five years. She added that all her chickens have been named and she knows which eggs come from which chickens by the coloring of each. She said that the one complaint was made by one of her neighbors who have horses on their property. The horse property is never cleaned out but her chicken run is cleaned at least monthly without fail. [19:12:01](#)
- 3.4 **SPEAKING:** **None**
- 3.5 **DISCUSSION:**
- **Commissioner Faurschau** said that his concern is the attrition taking up to three years to complete. **Ms. Huybregts** said that at the end of their egg laying life cycle, the hens will be taken to a farm located in Tooele, Utah, to live until they pass away.
  - **Commissioner Burgess** wanted to know if she needed to buy any extra eggs to serve her needs and she replied that the only time that happens is around Easter.
  - **Commissioner Barbieri** asked that Staff follow-up on the possibility of there being roosters on any other locations in that area.
  - **Commissioner Kehl** followed up on another issue by asking her why there were so many vehicles around her house and if any of them were not licensed. A male who was with Ms. Huybregts said that all were licensed with the exception of one and they were working with the City's Code Enforcement Division to take care of the vehicle issue.
  - **Commissioner Fink** outlined what he thought was a reasonable time line for reducing the size of the flock. He recommended down sizing the flock to 9 chickens by August 1, 2012 and down to 6 chickens by August 1, 2013.
  - **Commissioner Overson** recommended that a condition of approval be added that all code violations must be resolved in a timely manner and also one that the conditional use permit is subject to review upon substantiated and unresolved complaint.
- 3.6 **MOTION:** **Commissioner Fink -19:31:00** **Based on the Findings of Fact and Staff Conditions 1-6, adding #7 that the flock must be reduced to 9 by Aug 2012 and to 6 by Aug 2013. Commissioner Overson - May we also add #8 that property violations if any be revoked. Commissioner Fink agreed to that change. 19:31:53**  
**SECOND:** **Commissioner Barbieri**

VOTE (File #25C11)					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Jensen	AYE	Kehl	Chair
Fink	AYE	Barbieri	AYE	Fazzini	Alternate
Overson	AYE	Burgess	AYE		
Motion passes 6 to 0.					

8. 29C11 – **Young Electric Sign Company for the Redwood Veterinary Hospital – 4958 South**  
(Michael Meldrum/Principal Planner)

8.1 **Mr. Meldrum** presented this item. [19:33:01](#) The applicant is requesting approval for an electronic message center (EMC) sign on property located at 4958 South Redwood Road. The request would replace an existing pole mounted cabinet sign. The property is bounded by commercial uses on all sides. There would be no impact to any property in a residential zoning district. Section 13.48.190 of the Zoning Ordinance requires any proposed EMC signs to obtain a Conditional Use Permit. As previously mentioned, there is an existing sign located on the site. In addition to the EMC portion of this sign, there is a backlit cabinet sign comprising 2/3 of the total signage area. The overall dimensions of the proposed sign are 8'1" x 6' or about 40 square feet. This is compliant with Section 13.48.190 of the Zoning Ordinance for sign area. The maximum height for signs in the C-2 zoning district is 30 feet. The existing sign is 19 feet in height. The applicant does not propose any changes to the height of the existing pole. **Commissioner Jensen** wanted to make sure there is a restrictive flashing and brightness mode in place and **Mr. Meldrum** assured him that would be six seconds and will be installed with an auto dimming feature so that the brightness level will be automatically dimmed as it gets darker outside. The general rule of thumb for EMC's is that they are brighter during the day and dimmed at night. The reason for this is that the EMC's are generally harder to see in bright sunlight and require less illumination at night to achieve the same effect.

**Findings of Fact:**

1. The use is a conditional use in the C-2 zoning district.
2. The subject property is surrounded by commercial uses.
3. There are no proposed changes to the height or setbacks of the existing pole sign.
4. The EMC will replace an existing pole mounted cabinet sign.

**Staff recommends approval of preliminary Conditional Use Application #29C11 with the following conditions:**

1. Comply with the requirements of all reviewing agencies.
2. The Conditional Use Permit is subject to review upon substantiated and unresolved complaint.
3. The EMC must be equipped with an automatic dimmer to reduce brightness as it gets darker outside. The dimmer must be set to not exceed a maximum of 15% of the maximum brightness of the sign.
4. **[Added by Motion] (1) Images on the sign shall not change with a frequency greater than one message every six seconds. (2) No flashing, blinking, strobing, or other similar effects shall be used on the sign.**

8.2 **APPLICANT ADDRESS:** **Deanne Leatherman (YESCO) 1603 S Grammercy Road.** [19:36:08](#) **Ms. Leatherman** advised that she is familiar with all Staff conditions and will do whatever is necessary, including restrictions on flashing and dimming. **Commissioner Overson** wanted to know if the sign owner was able to change the message on the sign himself and **Ms. Leatherman** said that was the case and that the sign displayed the same message on the front and the rear. **Commissioner Overson** wanted to know if the owner was amenable to using the sign for civic notifications such as "Amber Alerts" and **Ms. Leatherman** said the owner would be happy to do so.

8.3 **SPEAKING:** None

At this point, **Commissioner Kehl** closed the public hearing portion of tonight's meeting for this item and asked for further discussion or a motion from the Commission.

**MOTION:** **Commissioner Burgess** - [19:39:56](#) I will make a motion for approval of File #29C11 based on staff recommendations 1 through 3. **Commissioner Jensen** - I would like to add condition #4 to include the same wording that we have had for previous electronic signs where we have limited text copy changes to every six seconds and limited flashing, scrolling, etc. **Mr. Meldrum** suggested the following to be included in Commissioner Jensen's amendment: (1) Images on the sign shall not change with a frequency greater than one message every six seconds. (2) No flashing, blinking, strobing, scrolling or other similar effects shall be used on the sign. [19:40:22](#) **Commissioner Burgess** – I would agree with adding the wording provided by Mr. Meldrum to my motion.

**SECOND:** **Commissioner Fink**

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	NAY	Jensen	AYE	Kehl	Chair
Fink	AYE	Barbieri	AYE	Fazzini	Alternate
Overson	AYE	Burgess	AYE		
Motion passes 5 to 1.					

**CITY COUNCIL MEETING DISCUSSION:** [19:41:10](#) **Mr. Meldrum** said that Chapters 7, 8, 9 from the new Land Use Development Code were reviewed with the City Council during their last meeting.  
Planning Commission  
August 9, 2011

**DISCUSSION:** **Commissioner Overson** expressed concern that the Commission was not even given a heads up with regard to the Granite School District proposal to build a school for the disabled on the Taylorsville High School campus. She said she was aware that approval by the Commission was not necessary but would have liked to have had the opportunity to at least see what the proposal was and offer an opinion. [19:49:41](#) **Commissioner Kehl** suggested that Staff prepare a letter to the school district which outlines what the City is trying to achieve.

**ADJOURNMENT:** By motion of **Commissioner Barbieri** the meeting was adjourned at 8:20 p.m.

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Respectfully submitted by Jean Gallegos, Administrative  
Assistant/Recorder for the Planning Commission

Approved in meeting held on November 15, 2011.