

**City of Taylorsville  
 Planning Commission Meeting  
 Minutes  
 October 12, 2010  
 Pre-meeting – 6:00 p.m. - Regular Session – 7:00 p.m.  
 2600 West Taylorsville Blvd – Council Chambers**

**Attendance:**

**Planning Commission**

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

**Community Development Staff**

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

**PUBLIC:** Dama Barbour, Don Adams, Steve Horne, Kathy Horne, Tim Ryan

[19:01:46](#)

**WELCOME:** **Commissioner Jensen** 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 if there were any changes deemed appropriate by the Planning Commission. There being none, **Commissioner Jensen** asked for a motion regarding the Consent Agenda.

**CONSENT AGENDA**

Agenda/File #	Application	Applicants	Action
1.	Review/approval of the Minutes for September 14, 2010.		Approved on the Consent Agenda with one correction of a typographical error.
2. 4H10	Home Occupation – Preschool	Adela Brasso 2173 West 6200 South	Continued indefinitely by the applicant.
3. 41C10	CUP – Animal Fancier Permit	Kathy Horne 2847 West 4805 South	Approved on the Consent Agenda with staff recommendation.

**MOTION:** **Commissioner Overson** - I move for approval of the Consent Agenda consisting of the Minutes for September 14, 2010 with one minor adjustment made in the pre-meeting; continuation of File #4H10 indefinitely and approval of File 41C10 with staff recommendations. [19:04:37](#)

**SECOND:** **Commissioner Burgess**

**Commissioner Jensen** restated the motion to approve the Consent Agenda consisting of Items 1 through 3 as indicated.

<b><u>VOTE</u></b>					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurischou	AYE	Fink	AYE	Burgess	AYE
Kehl	AYE	Barbieri	AYE	Jensen	Chair
Overson	AYE			Fazzini	ALT
<b>Motion passes 6 to 0.</b>					

**ZONING ORDINANCE CHANGES**

4. 4Z10 - <b>City of Taylorsville</b> – Text Amendment to the C-2 Zone to Allow Dining Clubs. <a href="#">19:05:45</a> (Mark McGrath/Director of Community Development)
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4.1 **Mr. Meldrum** presented this item. This is a text amendment to the City's Zoning Ordinance with direction from the City Attorney, John Brems to update and modify the land use designations with regard to recent amendments made in the Utah State Code relative to club liquor licenses. The revised and updated language is found in Section 32A-5-101(3) (a) (ii) (c) of the Utah Code Annotated. The State repealed Private Club licenses and established several new categories for Club Liquor Licenses. The four types of clubs are: (1) Equity Clubs such as country clubs; (2) Fraternal Clubs such as mutual benefit associations that are organized under a lodge system such as fraternal or patriotic clubs; (3) Dining Clubs that maintain at least 50% of their club business from the sale of food, have a portion of the premises used for a dining area, and adequate culinary facilities to serve full meals.; (4) Social clubs include any other club that does not qualify as an Equity, Fraternal or Dining Club, such as Social Drinking Club that does less than 50% of its business from the sale of food. There are many additional requirements that are provided in the State Code; however, the City does not need to include these requirements as part of the codification process since regulation of alcoholic beverages is achieved through the Utah Department of Alcoholic Beverage Control. The City was approached by Mr. Tim Ryan, Owner of "Bout Time Pub and Grub" to request a liquor license. It was from that contact that Staff discovered that the City's ordinance had not been updated to match the recently adopted State legislation. As a result of that inquiry and subsequent consultation with Mr. Brems, City Attorney, it was determined that the City should be the applicant to correct this deficiency.

Section 5.24.020 contains the definitions that are applicable to alcohol and beer. As a result of the change in State legislation, this Section must be amended. In addition to changing definitions in Section 5.24.020, Staff also proposes to amend the land use lists for Planning Commission Minutes  
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Sections 13.28.040 and 13.30.040, C-2 and C-3 zoning districts, respectively. The changes will only be to use the current verbiage as included in Section 32A-5-101 (3) (a) (ii) (c) of the Utah Code Annotated. No new uses are proposed to be established with this text amendment. Private locker clubs have been removed. [19:09:10](#)

**Mr. Meldrum** went over the proposed changes as follows:

- Chapter 5.24.020, Definitions, to be stricken is the definition of “Club and Private Club”. To be added is “Dining Clubs” and its respective definition; “Equity Clubs” and its respective definition; “Fraternal Clubs” and its respective definition. Also to be stricken is “Private Club”. To be added is “Social Clubs” and its respective definition. Also to be stricken is “Tavern and Visitor”. All those mentioned specifically are to be removed with the new definitions under the newly adopted State alcohol ordinances.
- Chapter 13.28.040 (conditional use section for the C-2 zoning district), to be added thereto is Dining Clubs, Equity Clubs, Fraternal Clubs and Social Clubs. To be removed is Restaurant Liquor License and replaced with the Club definitions as have already been identified. To be removed is the Private Non-locker Club.
- Chapter 13.30.040 (conditional use section for the C-3 zoning district), the same definitions and/or land uses are proposed as conditional uses as with the C-2 zoning district. To be removed is the Private Non-locker Club and Restaurant Liquor License.

4.2 **DISCUSSION:** **Commissioner Jensen** suggested that this would be a good time to address the Brew Pub definition. **Mr. Meldrum** advised that will be specifically addressed with this change. **Commissioner Jensen** commented that meant that it would be overridden and replaced with another definition. **Mr. Meldrum** said that was correct and would probably involve two definitions. [19:11:55](#)

4.3 **SPEAKING:** **Tim Ryan** (Co-proprietor of Bout Time Pub and Grub. [19:12:34](#) **Mr. Ryan** said that they would seek a Dining Club License from the City. That would allow them to have a family-friendly club atmosphere with a sports theme establishment. He advised that he and his partner appreciate the efforts made by the City in considering this measure. He felt his business will be a benefit and attract other similar businesses to the community.

4.4 **DISCUSSION:** **Commissioner Overson** indicated that the way the item was worded on the agenda, it seemed to refer only to C-2 zones and she wanted to clarify that it also pertains to the C-3 zone as well. **Mr. Meldrum** said that was correct. [19:14:33](#)

4.5 **MOTION:** **Commissioner Barbieri** - I move that we forward a positive recommendation to the City Council to adopt the proposed text amendment to Sections 5.24.020, 13.28.040 and 13.30.040.  
**SECOND:** **Commissioner Fink**  
**Commissioner Jensen** restated the motion to approve File #4Z10, text amendment change to Sections 5.24.020, 13.18.040 and 13.30.040. [19:15:29](#)

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Fink	AYE	Burgess	AYE
Kehl	AYE	Barbieri	AYE	Jensen	CHAIR
Overson	AYE			Fazzini	ALT
Motion passes 6 to 0.					

5. 5Z10 - **City of Taylorsville** – New Development Code. (Michael Meldrum/Principal Planner)

5.1 **Mr. Meldrum** introduced this item by briefly outlining the events leading up to the decision by Mayor Wall to appoint a Committee with the specific task of rewriting the Development Code in-house in a timely manner. He introduced Don Adams, who chaired the Committee that was charged with writing the Development Code and turned the time over to him for his presentation. [19:16:13](#)

5.2 **Mr. Adams** said that he is well aware of the impact of giving each Commissioner a 300 page document that they will be tasked to read page by page. He reviewed the reasons why, from the City Council and Administration’s perspective, that they undertook the massive project of rewriting the City’s land use code.

- The new Code is more than a zoning document. It also addresses subdivisions and design guidelines in a very comprehensive way. The existing Code was found to be very outdated and is based on Salt Lake County’s Code which was written in the 1960’s. The Committee felt they must respond to the City’s new life cycle, in that Taylorsville is not a “growth” community. Rather that emphasis must be placed on revitalizing the neighborhood or infill communities, along with redeveloping commercial sites. The present Code does not give the City the ability to do that. There needed to be some flexibility in implementation especially on the redevelopment sites.
- The way the current Code is structured it makes it difficult to work with redevelopment projects and there needs to be some efficiency made in the entitlement process. Things need to be able to run faster, which doesn’t mean the treatment will not be thorough but rather be more efficient. The City needs to be responsive to economic development concerns, which was the key component relayed to him by the Mayor and City Council.
- The City is entering the life cycle phase that if something is not done about the economic situation soon, the community will continue to degrade and that is untenable from everyone’s perspective. The City is still functioning under 1970’s principles and is not responding to what modern commercial development needs to do or can do. The City needs to

require quality signs and construction and consistency in development projects, including subdivision, zoning, permitted uses, conditional uses, etc. That is something that strong design guidelines can be very helpful with.

- In the new ordinance, the committee included some new elements such as bonding for public and private improvements, along with design guidelines, a chapter on grading and one dealing with specific open space zones so that when dealing with a park it is treated only as a park. Also included are administrative conditional use approvals, which will include all the lesser impact type conditional uses to be handled by staff rather than the Planning Commission. He felt that element alone will improve efficiency and move things through more quickly. It will allow the Planning Commission to deal with the really important weighty issues as the City reinvents itself.
- It was during the budget hearing that this project came to fruition. There had been discussion for the past four or five years regarding the need to redo the zoning ordinance and the City Council got to the point where they said they just wanted it done. The Mayor committed to the City Council to finish the rewrite within six months. It was at that time that Mr. Adams was tasked by the Mayor with doing it in four months. The Committee was formed and the resultant document was given to the Commission for review within that four month time period. In order to shorten the process, the Committee looked at ordinances which were in place all across the country and finally decided that the one year old Sandy City Code was the perfect model for Taylorsville's Code. It complied with all State law issues and had proven results. The Committee has created a land use code that talks about infill, redevelopment, neighborhood revitalization, modern development concepts, promoting economic development, employment centers and it has to work really well with the existing infrastructure capacities.
- **Mr. Adams** said that he would like each Commissioner, along with staff, to review the entire document page by page and offer comments or suggestions. **Mr. Adams** said that thus far, the document has been reviewed by representatives from Economic Development, Community Development, Building, Engineering, the City Attorney and Unified Fire personnel. He added that completion of this particular project is his highest priority, as well as Mark McGrath's and he offered their help to Commissioners anytime they needed it to answer any questions. With that, he opened the meeting up for questions and/or comments.

### 5.3 DISCUSSION:

- **Commissioner Overson** commented that this is a very ambitious undertaking which she sees as a great opportunity for the Commission to make a contribution and to know what is going on from the very beginning. [19:25:01](#)
- **Commissioner Fazzini** asked for clarification on the proper process. That during other occasions, the Commissioners are not allowed to discuss applications with their neighbors and the general public. **Mr. Adams** said that this is different and comments are not only welcomed but are being solicited. **Mr. Meldrum** said that this item is different because it is a text amendment and the more comments the better.
- **Commissioner Overson** suggested that one way of doing that would be to post it on the web page. **Mr. Adams** said that has not happened yet because they wanted to receive direction from the Commissioners with that regard.
- **Commissioner Jensen** said that this is a very atypical item and wanted to know who to direct questions to once they begin reading the assigned chapters. **Mr. Adams** said that either himself or Mark McGrath. **Mr. Adams** suggested that at least one hour each work session be dedicated to reading the verbiage together and then at least another hour at the same meeting involved in discussion about what was just read. [19:29:46](#) **Mr. Adams** said that both he and Mr. McGrath will be the note takers during these discussions and there will be one master document from which both will work.
- **Commissioner Faurshou** asked if the Planning Commission would have the final say about the draft to be submitted to the City Council and was informed by **Mr. Adams** that was the case.
- **Commissioner Jensen** suggested that the Commissioners read Chapters 1 through 6 for the next work meeting because those are all relatively basic in nature. **Mr. Adams** agreed that would be the logical place to start. He suggested that Mr. McGrath chart out the proposed meeting schedules, including which chapters will be reviewed during which meeting.
- **Commissioner Kehl** suggested that the Chair may want to assign a couple of Chapters to individual Commissioners to review.
- **Commissioner Barbieri** wanted, in reference to the recommendations for building size and developments in general, to see examples throughout the City so they can better understand what is being discussed. [19:37:34](#)
- **Commissioner Jensen** asked Mr. McGrath how much time during the work sessions they could plan to dedicate to this and **Mr. McGrath** informed him to plan on most of the time during each work session being dedicated to working on this. At least two hours should be reserved to review the document page by page and then one hour after that for discussion. **Mr. McGrath** said he will chart out the proposed meeting schedule and bring it back at the next meeting.

5.4 SPEAKING: [19:45:01](#) **Steve Horne** spoke about the rules of development, saying that he is a general contractor by trade and has had limited experience with the Sandy model ordinance. That he does work for a property owner who has a 200,000 square foot shopping center in Sandy. That shopping center was built in the mid 1970's and is desperately in need of remodeling. Probably three years ago, the owner decided that they wanted to do a major remodel. When they approached Sandy City regarding conditions and materials needed, the issue of high quality materiel in Sandy's Code came up. It was to the point where there was a limit of maybe 20% stucco and a limit on glass. Sandy officials were looking for rock, real stone, materials that were very expensive to do this remodel. It kind of got to the point with the materials they were looking for that it was not economically feasible to remodel the center. **Mr. Horne** said he has been a resident of Taylorsville for 30 years and has as much interest as anyone in seeing that there is quality construction that is completed in the City but also felt that the Planning Commission needs to look at the feasibility of what is economically feasible in

adopting this resolution. If an owner cannot afford to make important upgrades, then the property and the City will suffer. If there is latitude in what they are allowed to do, then there is the possibility that it will be remodeled and there will be some improvements done from which the community will benefit.

5.4 **DISCUSSION:**

- **Mr. Adams** asked permission from the Chair to speak to that issue and was given permission to do so. He said that the Committee had read through those design guidelines in the Sandy City ordinance and were very surprised at the "natural stone" only requirement and at the percent limits of each type of building material. The Committee did build in some latitude because they felt restrictions were a little too harsh for this climate and frankly felt they could get the same look doing things another way. Again, understanding that they had to be redevelopment sensitive, the Committee made those allowances. **Mr. Adams** said they are on top of that issue and agree with Mr. Horne's statements. [19:47:06](#)
- **Commissioner Burgess** wondered if there were other sections such as the one that was just discussed on the redevelopment and improvement, where it would be made more contractor-friendly with regard to building and redeveloping. **Mr. Adams** commented that each section had that overtone to it as the committee reviewed Sandy's ordinance. The thought process was constantly returning to projects that needed to be undertaken as a community and whether they could or could not be done. Some of them had built in the type of materials and how they work with redevelopment or even new development. Also built in are Staff approvals at certain levels for certain types of products because Staff can work a lot quicker than can the Planning Commission. There are certain uses that are mundane and are in every single shopping center and which are currently considered as conditional uses today which, under the new Code, would be administrative or a permitted use. With sensitive issues, the committee wanted a public hearing and the involvement of the Planning Commission in order to better utilize their experience and understanding of the neighborhood to play a part. That the committee had eliminated enough of Sandy City's Code so as to keep it Taylorsville specific. A lot of discussion came into play with regard as to how to entice a project to occur by the use of offering carrots instead of employing sticks to prove points.
- **Commissioner Fazzini** wanted to know how long it took Sandy City to complete their new ordinance. [19:51:46](#) He had a concern about some of the things Mr. Horne alluded to about design standards. That the economy was good when Sandy City was developing that ordinance and now it is significantly different. Therefore, he agreed with the thought to soften the ordinance. **Mr. Adams** advised that it took Sandy City about 2 1/2 years, counting research time. The Sandy City ordinance did not come through in one straight segment. For example the design guidelines were adopted a little bit later. It was always in the back of their mind but wasn't one complete document. Again by using the model ordinance and modifying it ahead of time the Taylorsville committee was able to move a little more expeditiously. In all actuality, from the start date until it is ready for adoption by the City Council, it will have taken Taylorsville just shy of one year to accomplish. He agreed that the time line for doing it within one year was aggressive but during these economic down turns, City's have to be competitive in all ways in order to survive.
- **Commissioner Overson** [19:56:12](#) commented that reviewing the first six chapters will give the Commissioners a better idea of what the time schedule should be. **Mr. McGrath** agreed and said that would be discussed further during the meeting in two weeks. The goal is to have the completed document ready for the public hearing on the City Council's agenda in March 2011. **Mr. Adams** said that may not sound reasonable but felt everyone will be surprised at how quickly it moves along.
- **Commissioner Kehl** said that he is sure everyone will work very hard to meet the time line of reviewing the first six chapters for the next meeting and adhering to the schedule as much as possible thereafter, but wanted to make it clear that meeting the time schedule is secondary to being thorough and doing it right because this is a very important document. [20:00:54](#)

**This item was for discussion only. No motion is required.**

**CITY COUNCIL MEETING DISCUSSION:** Discussion of the previous City Council meetings was presented by **Commissioners Overson** (Sept 15, 2010) in the pre-meeting and Commissioner Kehl (October 6, 2010) at the end of the regular session. [20:01:55](#)

**OTHER BUSINESS:** None.

**ADJOURNMENT:** By motion of **Commissioner Kehl**, the meeting was adjourned at 8:06 p.m. [20:06:17](#)

Respectfully submitted by:

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Jean Gallegos, Admin Assistant/Recorder for the  
Planning Commission

Approved in meeting held on October 26, 2010