



**CITY COUNCIL**  
**AGENDA SUMMARY FORM**  
COMMUNITY DEVELOPMENT DEPARTMENT

<b>MEETING DATE:</b>	March 19, 2025
<b>AGENDA ITEM:</b>	CONSIDERATION OF ORDINANCE NO. 25-04, APPROVING A ZONING TEXT AMENDMENT TO THE TAYLORSVILLE MUNICIPAL CODE, SECTIONS 13.02.200 AND 13.26.040, AMENDING STANDARDS RELATED TO NONCONFORMING SIGNS.
<b>FILE #:</b>	1Z25 – DCA – 000509-2025
<b>PUBLIC HEARING REQUIRED:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>ORDINANCE REQUIRED:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>RESOLUTION REQUIRED:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>AUTHOR:</b>	Terryne Bergeson, Planner I
<b>PRESENTER:</b>	Wayne Harper, Economic & Community Development Director
<b>SUMMARY:</b>	<p>Current standards require that nonconforming structures damaged more than fifty percent of their market value be brought into full compliance with current standards. Standards for nonconforming signs make no exception and only permit work to improve the aesthetics or safety of a nonconforming sign while not increasing the level of nonconformity. The attached draft is intended to enable large commercial centers with more than seven acres that may have nonconforming signs to rebuild those signs to previous conditions if destroyed by some act of nature or calamity. The amendment:</p> <ul style="list-style-type: none"><li>• Excepts certain signs in “Nonconforming Structures” section.</li><li>• Clarifies that a change in the method of messaging would be considered enhancing nonconforming conditions and thereby prohibits this upgrade for all nonconforming signs.</li><li>• Specifies that a “pylon sign” can be reconstructed if destroyed by calamity or act of nature and establishes process and timeline to address damage.</li></ul> <p>The amendment would apply to eight centers in Taylorsville and enable the reconstruction of large multitenant signs if the sign is damaged or destroyed by some nonvoluntary act. Currently, Legacy Plaza is the only affected center with signage that meets today’s standards, while the remaining commercial centers have nonconforming pylon signs that do not meet height, area, or architectural standards. The full Planning Commission discussion can be heard beginning at the 10:30 mark in the <a href="#">audio recording</a>. The Planning Commission voted to send a negative recommendation to the City Council on the basis that:</p>

	<ul style="list-style-type: none"> <li>• Strong consideration should be given to what signs this would allow to be rebuilt.</li> <li>• Standards that phase out nonconforming uses are intended to enhance the character of the city as structures age. Allowing exceptions to this concept seems to contradict the intent of the standard.</li> <li>• Specifically, the nonconforming sign section was adopted knowing that older signs would eventually need to come down. The intent was that all signs eventually be brought into compliance with current standards.</li> </ul>
<b>STAFF RECOMMENDATION:</b>	Staff have a neutral position. It is recommended the City Council consider all information presented in this summary and the Planning Commission discussion and recommendation.
<b>PLANNING COMMISSION RECOMMENDATION:</b>	<input type="checkbox"/> Approve <input checked="" type="checkbox"/> Deny
<b>PLANNING COMMISSION VOTE:</b>	6-1
<b>SUMMARY OF PUBLIC COMMENTS:</b>	No public comments were received related to this application.
<b>ATTORNEY'S OFFICE</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>ATTACHMENTS:</b>	Ordinance No. 25-04 Planning Commission Meeting Minutes – February 25, 2025



**TAYLORSVILLE, UTAH**  
**ORDINANCE NO. 25-04**

**AN ORDINANCE OF THE CITY OF TAYLORSVILLE APPROVING A ZONING  
TEXT AMENDMENT TO THE TAYLORSVILLE MUNICIPAL CODE, SECTIONS  
13.02.200 AND 13.26.040 AMENDING STANDARDS RELATED TO  
NONCONFORMING SIGNS.**

**WHEREAS**, the Taylorsville City Council (the “Council”) met in regular session on March 19, 2025, to consider, among other things, approving a text amendment to Sections 13.02.200 and 13.26.040, updating standards related to nonconforming signs; and

**WHEREAS**, pursuant to TAYLORSVILLE MUNICIPAL CODE Section 13.35.050, notice of a public hearing before the City’s Planning Commission was published on the city’s official website on February 13, 2025; and

**WHEREAS**, the notice of a public hearing before the City’s Planning Commission was also published on the Utah Public Notice Website on February 13, 2025; and

**WHEREAS**, the City’s Planning Commission held a properly noticed public hearing on the proposed amendments on February 25, 2025, during which the Planning Commission voted 6-1 to forward a negative recommendation to the Council regarding the proposed text amendment; and

**WHEREAS**, although not required by City ordinances, the City Council heard courtesy public comment on the proposed amendments during its regularly scheduled meeting on March 19, 2025; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of Taylorsville to approve the proposed amendments.

**NOW, THEREFORE, BE IT ORDAINED** by the Taylorsville City Council that the proposed text amendment to Sections 13.02.200 and 13.26.040, updating standards related to legal nonconforming pylon signs, are hereby approved, as articulated in Exhibit “A.”

This ordinance, assigned Ordinance No. 25-04, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**TAYLORSVILLE CITY COUNCIL**

By: \_\_\_\_\_  
Council Chairperson

**VOTING:**

Meredith Harker	Yea	___	Nay	___
Ernest Burgess	Yea	___	Nay	___
Robert Knudsen	Yea	___	Nay	___
Curt Cochran	Yea	___	Nay	___
Anna Barbieri	Yea	___	Nay	___

**PRESENTED** to Mayor of Taylorsville for her approval this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
**Mayor Kristie S. Overson**

**ATTEST:**

\_\_\_\_\_  
Jamie Brooks, Recorder

**DEPOSITED** in the Recorder's office this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**POSTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025

# EXHIBIT A

## 13.02.200: NONCONFORMING USES AND NONCOMPLYING STRUCTURES; SUBSTITUTION, EXTENSION, DISCONTINUANCE, ETC.:

Unless otherwise approved by the planning commission, a nonconforming use shall not be enlarged, extended, or changed unless the use is changed to a use permitted in the district in which it is located, and a nonconforming structure shall not be reconstructed or structurally altered unless such alteration shall result in removing those conditions of the building which render it nonconforming, except as follows:

### A. Substitution Or Extension:

1. When authorized by the planning commission in accordance with this development code, a nonconforming use which is determined to be of a more desirable nature may be substituted for another nonconforming use or to more closely meet the use permitted in the district in which it is located.
2. Whenever a nonconforming use has been changed to a conforming use, such use shall not thereafter be changed to a nonconforming use.
3. Repairs and structural alterations may be made to a nonconforming structure provided that the floor space of such structure is not increased.
4. A structure lacking sufficient automobile parking space in connection therewith as required by this Development Code may be altered or enlarged provided additional automobile parking space is supplied to meet the requirements of this Development Code for such alterations or enlargement.
5. In the event a nonconforming structure is damaged or partially destroyed by calamity or act of nature to the extent of not more than one-half (1/2) of its market value, the occupancy or use of such building, structure or part thereof which existed at the time of such partial destruction may be continued or resumed provided that restoration is started within a period of six (6) months and is diligently pursued to completion. In the event such damage or destruction exceeds one-half (1/2) of its market value of such nonconforming building or structure, no repairs or reconstruction shall be made except in the case of residences, ~~or~~ accessory farm buildings, or signage as specified in Section 13.26.040 -unless every portion of such building or structure is made to conform to all regulations for new buildings in the district in which it is located, as determined by the City and other requirements as may be imposed at site plan review.
6. Application for substitution, enlargement, or extension of a nonconforming use as provided in this section shall be made to the Planning Commission.
7. A vacant building or structure may be occupied by a use for which the structure is designed or intended if so occupied within a period of one year after the use became nonconforming.



B. Cessation Of Use: A use shall be deemed to have ceased when it has been discontinued for a period of one year or more, whether or not the intent is to abandon said use. (Ord. 12-15, 7-11-2012)

C. Appeal: Any person adversely affected by a decision of the Planning Commission regarding nonconforming uses or noncomplying structures may, within ten (10) days of the decision, appeal the decision to the Hearing Officer by alleging that there is error in any order, requirement, decision, or determination made by the Planning Commission. (Ord. 18-09, 2-28-2018)

#### 13.02.210: AMORTIZATION OF NONCONFORMING USES:

In order to respond to exceptional or unusual circumstances involving the termination of nonconforming uses, the City Council may approve an amortization formula for the termination of such uses over a period of time to be agreed upon with the owner of the property, subject to reasonable regulations with respect to the continuation of the nonconforming use during the amortization period. (Ord. 12-15, 7-11-2012)

#### 13.26.040: NONCONFORMING SIGNS:

A. Regulation, Containment, And Elimination: In order to minimize confusion and unfair competitive disadvantage to those businesses which are required to satisfy this code, the city intends to apply firm regulation of existing nonconforming signs with a view to their eventual elimination. Excluding normal maintenance and repair, a nonconforming sign shall not be moved, altered, or enlarged unless it is brought into complete compliance with this chapter. The following ~~alterations~~ are exempt from this provision:

1. Face changes;
2. Copy changes in nonconforming permanent signs which were originally approved by the city with a changeable copy feature; and
3. An alteration that renovates or remodels an existing nonconforming sign intended solely to visually ~~enhance~~ improve the sign and does not increase the level of nonconformity. Upgrades to the method of display, such as static to EMC messaging, are considered an increase to nonconforming conditions. ~~without increasing the level of nonconformity.~~
4. Reconstruction or repair of a legal nonconforming pylon sign due to damage or destruction by calamity or act of nature, provided:
  - a. The Building Official and Community Development Department is notified within ten (10) days from the date the damage or destruction occurs;
  - b. Details of the damaged or destroyed sign, including the sign's original location, height, method of display and regulated sign area is provided with a building permit application within forty-five (45) days;
  - c. Restoration or reconstruction is started within a six (6) month period, and;
  - d. The reconstructed sign does not increase the level of nonconformity that existed immediately prior to the damage or destruction.

B. Abandonment: Within forty five (45) calendar days after vacation of an existing business, any on site nonconforming signs must be removed or brought into compliance by the property owner. If removal does not occur, the city may have the entire nonconforming sign (both face and structure) removed through the process specified herein. An abandoned sign may not regain any legal nonconforming status later, even if the original or a new business occupies the property.

C. Billboards: Any billboards shall be in conformance with state code. (Ord. 15-13, 11-18-2015)



**City of Taylorsville**  
**Planning Commission Meeting Minutes**  
**February 25, 2025**  
**Briefing – 6:00 p.m. / Regular Session – 6:30 p.m.**  
**2600 West Taylorsville Blvd – Council Chambers**

---

**Attendance-**

**Planning Commission**

Don Russell – Chair  
Don Quigley  
Lynette Wendel  
Cindy Wilkey  
David Wright  
Gordon Willardson  
David Young (Alternate)

**Staff**

Terryne Bergeson - Planner  
Jamie Brooks – City Recorder  
Mark McGrath – Long-Range Planner  
Jim Spung - Senior Planner

**Excused:** Marc McElreath

**Others:** Ernest Burgess and Robert Knudsen

**BRIEFING – 6:00 P.M.**

Chair Russell began the briefing session at 6:04 p.m. Commissioner McElreath was excused.

1. Briefing Session to Review the Agenda.
---

Senior Planner Jim Spung asked if anyone had any questions or concerns regarding the draft minutes for the February 11<sup>th</sup> meeting, but there were none. He then turned the time over to Planner Terryne Bergeson to review File No. 1Z25 regarding non-conforming signs.

She explained that heavy winds had recently blown down a pylon sign at Taylorsville Town Center that had a rusted-out support post. The sign had been non-conforming due to its height and the amount of available advertising area. This had apparently been a sticking point for some potential tenants of the property owner. Current code required that the replacement sign be shorter and have a significantly reduced signage area. Staff had prepared a text amendment which would enable large commercial centers (those of 7 acres or more) with nonconforming signs to rebuild those signs to previous (nonconforming) conditions if destroyed by some act of nature or calamity as took place in this situation.

Ms. Bergeson explained that the staff report included an analysis of the eight shopping centers that would potentially be affected by this change.



45  
46 Commissioner Wright asked what would happen if a sign at one of these centers came  
47 down in a similar manner and this change had been adopted. Ms. Bergeson responded  
48 that the property owner would be allowed to rebuild the nonconforming sign as long as it  
49 did not exceed the previously nonconforming conditions.

50  
51 Commissioner Young inquired about the differences between various nonconforming  
52 signs. Mr. Spung clarified that this particular amendment would only affect shopping  
53 center pylon signs.

54  
55 Commissioner Wright asked how Macey's sign had been approved. Ms. Bergeson  
56 responded that it was approved before the City adopted new standards. Mr. Spung  
57 believed that the fallen sign had been built in the early 2000s and although it was legal  
58 when it was erected, it became legally noncompliant when standards were changed.

59  
60 Commissioner Wright asked Ms. Bergeson to clarify the concerns that had been  
61 expressed about the area of signage. She explained that the property owner had found it  
62 difficult to attract tenants with the existing signage and expected the problem to be  
63 increased if the amount of signage space became even more limited.

64  
65 Commissioner Wendel recalled having these conversations when the standards were  
66 updated. At the time, they as a planning commission were thinking about what they  
67 wanted the community to look like in the future. She struggled with the idea of rebuilding  
68 nonconforming signs, even though she was empathetic to those in need of effective  
69 advertising signage. But if we allow nonconforming items to be rebuilt as nonconforming,  
70 where does it stop? She described it as a "nonconforming can of worms."

71  
72 Commissioner Quigley agreed, saying that the whole idea behind requiring a better  
73 standard going forward was that it was understood that as older signs were replaced, they  
74 would be made to meet the new standard. He felt the city should hold its ground on this  
75 issue.

76  
77 Of the list of eight shopping centers that would be affected by this text amendment,  
78 Commissioner Wright asked how many had nonconforming signs. Ms. Bergeson  
79 responded that they all were nonconforming with the exception of Legacy Plaza and  
80 *possibly* Harmons.

81  

City Council Meeting Discussion – February 19, 2025
---

82  
83 Commissioner Quigley updated the rest of the Commission on the items discussed during  
84 the City Council meeting held on February 19<sup>th</sup>.

85  
86 The briefing session ended at 6:31, at which time the regular meeting began.  
87

**GENERAL MEETING** – 6:30 P.M.

Chair Russell called the meeting to order at 6:31 p.m. and read the welcome statement.


**Consent Agenda**

2. Review/Approval of the Minutes for the February 11, 2025 Planning Commission meeting.

**MOTION:** Commissioner Wright moved to approve the minutes of the February 11, 2025 meeting. The motion was seconded by Commissioner Quigley and the motion passed unanimously, although both Commissioners Wendel and Wilkey abstained.

**Zoning Text Amendment (Legislative Action)**

3. Public Hearing and Recommendation to the City Council for a Zoning Text Amendment to Sections 13.02.200 and 13.26.040 of the Taylorsville Municipal Code, Amending Standards to Non-Conforming Signs; (File 1Z25-DCA-000509-2025; Terryne Bergeson, Planner)

 Ms. Bergeson explained that recently a pylon sign for Taylorsville Town Center had been toppled as a result of high winds due to a rusted support post. Replacing the lost signage space for tenants will require the installation of a new, compliant pylon sign, which under current standards would be shorter with significantly decreased sign area, which is an important factor when tenants are selecting center locations. The city was requesting the Planning Commission review the proposed amendment that would remove the restriction on rebuilding some nonconforming signs under certain conditions. Current standards require that nonconforming structures damaged more than fifty percent of their market value be brought into full compliance with current standards. Standards for nonconforming signs make no exception and only permit work that would improve the aesthetics or safety of a nonconforming sign. The attached draft is intended to enable large commercial centers that may have nonconforming signs to rebuild those signs to previous conditions if destroyed by some act of nature or calamity. The amendment:

- References certain signs in "Nonconforming Structures" section.
- Clarified that a change in the method of messaging would be considered enhancing nonconforming conditions and thereby would prohibit this upgrade for all nonconforming signs.
- Specified that a "pylon sign" could be reconstructed if destroyed by calamity or act of nature and established deadlines to address damage.
- Appropriate departments must be notified within 10 days.



- A building permit for the necessary work must be submitted and must include a plan identifying the previously existing conditions (the city has some of these on file).
- Permit must also include proposed sign plans.
- Replacement sign(s) may not increase nonconforming conditions; increases in height, messaging, or regulated sign area will not be permitted.

Pylon signs were tall multi-tenant signs for commercial centers over 7 acres. Except for Legacy Plaza, most of the signage for large commercial centers in Taylorsville were installed prior to the adoption of current standards in 2012 and were therefore nonconforming. Exhibit C was a basic analysis of the existing compared to permitted conditions.

A public notice was published on the Utah State Notice Website and the City's website on February 12, 2025, and sent to Reagan Outdoor Advertising and Yesco Sign Company. One inquiry was received but no comment was submitted.

This application was initiated by the City of Taylorsville. The city was requesting a text amendment to the Taylorsville Municipal Code Sections 13.02.200 and 13.26.040 and would allow pylon signs at commercial centers over 7 acres that are destroyed by acts of nature or calamity to be reconstructed to immediately previously existing conditions. The amendment included clarifying language on non-conforming conditions and established timelines for reconstruction. The City Council was the final decision-making authority for a text amendment to the Taylorsville Municipal Code.

Ms. Bergeson concluded her presentation by stating that staff recommended the Planning Commission forward a positive recommendation to the City Council to amend the Taylorsville Municipal Code related to nonconforming signs, as specified in Exhibit A of the staff report.

Commissioner Wright and Ms. Bergeson discussed the specifics regarding the standards for various sign types in the city.

Commissioner Willardson pointed out the challenges that brick-and-mortar retailers faced these days when so many people shopped online.

Commissioner Quigley said that while he understood Commissioner Willardson's point, he was surprised that there were no retailers present. This was something that was supposedly significant to their business, yet no one had come to speak during the public hearing. At one time, representatives from the larger sign companies would have weighed in on issues like this, but they had not been inclined to come either. He wondered if perhaps they were attending electronically. Ms. Bergeson commented that there was currently no one viewing the meeting online.

Commissioner Wendel pointed out that it was not the Commission's role to compare the cost of replacing a non-conforming sign with a conforming one. Their job was to address



the expectations set forth in the design standards and city ordinance and to treat everyone equitably. Worrying about contract negotiations between the property owner and tenants was beyond the planning commission's purview.

Chair Russell opened the public hearing. However, there was no one in person or online who expressed a desire to speak, so Chair Russell closed the public hearing.


**MOTION:** Commissioner Wendel moved to forward a negative recommendation to the City Council regarding File #1Z25 – DCA-000509-2025, a Zoning Text Amendment to Taylorsville Municipal Code Sections 13.02.200 and 13.26.040, as Specified in Exhibit A of the Staff Report. The motion was seconded by Commissioner Wright.

Chair Russell:	Yes
Commissioner Wilkey:	Yes
Commissioner Wright:	Yes
Commissioner Quigley:	Yes
Commissioner Wendel:	Yes
Commissioner McElreath:	Absent
Commissioner Willardson:	Yes
Commissioner Young:	No

**Motion Passed 6-1**

#### General Plan Amendment (Legislative Action)

- |  |
|--|
| 4. Review and Discussion of Comprehensive Update to the Taylorsville Municipal General Plan (Mark McGrath, Long-Range Planner) |
|--|

 Long Range Planner Mark McGrath explained that a public hearing regarding the updated General Plan was scheduled for March 11. Another major project in the planning department was the Station Area Master Plan which would have a public hearing on March 25. The Planning Commission would be asked to make a formal recommendation regarding both to the City Council either on the night of the public hearings or any time they were comfortable doing so once they had the opportunity to digest both fairly lengthy documents. The Station Area Plan would be an Addendum to the General Plan, so it might be wise to send them both to the Council at the same time.

Commissioner Quigley asked if the General Plan was intended to be advisory or mandatory. Mr. McGrath responded that currently it was advisory, although the legislature was currently addressing that very question.

Commissioner Young pointed out that Wasatch Front Regional Council had some courses later in the week if anyone needed any continuing education hours.

#### Adjournment



212  
213  
214  
215  
216  
217  
218  
219  
220

**MOTION: Commissioner Quigley moved to adjourn. The motion was seconded by Commissioner Wright and passed unanimously.**

Chair Russell declared the meeting adjourned at 7:03 p.m.

---

Jamie Brooks, City Recorder