

**City of Taylorsville
Planning Commission Meeting Minutes
May 9, 2023
Pre-meeting – 6:00 p.m. – Regular Session – 7:00 p.m.
2600 West Taylorsville Blvd – Council Chambers**

Attendance:

Planning Commission

Don Quigley – Chair
Cindy R. Wilkey – Vice Chair
Marc McElreath (Remote)
Lynette Wendel
Gordon Willardson
Don Russell (Remote)
David Wright
David Young (Alternate) (Excused)

Community Development Staff

Jim Spung – Senior Planner
Terryne Bergeson – Planner I
Jean Gallegos – Admin Assistant/Recorder

CITIZEN'S/GUESTS PRESENT: Sheila Justice, Leonard Alaron, Dina Newton, Tim Covington, Misty Covington, Jason Palmer, Jake Larson, Ernest Burgess (City Councilman).

BRIEFING SESSION – 6:00 P.M.



Commissioner Quigley opened the briefing session and turned the time over to **Mr. Spung** for presentation.



1. **Mr. Spung** reviewed the Agenda and gave an overview of the previous Planning Commission Minutes on tonight's Agenda for review and approval. 
 - 1.1 He reviewed the two items he is presenting tonight and answered questions from the Commissioners and then asked Ms. Bergeson to discuss her three items. She did so and answered several questions, most of which dealt with Item #7 (Updates to water efficient landscaping standards).
 - 1.2 The discussion was held relative to what transpired during the last City Council meeting. The Planning Commissioner assigned to cover that meeting was unable to attend, therefore, City Councilman Burgess was asked to and provided comments on that meeting content. 

GENERAL MEETING – 7:00 P.M.

Commissioner Quigley welcomed those present and opened the general meeting at 7:00 p.m.

A Roll Call was conducted as follows: Commissioners Quigley, Wilkey, Wendell, Willardson and Wright were all present. Commissioners McElreath and Russell participated via Zoom and Commissioner Young was excused.

Commissioner Quigley asked for discussion or a motion relative to the Consent Agenda, consisting of approval of the Minutes for January 10, 2023, and March 14, 2023.

Consent Item

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| 2. Review/approval of Minutes for January 10 and March 14, 2023. |
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MOTION: Commissioner Wendel – I move for approval of the Consent Agenda consisting of the Minutes for January 10th and March 14th, 2023.

SECOND: Commissioner Wright

ROLL CALL VOTE: Commissioner Wright – AYE, **Commissioner Quigley** – AYE, **Commissioner Wendel** – AYE, **Commissioner Willardson** – AYE, **Commissioner McElreath** – AYE (via Zoom), Commissioner Russell – AYE (via Zoom). **Commissioner Wilkey** abstained from voting on the March 14th meeting as she did not attend it but voted to approve the January 10th meeting.



Subdivisions

3. File #112S22/SUB-000272-2022 - Public Hearing and Consideration for Subdivision Plat Amendment, Amending Lot 401 of the Cannonwood Subdivision at 6277 South Cannonwood Drive, Taylorsville, Utah. (Jim Spung/AICP/Senior Planner)

- 3-1. **Mr. Spung** presented this item.  Mr. Leonardo Alarcon, property owner, is requesting the Planning Commission consider an amendment to Lot 401 of Cannonwood Subdivision, Plat D, to create one new residential flag lot at 6277 South Cannonwood Drive in Taylorsville, Utah. The property is an undeveloped flag lot that was created through the recording of the Cannonwood Subdivision, Plat D, amending Lot 300. The Planning Commission reviewed and approved File #10S2020 in a meeting held July 27, 2021. The subject property is in the Single-Family Residential (R-1-10) Zoning District (minimum 10,000 square foot lot) and is in the “low density residential” future land use map designation in the City’s General Plan. The property is 28,310 square feet in area. It fronts onto Cannonwood Drive with a 25-foot-wide area between Lot 403 (6281 South Cannonwood Drive) and parcel number 21-22-203-011-0000 (1629 West 6235 South). A six-foot tall privacy fence of various materials surrounds the property on the east, south and west sides.

There is no fencing installed along the northern property line now.  In 2020 there was an application request to subdivide a portion of this land to create the existing flag lot (Lot 401). Tonight’s request would be to further subdivide Lot 401 to create an additional residential lot, making two lots instead of just one. Lot 401 is the boundary of the area being discussed tonight. Flag lot standards require that the furthest back lot has direct access to a public right-of-way. The Taylorsville Land Development Code says that portion of the flag lot shall be contiguous to a dedicated public street, which it is. It must be a minimum of 20’ wide, which it is and the maximum length cannot exceed 220 feet. This request would exceed that length, which would be allowed if approved by the Planning Commission and Unified Fire Authority approved the layout. **Commissioner Quigley** asked what the distance actually is compared to the 220 feet. **Mr. Spung** said the north leg is just under 157 feet and the north-south leg is just under 283 feet. Those combined is just under 440 feet. An emergency turn around is to be provided if the leg is over 150 feet from a street.

- 3.1.1 Reference Land Development Code §13.21.220(B). The staff portion of said lot shall front on and be contiguous to a dedicated public street or private street. The minimum width of the staff portion of a flag lot shall be twenty feet and the maximum length shall be two hundred twenty feet unless otherwise approved by the Planning Commission. The proposed length of staff portion for this proposal is 439.78 feet, which exceeds maximum length of 220 feet. This proposal will require an emergency vehicle turn around per Fire Code and UFA standards and will require special approval from the Planning Commission.

- 3.1.2 Reference Land Development Code §13.21.220(C). (Lot Area) Regarding lot area, the square footage located in the flag portion of said lot, which shall be exclusive of the square footage located in the staff portion of said lot, shall be the same or greater than the minimum square footage as required in the underlying zone, but in no instance shall be less than eight thousand square feet. Lot 1 area equals 10,000 square feet (turn-around area is 698 square feet). Lot 2 area (flag portion) equals 10,081 square feet (turn around area is 1,681 square feet).

- 3.1.3 Reference Land Development Code §13.21.220(E). (Building Setbacks) The front side of the flag portion of said lots shall be deemed to be the side nearest to the dedicated public street or private street upon which the staff portion fronts, unless otherwise determined by staff on a case-by-case basis. Front setback is 25' to attached garage – 30' to living area. Side setback is minimum of 5' with combined side yards of 16'. Rear setback is 15'. The buildable area of each lot is Lot 1 – 23'6" x 112'7" buildable footprint. Lot 2 is 45' x 52' buildable footprint.
- 3.1.4 Reference 3.1.4 Reference §13.21.220(C). (Shared Access). Approved private lanes two lot maximum for access to residential dwelling structures shall have a twenty-five right-of-way and a twenty-foot minimum width paved surface. Lot 1 will gain access via private access easement from the staff portion of Lot 2. The shared access portion must meet private lane requirements (25-foot right-of-way and 20 feet of pavement).
- 3.1.5 There are eight plat notes included:
- Access and Pude (Public Utilities Drainage Easement) are in favor of Taylorsville Bennion Improvement District.
 - Required fire turnaround easement in favor of Fire Department.
 - Storm drain improvements located on private property are to be maintained by the property owner.
 - Vehicle parking on the staff portions of Lot 2 and within the fire access turn-around area is prohibited in order to maintain proper clearance for emergency vehicles, per the International Fire Code.
 - Access and Pude in favor of Lot 1 – Taylorsville Bennion Improvement District.
 - No City maintenance is provided on a private lane.
 - All storm water runoff from the 100-year storm event must either drain to a public street or be retained on site.
 - A storm water agreement will be required at the time of building permit.

- 3.2 **PUBLIC COMMENTS (received via E-Mail): Mr. Spung** read into the record the following public comments he received:

3.2.1 **Comments from Dina Newton:** "We looked at the suggested entrance from Cannonwood Drive traveling east to our property before turning north and traveling along our entire fence line. Since our property slopes down about 6 feet, the headlights from the vehicles entering the property and traveling east before turning south will shine directly into our primary bedroom and into other windows in the areas we enjoy in the evening. We have a lot of windows in that house, so any travel up against the fence in the evening or early morning hours will also shine lights and be somewhat disruptive. From the plans, it doesn't look like the driveway for both properties extends past my property, so I think we're the only property directly affected by the proposed road. It's my belief that a solid wall (block or concrete) will resolve that issue and we are exploring costs; however, perhaps the developer has a contact for better pricing. Please share my concerns and contact information with the developer –the phone number is my personal cell. And, although I'm sure you're aware, our address is 6280 South Hathaway Street. We welcome a resolution that benefits both parties and believe developing that property even with 2 homes will help resolve the existing issues."

3.2.2 **Comments from Jan and Pat Oswald:** "We have lived in our home since 1995 and it use to be a great neighborhood. Over the years we have had all kinds of problems with the property owners. The "degoyers" who caught our fence on fire, the Palmers that have brought heavy equipment in and out at all hours for at least six years, with dust all over so we couldn't even enjoy our patio. Coming from that driveway to get into the two houses that they want to build would have head lights shining right into our house. We were wondering if the Palmers can come in and out of that

driveway also. If you wouldn't mind please email me information rendering of the homes to be built whether they are single story or 1 story as well as lot size and where they would put in that driveways to these homes. We pay a lot for taxes to live here and we would like not to have the same problems."

- 3.2.3 **Comments from Chris and Sara Taber:** "Our home sits at the north west corner of this future development. 1. Our neighborhood is currently zoned as R-1-10 (low residential). We would like for future development to remain under the low residential general plan and not be changed to accommodate the building of town homes. Our home is half a block away from a private town home subdivision (Bennion Overlook) located at Sander Lane (1590 West) and Bennion Blvd (6235 South). This development does not allow on street parking at any time so the extra cars park along the east side of Cannonwood Drive near the stop sign on the south east corner of Cannonwood Drive and Bennion Blvd when the cars stack up here they make two way traffic on Cannonwood Drive very difficult. My wife works from home and watches cars use our driveway as a turn around point throughout the day to park on the street and walk across Bennion Blvd to the private streets on the north side of Bennion Blvd. If these lots are allowed build town homes there would be not enough parking in the subdivision and the east side of Cannonwood Drive where our home is would be used as a parking lot. We would hear car doors all night long and it would leave us no room to park in front of our own home. 2. We would prefer the utility lines for water, sewer, storm drain, gas, power, communications, to be installed next to the private road on the east side of the lot as drawn to give them better access for future routine maintenance (easier to get to). We would prefer the new utility lines not run next to our property line on the east side of our lot next to our stone walls. 3. Questions as far as setback on west side of the new lot, we would prefer to keep the new home as far away from the backside of our home as possible. It would restrict sunlight, affect privacy and create potential noise impacts to our home (not worried about kids). 4. The overall height of the development (roof height) and the potential to impact our beautiful view of the mountains to the east we currently have and enjoy from our yard. 5. Slope of the development we feel a water main break or storm drain issue would negatively impact our home (flood issues). Would like to have developer have a way to properly drain the area. (The following comments were inserted by the Tabers, with a new set of numbering). 1. Keep neighborhood as a R-1-10 low residential. Do not allow mid-residential zone change. 2. Keep utility lines away from backyards and closer to roads for easier maintenance and less likely for surrounding home property damage. 3. Keep new home away from the property line as much as possible. 4. Tall roof height would destroy sight lines and natural light. 5. Proper slope and grading to storm water or utility breaks will not affect nearby homes. Thank you so much for your time and efforts."

3.3 **FINDINGS:**

- 3.3.1 This application was initiated by Leonardo Alarcon, property owner.
- 3.3.2 The applicant is requesting to amend Lot 401 of Cannonwood Subdivision, Plat D, to create one new residential flag lot at 6277 South Cannonwood Drive in Taylorsville, Utah.
- 3.3.3 The subject property is in the Single-Family Residential (R-1-10) Zoning District.
- 3.3.4 The Future Land Use Map designation of the subject property in the City's General Plan is "Low Density Residential".
- 3.3.5 The length of the staff portion of Lot 2 exceeds the maximum length of 220 feet, per §13.21.220(B). This requires approval of the Planning Commission.
- 3.3.6 The portion of the lot granting access to Lot 1 is required to meet the Private Lane standards in LDC §13/21.110(B).
- 3.3.7 The maximum number of flag lots in a subdivision shall not exceed 20 percent, unless otherwise approved by the Planning Commission, per §13.21.220(K).
- 3.3.8 Signage must be installed along the staff portion of the lot that prohibits vehicle parking to maintain emergency vehicle access to the dwellings, as noted in the civil plan set. An emergency vehicle turn-around is provided and approved by UFA.

- 3.3.9 Property owners are responsible for securing the appropriate development permits prior to any construction activity.
- 3.3.10 The Taylorsville Planning Commission is the decision-making body for subdivision amendment requests.

3.4 **CONDITIONS OF APPROVAL:** (If approved, Staff recommends the following conditions be incorporated)

- 3.4.1 Update the plat to include the following plat notes: (a) No city maintenance is provided on a private lane. (b) All storm water runoff from the 100-year storm event must either drain to the street or be retained on site. (c) A storm water agreement will be required prior to issuance of a building permit.
- 3.4.2 Update the plat to reflect all exceptions identified in the Title Report.
- 3.4.3 The applicant coordinates with city staff and referral agencies to address any outstanding review comments, prior to recording the plat.

3.5 **STAFF RECOMMENDATION:** Staff recommends the Planning Commission deny File #12S22/SUB-00027202022, a subdivision plat amendment to amend Lot 401 of Cannonwood Subdivision Plat D to create one new residential flag lot at 6277 South Cannonwood Drive in Taylorsville, Utah, based on the following:

- (1) The City finds there is not good cause for the proposed plat amendment, in accordance with Utah Code §10-9a-609 and the Taylorsville Land Development Code §13.30.060(B).
- (2) The length of the staff portion of Lot 2 exceeds the maximum length of 220 feet, per §13.21.220(B).
- (3) The number of flag lots in the subdivision exceeds 20 percent, per §13.21.220(K).



3.6 **APPLICANT ADDRESS:** Leonardo Alarcon said they are trying to get approval and have made changes in that regard. That they bought the lots about a year ago and have been working trying to get approval since then. He said that their engineer is present tonight to answer questions. **Commissioner Wright** asked if it was correct that the applicant could subdivide it but has no agreement in place at this time, to which **Mr. Alarcon** said that was correct. **Commissioner Quigley** asked for clarification regarding ownership of this land and was advised by Mr. Alarcon that he was not the owner but was representing them. **Commissioner Quigley** asked if the intention in subdividing these is to build to occupy, not to sell or rent, and **Mr. Alarcon** advised that was correct. That the owner wants to build two houses for his family.

3.6.1 **Isaac Riches** (engineer), said he has been working with Staff on this project for some time now. What is being shown tonight is what the Code dictates currently. He agreed Lot 1 is a little narrow but meets the setbacks to the north. He agreed the homes are on the smaller scale, 2,000 to 3,000 square feet, but if a basement is added it becomes a good size home. He wanted to make a correction regarding the distances to the flag portion. Mr. Spung had said it was about 440 feet and Mr. Riches indicated he measured it in his Cad File to be 295 feet from Cannonwood Drive all the way to the property line of Lot 2. He showed that on the alignment as 300 feet on the property line between Lot 1 and Lot 2. It is actually 295 feet to the property line, so they are still exceeding the 220 feet length but not as much, a 25% increase in length. In talking with the owner in setting up a development agreement for the first shared access there, any maintenance could be shared between Lot 1 and 2. The bulk of maintenance, etc., would be about 180 feet in length, which is within the 220 feet. **Commissioner Quigley** allowed that is a significant difference in length. **Mr. Spung** said the dimensions are just the length of the property line on both sides, which is based on Code. To Mr. Riches' point, either way it exceeds the 220 feet. **Mr. Riches** said regarding the

last item for discussion which was Staff indicating “there was no good cause to do it”, he disagreed with that. The zoning for it is R-1-10 and this is a .64 acre lot without splitting it. The other aspect he wanted to mention was the State of Utah is in a housing crisis and felt this was a creative way to help in that problem. As land becomes more and more limited in supply, projects like this will become more and more standard coming before Planning Commissions. Regarding the underground retention system, he advised that all storm water generated on the site will be going underground through percolation. There is an inlet box that the water flows down and into in the northeast corner near the bend and then it flows into the underground storage facility there. That would contain a manhole for maintenance there.  **Commissioner Quigley** asked how ordinary that type of system is. **Mr. Riches** explained it is about 50/50. What that allows to be done is maximize a site and make it more aesthetically pleasing because there is no big visible hole. It consists of a hollowed out cavern with support structure that can support cars, etc., up above it. It should be noted that maintenance of that type of system is required to be routinely performed and is more complicated than when the retention is above ground. **Commissioner Quigley** asked Mr. Spung about a bond being required and wanted to know if that would include maintenance.

Mr. Spung replied the bond is tied to the subdivision plat recording, anytime there is a plat, the developer has a couple options to either build those improvements and have them inspected, thereby negating the need for a bond or if they don’t want to build them right away, then they bond for that amount. It is only for public infrastructure or things that impact the City’s storm water system. The only other items that would require a bond would be a sidewalk or anything that is publicly owned. Engineering does require storm water bonds for infrastructure but that is all strictly up to the property owner to do.

3.6.2 **Commissioner Wright** had a question regarding the subsurface drainage. He was curious about the “outflow” should the system plug up. Where would the water go  **Mr. Riches** said the low point on the site is the northeast corner along the turn where the storm drain is. Taylorsville Code is unique and requires 100-year, 36 hour storm instead of the usual requirement in other cities for 100 year, 24 hour storm. If the system is not maintained properly that is where eventually the water would probably overflow in the northeastern corner. They do not have the adequate elevations to be able to tie into the City’s system here. **Commissioner Wright** added that the northeast corner borders with another neighbor’s property and that was his concern in asking the question that it might spill over on the neighbor’s property. **Mr. Riches** felt it was the same argument in place for above ground surface ground system in that if it is not properly maintained it will fill up faster.

3.6.3 **Commissioner Quigley** added that obviously the applicant wants to maximize the land use but asked if they were in theory putting in the 2,648 square foot home just showing that as the possible size to be put there or is there an option of just putting a smaller home there so that it doesn’t fill the lot so much.  **Mr. Riches** said that it is sized for the development that is there and the way it was sized was to maximize the actual footprints and buildable areas for each one of the lots. That is the reason the house on Lot 1 is long and narrow. He said he is trying to design for a worst-case scenario.

3.6.4 **Commissioner Willardson** asked how big the drain capacity is, to which Mr. Riches replied the amount is 3,955 cubic feet. **Commissioner Wright** commented that would be over 29,000 gallons 

3.6.5 **Commissioner Quigley**  thanked Mr. Riches for his comments. He added that the last time this proposal was heard, the condition of the lot was a big issue. It was full of junk and debris but

he noticed the current condition is much improved.  **Mr. Alarcon** spoke to that saying the dirty condition of the property was the main reason they hadn't been able to develop or sell it and they have been working very hard to clean it up. **Commissioner Quigley** complimented him saying the improvement is very obvious. 

3.7 **SPEAKING:** **Commissioner Quigley** opened the public hearing and asked if there was anyone wishing to speak either in favor or opposition of the project and since no one came forward, closed the public hearing and opened the meeting for discussion or a motion by the Planning Commission.

3.8 **DISCUSSION:**

3.8.1 **Commissioner Wendel** had a question that obviously they can put one home on the lot already but wondered how that would be different for the residents in the neighborhood if there were two homes versus one or would there even be a difference.

3.8.2 **Jason Palmer** (previous owner) answered from the audience and was asked to come to the podium so his comments could be on the record at which time the public hearing was reopened. **Mr. Palmer** wondered if this doesn't get approved, and they build a large home there, would they also be entitled to build a large, detached garage. He felt that would be just like there being two homes there. Mr. Palmer lives in the house in the front and sold them this property in question. **Mr. Palmer** felt this was a good idea. He commented on the chambers that hold the water in that they are engineered with a very durable plastic in order to hold the weight. They are bedded with gravel and include a heavily engineered weave fabric. Maintenance involves a contractor opening the manhole, climbing down therein and does a visual inspection, looking for a silt build-up. Overtime there could become a significant build up, which would greatly reduce the capacity of the water storage. That can be fixed with a power wash line being lowered down and sprayed in place. Frequency for maintenance could involve years and is not needed very often. 

3.8.3 **Commissioner Wilkey**  said there were written comments received and wondered if the applicant wanted to respond to them tonight. **Mr. Alarcon** came forward and said they were working on a way to mitigate the problems neighbors expressed with lights shining into their residences by possibly adding vinyl privacy fencing and building the height of the homes to City Code standards.

3.8.4 **Commissioner Wendel**  addressed Staff saying she did not hear if anything on the property has changed. Something to be considered is what is going to be allowed as far as front setbacks versus the side setbacks. She wanted to know the amount of space between homes. **Mr. Spung** answered he did not know the exact numbers but could estimate it in general. The rear setback to the homes on both the east and west sides that neighbor the property is a minimum of 15'  and it is not very common to see them built all the way up to the 15' and would guess the range would be between 20' to 30' and sometimes larger.  That is how far away the existing homes are from the edges of the property. That is why the flag lot standards would make that front setback be the area closest to the street.  That minimizes the impact on the neighbors.

3.8.5 **Commissioner Willardson** asked if the elevation height here was the same as the neighbors. **Mr. Spung** said he did not know and would have to look at the grading plan.  Based on the

photographs taken, it appears the properties on the east are a little bit lower but he could not say for sure. 

- 3.8.6 **Dina Newton** asked to comment via Zoom. She owns the rambler to the east of the property. She said any home that is two stories would have a view directly into her property.  Her property slopes 6' to 7' to the wooden fence. Her concern today was in talking about the storm retention system. It was tried at some point when they developed Cannonwood Subdivision and use to flood her basement when her house was first built. She was concerned that this new project would reopen that problem for her. They were use to a flooded basement when they first built the house. Her concern was that the potential for flooding could be reopened again.  There was an old culvert along the back fence at some point. **Mr. Spung** clarified saying the way the storm water system was designed is all the storm water that runs off the roofs and driveway  would drain into the inlet and then be channeled into the underground storage. If that storage were to fill up, it would spill out onto the property. There is a 6" curb that goes along the eastern edge, wrapping all the way around, which would help hold a little bit of the water back to where the driveway would flood and spill over the curbing and down to the other properties. The City Engineering Department  requires a certain capacity be designed for these types of events for rain water but that is not to say the 100 year storm happens only every 100 years. Lately that would certainly become more frequent than that. Given the elevation, however, it would impact those properties to the east. Each lot should be retaining their own water on site. The existing homes have all been designed to do that. 

- 3.9 **Commissioner Quigley** again closed the public hearing and opened the meeting to the Planning Commission for discussion or a motion.

- 3.9.1 **Commissioner Wilkey** asked, where there is a limit of 20% in a subdivision for a flag lot, if this project is approved, would that change that for all of Taylorsville or an exception be made for just this subdivision. **Mr. Spung** said it is specific to the application. 
- 3.9.2 **Commissioner Wright**  stated his biggest concern is the layout of Lot #1 in how a home could be fitted in there. In looking at the surrounding houses, there is an older home to the north, which is very nice; then there are other houses which are newer and have a certain size.  Aesthetically he is okay with the Lot #2 configuration but felt Lot #1 is not appropriate and would change the character of the neighborhood negatively. If it were rearranged to match some other homes in the neighborhood, he might look at this again. 
- 3.9.3 **Commissioner Wendel**  offered a different perspective saying that  it is not on the street so people coming through the neighborhood won't be seeing what matches or doesn't. She believes that if the property owner feels that home will suffice for their needs, it is within their ability and prerogative to be able to do that. That she keeps asking herself what the difference is between one home on this lot or two and no one has given her a good reason to believe there should not be two houses there. The ability or opportunity again is a difference between what is "opinion" and what the ordinance and rules say people can do. If they could put a huge garage  or shed there instead was that felt to be more or less appealing to the neighborhood as well.  Maybe consider a proper home, even if it is shaped differently than is normalized. 

- 3.9.4 **Commissioner Wright** said his concern is to protect the nature of the neighborhood. **Commissioner Wendel** asked if there is enough space to put in another structure. **Mr. Spung** added that one of the biggest differences between one versus two is the number of required improvements, so right now if it were one lot, all that would be needed is a paved 20' access essentially up to this point.  Then you have the driveway. Two lots would require all of the paved area as a minimum for the access and turnaround, as well as the storm water infrastructure. If it is one lot, they can design it to have all the water pool in their back yard if they want because there is plenty of area to do that. The biggest difference is the minimum required infrastructure that is required with the additional home as well as the paving and limitation on the building footprint areas. If it is one home, those same setbacks apply, however, you don't have the need for the big driveway, turnaround and storm water easement. There is a lot more flexibility  in design there. Speaking to the accessory building,  it is correct that single family homes are allowed to have an accessory structure, however, any structure larger than 576 square feet require a conditional use review and approval. If they are larger than that it triggers additional design standards. It wouldn't necessarily be the same impact as a home. As a permitted use you can go up to the 576 square feet or 16 feet tall. With a conditional use, it could be larger than that with additional design criteria and up to 20 feet in height. It would still be a single-story structure in that regard. Both of these proposed homes could have an accessory structure if they could find a way to legally fit it in the space. 
- 3.9.5 **Commissioner McElreath** felt this proposal exceeds current standards. **Commissioner Wright** added that is to his point that this is different than what is allowed in the Code. 
- 3.9.6 **Commissioner Quigley** addressed another concern which is he has a tough time that anytime the Commission takes an action and then say, oh but by the way you are going to have problem which is a civil issue.  The line-of-sight fencing is an issue and if the Commission approves this it becomes a civil issue. He felt that was unfair, because there is history on this property in there being adamancy in what could or could not be done to resolve that fence. There are solutions that were proposed.  He asked the applicant if anyone had talked to the neighbors about what will be done about that line-of-sight issue. **Mr. Spung** addressed that saying  when the building permit is submitted for that lot, as part of the building permit review, Staff would insure that those standards are satisfied because those are part of the approved subdivision drawings. 
- 3.9.7 **Commissioner Quigley** said that there had been good discussion held tonight. There is a piece of property that is big enough to handle it but has a shoe size that doesn't fit. It is unfortunate that they already have acquisition of the property but that doesn't change the fact of what has been presented here tonight by Staff regarding City Code limitations. He added he values property rights  and likes to see people being able to do whatever they want with their property but those rights must coexist with the rights of the neighbors.
- 3.9.8 **Commissioner Wright** commented he might view this more positively if it were arranged differently. **Commissioner Willardson** added what he is struggling with is the property is 7' higher, and the fence is only 6' and that means the car lights are over the fence and onto the adjoining property. **Commissioner Quigley** advised that there has not been an accurate survey conducted yet, so some of the information shared might not be the most current.  He then asked for a motion.

- 3.10 **MOTION:** [Commissioner Wendel](#) - I move that we deny Application 12S22/SUB-000272-2022  which was a subdivision plat amendment amending Lot 401 of the Cannonwood Subdivision Plat D to create one new residential flag lot at 6277 South Cannonwood Drive in Taylorsville, Utah, based on the findings and recommendations in the Staff Report.
SECOND: [Commissioner Wilkey](#)
ROLL CALL VOTE: [Commissioner Wright](#) – AYE, [Commissioner Quigley](#) – AYE, [Commissioner Wendel](#) – AYE, [Commissioner Willardson](#) – AYE, [Commissioner McElreath](#) – AYE (via Zoom), [Commissioner Russell](#) – AYE (via Zoom). [Commissioner Wilkey](#) – AYE.
5 min break taken

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| 4. | 3S23 - Consideration of a Mixed-Use Master Plan for the Properties at 1860 & 1904 West 4700 South; 1859, 1881, 1883 & 1903 West 4655 South, Taylorsville, Utah. (Jim Spung/AICP/Senior Planner) |
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- 4.1 **Mr. Spung** presented this item.  **Mr. Spung** said that the applicant, Jake Larson, is requesting review and approval of a mixed-use master plan for the properties located at 1860 & 1904 West 4700 South; 1859, 1881, 1883 and 1903 West 4655 South, Taylorsville, Utah. The applicant's proposal includes the removal of three single-family structures and two duplex structures over two phases, to make way for the construction of 32 new townhouse units.
- 4.2 **FINDINGS:**
- 4.2.1 This application was initiated by Jake Larson, Lartet Properties, LLC.
 - 4.2.2 The subject property is made up of 5 parcels with 2.08 acres.
 - 4.2.3 The applicant's proposal includes the removal of three single-family structures and two duplex structures over two phases, to make way for the construction of 32 new townhouse units.
 - 4.2.4 The subject property is in the Mixed-Use (MJ) zoning district.
 - 4.2.5 The subject property is in the "High-Density Mixed-Use" designation in the City's General Plan.
 - 4.2.6 The proposal includes a residential density of 15 dwelling units per acre.
 - 4.2.7 Section 13.23.260(E) of the Taylorsville Land Development code (LDC) requires that prior to development in a mixed-use zoning district, the Planning Commission reviews and approves a master plan.
 - 4.2.8 An approved master plan will inform future development applications for the subdivision, administrative conditional use, and site plan reviews preceding development permits.
- 4.3 **CONDITIONS OF APPROVAL:** Staff does not recommend conditions of approval associated with this application. Conditions of approval may be imposed during the subdivision, administrative conditional use, and/or site plan reviews.
- 4.4 **STAFF RECOMMENDATION:** Staff's recommendation for File 3S23/SUB-000332-2023, a mixed-use master plan for the above properties, will be discussed with the Planning Commission during the public meeting.
- 4.5 **Mr. Spung** went over the Review Process.
- 4.5.1 He explained the Planning Commission Review would involve the following: Mixed-use master plan, exterior building elevations visibility from streets, surface parking requirements, awnings and architectural features projecting beyond setbacks, rear yard or rear of building abutting streets, building heights exceeding those allowed in §13.23.260(E)(3)(d), and building setbacks. He proposed the following items for discussion: Timing of Phase 2 being unknown at this time, if sufficient vehicle parking will be provided, setbacks and building orientation, is there adequate open space and the architectural design/materials. He explained it is the applicant's intent to combine all parcels into one. He noted that this property is close to the Bus Rapid Transit (BRT)

system being proposed to connect the Murray Station with the West Valley one, which coincides with the Mixed Use Purpose saying in the Land Development Code §13.23.260(A) that it is established to provide a zone to be used near City transportation corridors that allows a mix of specific land uses that are typically found separately in mutually exclusive zoning districts, which this site fits into. He showed slides depicting proposed building elevations which includes proposed street widths and open space areas. He reiterated that these are still just in the conceptual stage. He advised that this use would be allowed as part of the mixed-use zone. Planning Commissioners expressed concern with the road widths and felt they were too narrow for this density. They were also concerned that this was a two-phase development, with only one phase going forward at this time and no indication when the second phase would be done.

4.5.2 **Mr. Spung** advised that the General Plan currently shows this area as high-density mixed use. He felt it important to note this property is close to the BRT, planned to connect the Murray Station with the West Valley one. This proposed site falls within that zone. He went on to discuss steps to take during the Planning Commission review, read the mixed-use purpose from the Land Development Code (LDC). He continued to go over specific standards in the LDC regarding specific standards and open space requirements. He explained the conceptual building plans, elevations, and explained potential setbacks for each building. He outlined specifics regarding streets, accesses, sidewalks and walkways. He advised that should the elimination of any park strips be addressed, that would have to be specifically approved by the Planning Commission. **Mr. Spung** conducted a lengthy discussion regarding parking which is extremely tight for this proposal.

4.5.3 **Mr. Spung** said that Staff has been meeting with the applicant to discuss alternative design options that achieves the intent of the Mixed-Use zoning district while maximizing the use of the property. and showed an option with 29 units and 87 parking spaces. That plan included 20' wide accessways. Another option shows 31 units with a little less parking available. He said that further questions would be better answered by the applicant, who is present tonight. 

4.5.4 **Commissioner Willardson** expressed concern about the Phase 2 land not being developed for an unspecified amount of time. **Mr. Spung** told him that land would remain as is for now and existing structures would remain there. **Commissioner Russell** asked about the timeline for the BRT going through this area.  **Mr. Spung** said his understanding is that it is in the 99% design phase now and construction is supposed to start this year.

4.6 **APPLICANT ADDRESS:** Jake Larson.  **Commissioner Wilkey** asked him if he was applicant and owner to which he replied he was the applicant. His family has ownership of some of the existing structures. He has agreements in place. Specific to Phase 2, it depends on the life expectancy of the family members.  His intent is to build the whole subdivision but will only be able to start with Phase 1 right now. His grand dad is 93 and his great aunt is 89. The land to be developed is his grand dad's former garden area, which he can no longer care for and he asked Mr. Larson to develop it for him. Mr. Larson is of the mindset that this project will beautify the City and that is his goal. But he is also realistic in that he must work within the confines of only being able to work with Phase 1 at this point in time. If Phase 1 cannot work on its own, then the whole project will not proceed.

4.6.1 **Commissioner Wendel** commented she had been on the Planning Commission for eight years and has seen holds placed on pretty good projects knowing that there is other development that really impacts what an application might be. Even though this project is great, well thought out and she is appreciative of everything the applicant has put into it, her reservation is that she thinks it might not be the best project for five years out from now. She has an obligation as a resident and having

been appointed to the Planning Commission, to really think about the longevity of the project. This site was specifically designated as a mixed-use area for an important reason being near the Community College and BRT and what should be seen commercially happening on the south side of 4700 South. She did not believe that this density is going to be high enough for what the City is looking for in five to ten years but that transition cannot be made right now. With information she has right now, she feels there would be people investing in the project to think this might be relatively short term because it is a small space in a one to two acre area. The whole idea of trying to pack everything in there right now is still not providing the mixed use feel she feels is needed for that space. To not have sidewalks on both sides of the streets is not good when creating an element for people to enjoy walking. Her problem with this mainly is the timing. In a few years she may have better input but not right now. **Mr. Larson** asked her if that meant she was asking for more density here. **Commissioner Wendel** said that was not the case because it is very intense for what can be provided right now. Some things have not changed yet; the BRT is not in yet, commercial isn't better on the south side yet but she saw that happening in the future.  There needs to be availability of amenities, as far as walkability and open space. She felt the applicant is just being very limited by trying to pack a lot into a small potentially two-acre space which is mixed use but not really mixed use and not walkable, having none of the future amenities in yet like public transportation for one. She felt the applicant is in an awkward gap and she really did want to support him in anyway she can and still make a good decision for twenty years down the road. 

4.6.2 **Commissioner Willardson** said he favored the first plan shown. He felt it cleans it up a bit, gets rid of some of the units.

4.6.3 **Commissioner McElreath**  felt there was an issue with the sidewalks only on one side of the road and roads need to be widened to 24' if possible. He felt that Staff should look at this further.

4.6.4 **Commissioner Wilkey**  asked Mr. Larson who the target market was for this and he answered he has a good relationship with the Neighbor Works organization who are a lower income housing providers. They are largely affiliated with Salt Lake City, and they would be the contact for this because they have a long list of people looking for affordable housing. These units would meet the qualifications for medium income starting at around \$415,000 per unit on up. They would be able to qualify people for financial assistance. **Commissioner Wilkey** expressed she was not familiar with that organization but suspected they target families, which would elevate the number of cars needing parking space. **Mr. Larson** noted that these units would be managed by an HOA and parking is included in the CCR's. **Commissioner Wilkey** said she was not looking at guest parking being used for that.

4.6.5 **Mr. Larson** addressed the problem of the alleyways not being 20' saying they have been working with Staff and said they could make the ones that are 15' now a little bigger if they need to. **Commissioner Wendel** added that hopefully the people wanting to live in these units would want to be less vehicle dependent. **Mr. Larson** said the fact is that we live in a world where cars are king but we also want to try teaching examples that limit their use.  **Mr. Larson** said he is working on a new proposal that will have a good flow of traffic and provide the necessary units to make both Phase 1 and 2 work. He did not disagree with Staff's ideas but did not feel that some would not be possible to do. He said there is a limit to what he can do as a developer while making sure he has the right density, etc. He did not want this to be tabled tonight because he felt it is a workable development for this site.

4.7 **Commissioner Quigley** opened the public hearing and asked if there was anyone who wished to speak in favor or opposition to this application. There being none, **Commissioner Quigley** closed the public hearing and opened the meeting to the Commission for discussion or a motion. 

4.8 **DISCUSSION:**

4.8.1 **Commissioner Wright** said he appreciated the developer's concerns and also the comments made by Commissioner Wendel. It is a nice development but could be nicer and the boundaries are being stretched as it is. Staff has done a good job in coming up with solutions with the developer. He said he looked at the approach heard this evening, which is nicer than what was preliminarily presented but it still has not achieved the level where it is as clean and meaningful a place as it can become. 

4.8.2 **Commissioner Wilkey** expressed that the 15' setback off 4700 South is too close and there needs to be a little more green space there for safety reasons, especially for the children.  **Mr. Spung** said it is 15' to the back edge of the sidewalk, so there is still 10' to the curb, so 25' total.

4.8.3 **Commissioner Wendel** added that she has worked with Neighbor Works in the past and felt they are a great organization. She expressed her appreciation to Mr. Larson and to Staff for working on this.

4.8.4 **Commissioner Willardson** wanted this tabled for something less congestive. That everyone on the Commission seems to like the project, but it just needs some more work.

4.8.5 **Mr. Spung** said Staff and the developer need direction from the Commissioners on exactly what they are looking for. **Commissioner Quigley** summarized saying  the Commission likes the concept of housing, likes the presentation in general but biggest concerns are that it is too much for the size of the property, squeezing out the 15' driveways, saying that there is a private street but knowing that it will turn into a cut-through access to 4700 South, the favorable bend in the road is good and encourages a slowdown effect. It just doesn't quite fit. It is a good idea, an attractive project and is the direction the City wants to go but at this point in time they have not seen enough to be able to give the approval being sought by the applicant. The concept of tabling is to see if it can be improved on. Mainly extending the 15' of driveway to 20'. He is aware that will increase costs by having to reduce the number of units. Would like to see more walkable areas with sidewalks on both sides. Want to see it more planned for what is needed rather than just cramming something into a smaller box to avoid financial hits. **Commissioner Wendel** felt the biggest problem is the phasing element so the whole project cannot be seen right now. **Mr. Spung** said this is in a mixed use zone, which is pretty flexible. **Commissioner Wright** added he would be more happy with some revisions included, i.e. stronger connections and wider roads.

4.8.6 **Mr. Larson** asked if it was correct that the Commission would like to see sidewalks on both sides of the road. He explained that all sidewalks connect to main arteries now both south and north. Essentially every unit is connected to the main sidewalk. All of the arteries essentially from the front doors transfer east and west to the main arteries north and south. Mr. Larson's concern was maybe between Phase 1 they had talked with staff about connecting to 4655 South. That is the fire access point. They could potentially delineate a portion of that for pedestrian access, with hatch lines. They could even put a gate across there, not a restrictive locked gate, that could provide pedestrian access easily. He discussed putting sidewalks on both sides of the road but advised the road connects to the adjoining properties, which would not allow that to happen. Every unit is connected by minimum 4 ½' from the private entrances to the artery going north and south. **Commissioner Wendel** commented that on the west side going south of the existing building, coming down the private street, the sidewalk is only on the east side of the road instead

of the west side of the road. **Mr. Larson** said that is identified as a crosswalk. This is connected through sidewalks as well as crosswalks. **Commissioner Wendel** asked if it is a private home that is in the southwest corner there. **Mr. Larson** said another duplex is there. He did not have control over that one. **Mr. Larson** said if they want another reiteration showing extension of the 15' driveway to 20' he would do so. He said he has two feet that he can be flexible with in the building itself and still meet the building permit requirements. **Commissioner Wright** said the east/west road should be aligned design-wise as it creates problems and makes the site jumbled. 

- 4.9 **MOTION: Commissioner Wendel** - I move that we table File 3S23/SUB-000332-2023, "*to a date that is mutually decided between the applicant and Staff*", which is consideration of a mixed-use master plan for the properties located at 1860 & 1904 West 4700 South; 1859, 1881, 1883 and 1903 West 4655 South, Taylorsville, Utah. 

SECOND: Commissioner Willardson.

AMENDMENT TO MOTION: Commissioner Wendel – Add after “table File 3S23....”. “to a date that is mutually decided between the applicant and Staff”.

ROLL CALL VOTE: Commissioner Wright – AYE, **Commissioner Wilkey** – AYE, **Commissioner Quigley** – AYE, **Commissioner Wendel** – AYE, **Commissioner Willardson** – AYE, **Commissioner McElreath** – AYE (via Zoom). **Commissioner Russell** – AYE (via Zoom). **Commissioner Young** had been excused. Motion passes with seven votes in favor.

Zoning Map Amendment

5. 3Z23 - Public Hearing and Recommendation to the City Council for a Zoning Map Amendment for the Property Located at 5758 South 1300 West, Taylorsville, Utah, from Single-Family R-1-40 to Single-Family R-1-15 and R-1-20. (Terryne Bergeson/Planner 1)

- 5.1 **Ms. Bergeson** presented this item.  Tim and Misty Covington own parcel #21152790100000 located at 5758 South 1300 West. The property owners are seeking to submit a subdivision amendment application to subdivide the parcel and create a flag lot where they plan to build a home for Misty Covington's father.

5.1.1 Concept plans have been submitted for a flag lot. The resulting parcel sizes will not meet minimum requirements of the current zoning designation (R-1-40) which requires a minimum of 40,000 square feet per lot. Proposed property lines and existing and proposed structure will meet requirements of R-1-20 for the front lot with existing home, and R-1-15 for the rear, proposed lot and home. Concept plans illustrate that existing and proposed homes would meet setbacks for the requested zoning designations.

5.2 **FINDINGS:**

- 5.2.1 This application was initiated by Tim and Misty Covington.
- 5.2.2 The subject property contains approximately 55,756 square feet.
- 5.2.3 The subject property is designated in the General Plan as “Low-Density Residential” and has a zoning map designation of Single-Family Residential R-1-40.
- 5.2.4 The property owners plan to submit a subdivision amendment application to subdivide the property and create one flag lot.
- 5.2.5 The resulting lot lines will not meet requirements of R-1-40 designation.
- 5.2.6 The applicant is requesting a Zoning Map amendment for the property located at 5758 South 1300 West from Single-Family Residential R-1-40 to Single-Family Residential R-1-15 for a rear portion of the lot, and Single-Family Residential R-1-20 for the front portion of the lot.
- 5.2.7 The proposed concept plan meets General Plan “Low-Density Residential” standards.
- 5.2.8 The proposed lots meet the minimum requirements of requested R-1-15 and R-1-20 designations.

- 5.2.9 Subdivision amendment will be a separate application.
- 5.2.10 The City Council is the decision-making authority for a Zoning Map amendment request and may adopt or reject the amendment as it deems appropriate pursuant to Section 13.05030 and other applicable sections of the Taylorsville City Code.
- 5.3 **APPLICANT ADDRESS:** Tim Covington. Mr. Covington advised they were planning to add two lots but found they are 5 feet short at the corner of the garage and cannot do that. Therefore, they changed the proposal to just one lot, in order to build a home for his father-in-law, who has been sick, to live closer to them.  The lots are so long and deep that nothing happens on the back half of the property. He is excited to be able to clean up his lot and hopes the Planning Commission will approve this request tonight. He is aware that the access will be a little longer than the City would like but the fire hydrant is located just on the other side of the fence there and meets Fire Code requirements. 
- 5.4 **Commissioner Quigley** opened the public meeting and asked if there was anyone wishing to speak in favor or opposition to this application. No one came forward, so he closed the public hearing and opened the meeting for discussion or a motion by the Planning Commission.
- 5.5 **MOTION:** Commissioner Wendel -  I move that we send a positive recommendation to the City Council for File #3Z23/DCA-000325-2023, a zoning map amendment for the property located at 5758 South 1300 West in Taylorsville, Utah, from Single-Family R-1-40 to Single-Family R-1-15 and R-1-20.
- SECOND:** Commissioner Wright 
- ROLL CALL VOTE:** Commissioner Wright – AYE, Commissioner Wilkey – AYE, Commissioner Quigley – AYE, Commissioner Wendel – AYE, Commissioner Willardson – AYE, Commissioner McElreath – AYE (via Zoom). Commissioner Russell had signed off Zoom prior to the vote, so did not vote. Commissioner Young had been excused. Motion passes with five votes in favor.

Zoning Text Amendments

6. 4Z232 - Public Hearing and Recommendation to the City Council for a Zoning Text Amendment to Taylorsville Municipal Code Section 12.140, Related to Placement of Chicken Coops on Irregularly Shaped Parcels. (Terryne Bergeson/Planner 1)

- 6.1 **Ms. Bergeson** presented this item.  The City of Taylorsville is proposing to amend Section 8.12.140 Backyard Chicken Permit, to allow flexibility for the placement of chicken coops on irregularly shaped parcels. Currently the ordinance states that a coop and enclosure is not to be permitted in front or side yards. For most of the lots in Taylorsville, this standard is reasonable, and residents can work within the standards and meet these requirements. Recently a Backyard Chicken Permit application was submitted that brought attention to irregularly shaped, infill parcels. The applicant stated that the rear yard is not the most suitable location for the coop, and the site plan illustrated that the front yard is designed in a way not typical to most of the single-family developments in Taylorsville. In that location, the front yard is nearly three times the area when compared to the rear yard and in fact, placement in the rear yard would put the coop closer to residences than if it were allowed to be permitted within the front yard. Although the coop is far from neighboring residents and the main dwelling, Staff cannot approve the permit due to the clear restrictions in the ordinance. In anticipation of more applications on large lots with similar conditions, Staff has revisited the Backyard Chicken Permit Section of the Taylorsville Municipal Code and proposed revisions that would give the Director the authority to allow flexibility when considering the placement of the coop, subject to certain standards.
- 6.1.1 Proposed changes to Enclosure Standards:
- a. Chickens must be contained within an enclosure or fenced area at all times.
 - b. All enclosures shall have a maximum opening of two- and one-half inches.

c. Enclosures shall be contained entirely in the rear yard. Enclosures shall not be permitted in any front or side yard unless the subject property meets the requirements set forth in para d.

d. The Director has authority to grant exception to side or front yard restrictions provided that the application demonstrates all of the following:

- The subject property is an irregularly shaped parcel and rear yard is not the most suitable location for a chicken coop and enclosure.
- The side or front yard area for which the exception is being requested is at least two times the area of the rear yard.
- A scaled site plan is submitted that demonstrates the placement of the coop and enclosure in the front or side yard can meet the following location requirements.
 1. Coop and enclosure shall not encroach into the minimum setback requirements established for the primary dwelling as outlined in the Residential Development Standards.
 2. Coop and enclosure must meet all other standards in this ordinance including distance from neighboring, main structures, and dwelling entrances. 

6.2 **FINDINGS:**

6.2.1 Staff received an application for a backyard chicken permit requesting a coop in the front yard of an irregularly shaped, infill parcel.

6.2.2 Staff has reviewed the front and side yard restrictions and determined that there may be some lots in the City where an exception could be granted.

6.2.3 The City of Taylorsville has initiated an application to amend Section 8.12.140 related to standards to allow an exception to the front and side yard restriction.

6.2.4 Staff supports the proposed text amendment.

6.2.5 A text amendment to the City's Land Development code is a legislative action, requiring a Planning Commission recommendation to the City Council.

6.2.6 The City Council is the final review and decision-making body.

6.3 **STAFF RECOMMENDATION:** Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Section 8.12.140 of the Taylorsville Municipal Code.

6.4 **Commissioner Quigley** opened the public hearing and no one came forward to speak in favor or opposition, so the public hearing was closed and the meeting opened up to the Planning Commission for discussion or a motion.

6.5 **Commissioner Wilkey** advised she noticed an error which occurred during the writing of the Staff Report which involved changing a word throughout the document. The word was "backyard" and should be replaced with "residential". **Ms. Bergeson** advised that she would make the necessary correction before it goes to the City Council for approval.

6.6 **MOTION:**  **Commissioner Wilkey** – I move that we send a positive recommendation to the City Council for File #4223 for an amendment to Section 8.12.140, as specified in Exhibit B of the Staff Report. Also insuring that anywhere that backyard is specified, to strike that.

SECOND: Commissioner Willardson.

ROLL CALL VOTE: **Commissioner Wright** – AYE, **Commissioner Wilkey** – AYE, **Commissioner Quigley** – AYE, **Commissioner Wendel** – AYE, **Commissioner Willardson** – AYE, **Commissioner McElreath** – AYE (via Zoom). **Commissioner Russell** had signed off Zoom prior to the vote, so did not vote. **Commissioner Young** had been excused. Motion passes with five votes in favor.

7. 5Z23 - Public Hearing and Recommendation to the City Council for a Zoning Text Amendment to Taylorsville Municipal Code Section 13.25, Related to Updates to Water Efficient Landscaping Standards. (Terryne Bergeson/Planner 1)

- 7.1 **Ms. Bergeson** presented this item.  **Ms. Bergeson** advised the reasons for this proposed change at this time include: the City Administration has requested that Staff review Taylorsville's Landscaping Standards and propose updates that will bring eligibility to residents interested in reimbursement programs for landscape conversions; water conservation efforts continue throughout the State; that landscaping is an area where changes can produce significant reductions in water use; in order to be able to answer resident's questions related to landscaping and City standards; and to implement programs that require that residents must live in a City that has adopted certain water-wise standards.
- 7.1.1 Proposed changes for park strips include:
- Add "Lawn added as prohibited park strip material". 13.25.010(C)(5)(a)
 - Regarding drip irrigation installation. Add "Updated language from "highly encouraged" to "required". 13.25.010(C)(3)(a)
 - Applicability to all zones – there is no change recommended.
- 7.1.2 Proposed changes for Residential include:
- Presently there is no standard for residential landscaping. Proposal is to add a new section defining applicability for front and side yards.
 - Presently there is no standard for residential landscaping. Proposal is to add a new section defining maximum of 250 square foot or 35% lawn for front and side yards.
 - Presently there is no standard for residential landscaping. Proposal is to add a new section saying "Drip irrigation or bubblers in all landscaped areas except lawn areas are required".
- 7.1.3 Proposed changes for Commercial include:
- Presently there is no standard for commercial landscaping. Proposal is to add anew section addressing landscape area requirements outside recreation areas. Also, a definition for outside recreation area is to be added.
 - Presently there is no requirement for lawn in parking lots. Proposal is to add updated language saying, "shall not contain lawn".
- 7.2 **FINDINGS:**
- 7.2.1 Responsible and efficient water use is central to maintaining the wellbeing of current and future Utahns.
- 7.2.2 The City of Taylorsville is committed to supporting residents and property owners in water conservation efforts.
- 7.2.3 Residents of Taylorsville are not currently eligible to receive reimbursement from State incentive programs as they replace water-intensive lawn with more Utah-friendly landscaping.
- 7.2.4 To receive benefits from certain State incentive programs, projects must be in a City that has adopted specific standards related to water efficient landscape design.
- 7.2.5 The City of Taylorsville has initiated an application to amend Chapter 13.25 and certain sections of Chapter 13.36 to meet State requirements.
- 7.2.6 Staff supports the proposed text amendment.
- 7.2.7 A text amendment to the City's Land Development Code is a legislative action, requiring a Planning Commission recommendation to the City Council.
- 7.2.8 The City Council is the final review and decision-making body.

7.3 **DISCUSSION:**

7.3.1 **Commissioner Wright**  talked about water efficient landscaping. He highlighted landscaping standards for drip irrigation systems in all landscape areas except where lawn areas are “highly encouraged” and suggested that be changed to “required” instead of “highly encouraged”. **Commissioner Quigley** wanted to underscore this is a State requirement and was advised it was.

Commissioner Wright  Section 13.25.020 – commercial, Office, Multi-Family, and Industrial Landscaping Requirements. Section A, adjacent to residential districts. A minimum ten-foot (10') width of landscaping shall be provided on an applicant's property, including a combination of trees and shrubs (evergreen and deciduous), and ground covers shall be provided to create a buffer for the adjacent residential district. He questioned the term ground covers being included here because they provide no buffering benefit and suggested removing that from the sentence. Next, he talked about Paragraph M c. Designation of landscape zones. He felt that should say hydrozone zones instead. **Ms. Bergeson** advised that had been carried over from the original version of landscaping standards. There is a definition of landscape zones in the Code. **Commissioner Quigley** asked if that meant the term xeriscape was no longer being used and was advised that was so.  He complemented Commissioner Wright on his invaluable expertise in this regard.

7.3.2 **Commissioner Quigley** opened the meeting for public hearing. At which time **City Councilman Burgess** gave some background comments on why the City Council is being supportive of this proposed change, which is mostly due to bring eligibility to Taylorsville residents and property owners for monetary incentives relative to water conservation.  Since there was no one else wishing to speak, he closed the public hearing and asked the Commissioners for discussion or a motion.

7.4 **MOTION:** **Commissioner Wright**  - I move to send a positive recommendation to the City Council for File #5Z23 for an amendment to the Land Development Code related to Chapter 13.25, Sections 13.36.020, 13.36.090, 13.36.130, 13.36.170, 13.36.210 as specified in Exhibit B of the Staff Report, with revisions pointed out by Commissioner Wright, such as “requiring” drip systems instead of “highly recommending”, and adding “hydrozone zones” in place of “landscape zones” where appropriate and removing “ground cover” as a buffer element.

SECOND: **Commissioner Wilkey**

ROLL CALL VOTE: **Commissioner Wright** – AYE, **Commissioner Quigley** - AYE, **Commissioner McElreath** – AYE (via Zoom), **Commissioner Willardson** – AYE. **Commissioner Wendel** left the meeting early and did not vote. **Commissioner Russell** had signed off Zoom prior to the vote, so did not vote and **Commissioner Young** had been excused. Motion passes with 4 in favor.

Commissioner Wright advised he would not be attending the Planning Commission on May 23, 2023.

CITY COUNCIL MEETING DISCUSSION:

ADJOURNMENT: By motion of **Commissioner Wilkey**, the meeting was adjourned at 10:20 p.m.

These Minutes were prepared and submitted by:

Jean Gallegos

Jean Gallegos, Admin Asst/Recorder for the
City of Taylorsville Planning Commission

Approved in meeting held on: June 27, 2023

City of Taylorsville
Planning Commission Meeting Minutes
May 9, 2023