



**MEETING OF THE
TAYLOR PLANNING & ZONING COMMISSION
ON TUESDAY JULY 5, 2011
AT 7:00 P.M. AT
TAYLOR TOWN HALL
425 W. PAPER MILL ROAD**

Commission Members Present: Chairperson Merry Nutter, Vice-Chair Eric Ritz, Jack Babb, Loretta Whitlow, Harold Meservey

Commission Members Absent:

Staff Present: Planning & Zoning Director Jeff Johnson, Administrative Assistant Kathy Hancock

Attorney Present:

Visitors: There were no visitors present

1. **Regular Meeting Called to Order:** Chairperson Merry Nutter called the meeting to order at 7:02 p.m.
2. **Open Call to the Public:** There was no comment from the public.
3. **Approval of Minutes: June 7, 2011 Planning and Zoning Commission meeting.**

Motion made by Loretta Whitlow, seconded by Harold Meserevey, to approve the minutes for the June 7, 2011 meeting as read. Motion passes.

Action; Approve, Deny or Table

4. **Old Business: Discussion on possible Text amendment to 18.20.030 D: Accessory Uses; Residential-1 Related Animals in 20,000 SQ FT lot.**— Planning & Zoning Director Jeff Johnson said the only thing that is new and allowed in Residential (R) zones is 12 chicken hens and 6 rabbits, which does not include peacocks, ducks, geese, etc. Our code now says under accessory uses in part D, the keeping of horses, cattle, sheep and goats are allowed. In a 20,000 sq. ft area, goats are allowed but it does not specify how many. Code currently says that the setbacks to hold animals must be 20 ft. from the property line.

Eric Ritz commented that his main objective is to protect the neighbors and he has a hard time supporting the code as it is written. He suggested the commission reconsider not only the number of animals allowed, but also try to keep a rural community rural and still allow lifestyles for those that don't want animals on small lots. He is more comfortable having animals in AG-1 and not in Residential zoning at all. Those areas that are grandfathered in are alright but if we allow animals in R zones, it could restrict others from enjoying their property. By the time you allow for all of the setbacks, there isn't enough room for the animals and it would be very difficult to enforce those setbacks. If the animal can't be up against the fence line and must be in an enclosure that is 20' from the fence line, there doesn't leave much room for anything else. Allowing the youth to participate in AG activities such

as 4-H is acceptable as a temporary use, but Mr. Ritz feels like large animals should not be allowed for the general public on anything smaller than AG zoning. Mr. Johnson said when the Town Council passed the 4-H Temporary Use Permit, they said if an animal was not specifically listed in the code then someone could request a Conditional Use Permit.

Mr. Johnson calculated out a 20,000 sq. ft. lot that was 120 x 166 ft. and figured with a 1,600 sq. ft. house, there was plenty of room to have a corral. There are small lots in "old town" Taylor that have always had animals. The grandfathered rights go with the property and if it is sold and there are animals on it at the time of the sale, the new owners would be able to have animals as well.

There was discussion about allowing animals according to the size of the lot rather than the zone. The majority of the commission was in agreement that in R-1 zones, anything less than 20,000 sq. ft. would only allow 12 chicken/hens and 6 rabbits or covies, no large animals. Two large animals could be allowed on 20,000 sq. ft. and one more animal for every 10,000 sq. ft. over that. The question is how do we satisfy the newer subdivision that has no animals and the older areas that have always allowed animals? We could possibly make the code restrictive and set conditions in areas like old town Taylor that would allow certain areas through a permit to have animals. Mr. Ritz feels the real issue is the flavor of the neighborhood. We should not make it difficult for people to own AG animals if it is in keeping with their neighborhood, but there are also neighborhoods that do not have AG animals.

Mr. Johnson will come back with what he feels is the best way to regulate this with a permit or to exclude subdivisions. It might be possible to put conditions so the only places we are talking about are places like old town and Pinedale Rd. for instance. One way is to say no large animals on property less than an acre unless you have a permit and the condition would be that the neighborhood also has AG animals.

Mr. Johnson read the purpose for R-1 zoning as stated in 18.20.010: The principal purpose of the R-1 zoning district is to conserve and protect single-family residential development. The purpose for AG-1 is to conserve and protect open land uses, foster orderly growth in rural areas and prevent urban agricultural land use conflicts. Within this district it is intended to be Agricultural in nature. Mr. Johnson said he read this because it went along with what Mr. Ritz's said.

Jack Babb said it seems like what we have been discussing is in conflict with the purpose of R-1 zoning and if it is, then we should negate the whole discussion. We are already leaning forward by allowing a Temporary Use Permit (TUP) in R-1. A start has been made but now the line in the sand needs to be drawn.

Mr. Ritz went on to say if you purchase in R-1 and ask for a Conditional Use Permit (CUP), then there are certain limitations that could be useful such as you would have to apply for a CUP and neighbors would be notified. If most of the neighborhood already has large animals then it would be allowed, but if there are no animals in the neighborhood, that could be a reason to not allow it. Or we might be able to allow staff to address this through something

like an Animal Use Permit. After discussion about the size of pens needed for horses, Mr. Ritz said our primary responsibility is to decide where animals belong, not how they are corralled. Another suggestion is to say no large animals by code are allowed unless someone comes in for a permit and 50% of the area already has large animals. It needs to be spelled out by what percent and what area of neighborhood would be allowed.

Mr. Johnson would like it to be spelled out as to whether it is a percentage by the street or in a neighborhood and he likes the idea behind a CUP where neighbors are notified about what their intentions are. He suggested that what we need to come up with bullet points that can be presented to the council and if they approve it, the Attorney would write it up.

Jack Babb recommended that we have staff put together their recommendations and postpone this discussion until that time.

Action; Discussion or Postponement

5. Old Business: Discussion on possible Text amendment to 18.25.030

Accessory Uses; Residential-2 adding any animals? Jeff questioned if we even want to allow animals in an R-2 zone which is usually apartment complexes. The commission agreed that livestock type animals not be allowed in this zone.

Action; Discussion or Postponement

6. Old Business: Discussion on possible Text amendment to Chapter 18.12

Permitted uses, Accessory uses and Conditional uses that apply to animals. It was recommended that we postpone this discussion until we have feedback and recommendations around R-1 20,000 and then move on to AG-1.

Action; Discussion or Postponement

7. New Business: There was no new business.

Action; Recommend Approval, Denial, or Postponement

8. Adjournment: —Motion to adjourn the meeting made by Jack Babb, seconded by Eric Ritz. Voting was unanimous.

Meeting adjourned at 8:32 p.m.

Certification of Minutes: I hereby certify that the foregoing minutes are a true and correct copy of the Taylor Planning/Zoning Commission Public Hearings and Meeting held July 5, 2011. I further certify that the meeting was duly called to order and that a quorum was present.

Dated this 5th day of July, 2011

Kathy Hancock
Administrative Assistant