



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

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

Commission Members Absent: Chairperson Merry Nutter

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

Attorney Present:

Visitors: Cindy Owen

- 1. Public Hearing:** The purpose of this hearing is to take public comment on possible text amendments to Chapter's 18.12-020: Permitted Uses AG-1; Agricultural Related Animals, 18.15-020 L 9: Permitted Uses AG-2; Agricultural Related Animals, 18.20.030 D: Accessory Uses; Residential Related Animals.
- 2. Open Public Hearing:** Vice-Chair Eric Ritz opened the public hearing at 7:07 p.m.
- 3. Public Comments:** Jeff Johnson reported that Police Chief Jerry Van Winkle wasn't able to be here tonight but he would like to come before the commission to address concerns with zoning of dog kennels and how many dogs can be kept on a property. Vice Mayor Jane Lee would also like to voice her opinion concerning chickens in R-1 zones. Her feelings are that people should be able to have chickens but she understands the need for limiting the amount and possibly not allowing roosters.
- 4. Close Public Hearing:** Eric Ritz closed the public hearing at 7:12 p.m.
- 5. Regular Meeting Called to Order:** Eric Ritz called the regular meeting to order at 7:13 p.m.
- 6. Open Call to the Public:** There were no comments from the public.
- 7. Approval of Minutes:** May 3, 2011 Planning/Zoning Commission Meeting

Motion made by Harold Meservey, seconded by Loretta Whitlow, to approve the minutes of the May 3, 2011 Planning/Zoning Commission meeting as read. Motion passes.

Action; Approve, Deny or Table

- 8. New Business: Discussion and possible recommendation to the Town Council.—Text amendment request on Chapters 18.12-020: Permitted Uses AG-1; Agricultural Related Animals, 18.15-020 L 9: Permitted Uses AG-2; Agricultural Related Animals, 18.20.030 D: Accessory Uses; Residential Related Animals.—**Jeff suggested that since this is such a large responsibility to go through the codes for three different zones, we should come up with a schedule on how to work through this process now and in future meetings as well.

Cindy Owen wanted to have some input on these issues and will be a little late for the meeting.

Motion made by Eric Ritz, in deference to Mrs. Owen and to the public, recognizing this is an issue that could be interesting to the community at large, that we give Mrs. Owen reasonable access to this discussion and that we reorder the agenda and address item #9 in front of item #8. Motion seconded by Jack Babb. Motion passes.

SEE AGENDA ITEM #9 WHICH WAS DISCUSSED AT THIS TIME

The commission discussed item #9 and then continued with item #8. Staff has recommended to the commission that we deal with one zone at a time. We have three zones that are affected, all differently. If we're not able to address them at once then we should at least address them sequentially, starting with the smallest lots and working up.

When the Town first implemented zoning, they blanket zoned much of the town, so Jeff suggested that we address this issue by the size of lots rather than the zones themselves. The normal lot size for Residential is 10,000 sq.ft. Horse property in Residential starts at 20,000 sq.ft, then there is AG-1 & AG-2. There are properties in town that are zoned AG-2 and the actual size of the lot is only about ¼ acre, but with the AG-2 zone property owners could have as many animals as are allowed in that zone, and this could adversely affect the neighbors. There are also properties zoned Residential that are 2 or more acres in size, yet they would not be allowed to have large animals because of the rules for that zone. There are potential problems with this approach including the enforceability of handling things by lot size, and the possibility of zone challenges. If someone has exceptional circumstances they might be able to apply for a zone change, but if their land is not surrounded by the zone they want to change too, they could not do it because it may be considered "spot zoning". Eric feels that zoning is zoning and he is leaning toward having blanket rules and if there is a compelling cause for an exception than we take a look at those circumstances. We are going to make recommendations to council to allow chickens in R-1, whether the lot is 10,000 sq.ft. or 20,000 sq.ft, but it is more debatable whether we are going to allow large animals in R-1. Jeff pointed out that horses are already allowed in R-1 on 20,000 sq.ft. lots. Our code says that if your

zone is AG-2 even though you don't have 2 acres, you can have the animals that are approved for AG-2, regardless of how much land you have.

The commissioners discussed the spreadsheet that Jeff put together which is included in the packet. This explains which animals by the current code are allowed in the different zones. Right now there are no AG animals allowed in R-1 less than 10,000 sq.ft. Nearly all communities allow chickens with no roosters and put limitations on the amount of chickens, type of coops, cleanliness, etc. We have already discussed this with the 4-H & FFA projects. If we are going to allow youth to have these animals, we should allow adults the same privileges. Allowing this to the community as a whole would give our rural community the chance to have well maintained chicken-coops and rabbit hutches even on small lots. We should offer different lifestyle choices in our community and also protect people that do not want to live by chickens and other animals.

The commissioners discussed using the same type of language that is already established through a Temporary Use Permits (TUP) for 4-H & FFA. The question came up as to whether these clubs would still be required to get a TUP if we make this available to all residents. Some felt it was important in all R-1 zoning to require some kind of use or building permit in order to help ensure compliance with the rules.

Cindy Owen addressed the commission saying she feels like 12 chickens are a little restrictive. She suggested allowing 18 chickens in R-1 and 24 to 30 chickens in R-2. She also feels that it would be reasonable to allow residents to keep 2 goats without a TUP.

Eric said in his view, there has to be a line drawn when it comes to all animals, and believes 10,000 sq.ft. lots are too small for animals other than hens and rabbits. He suggested we duplicate the language that was discussed for the 4-H program and open that language up to full time residents in R-1 zoning.

Eric asked if anyone wanted to entertain changing the text language regarding larger animals as far as swine, goats, cattle, sheep or exotics. No one was interested in including these animals at this time.

Eric recommends to staff that we move on to R-1 20,000 sq. ft. at the next meeting if time permits. Jeff suggested that staff come up with bullet points through the minutes so a motion could be made that will include what was discussed tonight. If the commission can get through both residential zones, the AG zones will be fairly easy to address, so we may want to wait until we're through all zones before you make recommendations to the council.

Action; Recommend Approval, Denial, or Postponement

- 9. New Business: Election of Chair and Vice Chair** – The election term is from July 2011 to January 2012, this will be a six month term and get us back on the right schedule by statute.

Eric Ritz made a motion to re-elect Merry Nutter as the Commission Chairperson for a period of an additional six months with the term ending in January 2012. Harold Meservey seconded the motion.

Jack Babb noted that Merry's term could be ending the end of June. Harold Meservey's term also ends this month but he will stay until he has a replacement but he is not extending for another full term. Merry was not able to be at this meeting so she was contacted by phone and consented to continue serving as the Chairperson. There were no other nominations. **The voting was unanimous.**

Loretta Whitlow made a motion to nominated Eric Ritz as Vice-Chair for another six months, motion seconded by Jack Babb. The voting was unanimous.

Action; Election term from July 2011 to January 2012

- 10. Old Business:** There was no old business to discuss at this time.

- 11. Adjournment—Motion to adjourn the meeting made by Eric Ritz, seconded by Jack Babb. Voting was unanimous.**

Meeting adjourned at 8:20 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 June 7, 2011. I further certify that the meeting was duly called to order and that a quorum was present.

Dated this 7th day of June, 2011

Kathy Hancock
Administrative Assistant