





City of Holladay  
Community and Economic Development  
Planning and Zoning

PLANNING COMMISSION STAFF REPORT  
January 21, 2025

ITEM # 1

**Request:** Text Amendment related to State Requirements

**Project:** Home-based Microschools and Micro-education entities

**File No.:** 25-4-03

**Notice:** Published Notice on January 10, 2025

**Staff:** Carrie Marsh and Ann Garcia

**GOVERNING ORDINANCES:**

- 13.07.030 Text Amendment Procedure/Requirements
- 13.04 Definitions
- 13.100.010 Table of Allowed Uses

**REQUIRED PLANNING COMMISSION ACTION:** *Legislative*

**Public hearing to be held.** *Ordinance amendments, are proposed changes to the City of Holladay Code. Amendments can be in the form of a new standard, or an alteration to an existing rule or regulations/standards. Decisions on proposals to amend a city ordinance is a legislative action, requiring the Planning Commission to hold a public hearing, review the proposal and forward a recommendation, with findings, to the City Council for final decision/action.*

**SUMMARY**

According to requirements by State of Utah in UCA 10-9a-305(7)(a), the City is proposing to Amend Title 13, Chapter 04: Definitions and Title 13, Chapter 100: Table of Allowed Uses of the Holladay Municipal Code.

The purpose of the code amendments is to implement new State legislation relating to home-based microschoools, micro-education entities, charter schools and public schools to ensure Holladay’s Code is consistent with the State Code. The proposed code changes would effectively ease zoning and building occupancy laws for these uses.

Code amendments in Chapter 13 are to define home-based mircoschoools and microeducation entities in accordance with the States’ definitions and add each use to the Table of Allowed Uses, designating them a permitted use in all zones, except zones intended for alcohol use and sexually oriented businesses, as required by State of Utah Code.

All standards and requirements for homebased microschoools and micro-education entities are regulated in Title 5: Business Licensing, which is also being amended by the City Council to meet State requirements.



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**BACKGROUND**

During the 2024 Utah Legislative Session, [Senate Bill 13](#) was passed, which provides Home-based Microschools and Micro- education Entities with similar requirements, waivers, and rights as private and charter schools. A Micro-education Entity provides kindergarten through grade 12 education services for up to 100 students, while a Home-based Microschool provides K - 12 education services for up to 16 students from a residential dwelling or property. Of significance is that cities are required to allow both of these schools in all zoning districts within a city, similar to charter and public schools (see UCA 10-9a-305(7)(a)). The proposed code amendments will bring various sections of the City's land use code into compliance with these new state law provisions. The code amendments also bring existing references to charter and public schools into compliance with the Utah Code.

A summary of the key points of [Senate Bill 13](#) are described as follows:

- Definitions for Home-based Microschool and Micro-education Entity are provided (see UCA 53G-6-201):
  - *Home-based microschool* means an individual or association of individuals that registers as a business entity in accordance with state and local laws; and provides kindergarten through grade 12 education services for compensation, to 16 or fewer students from an individual's residential dwelling, accessory dwelling unit, or residential property. A home-based microschool does not include a daycare.
  - *Micro-education entity* means a person or association of persons that registers as a business entity in accordance with state and local laws; and provides kindergarten through grade 12 education services for compensation to 100 students or fewer. A micro-education entity does not include a daycare, home-based microschool, private school, commercial school, or a school within the public education system.
- A municipality is required to allow a home-based microschool and micro-education entity as a permitted use in all zoning districts (see UCA 10-9a-305(7)(a)).
- Cities are authorized to apply certain restrictions on home-based microschool and micro-education entity. For example, cities may require a business license and regulate parking, traffic, hours of operation and site development, as well as regulate the location if it is necessary to avoid risks to health or safety (see UCA 10-9a-305(10)).
- Microschools must have at least 35 square feet per student.
- Micro-Education Entity shall have enough space for at least 20 net square feet per student.
- Microschools must apply for conditional use permits, which can require inspections, money and time.
- Microschools must file with the state and municipality as a business.
- Parking requirements for microschools cannot exceed the minimum requirements for other public institutions or schools in the county.



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- Microschools may be prohibited from locations that would go against the purpose of a zone for sexually oriented businesses or alcohol sales.
- Local governments can adopt additional standards for microschoools, such as parking, traffic, hours of operation, and setback, height, and bulk regulations.
- Home-based microschoools must have a minimum of one parking space for each non-resident employee, plus one additional space. They must also have a secure outdoor play area and each room must have a carbon monoxide and smoke detector.

A micro-education entity may operate a facility that meets Group E Occupancy or a Class B Occupancy requirement as defined by the IBC as incorporated by Subsection [15A-2-103\(1\)\(a\)](#) and UCA [10-9a-305\(7\)](#)

### **TECHNICAL REVIEW COMMITTEE ANALYSIS**

This amendment maintains statutory compliance with State Legislation.

The following is provided to the Planning Commission as a summary of a **positive recommendation** from the TRC:

#### **Zoning, City Planner:**

- Definitions are copied from State code
- Each use is added under the "Services" category, where private educational facilities are located. *Note that it will be re-located from its current placement in the draft text to be in alphabetical order formatting within the Services section.*

#### **United Fire Authority (UFA), Area Fire Marshal:**

- Fire regulations as outlined in Title 5

#### **Engineering, City Engineer:**

- Any structure modifications or hard surface increase for parking would require stormwater review.

#### **Building Code, City Building Official**

- Any building plans/improvements would require a building permit.

### **RECOMMENDATION**

The TRC recommends that Planning Commission forward a positive recommendation to the City Council to amend Title \_\_\_\_, Chapter \_\_\_\_, \_\_\_\*\* \_\_\_\_, of the Holladay Municipal Code, as shown in Exhibit "A," based on the following findings:

#### **STAFF FINDINGS:**

1. Maintains statutory compliance with State legislation.

### **SUGGESTED MOTIONS**



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"I \_\_\_\_\_, motion to forward a recommendation to the City Council to (approve, deny) an application by **The City of Holladay** to amend Title 13, Chapter 04 and Chapter 100.010 of the City of Holladay Land Use code relating to definitions and approved land uses, based upon the following findings: (see above)"

**CHAPTER 13.04 DEFINITIONS**

HOME-BASED MICROSCHOOL: An individual or association of individuals that registers as a business entity in accordance with state and local laws; and, for compensation, provides kindergarten through grade 12 education services to 16 or fewer students from an individual's residential dwelling, accessory dwelling unit, or residential property. Does not include a daycare. See UCA 53G-6-201.

MICRO-EDUCATION ENTITY: a person or association of persons that: registers as a business entity in accordance with state and local laws; and, for compensation, provides kindergarten through grade 12 education services to 100 students or fewer. Does not include a daycare, a home-based microschool, a private school, or a school within the public education system.

**CHAPTER 13.100.010: TABLE OF ALLOWED USES**

Use	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/R-2-10	R-M		PO	HCR		O-R-D	P	RO		NC	C-1	C-2	HV	R/M-U	LU	
					R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87		R-2-8/R-2-10	R-M			PO	HCR							O-R-D
Accessory Uses*																				
Alcoholic beverage retail sales <sup>14</sup> :																				
	Bar establishment	-	-	-	-	-	-	-	p <sup>22</sup>	C	-	-	-	-	C	-		See SDMP	See <a href="#">chapter 13.63</a> of this title	
	Bar establishment, equity	-	-	-	-	-	-	-	p <sup>22</sup>	C	C	-	-	-	C	-				
	Bar establishment, fraternal	-	-	-	-	-	-	-	p <sup>22</sup>	C	-	-	-	-	C	-				
	Brewery	-	-	-	-	-	-	-	p <sup>22</sup>	C	-	-	-	-	C	-				
	Off premises	-	-	-	-	-	-	-	P	-	-	-	P	P	P	P				

	On premises banquet and catering	-	-	-	-	-	-	p <sup>22</sup>	C	P	-	-	-	C	P
	On premises beer retailer	-	-	-	-	-	-	p <sup>22</sup>	P	P	-	-	-	P	P
	Restaurant - beer only	-	-	-	-	-	-	P	P	P	-	P	P	P	P
	Restaurant - full service	-	-	-	-	-	-	P	P	P	-	P	P	P	P
	Restaurant - limited service	-	-	-	-	-	-	P	P	P	-	P	P	P	P
	Single event permit	-	P	P	P	P	P	p <sup>22</sup>	P	P	-	P	P	P	P
Drive-through		-	-	-	-	-	-	C	P	-	-	-	C	P	-
External accessory dwelling unit		p <sup>19</sup>	p <sup>19</sup>	p <sup>19</sup>											
Family food production		p <sup>1</sup>	p <sup>1</sup>	p <sup>1</sup>	-	-	-		-	-	-	-	-	-	-
Flea market/farmers' market		-	-	-	-	-	-	P	-	P	-	-	P	P	P
Guesthouse and/or caretaker quarters		C <sup>9</sup>	C <sup>9</sup>	C <sup>9</sup>	-	-	-		-	-	-	-	-	-	-
Home daycare/preschool		C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>		-	-	-	-	-	-	-
Home daycare/preschool, small		C <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>		-	-	-	-	-	-	-
Home occupation		p <sup>5</sup>	p <sup>5</sup>	p <sup>5</sup>	p <sup>5</sup>	p <sup>5</sup>	-	p <sup>5</sup>	p <sup>5</sup>	-	-	-	-	-	-
Household pets		p <sup>10</sup>	p <sup>10</sup>	p <sup>10</sup>	p <sup>10</sup>	p <sup>10</sup>	-	P	P	-	-	-	-	-	-
Internal accessory dwelling unit		p <sup>19</sup>	p <sup>19</sup>	p <sup>19</sup>											
Livestock, large		P <sup>1</sup>	-	P <sup>1</sup>	-	-	-		-	-	-	-	-	-	-
Livestock, small		P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	-	-	-		-	-	-	-	-	-	-
Merchandise vending machine, outside		-	-	-	-	-	-	P	-	-	-	-	P	P	P
Mobile food trailer		-	-	-	-	-	-	P <sup>18</sup>	P	P <sup>17</sup>	-	-	P	P	P
Mobile food truck		-	-	-	-	-	C <sup>18</sup>	P <sup>18</sup>	P	P <sup>17</sup>	-	-	P	P	P
Outside dining		-	-	-	-	-	-	C	C	C	-	C	C	C	C
Outside display		-	-	-	-	-	-	P	-	-	-	C	P	P	P
Outside storage		-	-	-	-	-	-		-	-	-	-	C	C	-

Permanent cosmetics	-	-	-	-	-	C <sup>14</sup>	P	P <sup>14</sup>	-	-	P <sup>14</sup>	P <sup>14</sup>	P <sup>14</sup>	P <sup>14</sup>			
Resource recycling collection	-	-	-	-	-	-	P <sup>18</sup>	P <sup>8</sup>	P <sup>8</sup>	-	P <sup>8</sup>	P <sup>8</sup>	P <sup>8</sup>	-			
Seasonal sales	-	-	-	-	-	-	P <sup>13</sup>	P <sup>13</sup>	P <sup>13</sup>	-	P <sup>13</sup>	P <sup>13</sup>	P <sup>13</sup>	P <sup>13</sup>			
Short term rental	-	-	-	C <sup>6</sup>	C <sup>6</sup>	-		C	-	-	-	-	-	-			
Sportsman's kennel, cattery, animal hobby permit	P <sup>11</sup>	P <sup>11</sup>	P <sup>11</sup>	-	-	-		-	-	-	-	-	-	-			
Stable, private	-	-	P <sup>1</sup>	-	-	-		-	-	-	-	-	-	-			
Temporary buildings incidental to construction, including living quarters for security	C <sup>13</sup>	C <sup>13</sup>	C <sup>13</sup>	C <sup>13</sup>	C <sup>13</sup>	C <sup>13</sup>	P <sup>13</sup>	P <sup>13</sup>	P <sup>13</sup>	-	P <sup>13</sup>	P <sup>13</sup>	P <sup>13</sup>	P <sup>13</sup>			
Temporary sales/use	-	-	-	-	-	-	P <sup>13</sup>	-	P <sup>13</sup>	-	-	P <sup>13</sup>	P <sup>13</sup>	-			
<b>Primary Uses</b>																	
Agriculture:															See SDMP	See <a href="#">chapter 13.63</a> of this title	
	Agriculture	P	P	P	P	P	-		-	P	-	-	P	P			-
Entertainment and recreation:															See SDMP	See <a href="#">chapter 13.63</a> of this title	
	Arcade	-	-	-	-	-	-		-	-	-	-	-	P			-
	Auditorium, exhibit hall, convention center	-	-	-	-	-	-		P	-	-	-	C	P			-
	Motion picture theater, live theater	-	-	-	-	-	-	P	-	-	-	-	P	P			-
	Private nonprofit recreational grounds and facilities	C	C	C	C	-	C		-	C	-	-	C	C			-
	Professional, fraternal and social association	-	-	-	-	-	P	P	-	-	-	-	P	P			-
	Recreation, commercial, indoor	-	-	-	-	-	-	P	-	-	-	-	P	P			-
	Recreation, commercial, outdoor	-	-	-	-	-	-	-	-	P	-	-	C	C			-
	Recreation, fitness center	-	-	-	-	-	C <sup>14</sup>	-	-	-	-	-	P	P	P		
Industrial and manufacturing:																	





	Two-family	-	-	-	P	P	-		-	-	-	-	-	-	-	-		
	Group homes:																	
	Assisted living facilities, type I:						-											
	Large	-	-	-	-	C	-	-	-	-	-	-	-	-	C	-		
	Small	-	-	-	-	C	-		-	-	-	C	P	P	-			
	Limited	-	-	-	P	P	-		-	-	C	P	P	P	-			
	Assisted living facilities, type II:																	
	Large	-	-	-	-	C	-	-	-	-	-	-	-	-	C	-		
	Small	-	-	-	-	C	-		-	-	-	C	P	P	-			
	Limited	-	C	-	C	P	-		-	-	C	P	P	P	-			
	Nursing home	-	-	-	-	C	-		-	-	-	-	-	-	-	-		
	Residential facilities for persons with a disability	P	P	P	P	P	-		-	-	-	-	-	-	-	-	P	
	Residential facility for elderly persons	P	P	P	P	P	-		-	-	-	-	-	-	-	-	-	
	Temporary lodging, hotel, motel, etc.	-	-	-	-	-	-	-	P	-	-	-	-	C	P	P		
Retail:																		
	Drugstore (pharmacy)	-	-	-	-	-	-	P	P	-	-	P	P	P	P <sup>16</sup>			
	Gas station	-	-	-	-	-	-	C	C	-	-	-	C	C	-			
	Groceries/food	-	-	-	-	-	-	P	C	-	-	P	P	P	-			
	Mobile food court	-	-	-	-	-	-		C	C	-	-	C	C	C			
	Motor vehicle sales, rental (new only)	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-		
	Motorcycle sales, rental	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-		
	Neighborhood market, large	-	-	-	-	-	-	P	-	-	-	-	P	P	P			
																	See SDMP	See <a href="#">chapter 13.63</a> of this title

	Neighborhood market, small	-	-	-	-	-	-	P	-	-	-	-	P	P	P		
	Nursery, garden center	-	-	-	-	-	-		-	-	-	C	P	P	-		
	Recreational vehicles sales, rental	-	-	-	-	-	-		-	-	-	-	-	C	-		
	Restaurant	-	-	-	-	-	-	P	P	-	-	P	P	P	P <sup>16</sup>		
	Retail, general	-	-	-	-	-	-	P	C	-	-	P	P	P	P <sup>16</sup>		
	Sexually oriented business	-	-	-	-	-	-		C	-	-	-	-	-	-		
Services:																See SDMP	See <a href="#">chapter 13.63</a> of this title
	Banking and credit	-	-	-	-	-	P	P	P	-	-	-	P	P	-		
	Blood plasma facility	-	-	-	-	-	-	P <sup>12</sup>	C	-	-	-	-	-	-		
	Commercial daycare, preschool	C <sup>12</sup>	C <sup>12</sup>	C <sup>12</sup>	C <sup>12</sup>	C <sup>12</sup>	-	C <sup>12</sup>	P <sup>14</sup>	P <sup>12</sup>	P <sup>12</sup>	P <sup>12</sup>	P <sup>12</sup>	P <sup>12</sup>	C		
	Commercial kennel	-	-	-	-	-	-	-	-	-	-	-	C	C	-		
	Commercial stable (on lots of 1 acre or more)	-	-	C	-	-	-		-	-	-	-	-	-	-		
	Dry cleaning <sup>15</sup>	-	-	-	-	-	-	C <sup>19</sup>	-	-	-	-	P	P	-		
	Educational facility, private	-	-	-	-	-	P	P	C	C	C	-	C	C	-		
	<a href="#">Micro-education Entity</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>		
	<a href="#">Home based Micro-school</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>	<a href="#">p23</a>		
	Equipment rental and leasing	-	-	-	-	-	-		-	-	-	-	P	P	-		
	Funeral home, crematory	-	-	-	-	-	-	-	-	-	-	-	P	P	-		
	Hospital	-	-	-	-	-	-	C	C	-	-	-	-	C	-		
	Imaging center	-	-	-	-	-	-		P	-	-	-	-	-	-		
	Laundry, self-service	-	-	-	-	-	-		-	-	-	-	P	P	P <sup>16</sup>		

	Medical, dental, and related health	-	-	-	-	-	P	P	P	-	-	P	P	P	P		
	Medical laboratory	-	-	-	-	-	-		C	-	-	-	-	-	-		
	Motor vehicle repair	-	-	-	-	-	-		-	-	-	-	C	P	-		
	Nonresidential treatment facility	-	-	-	-	-	C		-	-	-	-	-	-	-		
	Personal service	-	-	-	-	-	C	P	P	-	-	P	P	P	P <sup>16</sup>		
	Pet grooming/pet daycare	-	-	-	-	-	C	P	-	-	-	-	P	P	P <sup>16</sup>		
	Professional offices and business services	-	-	-	-	-	P	-	P	-	C	P	P	P	P		
	Public health center	-	-	-	-	-	-		P	-	-	-	-	-	-		
	Reception center	-	-	-	-	C	-	C	-	-	-	-	P	P	-		
	Small engine repair, appliance, electrical, and machine repair	-	-	-	-	-	-		-	-	-	-	C	P	-		
	Surgical out-patient facility	-	-	-	-	-	-		C	-	-	-	-	-	-		
	Veterinary services	-	-	-	-	-	-	P	-	-	-	-	P	P	-		
Transportation, communications, and utility facilities:																	
	Local, suburban and interurban transportation	-	-	-	-	-	-	P	P	-	-	P	P	P	-		
	Public parking	-	-	-	-	-	P	P	P	P	-	P	P	P	P		
	Radio and television broadcasting studio	-	-	-	-	-	-	C	C	-	-	-	C	C	-		
	Utility company, public	C	C	C	C	-	P	P	P	C	-	C	P	P	-		
	Utility facility company	C	C	C	C	-	P	P	P	C	-	C	P	P	-		
	Wireless telecommunications	See <a href="#">chapter 13.83</a> of this title															

Notes:

\* Includes accessory buildings and uses customarily incidental to a permitted or conditional use.

1. See section [13.76.240](#), "Animal And Fowl Restrictions", of this title.
2. See section [13.76.715](#), "Bed And Breakfast", of this title.
3. See section [13.76.720](#), "Home Daycare/Preschool", of this title.
4. See section [13.76.725](#), "Home Daycare/Preschool, Small", of this title.
5. License Required according to Title [5.54.010](#), "Home Occupations Defined"; Regulations according to [13.76.730](#), "Home Occupation", of this title.
6. See section [13.76.735](#), "Short Term Rental", of this title.
7. Reserved.
8. See section [13.76.750](#), "Resource Recycling Collection Facility", of this title.
9. See section [13.14.110](#), "Accessory Buildings", of this title.
10. Provided the area is not in a watershed area.
11. Subject to title 8, "Animals", of this code.
12. See section [13.76.260](#), "Commercial Daycare/Commercial Preschool Facilities", of this title.
13. See sections [13.76.250](#), "Temporary Sales/Seasonal Sales Permit", and [13.76.501](#), "Temporary Uses", of this title.
14. When accessory to a permitted or conditional use.
15. Subject to well source protection ordinance.
16. May not exceed 10,000 square feet of gross floor area.
17. By contract with public entity only.
18. Subject to Section [13.76.770](#) "Mobile Food Businesses".
19. Drop off and pick up only.
20. Indoor display, sales and service only.
21. Restricted district only.
22. Subject to the following controls:
  - a. A minimum separation of 200' shall be maintained between the use and any residentially zoned or used property lying outside the boundary of the HCR Zone; and,
  - b. No outside music, entertainment or special events are, or shall be, permitted unless authorized by the City via issuance of a Special Events Permit or similar consent.

[23. Business license required and subject to all regulations in Title 5.63 "Home-Based Micro-schools and Micro-Education Entities"](#)



**DATE: 11.19.2024**

**COMMISSION MEETING MINUTES**

**ADDRESS:**

n/a

**LEGAL DESCRIPTION:** n/a

**APPLICANT/REPRESENTATIVE:**

City of Holladay Planning Commission

**PROPERTY OWNER:**

n/a

**ZONING:**

n/a

**GENERAL PLAN DISTRICT:**

n/a

**CITY COUNCIL DISTRICT:**

N/A

**PUBLIC NOTICE DETAILS:**

n/a

**REQUEST:**

Adoption of Meeting Minutes

**APPLICABLE REGULATIONS:**

UCA§52-4-203, 206  
2.01.080  
13.06.030

**EXHIBITS:**



**STAFF:**

Carrie Marsh, City Planner

**DECISION TYPE:**

***Administrative/Procedural:***

Commission shall approve, approve with changes or continue to a later date the agenda item

**SITE VICINITY MAP**

***Effective 5/8/2018***

**52-4-203 Written minutes of open meetings -- Public records -- Recording of meetings.**

- (1) Except as provided under Subsection (7), written minutes and a recording shall be kept of all open meetings.
- (2)
  - (a) Written minutes of an open meeting shall include:
    - (i) the date, time, and place of the meeting;
    - (ii) the names of members present and absent;
    - (iii) the substance of all matters proposed, discussed, or decided by the public body which may include a summary of comments made by members of the public body;
    - (iv) a record, by individual member, of each vote taken by the public body;
    - (v) the name of each person who:
      - (A) is not a member of the public body; and
      - (B) after being recognized by the presiding member of the public body, provided testimony or comments to the public body;
    - (vi) the substance, in brief, of the testimony or comments provided by the public under Subsection (2)(a)(v); and
    - (vii) any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes or recording.
  - (b) A public body may satisfy the requirement under Subsection (2)(a)(iii) or (vi) that minutes include the substance of matters proposed, discussed, or decided or the substance of testimony or comments by maintaining a publicly available online version of the minutes that provides a link to the meeting recording at the place in the recording where the matter is proposed, discussed, or decided or the testimony or comments provided.

**Notes:**

*Corrections made according to commission direction on 12-1-2020*



**DATE: 12.2.2024**

**COMMISSION MEETING MINUTES**

**ADDRESS:**

n/a

**LEGAL DESCRIPTION:** n/a

**APPLICANT/REPRESENTATIVE:**

City of Holladay Planning Commission

**PROPERTY OWNER:**

n/a

**ZONING:**

n/a

**GENERAL PLAN DISTRICT:**

n/a

**CITY COUNCIL DISTRICT:**

N/A

**PUBLIC NOTICE DETAILS:**

n/a

**REQUEST:**

Adoption of Meeting Minutes

**APPLICABLE REGULATIONS:**

UCA§52-4-203, 206  
2.01.080  
13.06.030

**EXHIBITS:**



**STAFF:**

Carrie Marsh, City Planner

**DECISION TYPE:**

***Administrative/Procedural:***

Commission shall approve, approve with changes or continue to a later date the agenda item

**SITE VICINITY MAP**

***Effective 5/8/2018***

***52-4-203 Written minutes of open meetings -- Public records -- Recording of meetings.***

- (1) Except as provided under Subsection (7), written minutes and a recording shall be kept of all open meetings.
- (2)
  - (a) Written minutes of an open meeting shall include:
    - (i) the date, time, and place of the meeting;
    - (ii) the names of members present and absent;
    - (iii) the substance of all matters proposed, discussed, or decided by the public body which may include a summary of comments made by members of the public body;
    - (iv) a record, by individual member, of each vote taken by the public body;
    - (v) the name of each person who:
      - (A) is not a member of the public body; and
      - (B) after being recognized by the presiding member of the public body, provided testimony or comments to the public body;
    - (vi) the substance, in brief, of the testimony or comments provided by the public under Subsection (2)(a)(v); and
    - (vii) any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes or recording.
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**Notes:**

*Corrections made according to commission direction on 12-1-2020*



**DATE: 1.7.2025**

**COMMISSION MEETING MINUTES**

**ADDRESS:**

n/a

**LEGAL DESCRIPTION:** n/a

**APPLICANT/REPRESENTATIVE:**

City of Holladay Planning Commission

**PROPERTY OWNER:**

n/a

**ZONING:**

n/a

**GENERAL PLAN DISTRICT:**

n/a

**CITY COUNCIL DISTRICT:**

N/A

**PUBLIC NOTICE DETAILS:**

n/a

**REQUEST:**

Adoption of Meeting Minutes

**APPLICABLE REGULATIONS:**

UCA§52-4-203, 206  
2.01.080  
13.06.030

**EXHIBITS:**



**STAFF:**

Carrie Marsh, City Planner

**DECISION TYPE:**

***Administrative/Procedural:***

Commission shall approve, approve with changes or continue to a later date the agenda item

**SITE VICINITY MAP**

***Effective 5/8/2018***

**52-4-203 Written minutes of open meetings -- Public records -- Recording of meetings.**

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    - (iv) a record, by individual member, of each vote taken by the public body;
    - (v) the name of each person who:
      - (A) is not a member of the public body; and
      - (B) after being recognized by the presiding member of the public body, provided testimony or comments to the public body;
    - (vi) the substance, in brief, of the testimony or comments provided by the public under Subsection (2)(a)(v); and
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  - (b) A public body may satisfy the requirement under Subsection (2)(a)(iii) or (vi) that minutes include the substance of matters proposed, discussed, or decided or the substance of testimony or comments by maintaining a publicly available online version of the minutes that provides a link to the meeting recording at the place in the recording where the matter is proposed, discussed, or decided or the testimony or comments provided.

**Notes:**

*Corrections made according to commission direction on 12-1-2020*



**DRAFT**

**MINUTES OF THE CITY OF HOLLADAY  
PLANNING COMMISSION MEETING**

**Tuesday, January 7, 2025**

**6:00 PM**

**City Council Chambers**

**4580 South 2300 East**

**Holladay, Utah**

**ATTENDANCE:**

**Planning Commission Members:**

Karianne Prince, Vice-Chair  
Dennis Roach  
Ginger Vilchinsky  
Angela Gong  
Paul Cunningham  
Jill Fonte  
Brian Berndt

**City Staff:**

Carrie Marsh, City Planner  
Jonathan Teerlink, Community and Economic  
Development Director  
Jared Bunch, Public Works Director and City  
Engineer  
Jayme Blakesley, City Attorney

**WORK SESSION**

Vice-Chair Karianne Prince called the Work Session to order at 5:30 p.m. The Regular Meeting agenda items were discussed. Community and Economic Development Director, Jonathan Teerlink, shared information about Item 3 on the agenda, which relates to a General Plan and Ordinance Amendment. During the Regular Meeting, the Planning Commission will make a recommendation on the appropriateness of an amendment to Title 13 to standardize the widths in a section of Murray Holladay Road as well as the appropriateness of a General Plan amendment foreseeing the width in perpetuity. Commissioner Dennis Roach asked about that section of Murray Holladay Road. He wanted to know if it widens again after it narrows out. Mr. Teerlink explained that when specific cross-sections of roads are looked at, it is done in a Small Area Master Plan scenario. That is the reason there are different cross-sections for the Holladay Village in particular. Those are used to determine the widths and standard dimensions for items such as sidewalks and gutters.

Commissioner Jill Fonte asked if it is appropriate for the Planning Commission to consider an administrative change, like what has been proposed because a General Plan update is about to occur. Mr. Teerlink noted that the applicant can speak to the timeliness of the request. Commissioner Brian Berndt wondered whether Murray Holladay Road changes to a collector east of Holladay Boulevard. Mr. Teerlink reported that it maintains a collector status on Clearview Street.

Commissioner Paul Cunningham wanted to know if there is another area where the proposed change will create a similar situation. Mr. Teerlink explained that in this case, the focus is on a specific section. However, the idea of the General Plan is for it to apply in various locations. The City Council can then use that standard to address similar issues City-wide. Commissioner Cunningham asked

1 what the argument is to amend the General Plan in order to address one specific location. Mr. Teerlink  
2 stated that the Commission can pose that question to the applicant during the Regular Meeting.

3  
4 City Planner, Carrie Marsh, shared a Landscape Plan with the Planning Commission for Item 2.  
5 Commissioner Roach wanted to see whether there would be trees placed near the units or not.  
6 Additional discussions were had about the placement of the landscaping and what has been proposed.

7  
8 The Planning Commission took a five-minute break before the Regular Meeting.

9  
10 **CONVENE REGULAR MEETING – Public Welcome and Opening Statement by Commission**  
11 **Chair.**

12 Vice-Chair Prince called the Regular Meeting to order at approximately 6:00 p.m. Commissioner  
13 Ginger Vilchinsky read the Opening Statement aloud for the benefit of those present.

14  
15 **ACTION ITEMS**

16 **1. “Highwood” – Preliminary Plat – 1919 East Baywood Drive and 5821 Highland Drive**  
17 **(R-1-21 and R-2-10). Preliminary Level Review and Consideration of Development**  
18 **Details by Property Owner, Ashley Woolley. Review of this 0.94 Acre, Two-Lot**  
19 **Subdivision is Conducted According to Residential Subdivision Development Standards**  
20 **According to Holladay Ordinance §13.10a. File #24-1-10.**

21 City Planner, Carrie Marsh, presented the Staff Report and explained that this is a Preliminary Plat  
22 application for property located at 1919 East Baywood Drive and 5821 Highland Drive. She reported  
23 that this is a proposal for a subdivision. The property was previously two properties owned by two  
24 separate owners. The owner of the Baywood Drive property purchased the Highland Drive property  
25 and combined those parcels in 2013. The current property owner wants to undo the combination and  
26 re-establish the two separate parcels that were there originally. The applicant has gone through a  
27 rezoning process so the front portion of the original parcel is compliant with minimum lot size  
28 requirements and the Highland Drive Master Plan. There is no proposal to redevelop either property.  
29 Ms. Marsh noted that the Baywood Drive property will be sold and will have a separate owner. The  
30 access to that property will only be on Baywood Drive. The access to the front property will only be  
31 on Highland Drive. The applicant, Ashley Woolley, was not at the Planning Commission Meeting.

32  
33 Vice-Chair Prince opened the public hearing. There were no comments. The hearing was closed.

34  
35 Commissioner Angela Gong disclosed that she has a family connection and will recuse herself from  
36 the vote. Vice-Chair Prince felt that the application made sense and expressed her support. Since  
37 there is no development proposed at this time, only a Preliminary Plat approval is required.

38  
39 ***Commissioner Roach moved to APPROVE the Preliminary Plat application by Ashley Woolley for***  
40 ***“Highwood Subdivision,” a two-lot subdivision, located at 1919 East Baywood Drive and 5428***  
41 ***South Highland Drive in the R-1-21 and R-2-10 Zones, based upon the following findings:***

- 42  
43 **1. *Development details required for a Preliminary and Final Plat have been submitted***  
44 ***and reviewed by the TRC.***  
45

- 1           2.     *Each of the lots shall comply with the minimum width and area for single-family*  
2                     *home development in the R-1-21 and R-2-10 zones.*
- 3
- 4           3.     *The development complies with the General Plan.*
- 5
- 6           4.     *The required submittals for preliminary subdivision development have been*  
7                     *provided where applicable and have been found to be complete and acceptable.*
- 8
- 9           5.     *Fire access is existing, labeled, and approved by the UFA.*
- 10
- 11          6.     *Vehicular access and utility easements are shown on the plat.*
- 12

13 *Also, within one year and in accordance with 13.10A.070.E, to complete administrative review and*  
14 *approval of the FINAL PLAT by the Community and Economic Development Director - following*  
15 *a positive, written recommendation from the TRC.*

16  
17 *Commissioner Berndt seconded the motion. Vote on Motion: Commissioner Cunningham-Aye;*  
18 *Commissioner Vilchinsky-Aye; Commissioner Fonte-Aye; Commissioner Roach-Aye;*  
19 *Commissioner Gong-Recused; Commissioner Berndt-Aye; Vice-Chair Prince-Aye. The motion*  
20 *passed unanimously.*

21  
22   2.     **“Villages at Cottonwood Creek” Subdivision – Preliminary Plat - 4821 South 1740 East**  
23 **(R-M). Preliminary Level Review and Consideration of Development Details by**  
24 **Application/Property Owner Brad Reynolds. Review of this 0.57-acre Development is**  
25 **Conducted According to Residential Subdivision Development Standards According to**  
26 **Holladay Ordinance §13.10a. File #24-1-09.**

27 Ms. Marsh presented the Staff Report and explained that this is an application for a subdivision in the  
28 R-M (Residential Multi-Family) Zone. The property is located at 4821 South 1740 East. The project  
29 previously received Site Plan approval for the addition of nine townhome units on the site. Access  
30 has been reviewed by the Fire Marshal, Public Works, and Engineering. There have been a few  
31 iterations of the access. Ms. Marsh shared the final iteration, as was approved during the Site Plan  
32 approval. The subdivision process takes each of the nine townhome units and creates a separate legal  
33 property for each unit. What is proposed now is in line with the existing approval, as it will create  
34 legal properties for each of the townhome units. The property owner can address any questions.

35  
36 The applicant, Brad Reynolds, introduced himself to the Planning Commission. Since the last  
37 Planning Commission Meeting on the item, four additional parking stalls have been added to address  
38 Commissioner concerns. The necessary permits have been obtained through Salt Lake County Flood  
39 Control, the Army Corps of Engineers, and the State of Utah Engineering. There is a need in Holladay  
40 to have a for-sale product that is a little more affordable. He feels this will be beneficial to the City.  
41 Mr. Reynolds explained that the intention is to finish the units with granite or quartz countertops and  
42 two-toned paint. The idea is to make the units high quality, but still maintain some affordability.

43  
44 Commissioner Roach asked about the façade on the outside. Mr. Reynolds reported that there will  
45 be a considerable amount of stone and Hardie plank. There will be no stucco. It will have an  
46 aluminum soffit and fascia. With those elements, there will be long-term benefits, as the units will

1 look aesthetically pleasing in the future. Commissioner Gong mentioned the additional parking. It  
2 used to be that the turnaround was straight, but now there is a T shape, which is where the additional  
3 four parking spaces have come from. Mr. Reynolds confirmed that there are four additional stalls,  
4 with two on each side of the T shape. Council Member Fonte asked how the units would be made  
5 more affordable. Mr. Reynolds explained that cost efficiency will be considered while still  
6 maintaining high-quality units. The units are slightly smaller and have rooftop decks. He believes  
7 these will sell.

8  
9 Commissioner Roach asked if the rooftop deck will be on the front or the back of the unit.  
10 Mr.Reynolds explained that it depends. For the units that are facing north, the rooftop deck will be  
11 on the front. Those on the back will be facing the creek. Commissioner Fonte wanted to know what  
12 the size of the units will be. Mr. Reynolds stated that the units are between 1,600 and 1,700 square  
13 feet.

14  
15 Vice-Chair Prince opened the public hearing. There were no comments. The hearing was closed.

16  
17 Vice-Chair Prince reported that there was an email comment received ahead of the Planning  
18 Commission Meeting. The comment related to the roads and some stop lights, but nothing that was  
19 specifically pertaining to the application that is currently before the Planning Commission.

20  
21 Commissioner Berndt noted that it is unusual to park in the floodway. Ms. Marsh explained that with  
22 waterway protection, there are specific standards. Parking areas and roads are allowed with a permit.  
23 Public Works Director and City Engineer, Jared Bunch, explained that this is in a Federal Emergency  
24 Management Agency (“FEMA”) floodplain. Parking is allowed within the floodway. What the City  
25 looks at when issuing permits in the FEMA floodplain is the habitable space. Commissioner Bernt  
26 does not want the parking areas to drain off into the creek, as that can create certain issues. Vice-  
27 Chair Prince noted that there are some bushes and landscaping proposed around the units.

28  
29 ***Commissioner Cunningham moved to APPROVE the Preliminary Plat application by Brad***  
30 ***Reynolds for “Holladay Cottages,” a nine-unit townhome subdivision, located at 4821 South 1740***  
31 ***East in the R-M Zone, based upon the following findings:***

- 32  
33 ***1. Development details required for a Preliminary Plat have been submitted and***  
34 ***reviewed by the TRC and found to be complete and acceptable.***  
35  
36 ***2. The number of units is compliant with the R-M Zone regulations.***  
37  
38 ***3. The Subdivision is in line with the previously approved Site Plan.***  
39  
40 ***4. The development complies with the General Plan.***  
41  
42 ***5. Fire access is approved by UFA.***  
43  
44 ***6. On-site stormwater retention is compliant with requirements.***  
45  
46 ***7. Vehicular access, emergency access, and utility easements are shown on the plat.***

1  
2 *This approval is subject to the following condition:*

- 3  
4 1. *CC&Rs for the maintenance of common areas, stormwater retention, and access*  
5 *must be submitted prior to final approval and are to be recorded with the Final Plat.*

6  
7 *Also, within one year and in accordance with 13.10A.070.E, to complete administrative review and*  
8 *approval of the FINAL PLAT by the Community and Economic Development Director - following*  
9 *a positive, written recommendation from the TRC.*

10  
11 *Commissioner Roach seconded the motion. Vote on Motion: Commissioner Cunningham-Aye;*  
12 *Commissioner Vilchinsky-Aye; Commissioner Fonte-Aye; Commissioner Roach-Aye;*  
13 *Commissioner Gong-Aye; Commissioner Berndt-Aye; Vice-Chair Prince-Aye. The motion passed*  
14 *unanimously.*

- 15  
16 3. **General Plan and Ordinance Amendment – Map 3.1 of Chapter 3, Transportation**  
17 **Element of the General Plan and Ordinance 13.02.030: Planning Documents; Roadway**  
18 **Map Review and Recommendation to the City Council on a Proposal Made by Applicant**  
19 **Ron Hilton to Amend Title 13, of the Holladay City Code, Land Use and Development**  
20 **Regulations by Modifying Public Travel Widths and Dimensional Aspects of Public**  
21 **Improvements at a Select Section of Murray Holladay Road. In Addition, a**  
22 **Modification to the Planned Width of all Secondary Residential Streets in the City. Item**  
23 **Reviewed as a Legislative Action, According to Procedures Set Forth in Holladay**  
24 **Ordinance §13.07. File #25-4-01.**

25 Mr. Teerlink presented the Staff Report and explained that this item relates to a General Plan and  
26 Ordinance amendment. He reported that the application is a legislative request to amend Title  
27 13.02.030 of the Holladay Municipal Land Use Code and Map 3.1 in the Transportation chapter of  
28 the General Plan (Chapter 3). The application is required to be reviewed by the Planning Commission  
29 prior to a recommendation being made to the City Council. Ultimately, the City Council will make  
30 the final decision. The applicant is Ron Hilton and the Meeting Materials Packet includes the Staff  
31 Report, feedback from various members of the Technical Review Committee (“TRC”), and the  
32 applicant narrative. This request relates to a section of Murray Holladay Road and the Commission  
33 is asked to review some dimensional standards. The intention is to discuss the merits of the requests.  
34 Mr. Teerlink pointed out that there is an addendum request to amend secondary residential streets on  
35 the Roadway Map from 50 feet to 40 feet. There is a signed addendum with the map and a redline.

36  
37 Mr. Teerlink explained that when new roadway dedication widths are considered, if something falls  
38 within a secondary residential roadway, normally there is a 50-foot dedication. Everything has to be  
39 included in that 50-foot, including lanes, gutter, park strip, and sidewalk. The proposal is to consider  
40 40 feet for a dedicated right-of-way width for all new streets within the City. As for the Staff Report,  
41 there are some addendums from Planner I, Justice Tuffour, and the City Engineer.

42  
43 Commissioner Roach asked about the reduction from 50 feet to 40 feet. He wondered whether that  
44 would primarily reduce the park strip. Mr. Teerlink noted that it is unclear where that would be taken  
45 from. For the benefit of the pedestrian right-of-way, it would likely need to be taken from the park  
46 strip. Commissioner Roach thought that would hurt the Holladay efforts with Tree City USA. He

1 pointed out that many trees are required to be planted in those park strips. Mr. Teerlink confirmed  
2 this and acknowledged that the park strip width is critical. It is possible to reduce the size of the travel  
3 lane instead, but the 10 feet would have to come from somewhere in order to see that reduction.  
4 Commissioner Roach believed the reduction would result in either more traffic or less green space.

5  
6 Vice-Chair Prince wanted to know if parking would be prohibited if the width was reduced moving  
7 forward. Mr. Teerlink explained that this would need to be looked into. Parking on streets is generally  
8 allowed unless there is a specific safety concern where on-street parking needs to be eliminated.

9  
10 Commissioner Cunningham asked if this is conceptual in nature or if there is actual language  
11 proposed. Mr. Teerlink confirmed that there is language available for Commissioner review.  
12 Commissioner Cunningham asked the City Attorney to weigh in on what has been presented. City  
13 Attorney, Jayme Blakesley, has questions about whether it is sufficient. Having more precise  
14 language for a text amendment is a cleaner approach, but it is still possible to have a robust discussion.

15  
16 Mr. Hilton introduced himself as the manager of Holladay Cottages, LLC, which is doing a  
17 subdivision in this location called Hulton Park. His address is 2394 East Murray Holladay Road. Mr.  
18 Hilton explained that Hulton Park is in the middle of the Medium Density District in the General  
19 Plan. Hulton Park is a single-family development with higher density than the Low Density District.  
20 The property is in the middle of the medium-density area, so the idea is for Hulton Park to be a  
21 transitional area where there is the character of a single-family neighborhood with slightly higher  
22 density. This creates a transition both in character and density. There is a similar transition happening  
23 with the road. Hulton Park is divided into a north and south phase. It straddles Murray Holladay  
24 Road and there is a requirement to make improvements on both sides of the road. When the project  
25 first started out, there was a lot of input received from residents who requested that the density be  
26 kept down.

27  
28 After speaking to neighbors, there were also concerns expressed about the traffic, speed, and safety  
29 in the area. Since some right-of-way improvements need to be made as part of this project, it makes  
30 sense to propose some other changes. Mr. Hilton reported that a neighborhood petition was created  
31 approximately 18 months ago, but nothing has moved forward with that. This application will allow  
32 residents to share comments and provide feedback. He noted that the main priority is safety. There  
33 is a lot of cut-through traffic in the area, which is a concern to the residents there. The City Council  
34 at one point proposed one-way streets to address the problem, but the residents were not supportive  
35 of that solution. What is now being proposed might be a preferable solution for the residents.

36  
37 Mr. Hilton introduced Brian Horan from Galloway & Company. Mr. Horan explained that he is a  
38 Licensed Traffic Engineer in the State and is also a professional Traffic Operations Engineer. He was  
39 asked to speak about this proposal from a safety and traffic standpoint. Mr. Horan has only recently  
40 become involved with this project, so he is unable to speak to the history of the proposal. However,  
41 he understands that the neighbors and Mr. Hilton are looking to create an improvement that is focused  
42 on safety. Commissioners can ask him traffic and safety questions that are related to the proposal.

43  
44 Mr. Horan understands that the mechanism to provide these safety improvements involves an  
45 amendment to the General Plan. Based on his knowledge, there was work done with City Staff to

1 determine the best mechanism in order to provide those specific improvements. He read from Chapter  
2 3 of the General Plan, which states that the primary goals for the City’s Vehicle Network are to:

- 3
- 4 · Ensure the safety of all users;
- 5 · Continue to build upon and maintain the existing infrastructure;
- 6 · Mitigate and absorb traffic impacts of new development; and
- 7 · Reduce impediments to convenient use of main traffic corridors and discourage cut-through  
8 use of local residential streets.
- 9

10 Mr. Horan noted that many cities are focused on moving towards more pedestrian and bicycle-friendly  
11 networks, which is represented in the General Plan. The proposal in this case is to narrow a particular  
12 section. This is most accurately defined as a choker. Narrowing streets has been proven to increase  
13 safety and lower speeds. The National Association of City Transportation Officials (“NACTO”)  
14 specifically states that lane widths of 10 feet are appropriate in urban areas and have a positive impact  
15 on street safety without impacting traffic operations. Lanes greater than 11 feet should not be used,  
16 as it can result in unintended speeding. Two-way streets with low or medium volumes of traffic may  
17 benefit from the use of a dashed center line with narrow lane widths or no center line at all. Mr.  
18 Horan explained that a search for lane width versus speed will bring up the NACTO study. The study  
19 found that narrower lanes decrease speed. He reported that lower speeds are safer for all and noted  
20 that there is a 15% increase in fatalities every 5 miles per hour when the speed is increased on a road.

21

22 The speed study provided in the application was reviewed. Mr. Horan noted that it states the 85<sup>th</sup>  
23 percentile speed is 31 miles per hour. In traffic engineering, the 85<sup>th</sup> percentile speed is used as the  
24 measure for speeding. If the 85<sup>th</sup> percentile is more than 5 miles per hour over the speed limit, that  
25 indicates something needs to be mitigated. Based on the numbers, it is reasonable to pursue some  
26 sort of traffic calming measure to reduce the number and be back within the 5 MPH range.

27

28 Mr. Horan reported that wider streets attract cut-through. As mentioned in the General Plan, cut-  
29 through is something to be avoided. He shared some context about the area associated with the  
30 application and noted that there are opportunities for cut-through. Mr. Horan noted that the road is a  
31 Class III bicycle facility. He clarified that Class III is on-street and bicycles should take up the travel  
32 lane. This helps to reduce speeds in the area. Providing too much width in an area like this will  
33 encourage bicyclists to use the shoulder, which then encourages vehicles and bicycles to use the same  
34 area. Reducing the width puts the bicycle in the appropriate lane. Continuing to encourage  
35 appropriate use in the area makes sense given the context. The proposal is not out of line with what  
36 exists.

37

38 This roadway is a neighborhood pedestrian corridor. The intention is to connect the neighbors to the  
39 commercial center. Mr. Horan explained that keeping the sections narrow and the provided crosswalk  
40 are elements that connect the neighborhood to the commercial center. Smaller roadway widths also  
41 reduce the crossing time. In areas like this, where there is a crosswalk nearby, eliminating on-street  
42 parking can be beneficial for the overall visibility of pedestrians and vehicles. Based on the 3.1 map  
43 information, this is the only collector road in the City that does not connect to arterials.

44

1 Commissioner Berndt asked about the volume of traffic that would move to adjacent residential  
2 streets if the traffic levels were reduced. He wanted to understand whether the proposed changes  
3 might shift the traffic patterns. Mr. Horan does not believe an extensive Origin Destination Study  
4 has been done at this point, so there is no data available to answer that question. Commissioner  
5 Berndt asked if the design that is currently being reviewed was done by Mr. Horan. It was clarified  
6 that the applicant put together the proposal and he was brought on to share information about impacts.  
7

8 Commissioner Berndt wanted to know if what is proposed is the most effective option available. If  
9 this is reduced, but the traffic still does not slow, then there could be a problem. Mr. Horan noted  
10 that there are a lot of ways to increase friction. What has been proposed is one way to do so and it  
11 seems to fit within the existing conditions. From a cost and available infrastructure standpoint, this  
12 is a solid attempt. Incremental changes that are cost-effective are usually the best approach.  
13

14 Commissioner Cunningham believes there were some previous requests to address the road. A  
15 decision was made and it seems this is an attempt to change that decision. Mr. Hilton clarified that  
16 he has brought this forward so the neighbors have the opportunity to be heard on this issue. He wants  
17 the petition to be considered by the elected officials. City Staff recommended that an appeal be filed,  
18 so that is what was done. That appeal brought it to the Mayor, but the City Attorney stated that it was  
19 inadmissible in that form and no decision could be made. It was then sent back to City Staff.  
20

21 Mr. Hilton reported that something constructive came out of the appeal process. Mayor Rob Dahle  
22 said that he would be open to the idea of restriping the road to narrow the right-of-way. That was  
23 something he had seen done previously on Spring Lane and it had been effective in that area. That  
24 comment was another motivation for submitting this application. Commissioner Cunningham  
25 pointed out that the costs associated with the work need to be considered. This is the first time since  
26 he has been on the Planning Commission that the Commission is involved in a budget-related issue.  
27 He expressed concerns that this appears to shift some of the costs to the City in order to solve a  
28 development matter. Mr. Hilton explained that moving the power pole and the costs associated with  
29 that are not really the issue. The real issue relates to safety, which is the reason this has been brought  
30 forward. Since it falls in the middle of his project, he has offered to pay for the cost of Phase I and II  
31 of this proposal, which includes the restriping of the road. It is \$25,000 for the road restriping.  
32

33 Discussions were had about the different phases associated with the proposal before the Commission.  
34 Commissioner Cunningham pointed out that there are likely other areas in the City that have similar  
35 needs. Those needs are usually handled through the budget process. It feels like a text amendment  
36 is being used to prioritize this safety issue over other existing issues in the City. If the Planning  
37 Commission supports this amendment, the recommendation would essentially be to prioritize this  
38 project during the budget process. Mr. Hilton recognizes that concern, which is the reason the  
39 amendment language states that Phase III would be subject to a normal budgetary process and is  
40 conditioned upon that. Phase III is somewhat optional and he is willing to pay for Phases I and II.  
41

42 Mr. Blakesley offered to share some legal clarifications with the Commission. The basic context of  
43 the prior request from Mr. Hilton and how it was handled is separate from this request legally, but the  
44 background might be relevant. The Commission is being asked to make a legislative decision.  
45 Mr. Hilton has applied for a land use change and the change takes place in two locations. There is a



1 text amendment to the code and a General Plan amendment that the Planning Commission is being  
2 asked to consider. He explained that both are needed in order to effectuate what has been requested.

3  
4 When the development came forward and the bond was posted for the public improvements that are  
5 required with the development, there was a question about road widths. The City agreed to a reduction  
6 of the road width to 32 feet for the paved road width. There was a question about a utility pole and  
7 its location. Mr. Blakesley stated that the utility pole was initially understood to be located on a  
8 neighboring property that had been redeveloped prior to this development, but it was later learned  
9 that the utility pole was in fact on the Hilton property and was therefore the responsibility of this  
10 development. The utility pole is in a location where if you look at the roadway width, it interferes  
11 with the shoulder, pedestrian, and park strip infrastructure that would be along that side. There was  
12 discussion with the City about who would be responsible for relocating that utility pole and whether  
13 the road widths could be changed in a way that would not require the pole to be moved.

14  
15 Vice-Chair Prince asked whether the drainage would be impacted by the location of the utility pole.  
16 Mr. Blakesley was not certain. He explained that the appeal that went to the Mayor was styled as a  
17 variation. It was not a variance necessarily but was a request to adjust the City standards for road  
18 widths in that location. The Mayor considered statements from the City Engineer, City Planner, and  
19 the City Attorney. Mr. Hilton and his representative were present at the hearing. The decision of the  
20 Mayor was to deny the request for the variation, which essentially required the 32-foot width of the  
21 roadway, the relocation of that utility pole, and the pedestrian improvements. The current application  
22 is related to the fact that it involves the same location and there is a similar request. That being said,  
23 legally, it is not part of the same process. The Planning Commission has the ability to consider it as  
24 a legislative decision. He hopes that the context provided has been useful for Commissioners.

25  
26 Commissioner Roach wondered whether the utility pole would need to be moved if the application  
27 was ultimately approved. Mr. Hilton explained that when it came to his attention that the pole might  
28 need to be moved, he decided to look in the area to see if there were any other poles with this issue.  
29 There are approximately a dozen power poles on that side of the street and eight of them would need  
30 to be moved if the original plan was used. Mr. Hilton shared information about the neighborhood  
31 petition that was submitted previously. Commissioner Roach noted that he appreciates citizen efforts  
32 to improve community safety. He asked what it would cost to have the pole moved that is on his  
33 property. Mr. Hilton reported that Rocky Mountain Power initially stated that the pole could not be  
34 moved and the power for the entire block would need to be buried. The City then spoke to Rocky  
35 Mountain Power and came back with an estimate of \$16,000 to move the one pole. He is offering to  
36 spend \$25,000 on what the neighbors want. It is not necessarily an issue of cost, but what is desired.

37  
38 Commissioner Fonte asked if there were other ways to slow the traffic down. Mr. Hilton explained  
39 that it is up to the City to determine the best path forward. This application was submitted so there  
40 could be a discussion and a decision could be made. This was the only avenue to bring the matter  
41 forward. The General Plan is a guideline and already more or less is in agreement with what is  
42 envisioned. However, according to City Staff, it would need to be amended to become more focused.  
43 The text amendment was first and then City Staff suggested that the General Plan amendment be  
44 added.

45  
46 Vice-Chair Prince opened the public hearing.

1  
2 *Phillip Cone* gave his address as 2636 Murray Holladay Road. He has lived there for 13 years and  
3 his home would be directly impacted by what has been proposed. There is traffic in the area and it  
4 has increased somewhat over the years, but he does not see traffic issues in general. Mr. Cone does  
5 not believe there is a problem that needs to be solved here. The narrowing of the road means that  
6 guests who come to visit would be unable to park on the side of the road. He expressed concerns  
7 about the elimination of on-street parking as a result of the proposal. Mr. Cone pointed out that the  
8 value of his home would be impacted if roadside parking was eliminated. If there is an issue in the  
9 neighborhood, it is that some people run the stop signs. He does not see significant traffic problems.

10  
11 *Brian Jackman* gave his address as 4644 South Chapel Drive, which is approximately two and a half  
12 blocks from where this is proposed. He has lived in the area for 34 years and has seen traffic increase.  
13 However, most of the traffic appears to be residential. Mr. Jackman has heard about the petition that  
14 was mentioned and wondered how many residents actually signed it. As for how to slow down  
15 vehicles, he suggested stop signs on Chapel Drive, Clearview Street, or Russell Street. There could  
16 also be additional enforcement for the existing stop signs to ensure that vehicles are actually slowing  
17 down. Mr. Jackman believes reducing the width of the road will lead to more issues for pedestrians.  
18 He had questions about on-street parking and how the proposal will impact the ability of vehicles to  
19 park. Based on what he has seen, he believes the proposal will make the area less safe than it is.

20  
21 *Hank Volker* gave his address as 2500 Murray Holladay Road and noted that he has lived there for 15  
22 years. He does not see an issue with the current configuration. Some of the changes that are proposed  
23 do not seem necessary. If the power poles are removed and the mailboxes there are removed, no one  
24 will be able to park on that side of the street, because there will not be enough room. This means the  
25 people who live on Murray Holladay Road would not be able to park in front of their homes and  
26 would not be able to have guests park on the road. As far as speeding, one of the blinking speed limit  
27 signs was put out previously, which led to a shift in behaviors. There are bicyclists that use the road,  
28 and he has seen them in both directions, but there are not a lot of bicyclists there. Mr. Volker does  
29 not see a lot of the issues that have been mentioned during the Planning Commission Meeting.

30  
31 It was noted that Mr. Volker signed the resident petition included in the Meeting Materials Packet.  
32 At one time, he was in favor of the proposed changes, but now his comments appear in opposition.

33  
34 *Melissa Hilton* gave her address as 2394 East Murray Holladay Road. She wanted to address the idea  
35 of park strips, which were discussed earlier in the meeting. There is a drought issue and there are  
36 water issues. Trees, grass, and landscaping are all important, but as for the park strips, most of the  
37 recommendations are to move away from them. She referenced what is in place on the north side of  
38 Murray Holladay Road, which is the sidewalk right on the street. It would make more sense to have  
39 the trees behind the sidewalk so there is more shade created for pedestrians. This would also address  
40 other issues, such as lifting of the sidewalks. Ms. Hilton noted that neighbors were told that the  
41 sidewalk would eventually go all the way up Murray Holladay Road, which is the reason many of the  
42 people on Murray Holladay Road expressed opposition because there is a desire to park on the street.

43  
44 The applicant was invited to respond to the comments made during the public hearing. Mr. Hilton  
45 explained that he is a developer but also lives in the area. As a result, he has two perspectives on the  
46 situation. In the original plan, the sidewalk would continue straight with a park strip. That would

1 require the power poles to be moved and eminent domain or exaction. The property owners did not  
2 want portions of their property taken, so the petition was created. After the petition, there was some  
3 further feedback received from neighbors. A minority of neighbors were supportive of a sidewalk  
4 but did not want to take away from their yards. The intention is to increase overall safety.

5  
6 Mr. Horan noted that the current proposal appears to be less expensive for the City because it results  
7 in fewer poles that the City needs to move. He noted that City Staff could provide clarification on  
8 that.

9  
10 There were no further comments. The hearing was closed.

11  
12 Commissioner Roach noted that relocation of poles and sidewalks was mentioned multiple times  
13 during the public hearing. He asked for clarification about whether or not what currently exists will  
14 remain until there is a permit for development and changes made to the site. He believed at that point,  
15 it would be brought into new plan conformance. Mr. Teerlink confirmed this and explained that off-  
16 site improvements are enacted when new development occurs on the property. If a neighbor up the  
17 street with a power pole and no sidewalk does nothing, there is no requirement for them to add a  
18 sidewalk or remove the pole. Commissioner Roach thanked him for providing that clarification.

19  
20 Commissioner Berndt noted that what is proposed will impact all secondary residential roads. It will  
21 not only apply to this particular section. Mr. Blakesley reads it the same way and it would have broad  
22 applicability the way it is written and proposed. Commissioner Berndt asked how to measure that  
23 impact and expressed his concerns. Commissioner Gong appreciates the research on traffic calming.  
24 It seems like there are mixed opinions about the needs based on some of the resident feedback. She  
25 wants to have a better understanding of the broader implications of all secondary residential roads.  
26 Commissioner Roach has some concerns about what has been proposed. If the right-of-way is  
27 narrowed, it is important to consider what will be lost in order to make that happen. It seems like the  
28 park strips will be eliminated, which means buildings will be pushed closer to the road. He does not  
29 feel that the proposed text amendment makes a lot of sense based on that.

30  
31 Commissioner Cunningham asked that the proposed text language be shared, specifically Section A  
32 and Section B. The petition has somehow morphed into the language that is now before the  
33 Commission and it includes a deadline date of April 11, 2025, for Phase I and Phase II. There are  
34 specifics about the different phases, but none of that appears in the original petitions that were signed.  
35 He expressed concerns about Phase III, as he feels that will force the Council to prioritize the project.

36  
37 Commissioner Vilchinsky agrees with the previous comments shared by the Commission. It is  
38 important that people have the ability to access their neighborhoods and communities. If it is not  
39 from this street, then it will be from another street. There has to be a way for people to get to and  
40 from the village center and schools. She does not want to push traffic problems to other areas.  
41 Commissioner Vilchinsky encouraged the residents at the meeting to be vocal during the General  
42 Plan process so it is clear what there is a desire to see in the future. Commissioner Fonte studied the  
43 Meeting Materials Packet carefully and reviewed all of the information. She will not be voting in  
44 favor of this change, because it would be irresponsible for the Planning Commission to do so. If the  
45 issue is safety, the Commission has not seen clear evidence that there is a safety issue in the area.  
46 There are other opportunities to calm the traffic without narrowing the road. Commissioner Fonte

1 pointed out that the City is working on a General Plan update. It is necessary to think about that  
2 update and what is desired for the City of Holladay in the future. For example, maintaining the tree  
3 canopy.

4  
5 *Commissioner Roach moved to forward a recommendation to the City Council to DENY an*  
6 *application by Ron Hilton to amend Land Use Ordinance 13.02.030 and Map 3.1 of Chapter 3 of*  
7 *the General Plan, based upon the following findings:*

- 8  
9 *1. The proposal does not seem to fit with the intent of what the applicant submitted.*
- 10  
11 *2. In light of the upcoming General Plan update, it would be better vetted and worked*  
12 *through during that process rather than trying to amend it at this time.*

13  
14 *Commissioner Fonte seconded the motion. Vote on Motion: Commissioner Cunningham-Aye;*  
15 *Commissioner Vilchinsky-Aye; Commissioner Fonte-Aye; Commissioner Roach-Aye;*  
16 *Commissioner Gong-Aye; Commissioner Berndt-Aye; Vice-Chair Prince-Aye. The motion passed*  
17 *unanimously.*

18  
19 **ACTION ITEMS**

20 **4. Approval of Minutes – October 29, 2024.**

21 Commissioner Berndt noted that he was not at the meeting and will not vote on the Meeting Minutes.

22  
23 *Commissioner Cunningham moved to APPROVE the October 29, 2024, Planning Commission*  
24 *Meeting Minutes. Commissioner Roach seconded the motion. The motion passed with the*  
25 *unanimous consent of the Commission, with an abstention from Commissioner Berndt.*

26  
27 **ADJOURN**

28 The Planning Commission Meeting adjourned at approximately 7:45 p.m.

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the City of*  
2 *Holladay Planning Commission Meeting held on Tuesday, January 7, 2025.*

3  
4  
5

6 Teri Forbes

7 Teri Forbes  
8 T Forbes Group  
9 Minutes Secretary

10  
11 Minutes Approved: \_\_\_\_\_

**DRAFT**