



**FILE# 23-2-03**

**EMIGRATION BREWERY - PUD**

**ADDRESS:**

5025 South Highland Drive

**LEGAL DESCRIPTION:** 22-09-430-006

BEG S 46°30'30" W 228.29 FT & S 1°33'30" W 15 FT FR W 1/4 COR OF SEC 10, T 2S, R 1E, S L M; N 1°33'30" E 165 FT; S 85°E 189.07 FT; S 5°26' W 93.5 FT; S 85° E 75 FT; S 5°26 W 71.2FT; N 85° W 252.17 FT M OR L TO BEG. 0.8

**APPLICANT/REPRESENTATIVE:**

Bret Laughlin, Owner Chris Layton, Rep.

**PROPERTY OWNER:**

Orange Properties, LLC

**ZONING:**

C-2

**GENERAL PLAN DISTRICT:**

Highland Drive Master plan - Seg B

**CITY COUNCIL DISTRICT:**

District #1

**PUBLIC NOTICE DETAILS:**

Mailed 4/4/2025

**REQUEST:**

Subdivision and PUD Amendments

**APPLICABLE REGULATIONS:**

13.08.040 Conditional Use Permit  
13.78 Planned Unit Development  
13.10A Subdivisions  
General Plan - HDMP Seg B



**EXHIBITS:**

- Zone map
- Staff Report
- Applicant Narrative
- Applicant development drawings

**STAFF:**

Carrie Marsh, City Planner

**DECISION TYPE:**

***Administrative:***

Public hearing required. PC shall make a motion of either, denial, approval or to continue. All motions require findings which support the decision. As directed by ordinance, applications shall be approved if the Land Use Authority finds Substantial Evidence of compliance with applicable requirements. Holladay Ord. 13.06.050.B2 and 13.08

**SITE VICINITY MAP**



**Notes:**



City of Holladay  
Community and Economic Development  
Planning and Zoning

**PLANNING COMMISSION STAFF REPORT**  
**March 4, 2025**

**ITEM # 1**

**Request:** Mixed-Use Commercial/Residential Subdivision and PUD Amendments

**Project:** "5250 S. Highland Drive Commercial and Residential Mixed-use Development"

**Address:** 5250 S. Highland Drive

**Applicant:** Bret Laughlin, Representing Orange Properties (property owner)

**File No.:** 23-2-03-2

**Notice:** Posted and mailed notice on April 4, 2025

**Staff:** Carrie Marsh

**GOVERNING ORDINANCES:**

- 13.06 [DEVELOPMENT REVIEW & APPROVAL PROCEDURES - ADMINISTRATIVE](#)
- 13.08.040 CONDITIONAL USE
- 13.10A [SUBDIVISIONS](#)
- 13.10A.070 PRELIMINARY AND FINAL SUBDIVISION REVIEW PROCESS
- 13.10A.080 PRELIMINARY AND FINAL SUBDIVISION APPLICATION CONTENTS
- 13.62 C-2 COMMERCIAL ZONE
- 13.78 PLANNED UNIT DEVELOPMENT

**REQUIRED PLANNING COMMISSION ACTION: Administrative**

**Public hearing required.** As this application is for a mixed-use site plan and a Planned Unit Development, the PC shall make two separate motions, one for each item, to either, approve or to continue discussion for this application. All motions require findings which support the decision. As directed by ordinance, applications shall be approved if the Land Use Authority finds Substantial Evidence of compliance with applicable requirements. Holladay Ord. [13.06.050.B2](#) and [13.08](#)

1. Creation of a subdivision plat requires review and approval of the preliminary plat by the Land Use Authority (Planning Commission), as detailed in 13.10A.070.D. Decisions must be made during public meeting.
  - a. Previous realignment of Arbor lane requires right of way vacation. The Planning Commission shall make a recommendation to the City Council to vacate an unused portion of right of way to combine it within the boundary of the plat.
2. A Mixed-Use Planned Unit Development is a conditional use and requires a site plan review and approval by the Land Use Authority (Planning Commission). Decisions and approval must be made during public meeting.

**BACKGROUND**

An application from the property owner of 5250 S. Highland Dr. has been submitted via applicant Bret Laughlin and Chris Layton.



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Community and Economic Development  
Planning and Zoning

This property is 1.08 acres (46,900 square feet) and is located on the south side of the new Royal Holladay Hills development, on the corner of Arbor Lane and Highland Drive. It is the site of the former Roots Nursery. In March of 2022, the property was rezoned from Neighborhood Commercial (NC) to Commercial (C-2). The rezone was conditioned upon a site plan for a Townhome and Brewpub Restaurant use be approved within 2-years. Preliminary approval for the subdivision site plan was granted on June 6<sup>th</sup> 2023, with final approval deferred to Staff. Approval of the original proposal included a brewery/restaurant and four town homes on the site. Modifications that were made and approved in 2024 included the addition of six units on a 3<sup>rd</sup> floor above the proposed restaurant. Corner side setbacks for the restaurant and the townhomes were reduced to 10 feet. Rear and side setbacks for the townhomes were also approved at 10 feet.

Due to a partnership change, the applicant is currently seeking to modify the existing approve site plan for the subdivision and PUD. The new changes are as follows:

1. Relocate units from upper level of commercial building to add a second row of townhomes to total 8 residential units
2. Move the commercial building to the corner and reduce the footprint size
3. Ground floor to remain as a restaurant, second and third floors as commercial office space
4. Parking reconfigured and moved to middle of property between the residential and commercial structures

**PROJECT SUMMARY**

- § Conditional Rezone approved in March of 2022 (City Council)
- § Concept Site plan approved April 2023 (Planning Commission)
- § Preliminary Site plan approved June 2023 (Planning Commission)
- § Site plan and PUD modifications May 2024 (Planning Commission)
- § Development Compliance Details:
  - Mixed-use planned unit development is a conditional use in the C-2 zone;
    - § Commercial use: Brewery/restaurant
    - § Residential use: Proposed eight dwelling units
      - *Previous approval was 4 townhomes and 6 units in the brewery/restaurant building; total of 10 dwelling units.*
  - Multi-family development is a permitted use, when it is accessory to a permitted or conditional use (see 13.62.030\_
  - Minimum lot area for dwelling units and buildings are met: 34,000 square feet of land required for the development
    - § 10,000 square feet for the commercial structure
    - § 10,000 square feet for the first residential unit in a structure and 2,000 square feet for each additional unit in a structure.
      - PUD allows separation of units into twin home design
      - Total of 24,000 square feet of land is required for the eight units (10,000 + (2,000 x 7))



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Community and Economic Development  
Planning and Zoning

- Commercial building footprint totals 4,300 square feet
- Total commercial space is 9,800 square feet
- Parking requirements are met – see tabulation on site plan according to uses proposed and utilization of reduction methods as allowed in 13.82.040.B
- Proposed residential and mixed-use commercial buildings comply with height maximums of 40' in the C-2 zone
  - § (40-foot height code amendment approved by City Council 5/16/2024)
- Parking lot landscaping requires 5% to be landscaped according to standards in [13.77.060](#)
- Buildings cover 32.4% of the lot. Up to 50% is allowed.
- The development agreement included a brewery restraint use. If a brewery is included in the development, that type of use is a conditional use in the C-2 zone and will be required to apply for a separate Conditional Use Permit.
- § Preliminary Approval Requirements
  - Narrative detailing the project
  - Preliminary Plat – site plan requirements as required in 13.10a
  - Soil erosion and geological hazard and/or sedimentation control plans and specifications submitted
  - Evidence that the applicant has sufficient control to effectuate the proposed use and established guarantee for any public improvements
  - Landscape agreement with Royal Holladay Hills
  - Public right of way realignment of Arbor Lane to be addressed through vacation process
  - Utility Service letters from each utility provider serving the project: *in progress*
  - Tree canopy protection plan: *in progress*
- § Modification to Previously Approved Setbacks for a Planned Unit Development
  - Arbor Lane is front, Highland Drive is Rear
    - § Townhomes continue the 10' rear and side setbacks previous approved
    - § 20' corner side setback required (Arbor/Highland intersection)
      - Proposed commercial building is 17' from the corner, with dining/patio area on the property line.
    - § No rear setback required – commercial building is located on property line of Highland Dr.
  - Clearview triangle of 40' from the asphalt at the intersection of Highland and Arbor is shown on site plan.

**TECHNICAL REVIEW COMMITTEE ANALYSIS:**  
**SUBDIVISION AMENDMENT**

In accordance with Holladay Ord 13.08.010, upon receipt of a complete subdivision application, the Community and Economic Development Director has distributed the application to and has subsequently received recommendation(s) from the Technical Review Committee. Review of submitted elements are compared against the administrative [checklist of required submittals 13.10.050A](#). The following is provided to the Planning Commission as a summary of **recommendation of preliminary subdivision approval** from the TRC:





**City of Holladay**  
Community and Economic Development  
Planning and Zoning

**Zoning, City Planner:**

- § *Planning Commission to evaluate as to if the proposal meets qualifications for a mixed-use development considering a primary commercial use and secondary residential use conditionally allowed, as detailed in 13.62.030*
  - *“Permitted and conditional uses set forth in [chapter 13.100](#), “Appendix A - Allowed Uses”, of this title shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such primary uses allowed by [chapter 13.100](#), “Appendix A - Allowed Uses”, of this title.”*
- § Planning Commission to make a recommendation to the City Council to vacate an unused portion of the Arbor Lane right of way to combine it with in the boundary of the plat
- § Consideration of building location on property line when it is next to a street. While this could be considered a rear setback, Staff recommends a setback of 10 feet from the sidewalk on Highland Dr. (10-foot-wide sidewalk, see City Engineer comments).
- § Utility Service letters with approved plan stamped by each utility required – Staff does not foresee issues with the applicant getting approvals
- § Tree Canopy Protection plan showing replacement trees, including more than the minimum requirements be shown on the east side of the property (rear of townhomes) per the prior condition of approval
- § Landscaping standards apply per 13.77 which addresses non-parking lot landscaping
- § 5% of parking area to be landscaped in accordance with landscaping standards 13.77.060 – applicant to submit a parking lot design showing the parking lot landscaping standards are met prior to final approval

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

- § Driveways and parking are properly sized for Fire and Emergency access from Arbor Lane, a public street.
  - Distance under 150’ for residential units does not require a fire turn around
- § Automatic fire sprinklers required for commercial building; not required for residential units.

**Engineering, City Engineer:**

- § Show clear view areas on site plan – nothing over 2’ high in clear view
- § Address all comments on Civil set before Final
- § Grading and drainage plan required
- § Properties over 1 acre require a SWPP plan
- § 10 foot sidewalk shown on Highland Drive.

**Building Code, City Building Official**

- § Building permits required – provide a soils test and water table test prior to issuance of permit

**TECHNICAL REVIEW COMMITTEE ANALYSIS:**  
**PUD AMENDMENT**



**City of Holladay**  
Community and Economic Development  
Planning and Zoning

**Zoning, City Planner:**

- § Separation of residential units into 4 twin-home structures meets the requirements of a PUD
- § Continuation of previously approved 10-foot setback for new townhomes
- § Recommend a minimum 10-foot setback from Highland
- § Landscaping and open space around perimeter of property, with patio areas, and in residential spaces. The open space is higher than would otherwise be required in the C-2 zone.

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

- § See comments for subdivision amendment

**Engineering, City Engineer:**

- § See comments for subdivision amendment

**Building Code, City Building Official**

- § See comments for subdivision amendment

**RECOMMENDATIONS**

The TRC recommends that the commission hold both of the required public hearings and consider the comments presented for

1. The proposed subdivision amendment with
  - a. A recommendation to City Council to vacate an unused portion of the Arbor Lane right of way, adding the area to the parcel boundaries AND
2. The proposed PUD amendment

1. **SUBDIVISION AMENDMENT:** The CED Director has found that all required preliminary elements of a subdivision proposal within the C-2 zone have been reviewed and accepted by the TRC and have been determined to be substantially complete as per the City's submission requirements. **As no development is proposed at this time (only entitlements), only a Preliminary Plat approval is required by the Planning Commission.** The TRC can recommend The Commission approve the **PRELIMINARY SUBDIVISION PLAN** with the noted conditions for final approval.

In accordance with 13.10A.070.E, the **FINAL PLAT** approval is designated for Staff review and approval.

***STAFF FINDINGS:***

- 1) The preliminary plat has been reviewed and considered substantially complete
- 2) Development proposals as provided remain in accordance with the Development Agreement, approved by City Council
- 3) The proposed land use complies with allowed uses in the C-2 Zone.
- 4) Lot size, coverage, and parking requirements meet the minimum requirements in the C-2 Zone
- 5) Partial vacation and realignment of the right of way accommodates constructed and proposed improvements to Arbor Lane, a secondary roadway



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Community and Economic Development  
Planning and Zoning

**CONDITIONS:**

- 1) Remaining items as noted, to be completed before a notice of final approval is issued:
  - a. Address Civil Plan comments by City Engineer
  - b. Submit grading and drainage plan
  - c. Provide Utility Service letters with approved plans
  - d. SWPP plan required
  - e. Submit Landscaping plan with Tree Canopy Protection Plan and trees above the required amount on the east side of the property (rear of townhomes)
  - f. Parking lot landscaping must comply with standards in 13.77.060
  - g. ***Any additional conditions recommended by the Planning Commission***

2. **PLANNED UNIT DEVELOPMENT AMENDMENT:** The CED Director has found that all required items have been submitted for a Mixed Use Planned Unit Development within the C-2 zone and have been reviewed and accepted by the TRC and have been determined to be substantially complete as per the City's submission requirements. The TRC can recommend The Commission approve the **CONDITIONAL USE FOR A MIXED-USE DEVELOPMENT**, with any and all conditions as decided by the Planning Commission during the discussion in this meeting.

**STAFF FINDINGS:**

1. Separation of residential units into 4 twin-home structures meets the requirements of a PUD
2. Previously approved 10-foot setback for new townhomes can be maintained
3. Landscaping and open space around perimeter of property, with patio areas, and in residential spaces meets requirements for open space

**CONDITIONS:**

1. Minimum 10-foot setback from Highland Drive
2. Additional trees above required amounts to be located in the rear yards of units one, two, three, and four, on the east side of the property
3. Address all other requirements and conditions from the subdivision amendment
4. **Any other conditions recommended by the Planning Commission**

**SEPARATE MOTIONS REQUIRED FOR THE SUBDIVISION AND  
CONDITIONAL USE AS A MIXED-USE PLANNED UNIT DEVELOPMENT**

**1. MOTION FOR THE SUBDIVISION AMENDMENT**

- a. "I \_\_\_\_\_ move to (*Approve, Deny, Continue*) the **PRELIMINARY PLAT** for "5025 S Highland Drive" a Mixed-Use Planned Unit Development in the C-2 zone, upon finding that (see



**City of Holladay**  
Community and Economic Development  
Planning and Zoning

*findings 1-5*), with the conditions (*see conditions*), **with** a (FAVORABLE, UNFAVORABLE) recommendation to the City Council to **vacate an unused portion of the Arbor Lane right of way**, combining that area within the boundary of the plat.

- b.* "Also, within in one year and in accordance with 13. 10A.070.E, to complete administrative review and approval of the **FINAL PLAT** by the Community & Economic Development Director - following a positive, written recommendation from TRC."

2. **MOTION FOR THE CONDITIONAL USE MIXED USE PLANNED UNIT DEVELOPMENT AMENDMENTS**

1. **MOTION FOR THE PUD CONDITIONAL USE**

- a.* "I \_\_\_\_\_ move to (*Approve, Deny, Continue*) the **MIXED USE PLANNED UNIT DEVELOPMENT SITE PLAN** application submitted by Mr. Bret Laughlin for "5025 S. Highland Dr." a Mixed-Use Planned Unit Development in the C-2 zone, upon finding that: (*see findings 1-3*), with the following conditions (*see conditions*).



**CITY OF HOLLADAY**  
COMMUNITY AND  
ECONOMIC DEVELOPMENT DEPARTMENT  
4580 South 2300 East  
Holladay, Utah 84117  
801.527.3890

## **NOTICE of PUBLIC HEARING PLANNING COMMISSION**



BRENT W STOLL 1  
PO BOX 17757  
HOLLADAY UT 84117

CITY OF  
**HOLLADAY**  
40°40'16.59"N 111°49'30.40"W EST. 1849 INC. 1999

**CITY OF HOLLADAY**  
COMMUNITY AND  
ECONOMIC DEVELOPMENT DEPARTMENT  
4580 South 2300 East  
Holladay, Utah 84117  
801.527.3890

## **NOTICE of PUBLIC HEARING PLANNING COMMISSION**



CITY OF  
**HOLLADAY**  
40°40'16.59"N 111°49'30.40"W EST. 1849 INC. 1999



## NOTICE OF A PUBLIC HEARING

Mixed-Use Subdivision and PUD – “5025 S Highland Dr. PUD”

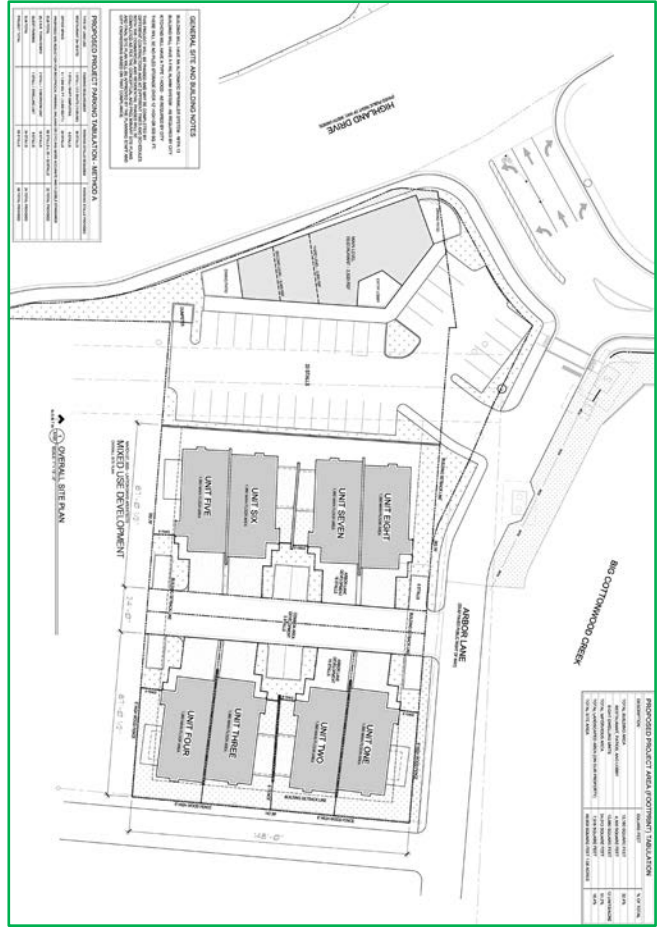
**Date:** Tuesday, April 15<sup>th</sup> 2025  
**Time:** As close to 6:00 pm as possible  
**Location:** City Hall – City Council Chambers  
**Hearing Body:** Planning Commission

Notice is hereby given that the City of Holladay Planning Commission will conduct a public hearing during their review of a proposal by Owner, Bret Laughlin to amend the approved site layout for his Mixed-Use, Planned Unit Development. The approved land uses (restaurant/brewery, offices, and residential units) at this 1.07-acre site are not proposed to change. The revisions propose separating the residential and commercial uses from a previously approved “mixed-use” building, in order to provide stand-alone townhomes, and to reorganize the associated parking stalls accordingly. Amendments to the site also feature right of way modification as required by the City of Holladay. All considerations will be reviewed by the Planning Commission for compliance with Holladay Ordinance §13.78 (Planned Unit Developments).

Please submit any comments via email by 5:00 pm 04/14/2025 to Carrie Marsh, [cmarsh@holladayut.gov](mailto:cmarsh@holladayut.gov). Emailed comments received by the designated times will be forwarded to the Commission prior to the meeting.

Additional information regarding this item can be found on the City’s website and on the posted agenda, prior to the meeting. Interested parties are encouraged to watch the video stream of the meeting on the City of Holladay Website.

ATTENTION: This notice was mailed on 04/04/2025 by order of the Community and Economic Development Director, Jonathan Teerlink, to all residents within 500 feet from the subject property. If you are not the owner of your residence, please notify the owner regarding this matter. Thank you.



## NOTICE OF A PUBLIC HEARING

Mixed-Use Subdivision and PUD – “5025 S Highland Dr.

**Date:** Tuesday, April 15<sup>th</sup> 2025  
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HIGHLAND

MEADOWMOOR

MOOR MONT

MOOR MONT

WOODMONT

HIGHLAND HIGHLAND

VINTAGE WOODS

SOUTHMOOR

COTTON TREE

COTTON TREE

HIGHLAND DOWN

HIGHLAND DOWN

MEMORY

ARBOR



SUBJECT PROPERTY

5150

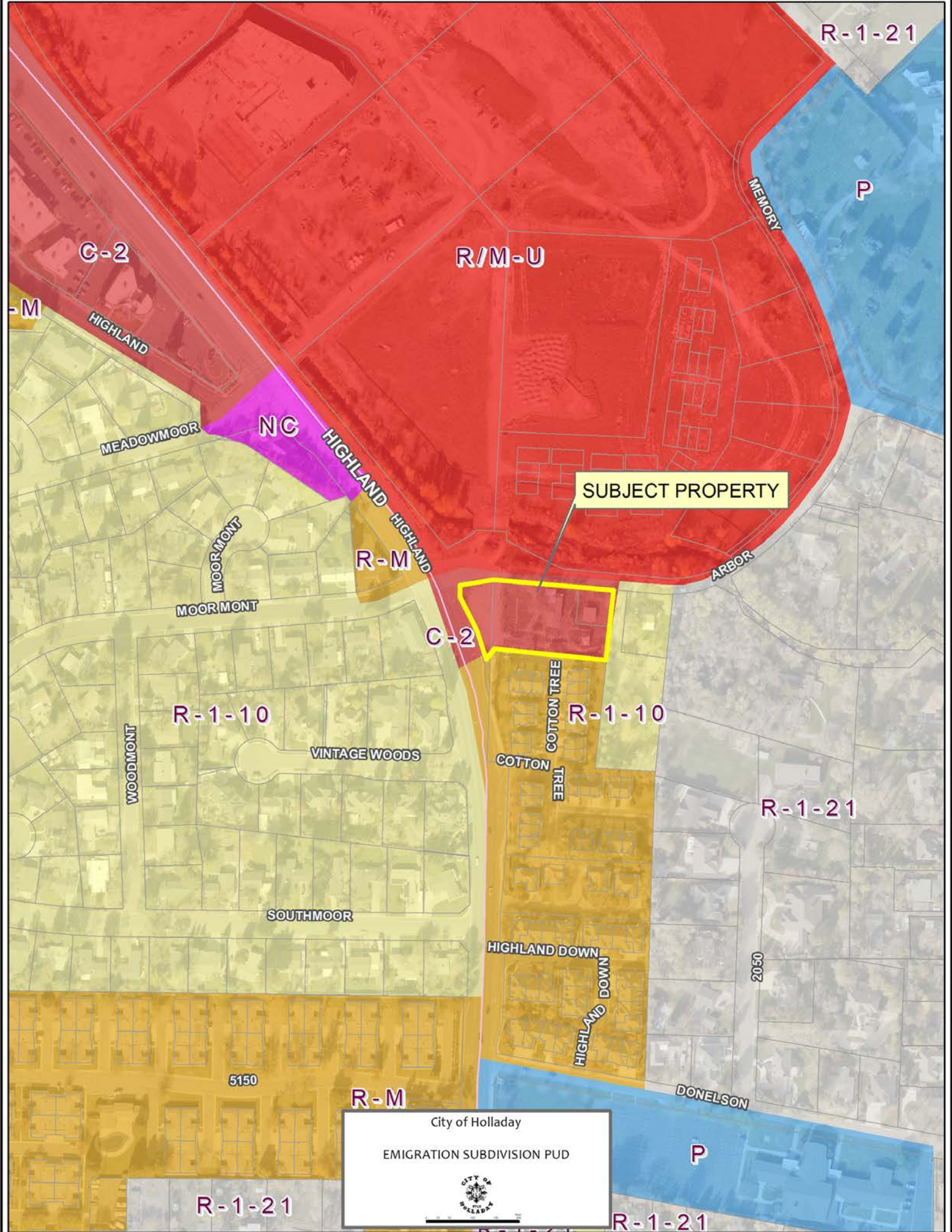
2050

DONELSON

City of Holladay  
EMIGRATION SUBDIVISION PUD







R-1-21

C-2

R/M-U

P

-M

HIGHLAND

MEADOWMOOR

NC

HIGHLAND

SUBJECT PROPERTY

MOORMONT

R-M

ARBOR

MOORMONT

C-2

R-1-10

R-1-10

WOODMONT

VINTAGE WOODS

COTTON TREE

R-1-21

SOUTHMOOR

HIGHLAND DOWN

2050

HIGHLAND DOWN

5150

R-M


DONELSON

P

R-1-21

R-1-21

City of Holladay  
EMIGRATION SUBDIVISION PUD



Scale bar





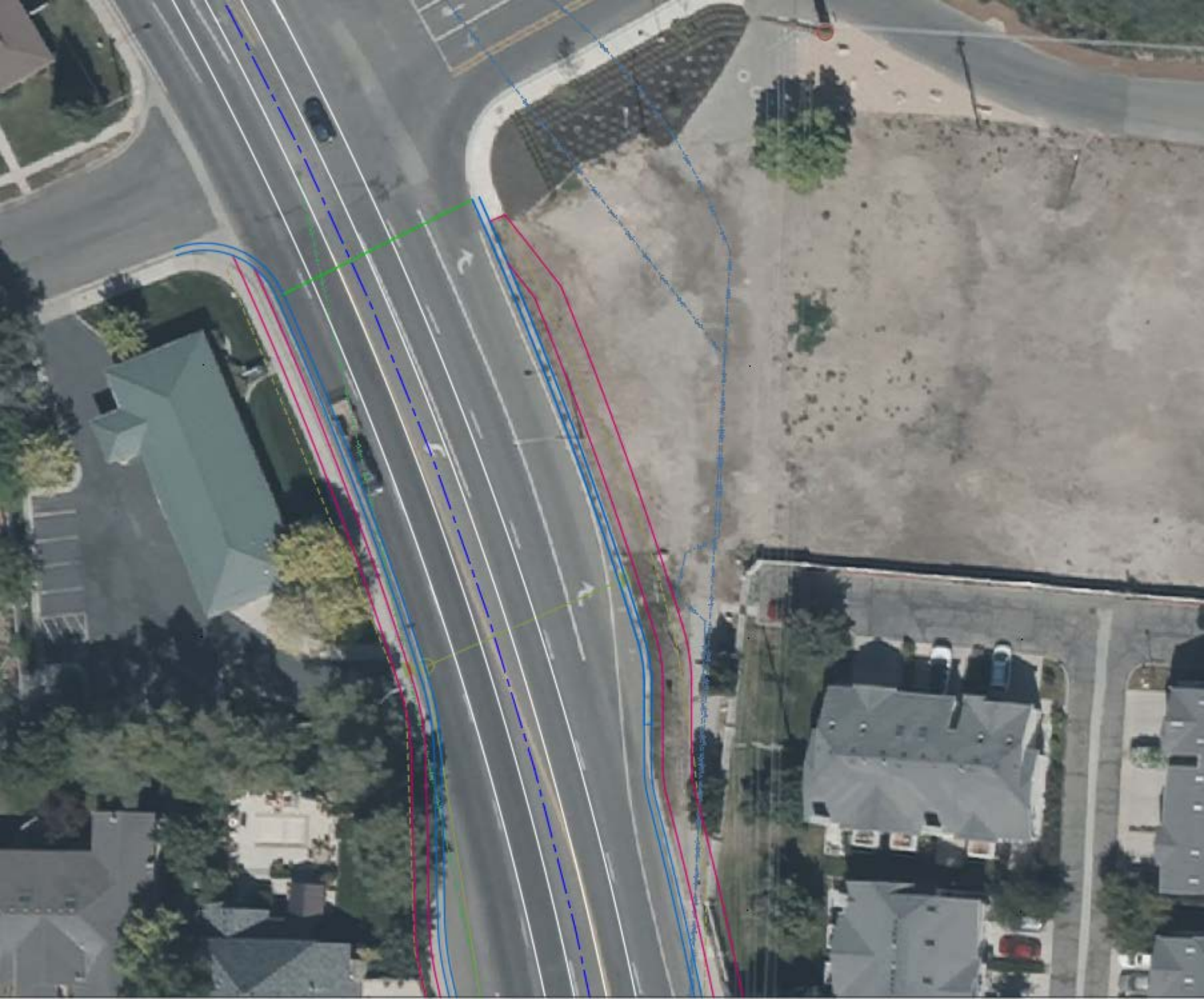
ARBOR

HIGHLAND

COTTON BLOSSOM

COTTON TREE





## Emigration Brewing Co. Mixed use Development

### Arbor Plaza

#### Proposed Site Plan Amendment

We propose amending the existing site plan which contemplates a commercial/restaurant building, 6 residential units located within the commercial/restaurant building and 4 townhomes on 4 separate parcels. Due to the complexities of engineering and building residential units above a restaurant, we propose to amend the site plan to include 4 additional townhomes rather than the 6 units within the commercial building. The 4 additional townhome sites will be directly opposite the drive of the 4 existing townhomes sites. This plan provides for much better functional use of the site and can better accommodate both residential and commercial use. In order to add 4 townhome parcels, it is proposed to relocate the commercial building westward of the utility easement. We propose amending the site plan to allow for a three-story (40' in height) commercial building with approximately 12,200 sq ft. The intent is to lease the main floor for retail purposes, most likely a restaurant. The main and upper floors will be leased for low density office space. The site plan contemplates sufficient parking stalls to accommodate reciprocal parking usage of the retail/restaurant and office use space.

This proposed amendment to the site plan will provide the city of Holladay a beautiful mixed-use development project and provide the developer with adequate residential to commercial ratio to cost-justify moving forward with the development of this property.



PROPOSED PROJECT AREA (FOOTPRINT) TABULATION		
DESCRIPTION	SQUARE FEET	% OF TOTAL
TOTAL BUILDING AREA	15,180 SQUARE FEET	32.4%
RESTAURANT, PATIOS, AND LOBBY	4,300 SQUARE FEET	
EIGHT DWELLING UNITS	10,880 SQUARE FEET	12 UNITS/ACRE
TOTAL IMPERVIOUS AREA	24,012 SQUARE FEET	51.2%
TOTAL LANDSCAPED AREA (ON OUR PROPERTY)	7,518 SQUARE FEET	16.4%
TOTAL SITE AREA	46,900 SQUARE FEET 1.08 ACRES	

PRINTED DATE  
04.11.2025

**LAYTONDAVIS**  
ARCHITECTS

2005 EAST 2700 SOUTH | SUITE 200  
SALT LAKE CITY, UTAH 84109  
P:801.487.0715 | WWW.LAYTONDAVISARCHITECTS.COM

**MIXED USE DEVELOPMENT  
COMMERCIAL/RESIDENTIAL**

5025 SOUTH HIGHLAND DRIVE  
HOLLADAY, UTAH

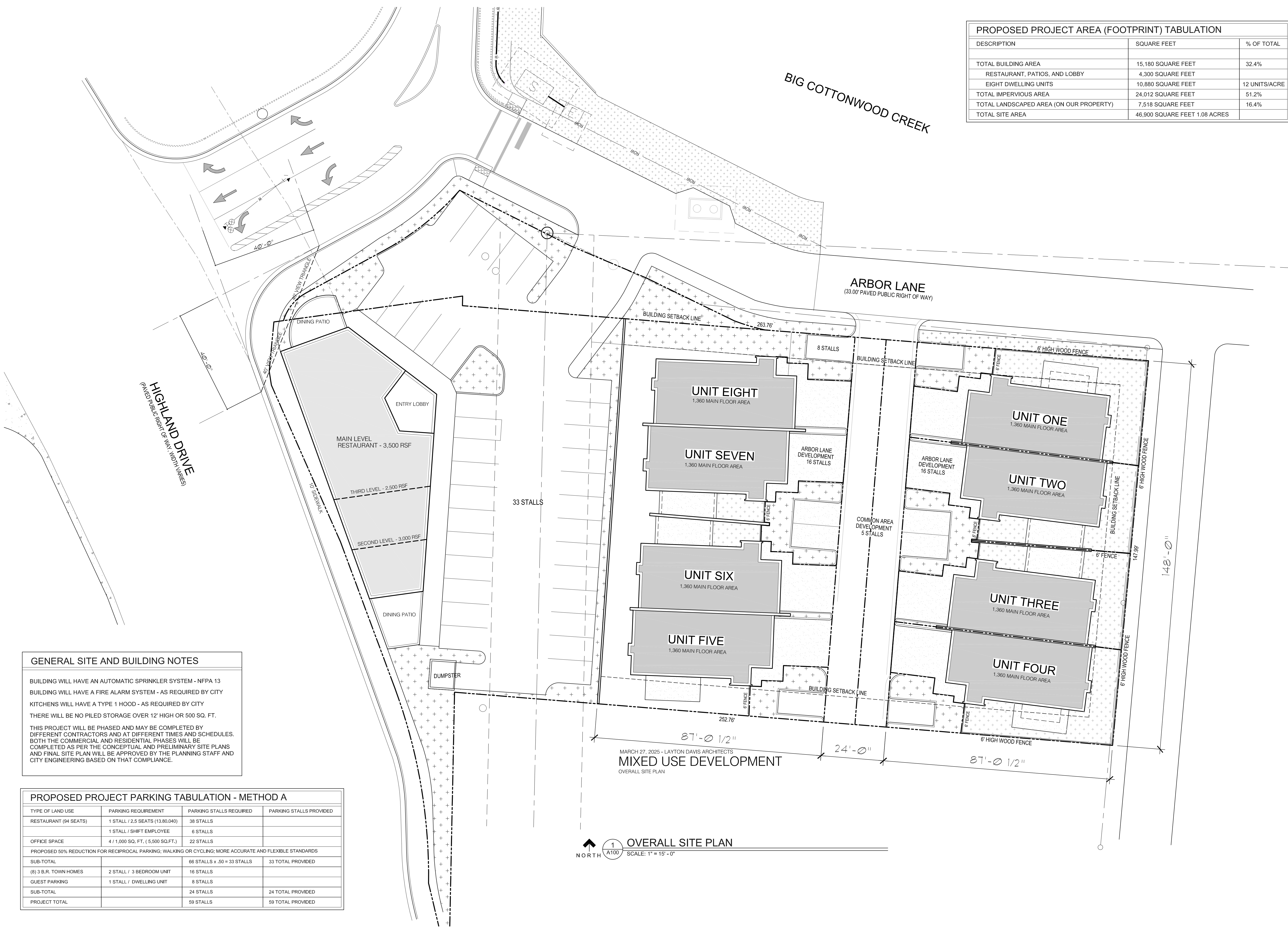
CHRONOLOGY

PROJECT NO  
22.025

DWN BY/ CHK BY  
CWL

TITLE  
OVERALL  
SITE PLAN

24X36 SHEET #  
**A100**



**GENERAL SITE AND BUILDING NOTES**

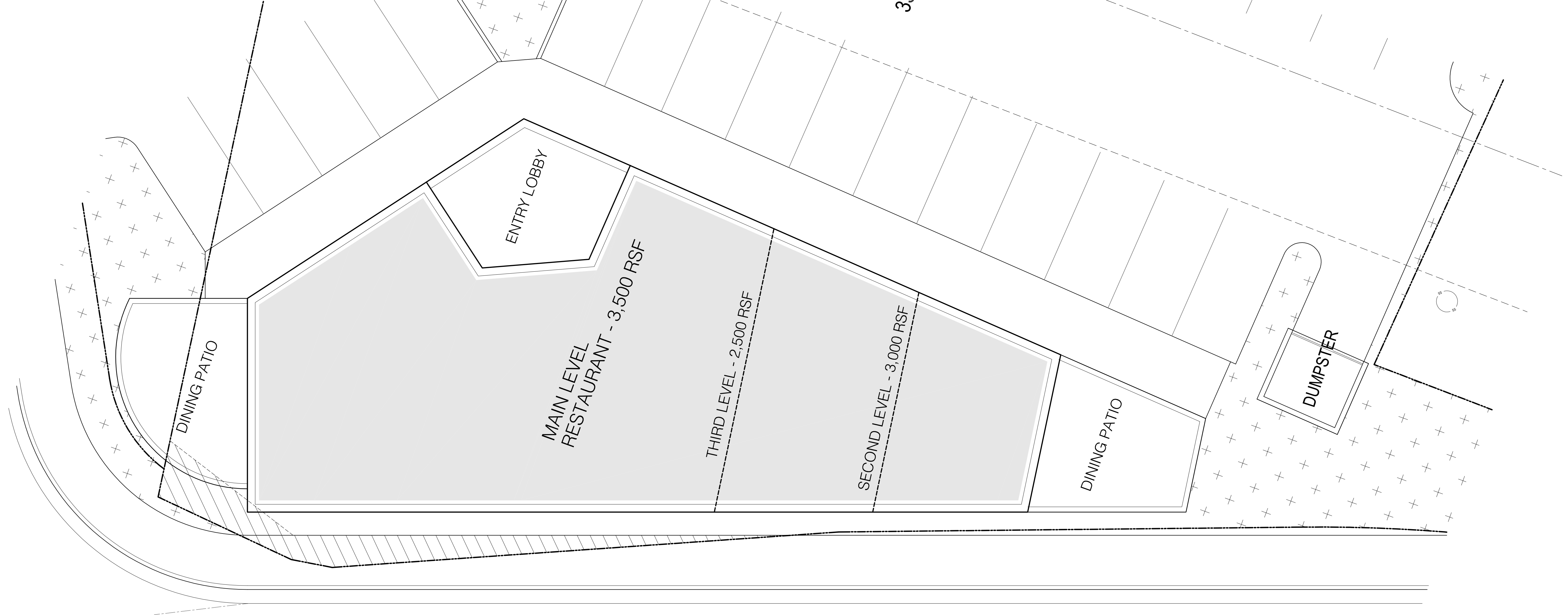
BUILDING WILL HAVE AN AUTOMATIC SPRINKLER SYSTEM - NFPA 13  
 BUILDING WILL HAVE A FIRE ALARM SYSTEM - AS REQUIRED BY CITY  
 KITCHENS WILL HAVE A TYPE 1 HOOD - AS REQUIRED BY CITY  
 THERE WILL BE NO PILED STORAGE OVER 12' HIGH OR 500 SQ. FT.  
 THIS PROJECT WILL BE PHASED AND MAY BE COMPLETED BY DIFFERENT CONTRACTORS AND AT DIFFERENT TIMES AND SCHEDULES. BOTH THE COMMERCIAL AND RESIDENTIAL PHASES WILL BE COMPLETED AS PER THE CONCEPTUAL AND PRELIMINARY SITE PLANS AND FINAL SITE PLAN WILL BE APPROVED BY THE PLANNING STAFF AND CITY ENGINEERING BASED ON THAT COMPLIANCE.

PROPOSED PROJECT PARKING TABULATION - METHOD A			
TYPE OF LAND USE	PARKING REQUIREMENT	PARKING STALLS REQUIRED	PARKING STALLS PROVIDED
RESTAURANT (94 SEATS)	1 STALL / 2.5 SEATS (13,80.040)	38 STALLS	
	1 STALL / SHIFT EMPLOYEE	6 STALLS	
OFFICE SPACE	4 / 1,000 SQ. FT. (5,500 SQ.FT.)	22 STALLS	
PROPOSED 50% REDUCTION FOR RECIPROCAL PARKING; WALKING OR CYCLING; MORE ACCURATE AND FLEXIBLE STANDARDS			
SUB-TOTAL		66 STALLS x .50 = 33 STALLS	33 TOTAL PROVIDED
(8) 3 B.R. TOWN HOMES	2 STALL / 3 BEDROOM UNIT	16 STALLS	
GUEST PARKING	1 STALL / DWELLING UNIT	8 STALLS	
SUB-TOTAL		24 STALLS	24 TOTAL PROVIDED
PROJECT TOTAL		59 STALLS	59 TOTAL PROVIDED

**OVERALL SITE PLAN**  
SCALE: 1" = 15' - 0"

The drawings, designs, plans, computations and data included on these drawings are the sole property of Layton Davis Architects and are subject to the copyright of Layton Davis Architects and are subject to the copyright of Layton Davis Architects. These drawings are provided for use only in connection with the specified project. Any use of the drawings, designs, plans, computations and data included on these drawings for any other project without the written consent of Layton Davis Architects is strictly prohibited. Layton Davis Architects is not responsible for any errors or omissions in these drawings.

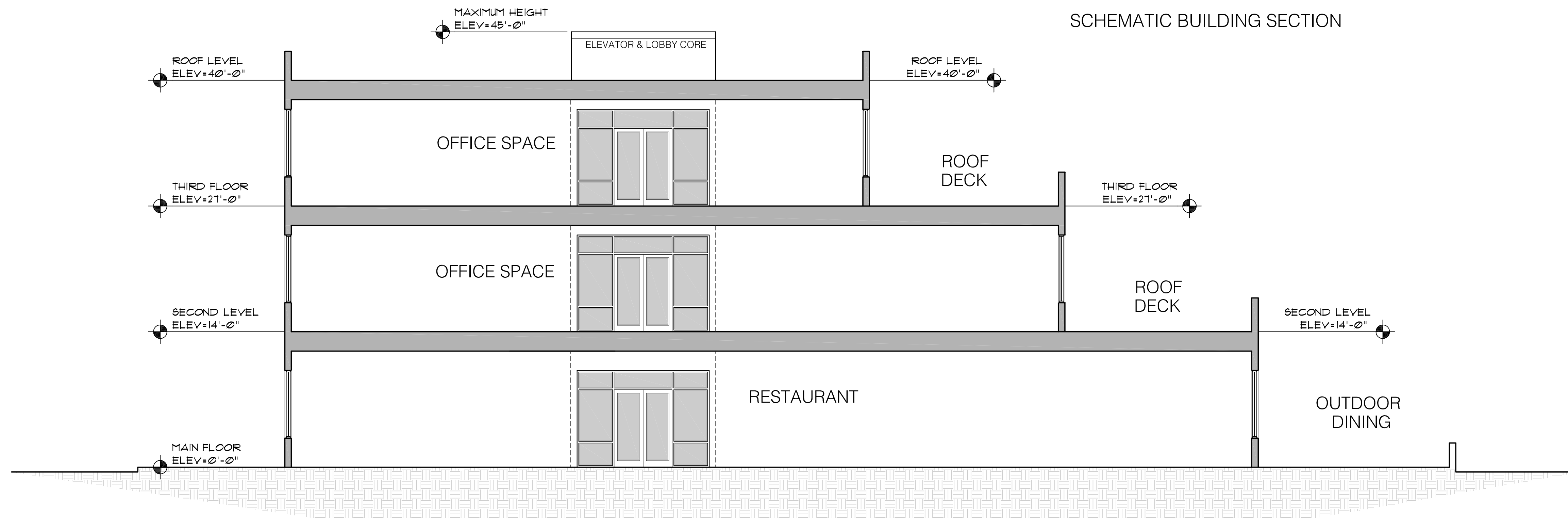




MARCH 27, 2025 - LAYTON DAVIS ARCHITECTS

# MIXED USE DEVELOPMENT

SCHEMATIC BUILDING SECTION



TYPICAL BUILDING SECTION - RESTAURANT OFFICE BUILDING



**FILE# 25-4-02**

**ORDINANCE AMENDMENT "OUTDOOR LIGHTING STANDARDS"**

**ADDRESS:**

NA

**LEGAL DESCRIPTION:**

**APPLICANT/REPRESENTATIVE:**

City of Holladay

**PROPERTY OWNER:**

**ZONING:**

**GENERAL PLAN DISTRICT:**

**CITY COUNCIL DISTRICT:**

N/A

**PUBLIC NOTICE DETAILS:**

Posted 03/07/2025

**REQUEST:**

Ordinance Amendment

**APPLICABLE REGULATIONS:**

13.07.030 - Ordinance Amendment Procedure and Requirements

**EXHIBITS:**

Staff Report  
Draft Text  
Commissioner Comments

**STAFF:**

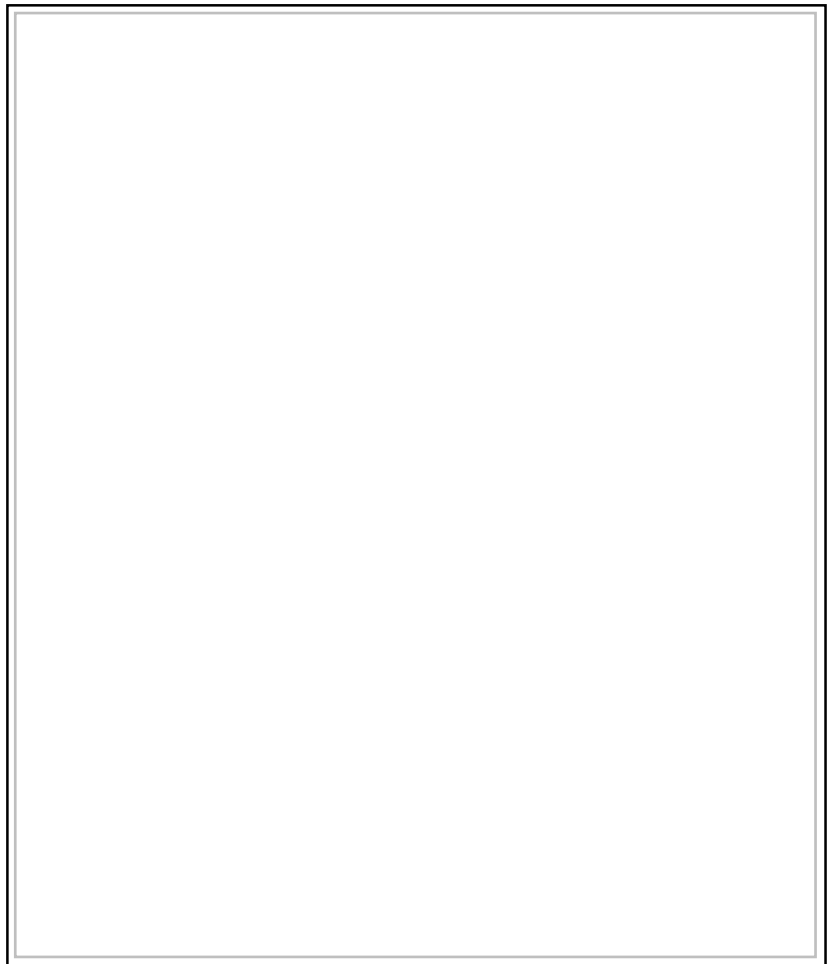
Jonathan Teerlink, City Planner

**DECISION TYPE:**

***Legislative:***

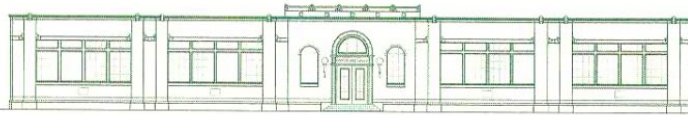
Public Hearing Required. PC shall make a recommendation to City Council to either approve or disapprove the request. All motions require findings which support the recommendation. Holladay Ord. 13.06.050.F2,13.07

**SITE VICINITY MAP**



**Notes:**





City of Holladay  
Community and Economic Development  
Planning and Zoning

**PLANNING COMMISSION STAFF REPORT**  
**2<sup>nd</sup> ADDENDUM to March 18<sup>th</sup> REPORT**  
**April 15<sup>st</sup> 2025**

**ITEM # 2**

**Request:** Ordinance Amendment – Continued

**Project:** Amendment to Title 13 of the City of Holladay Land Use Code – “Outdoor Lighting Standards “

**Applicant:** City of Holladay, City Council

**File No.:** 25-4-02

**Notice:** Public Notice posted 03/07/2025

**Staff:** Jonathan Teerlink, CED Director

---

**GOVERNING ORDINANCES:**

13.07.030 [ORDINANCE AMENDMENT – PROCEDURE & REQUIREMENTS](#)

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**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**

Item continued from the April 1<sup>st</sup> meeting for changes to the proposed draft and additional discussion.

**REQUEST**

On behalf of the Holladay City Council, planning commission is requested to review and provide comment/recommendations on proposed outdoor lighting amendments. The proposal intends to update current commercial standards **and** establish new residential standards.

Staff included changes to the draft as directed by the planning commission.

**RECOMMENDATION**

Staff recommends that the Planning Commission moderate a discussion with staff on the updated draft and on the ordinance overall. Details of this proposal overall. The commission may want to maintain the public hearing as open and continue this item to their next regularly scheduled meeting prior deriving at a recommendation to the City Council.

**SUGGESTED MOTIONS**

For a potential motion to motion to continue for further discussion:

*“I Motion to continue the proposed Outdoor Lighting Standards amendment to the next regularly scheduled meeting”*

1 **13.84 Outdoor Lighting**  
2

3 13.84.010 PURPOSE

4 13.84.020 APPLICABILITY

5 13.84.030 DEFINITIONS

6 13.84.040 GENERAL OUTDOOR LIGHTING STANDARDS

7 13.84.050 LIGHTING STANDARDS: R-1, R-2

8 13.84.060 LIGHTING STANDARDS: OTHER ZONES

9 13.84.070 PROHIBITED LIGHTING

10 13.84.080 OUTDOOR SITE LIGHTING PLAN SUBMITTAL REQUIREMENTS

11 13.84.080 APPROVAL PROCEDURES

12 13.84.090 ADMINISTRATIVE RELIEF

13 13.84.110 APPEAL PROCEDURE

14 13.84.111 ADMINISTRATION AND ENFORCEMENT

15 13.84.112 EFFECTIVE DATE

16 13.84.113 FIGURES  
17  
18

19 **13.84.010 PURPOSE**

20 A. The intent of this chapter is to consolidate and clarify the various lighting sections in this  
21 title which previous to adoption of this chapter primarily addressed lighting regulations for  
22 commercial zones within the City.  
23

24 B. The regulations of this chapter are intended to set outdoor lighting standards in the City of  
25 Holladay that enhance the community character and identity by mitigating adverse impacts  
26 of misdirected and/or excessive outdoor lighting in residential and commercial areas by  
27 promoting,

- 28 1. Lighting design and use continuity between adjacent and abutting land uses;
- 29 2. Energy conservation through efficient use of outdoor lighting

30 ~~3. Maintenance of a pleasant and soft ambiance;~~

31 ~~4.3.~~ Safety and security for persons and property;

32 ~~5.4.~~ Flexibility in implementing lighting technologies as the industry provides.

33 ~~6.5.~~ Existing regulations established by The Illuminating Engineering Society  
34 (IES), the ANSI accredited standards writing body for lighting definitions and  
35 recommended practices.  
36

37 **13.84.020 APPLICABILITY**

38 A. All land development described in this section shall provide an outdoor lighting plan in  
39 accordance with ~~conjunction with development~~ site plan submittal ~~requirements according~~  
40 ~~to~~ provisions stated in chapter 13.03 and 13.08 of this title.

41 1. New Development. All new primary and accessory buildings, structures, additions  
42 to buildings or structures, or areas of new or expanded land uses, i.e. sport courts,  
43 swimming pools or parking lots, shall comply with the requirements of this chapter.

44 2. Existing Development. Development in existence at the effective date of this  
45 chapter shall be brought into compliance with these provisions if:

- 46 a. Redevelopment resulting in demolition or expansion is proposed
- 47 b. Installation of any new outdoor lighting which requires a building inspection  
48 for compliance with ICC building or electrical codes

49 B. Routine maintenance of existing outdoor lighting.

- 50 1. Repairing any component of a light fixture, except the lamp, is permitted for all  
51 existing outdoor lighting fixtures; and

- 52 2. Lamps shall be replaced in accordance with the provisions of this chapter;  
53 provided, however, if no lamp exists which complies with this chapter, then the  
54 fixture shall be replaced.
- 55 C. Exemptions. The provisions of this chapter do not apply to the following
- 56 1. Indoor lighting
- 57 2. Seasonal holiday lighting ~~as long as it does not create a hazard or nuisance from~~  
58 ~~glare~~
- 59 3. Signs as regulated by Chapter 13.82 of this title
- 60 4. Temporary lighting, used for a period not to exceed ten (10) days for festivals,  
61 celebrations, or other public special events or activities.
- 62 5. Temporary right of way construction repair lighting used for a period not to exceed  
63 fifteen (15) days.
- 64 6. Traffic control, warning signals and devices
- 65 D. Administrative Relief. This section effectively regulates outdoor lighting, it is not the intent  
66 of this section to limit creative lighting solutions. The community and economic  
67 development, ~~d~~Director, upon written recommendation of the TRC, may grant relief from  
68 these standards. Determination shall be based upon the following findings,
- 69 1. A complete Administrative Relief application shall be submitted on a form created  
70 and maintained by the CED department
- 71 2. Viable, substitute alternatives are demonstrated to meet the intent of this chapter  
72 and do not otherwise violate this chapter.
- 73 E. Certificate of Occupancy. All outdoor lighting required according to applicable provision of  
74 this chapter shall be installed and inspected to compliance within one year of issuance of  
75 Certificate of Occupancy.

76  
77  
78 **13.84.030 DEFINITIONS**

79 *\*\*INSERT NEEDFUL DEFINITION OF TERMS WHERE DEEMED NECESSARY FOR INTERPRETATION AND*  
80 *CLARIFICATION OF THIS ORDINANCE\*\**

81  
82 **CORRELATED COLOR TEMPERATURE (CCT):** A measure of light source color appearance,  
83 expressed in kelvins (K), ranging from one thousand degrees kelvin (1,000°K) to ten thousand  
84 degrees kelvin (10,000°K). The following table provides examples to help in understanding the  
85 approximation of these colors.

Temperature	Example
1,700°K	Match flame, low pressure sodium lamps.
1,850°K	Candle flame, sunset/sunrise
2,200°K	High Pressure Sodium lamps, (Standard Streetlight Color)
2,400°K - 2,700°K	Standard incandescent lamps
2,700°K - 3,000°K	"Soft white" or "warm white" LED lamps
4,000° K	Clear metal halide lamps, "Cool white" LED lamps
4,500° - 5,500°K	"Daylight" LED lamps
5,000° K	Direct sunlight
6,000° K	Cloudy Sky
10,0'00° K	Blue Sky

86  
87  
88 CANDELA, CANDLEPOWER: (abbreviated as **cp** or **CP**) is a unit of measurement for luminous  
89 intensity. It expresses levels of light intensity relative to the light emitted by a candle of specific  
90 size and constituents

91  
92 **GLARE:** the sensation produced by luminance's within the visual field that are sufficiently greater  
93 than the luminance to which the eyes are adapted, which causes ~~annoyance~~nuisance due to,

94 discomfort, or loss in visual performance and visibility. The magnitude of the sensation of glare  
95 depends on such factors as the size, position, and luminance of a source, the number of sources,  
96 and the luminance to which the eyes are adapted."

97  
98 LIGHT TRESSPASS: The encroachment of excessive light, typically across a property line,  
99 causing annoyance, loss of privacy, or other nuisance

100  
101 13.84.040 GENERAL OUTDOOR LIGHTING STANDARDS

- 102 A. Type of lighting. Light sources shall be LED or other lighting technologies, current or  
103 future, that have similar or better color temperature control (CCT) and energy efficiencies
- 104 B. Light Trespass. All light fixtures and their intended use, including security lighting, shall be  
105 aimed to confine lighting to the area within the property boundaries. ~~Exposed light sources~~  
106 ~~shall be shielded to prevent glare onto or across any public or private street or road.~~ Refer  
107 to Figure 13.84
- 108 C. Full Cut-Off Fixtures. All outdoor lighting shall feature full cut-off hoods or shields installed  
109 and aimed in such a way so that no direct light is emitted so as to not cause violation of  
110 13.84.040.B of this section. Shielding may be accomplished by: ~~full cut-off fixtures; design;~~  
111 shielding; visors; louvers; or other devices or methods. Fencing used as a shielding  
112 feature must be solid and conform to all City of Holladay fencing ordinances. See  
113 examples of shielding in Figures 84-2 and 84-3.
- 114 D. Light Curfew: Recreational lighting used to illuminate sport and outside activity areas shall  
115 be shut-off by 10:00 pm. Except at the conclusion of a permitted special event that is  
116 underway.
- 117 E. Lighting of Flag Poles:  
118 1. According to and to accommodate for U.S. Code, stating:  
119 *"It is the universal custom to display the flag only from sunrise to sunset on*  
120 *buildings and flagstaffs in the open. However, when a patriotic effect is desired, the*  
121 *flag may be displayed twenty-four hours a day if properly illuminated during the*  
122 *hours of darkness."*  
123 a. The lighting of Federal or State flags shall be permitted provided that the  
124 light is a narrow beam spotlight rather than a floodlight, carefully aimed and  
125 shielded to avoid creating a source of glare ~~(maximum lumen output of~~  
126 ~~1500 lumens per pole).~~
- 127 F. Streetlights:  
128 1. Height.  
129 a. Streetlights illuminating Major, Minor Collectors and Arterials shall not  
130 exceed 40 feet (40') in height  
131 b. Streetlights illuminating public and private Residential roads and lanes  
132 shall not exceed twenty-five feet (25') in height  
133 2. Color and Intensity  
134 a. LED in the 4000 kelvin – 4500 kelvin range provides a balance of  
135 brightness while maintaining the driver's attention  
136 b. The maximum light intensity in the 90 ° angle direction, regardless of the  
137 light source's light flux, must not exceed 1000 ~~cd.~~ candela (candlepower)
- 138 3. Location  
139 a. At intersections and crosswalks on major collector streets and arterials  
140 unless within one hundred and twenty-five feet (125') of an adjacent  
141 streetlight.  
142 b. At intersections and crosswalks on minor collector or residential collector  
143 streets unless within two hundred and fifty feet (250') of an adjacent  
144 streetlight.

145 4. Exceptions

- 146 a. Upon review of conditions the City Engineer may make modifications based  
147 upon the following  
148 (1) Height and intensity can be installed at a location to provide  
149 adequate safety and lighting efficiency for both pedestrian and  
150 vehicular use.

151  
152 13.84.050 LIGHTING STANDARDS: R-1, R-2 Zones

153 The following regulations shall also apply to all properties in the single-family (R-1) and two-family  
154 (R-2) zones that are;

- 155 1. Constructed or proposed to be constructed after the enactment of this chapter, and  
156 2. Abut or are adjacent to a residential use, and  
157 3. Covered by Section 13.84.020.

158 A. All lighting provisions of this section shall not violate 13.84.040 of this chapter

159 ~~B. Fixture. All outdoor light fixtures shall provide~~

- 160 ~~1. Color spectrum, or correlated color temperature (CCT) of all outdoor lamps at four~~  
161 ~~thousand degrees Kelvin (4,000°K) or less.~~  
162 ~~2. Fixture illumination designed to radiate more than 300 lumens or equivalent~~  
163 ~~wattage shall feature a full cut-off fixture according to 13.84.040.B~~

164 C.B. Fixture Heights. The maximum allowable heights of light fixtures shall be as  
165 follows. Height shall be measured to the lighting element above existing grade shall be,

- 166 a. 15 feet when mounted to a vertical wall or parapet  
167 b. 15 feet for pole or standard mounted  
168 c. 20 feet when mounted within a soffit or overhang  
169 d. Fence mounted fixtures shall be at the maximum height of the city's fencing  
170 regulations §13.14.120 and light shall be directed so as to comply with  
171 §13.84.040(B) §13.14.120

172 ~~D.C.~~ Accent and architectural lighting: Light fixtures used to accent a structure's vertical  
173 surface shall be designed according to the following

- 174 1. Light source shall be shielded so as to not cause violation of 13.84.040.C of this  
175 chapter.  
176 ~~2. Wall illumination is limited to a per light fixture intensity, designed to provide a~~  
177 ~~maximum of three hundred (300) lumens per two hundred (200) square feet of wall~~  
178 ~~area.~~  
179 ~~3.2.~~ Soffit lighting. Lighting mounted to the underside of soffits, overhangs or  
180 porches shall be,

- 181 a. Installed at a height as described in 13.84.050.C of this chapter  
182 b. A recessed, down-lit fixture

183 ~~E.D.~~ Security Lighting. Appropriate security lighting is allowed in compliance with  
184 provisions of 13.84.040.C and shall also feature

- 185 a. motion sensors set on a five (5) minute timer.  
186 b. lighting shall not be triggered by activity off the property.

187 ~~F.E.~~ Sport Court Lighting. Private sport court lighting shall be installed and maintained  
188 according to the following:

- 189 1. Comply with 13.84.040.C  
190 2. Pole height for mounting fixtures shall not exceed fifteen feet (15') above the  
191 surface of the court.  
192 2.3. Installed completely within a rear yard and setback off property lines a  
193 distance equal to the height of the pole.  
194 4. Use of the lights after ~~eleven~~ ten o'clock (10:00) P.M is prohibited.



195 ~~3.5.~~ Lighting shall aimed, directed onto the sport court and away from abutting  
196 properties.

197 ~~G.F.~~ Landscape Lighting. Landscape lighting designed to provide illumination of  
198 vegetation, pathways, steps, and entrances to buildings shall be low voltage systems  
199 installed and maintained in accordance with 13.84.040.C

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#### 13.84.060 LIGHTING STANDARDS: OTHER ZONES

Regulations of this section shall apply to all zones not listed in 13.84.050 and that are;

- 210 1. Constructed or proposed to be constructed after the enactment of this chapter, and
- 211 2. Covered by Section 13.84.020.

- 212 A. Refer to §13.65 for lighting regulations in the Regional, Mixed/Use (R-M/U) zone
- 213 B. Refer to §13.71 for lighting regulations in the Holladay Village (HV) zone
- 214 C. Implementation of all lighting provisions set forth in this section shall not violate
- 215 §13.84.040 of this chapter

#### 216 D. Security

- 217 1. Appropriate security lighting is allowed in compliance with the general provisions of
- 218 this chapter including shielding, direction, color, and measurement.
- 219 a. Security lighting is permitted within forty feet (40') of a building, in outside
- 220 display areas, or other areas requiring such lighting. Security lighting may
- 221 remain on after the close of business for security purposes, reduced to
- 222 defined illuminance levels

#### 223 E. Parking lots

- 224 1. All lighting shall be shielded and even modified, if necessary, such that ~~parking lot~~
- 225 lighting does not light trespass ~~onto~~ into adjacent properties or into the adjacent
- 226 streets. A properly shielded fixture would not have not visible glare spots until a
- 227 person or vehicle enters the property of the parking lot.
- 228 2. Appropriate location. Entrances, exits, and barriers should be emphasized.
- 229 3. Integrate with landscaping. All parking lot lighting should be integrated into
- 230 landscape areas wherever possible.
- 231 4. Height. Height of parking area light poles should be in proportion to the building
- 232 mass and height, and shall be no more than fifteen (25) feet above the parking lot
- 233 surface.

234 ~~4.5.~~ Setback. Light poles abutting residential use shall be set off the property  
235 line at a distance that is equal to the height of the pole.

236 ~~5.6.~~ Maximum. A maximum of two (2) initial lumens per square foot of parking  
237 lot surface

238 ~~6.7.~~ Spot or floodlighting of parking lots from a building or other structure is not  
239 permitted.

#### 240 F. Landscaping, Walkways

- 241 1. Walkways. The intent of walkway lights are to provide pools of light to help direct
- 242 pedestrians along the path, not to fully illuminate the path. Steps and path
- 243 intersections should be illuminated for safety.
- 244 a. The maximum average foot-candle permitted on the ground is an average
- 245 one (1) horizontal foot-candle or less.

- 246 (1) Two (2) types of lights may be selected:  
247 . three and one half (3'6") foot bollards with louvers or  
248 . ten (10) foot pole mounted down directed luminaires. Lights  
249 must be shielded.  
250 2. Landscaping. The lighting of vegetation and other landscape features shall comply  
251 with the regulations established in this chapter.  
252 3. Poles shall be black, dark gray, dark brown, dark green, or earth tone. The height  
253 of the pole mounted light shall not exceed twenty-five feet (15') above grade. Any  
254 fixtures located within any required setback or buffer area shall not exceed twelve  
255 feet (12') above grade

#### 256 G. Building

- 257 1. Light Source (Lamp): Only LED, incandescent, fluorescent, metal halide, or color  
258 corrected high pressure sodium may be used. LED is the preferred light source.  
259 The same type shall be used for the same or similar types of lighting on any one  
260 site. No colors other than white or off white (light yellow tones in the kelvin scale of  
261 5,000k or lower, i.e. warmer) may be used for any light source for the lighting of  
262 structures. Noncolor corrected low pressure sodium and mercury vapor light  
263 sources are prohibited.  
264 2. Mounting: Fixtures shall be mounted in such a manner that the cone of light does  
265 not cross any property line of the site. Wall mounted fixtures intended to illuminate  
266 walkways or paths shall not exceed thirteen feet (13') above the pedestrian  
267 pathway. For purposes of these regulations, the mounting height of a lighting  
268 fixture shall be defined as the vertical distance from the grade elevation of the  
269 surface being illuminated to the bottom of the lighting fixture (i.e., luminaire).  
270 3. Architectural Feature Lighting: Architectural feature lighting including wall washer  
271 spotlights are permitted.

#### 272 H. Sports Facility, Outdoor recreation Lighting

- 273 1. All sports lighting shall be turned off within thirty (30) minutes of the completion of  
274 the last game, practice, or event. In no case shall recreational lighting occur after  
275 ~~eleven~~ ten o'clock (10:00) P.M. except to conclude a specific sporting event that is  
276 underway  
277 2. All new sports lighting fixtures shall not exceed the minimum standard illumination  
278 levels for sports lighting as established by by The Illuminating Engineering Society  
279 (IES). All new sports lighting shall require site specific computer calculations and a  
280 printout demonstrating that such lighting meets IES standards and does not  
281 otherwise violate this chapter,  
282

### 283 13.84.070 PROHIBITED LIGHTING

#### 284 A. The following lighting shall be prohibited

- 285 1. Unshielded lighting exceeding 300 lumens, for any purpose is prohibited.  
286 2. Flashing, chasing, blinking, intermittent lights or other lights that move or give the  
287 impression of movement, are prohibited.  
288 a. Exceptions  
289 (1) Holiday lighting  
290 3. Building for the purpose of lighting parking lots or sales display lot areas. Fully  
291 shielded fixtures may be attached to buildings to light walkways and parking lot  
292 spaces adjacent to buildings.  
293 4. Laser lighting. All laser lighting is prohibited.  
294 5. Searchlights. All searchlights are prohibited.  
295 6. Exposed Neon and fluorescent tubes.  
296

- 297  
298 **13.84.080 OUTDOOR SITE LIGHTING PLAN SUBMITTAL REQUIREMENTS**  
299     A. Lighting plans shall be required and shall include the following:  
300         1. Commercial and Multi-Family (3 or more units)  
301             a. The location of all light fixtures, both proposed and any already existing on  
302                 the site.  
303             b. A photometric plan, designed and stamped by a lighting professional,  
304                 illustrating lighting intensities at a minimum of two by two feet in spacing  
305                 and at five feet beyond the property line. The photometric plan shall be  
306                 submitted on a “maintained” basis at one-year after burn-in and state the  
307                 light loss factors used in the calculation.  
308             c. A description of each light fixture, lamp, support and shield, both proposed  
309                 and existing. The description shall include, but is not limited to,  
310                 manufacturer’s catalog cuts and illustrations; lighting fixture lamp types,  
311                 wattages and initial lumen outputs.  
312             d. At the city’s discretion, the city’s public safety departments or providers may  
313                 review and provide feedback on lighting plans as part of the development  
314                 review process. This review shall be administered by the city’s development  
315                 review committee (TRC).  
316         2. Residential  
317             a. The location of all light fixtures, both proposed and any already existing on  
318                 the site  
319             b. A description of each light fixture, lamp, support and shield, both proposed  
320                 and existing. The description shall include, but is not limited to,  
321                 manufacturer’s catalog cuts and illustrations; lighting fixture lamp types,  
322                 wattages and initial lumen outputs.  
323  
324     B. Lamp or light fixture alteration. Should any lamp or light fixture be altered after a permit  
325     has been issued, a change request must be submitted to the TRC for approval, together  
326     with adequate information to assure compliance with this chapter, which must be received  
327     prior to alteration.  
328  
329     C. Certification of installation. For all commercial project’s certification that the lighting, as  
330     installed, conforms to the approved plans shall be provided by a qualified lighting  
331     professional before any certificate of occupancy or business license is issued.  
332  
333 **13.84.070 REVIEW PROCEDURES**  
334     A. Single-Family Residential. All single-family home outdoor lighting shall comply with this  
335     chapter.  
336     B. Multi-Family Residential and Commercial. Lighting plans are required. All building plans,  
337     commercial sign permit applications, conditional use permits, and subdivision applications  
338     shall include a detailed lighting plan that shows evidence that the proposed lighting fixtures  
339     and light sources comply with this chapter  
340     C. Evidence of Compliance with Codes. All lighting plans shall include certification by a  
341     licensed electrical engineer that the lighting fixtures proposed by the plan conform to the  
342     requirements of this chapter, Building and Electrical Codes.  
343  
344 **13.84.080 APPROVAL PROCEDURES**  
345     A. Approval procedures for new commercial and multi-family developments shall be review  
346     and approved by the planning commission in accordance with Chapter 13.08 and 13.10  
347     B. New residential site plans shall be reviewed in accordance with 13.08.100 of this title

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13.84.090 ADMINISTRATIVE RELIEF

A. It is important to note that the intent of this chapter is to effectively regulate lighting, and it is not the intent of this section to limit creative lighting solutions. Creative approaches to lighting are encouraged as viable alternatives to these standards and guidelines are proposed. The CED Director may approved substituted alternatives if the alternatives are found to meet the intent of this chapter and do not otherwise violate this chapter.

13.84.110 APPEAL PROCEDURE

A. The applicant, property owner or any person aggrieved by a final decision, determination, or requirement imposed regarding this chapter may appeal according to the provisions set forth in 13.09

13.84.111 ADMINISTRATION AND ENFORCEMENT

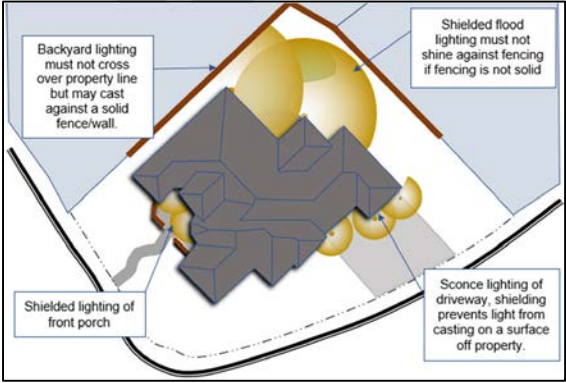
- A. The provisions of this chapter shall only apply as effective from the date they were adopted and not retroactively.
- B. Outdoor lighting that conformed with city of Holladay ordinances prior to the adoption of a provision of this chapter shall be treated similarly to a legal nonconforming use that can be maintained or replaced in like-for-like features but not expanded.
- C. Violations deemed public nuisances. Where applicable, enforcement of all the provisions of this chapter is authorized by the community and economic development ~~d~~Director. Violations shall be enforced as public nuisances.
- D. Nothing in these regulations shall prevent filing an action for relief from light trespass or glare as a nuisance, or from other relief under any laws which may currently exist.
- E. Suspension, Revocation, or Modifications to the Lighting Plan. The community and economic development director may suspend, revoke, or require modification of any lighting plan that is found to be not in compliance with this chapter or that is causing nuisance conditions.
- F. Failure to enforce shall not legalize any violations of this provisions within this chapter.

13.84.112 EFFECTIVE DATE

A. *To be determined (codification date)*

13.84.113 FIGURES

Figure 84.1  
Preventing Light Trespass:  
example site layout of single-family home



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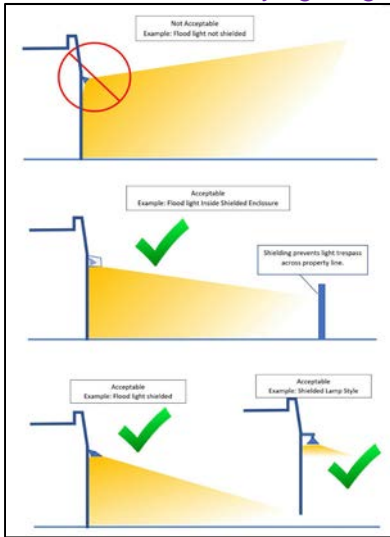
388 example site layout of commercial property

389

390 Figure 84.2

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Area Flood / Security lighting



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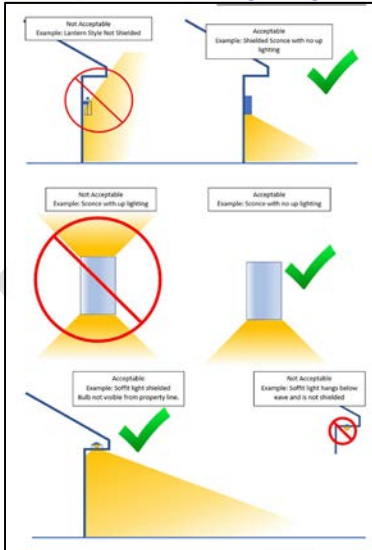
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395 Figure 84.3

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Examples of wall lighting



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399 Chart 84.1

400





**FILE# n/a**

**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:**

Jonathan Teerlink, 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*

**DRAFT**

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

**Tuesday, March 4, 2025**

**6:00 PM**

**City Council Chambers**

**4580 South 2300 East**

**Holladay, Utah**

**ATTENDANCE:**

**Planning Commission Members:**

**City Staff:**

Dennis Roach, Chair

Karianne Prince

Jill Fonte

Angela Gong

Paul Cunningham

Brian Berndt

Jonathan Teerlink, Community and Economic  
Development Director

Brad Christopherson, City Attorney

**WORK SESSION**

Chair Dennis Roach called the Work Session to order at 5:45 p.m. The Regular Meeting items were discussed. There is a Public Hearing on the Charleston Place Subdivision and an Action Item to approve previous sets of Meeting Minutes. All Commissioners are present at the Planning Commission Meeting with the exception of Commissioner Ginger Vilchinsky, who is excused.

Community and Economic Development Director, Jonathan Teerlink, shared information about the Charleston Place Subdivision application. He reported that there is an application before the Commission for a two-lot Subdivision Plat. There was a home at 5870 South Highland Drive that was torn down. The property is located within the Charleston Place Subdivision Plat, the zone is R-1-10, and the property is 0.55 acres. There is enough property to split the lot into two. Mr. Teerlink explained that the property is currently under construction. Ivory Homes purchased that lot and a permit was issued based on the larger size. In the meantime, work was done with the Homeowners Association (“HOA”) to negotiate a Subdivision Plat. The reason the HOA is involved is because the Covenants, Conditions, and Restrictions (“CC&R”) require a minimum lot size of a half-acre. In the past, the lot has been pursued for a lot split, because of the R-1-10 Zone. The HOA has denied every applicant until now. There might be some residents from the HOA at the Regular Meeting.

The Technical Review Committee (“TRC”) has reviewed the plat for compliance with the R-1-10 Zone and it complies. There will be some off-site improvement requirements, as the sidewalk is existing on the Highland Drive side, but does not wrap around onto Charleston Lane. Curb, gutter, sidewalk, and street trees will need to be installed along that section. The HOA has some concerns about sidewalk down that street, which might be mentioned during the Regular Meeting. If that

1 occurs, City Attorney, Brad Christopherson, will discuss how to address HOA and CC&R-related  
2 issues.

3  
4 Whenever there is a subdivision or new home built, there is an opportunity to request that the off-site  
5 improvements be deferred. The applicant can ask for the installation to occur at a later date, can pay  
6 for the improvements so the City installs them at a later date, or can submit an application to waive  
7 the improvements altogether. Mr. Teerlink suspects the HOA will apply through Ivory Homes to  
8 waive that requirement, but that has yet to be determined. It is not necessarily in the purview of the  
9 Planning Commission to review that request, as it will ultimately be reviewed by the City Manager.  
10 The plat has been prepared in a draft form for the Planning Commission to review. Staff recommends  
11 approval of the two-lot subdivision, which is Lot 1A and Lot 1B in Charleston Place.  
12

13 Chair Roach asked if the sidewalk is something that should be considered with this application.  
14 Mr. Teerlink explained that off-site improvements are already addressed in the code in different  
15 places. Commissioner Karianne Prince pointed out that the subdivision would exist within an HOA  
16 that has not allowed for the subdivision until now. Mr. Teerlink clarified that the R-1-10 Zone is in  
17 place and has been for some time. The next lot in is in the R-1-21 Zone, which has a half-acre  
18 requirement. There will be some push and pull between the HOA and the applicant. Commissioner  
19 Jill Fonte does not believe a precedent will be set here. Mr. Teerlink explained that the zone is already  
20 in place. Commissioner Paul Cunningham asked about the construction process. Mr. Teerlink stated  
21 that he spoke to the contractor about the work. The Code Enforcement Officer is aware of the  
22 situation. Chair Roach asked if a Condition of Approval could be that additional trees be required to  
23 account for the ones removed. Mr. Teerlink stated that there could be a fine imposed for the ones  
24 removed.  
25

26 Chair Roach noted that there is a heavily wooded lot adjacent to this property that has no structures  
27 on it. Mr. Teerlink clarified that half of that lot is wooded, but there is a small house back in the trees.  
28 That property is part of the Charleston Place Subdivision but is not part of this amendment.  
29

30 There were no suggested amendments for the Meeting Minutes on the Regular Meeting agenda.  
31

32 Chair Roach reported that there are some technical challenges with pausing the Work Session  
33 broadcast before it becomes the Regular Meeting. He reminded Commissioners to mute microphones  
34 in between those meetings and be mindful of what is discussed during the break. Additionally, there  
35 are times when there is a single item on an agenda. He asked if there is interest in tabling items to a  
36 future meeting when there is one item to be considered by the Planning Commission. This was  
37 confirmed. It was clarified that there will still be compliance with the timeline requirements in place.  
38

39 **CONVENE REGULAR MEETING – Public Welcome and Opening Statement by Commission**  
40 **Chair.**

41 Chair Roach called the Regular Meeting to order at approximately 6:00 p.m. All Commissioners are  
42 present with the exception of Commissioner Vilchinsky. There is one Public Hearing Item and Action  
43 Item on the agenda. Commissioner Fonte read the Opening Statement for the benefit of those present.  
44

1 **PUBLIC HEARING**

2  
3 1. **“Charleston Place” Subdivision – Amendment – 5870 South Highland Drive (R-1-10**  
4 **Zone) - Preliminary Level Review and Consideration of an Application by Jackson**  
5 **Haslam, Representing Ivory Homes, to Subdivide 0.55 Acres of Land. This Two-Lot,**  
6 **Residential Subdivision will be Added as an Amendment to the Abutting, “Charleston**  
7 **Place” Subdivision. Item Reviewed as an Administrative Action for Permitted Uses in**  
8 **Accordance to Zone and Subdivision Standards Required by Holladay Ord §13.10A File**  
9 **#24-1-08.**

10 Mr. Teerlink presented the Staff Report and explained that the application before the Planning  
11 Commission is an administrative request to subdivide 0.55 acres of land located on the corner of  
12 Charleston Lane and Highland Drive. The property is located in the R-1-10 Zone, which is a zone  
13 that allows one home on 10,000 square feet. In order to plat new properties, minimum lot size  
14 requirements must be met, which the TRC has reviewed for this property. Those parameters are met  
15 with the application, including utility service availability letters. Mr. Teerlink explained that these  
16 letters are required when a new lot is created to ensure that the new lot can be served by utilities. The  
17 application before the Commission requires a Public Hearing. The TRC recommends approval.

18  
19 The applicant, Jackson Haslam, explained that he is representing Ivory Homes. He thanked City Staff  
20 for the work that has been done and for the presentation. The proposal will add to the neighborhood  
21 and will fit in well with the surrounding homes. He is available to answer Commissioner questions.

22  
23 Chair Roach opened the public hearing.

24  
25 *James Nebeker* gave his address as 1915 Charleston Lane. He noted that there is a submission that  
26 came with the Ivory Homes materials. It is a request to allow Ivory Homes not to install curb, gutter,  
27 and sidewalk on the south side of Lot 1. This is to preserve the character of the neighborhood. There  
28 are other streets in Holladay that have the same feature. He is the lead in the Architectural Committee  
29 that is maintained on the street and he wrote the piece that is in there. He can answer any questions.

30  
31 There were no further comments. The public hearing was closed.

32  
33 Commissioner Cunningham expressed concerns about the scope of the work that has already taken  
34 place. It is unusual that the foundation is already in. He asked if the HOA and Ivory Homes have  
35 reached an agreement that would allow for what is proposed. Mr. Haslam clarified that there has  
36 been work with the Architectural Committee on an amendment to the CC&Rs. The lot has not been  
37 split at this time, so all of the work has been done on the furthest east side, which is proposed Lot 1A.

38  
39 A reference was made to the landscape changes. Mr. Haslam confirmed that notice was received  
40 from the City earlier in the day. He reported that a permit was submitted for tree removal for the first  
41 lot and trees were removed according to that permit. The removal stopped at the lot line. It sounds  
42 like the construction team pulled out what they believed was a bush. There is a Landscape Plan for  
43 the second lot, but it will not be submitted until the lot has been split. Mr. Haslam apologized for the  
44 situation and explained that wires were crossed between the development side and the construction  
45 side. Ivory Homes will do whatever needs to be done to rectify the error. It was an honest mistake  
46 and a tree was removed that should not have been. He reiterated that there is a full Landscape Plan

1 in place already, which includes a full replacement of any tree that is removed, plus any additional  
2 amount that is required by Tree City USA. As for whether or not there is a date that the CC&R  
3 changes will be finalized by, it was clarified by Mr. Haslam that there is no date determined at this  
4 time.

5  
6 Commissioner Prince expressed confusion about the sidewalk and why there would not be a sidewalk  
7 on part of the property. There is still some uncertainty after reading the Meeting Materials Packet.  
8 Mr. Haslam reported that the existing subdivision does not have any sidewalk, curb, or gutter there.  
9 There is a strong desire to maintain a country feel for the street. There is work being done with the  
10 Architectural Committee. A waiver has been applied for through the City for the sidewalk on the  
11 south side of the property. The idea is to be in compliance with the wishes of the Architectural  
12 Committee. As for Highland Drive, that is an accessibility issue, so sidewalk will be required there.

13  
14 Commissioner Angela Gong asked if the waiver is part of the application before the Planning  
15 Commission. Mr. Teerlink clarified that the waiver is separate. There is an existing process that the  
16 code outlines for the TRC. He explained that there are specific steps to determine whether a sidewalk  
17 is required for the location. Once the application moves forward, that TRC process will take place.  
18 Mr. Teerlink reported that there are two instances where a sidewalk is usually a requirement:

- 19  
20 · If it is on a safe walking route to a public space;  
21 · If the width of the right-of-way can accommodate the sidewalk or if there is an existing  
22 sidewalk that it needs to connect to.

23  
24 Since Highland Drive has a sidewalk, there is a connection required there. It is possible to waive or  
25 defer in some cases. It was noted that on the south side of Charleston Lane, there are townhomes, but  
26 those are not part of the Charleston Place Subdivision. Approximately 20 years ago, before that area  
27 became part of Holladay, it was unincorporated Salt Lake County. On Highland Drive, it makes sense  
28 to have a continuous sidewalk for safety. However, on Charleston Lane, there is not the same need.

29  
30 There was a member of the public who wished to speak. Chair Roach re-opened the public hearing.

31  
32 *Don Reese* gave his address as 1932 Charleston Lane and referenced the mailer that he received. It  
33 stated that there would be a discussion about whether to allow for the two lots. Living across the  
34 street from the subject property, it appears that permission has already been granted, given the  
35 construction that has occurred. Mr. Christopherson stated that the City's position is that permission  
36 has not been granted. Ivory Homes likely started doing work on the project before there was  
37 permission to do so. There has been code enforcement action taken related to the property. He  
38 pointed out that what is proposed meets City Code, so there are not a lot of reasons the City would  
39 deny the application. However, it is the position of the City that work was done before there was  
40 permission granted to do so. Mr. Reese thanked the City Attorney for providing that clarification.

41  
42 There were no further comments. The public hearing was closed.

43  
44 Commissioner Prince explained that she has some hesitancy about the application due to the actions  
45 taken by the developer so far. It seems there should be better compliance. Mr. Teerlink stated that  
46 the permit was approved for the gross lot size, regardless of whether the subdivision occurred. Work



1 was shifted to one side to ensure that development could occur later if the Subdivision Plat moved  
2 forward. In the discussion with the HOA, it was made clear that there was an intention to request a  
3 subdivision. He reiterated that the Building Permit was approved based on the gross area, with the  
4 awareness that there could possibly be a subdivision of land at some point in the future.

5  
6 Commissioner Prince asked if the required setbacks and space between homes can still be achieved,  
7 which was confirmed. It was noted that the Staff Report confirms that all standards and setbacks are  
8 met. Mr. Haslam explained that the code was followed for the unsubdivided lot. Construction has  
9 taken place on the east side. If there is approval granted to split the lot, then another home can be  
10 built on the other side. If there is no approval, the current construction still meets the City Code.  
11 Commissioner Prince appreciated the clarification provided by City Staff and the applicant. It was  
12 stated that there is a Building Permit for the existing home. It was some of the tree removal where  
13 the approvals were exceeded. There is no Building Permit for a second home at this time.

14  
15 ***Commissioner Fonte moved to APPROVE the Preliminary Plat application by Jackson Haslam***  
16 ***for “Charleston Place,” an amendment to an existing subdivision, to create an additional lot from***  
17 ***one existing lot, located at 5870 South Highland Drive in the R-1-10 Zone, based upon the findings:***

- 18  
19 ***1. Development details required for a Preliminary and Final Plat have been submitted***  
20 ***and reviewed by the TRC.***
- 21  
22 ***2. Each of the lots comply with the minimum width and area for single-family home***  
23 ***development in the R-1-10 Zone.***
- 24  
25 ***3. The required submittals for Preliminary Subdivision development have been***  
26 ***provided where applicable and have been found to be complete and acceptable.***
- 27  
28 ***4. Fire access is existing and approved by the Unified Fire Authority (“UFA”).***
- 29  
30 ***5. Public roads and utility easements are shown on the plat.***

31  
32 ***Also, within one year and in accordance with 13.10A.070.E, to complete administrative review and***  
33 ***approval of the Final Plat by the Community and Economic Development Director – following a***  
34 ***positive, written recommendation from the TRC.***

35  
36 ***Commissioner Berndt seconded the motion. Vote on Motion: Commissioner Cunningham-Aye;***  
37 ***Commissioner Fonte-Aye; Commissioner Prince-Aye; Commissioner Gong-Aye; Commissioner***  
38 ***Berndt-Aye; Chair Roach-Aye. The motion passed unanimously.***

39  
40 **ACTION ITEMS**

- 41  
42 **2. Approval of Minutes – 1/21/2025, 2/4/2025.**

43  
44 ***Commissioner Prince moved to APPROVE the Meeting Minutes from January 21, 2025.***  
45 ***Commissioner Gong seconded the motion. The motion passed unanimously.***

1 *Commissioner Prince moved to APPROVE the Meeting Minutes from February 4, 2025.*  
2 *Commissioner Berndt seconded the motion. The motion passed unanimously.*

3

4 **ADJOURN**

5 *Chair Roach moved to ADJOURN. There was no second. The motion passed with the unanimous*  
6 *consent of the Commission.*

7

8 The Planning Commission Meeting adjourned at approximately 6:25 p.m.

**DRAFT**

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, March 4, 2025.*

3  
4  
5

6 Teri Forbes

7 Teri Forbes  
8 T Forbes Group  
9 Minutes Secretary

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

**DRAFT**



**FILE# n/a**

**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:**

Jonathan Teerlink, 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*

**DRAFT**

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

**Tuesday, March 18, 2025  
6:00 PM  
City Council Chambers  
4580 South 2300 East  
Holladay, Utah**

**ATTENDANCE:**

**Planning Commission Members:**

**City Staff:**

Dennis Roach, Chair  
Karianne Prince  
Jill Fonte  
Angela Gong  
Paul Cunningham  
Ginger Vilchinsky (arrived for the Regular Meeting)

Carrie Marsh, City Planner  
Jonathan Teerlink, Community and Economic  
Development Director  
Justice Tuffour, Planner I

**WORK SESSION**

Chair Dennis Roach called the Work Session to order at 5:30 p.m. He noted that all Commissioners are present with the exception of Commissioner Brian Berndt and Commissioner Ginger Vilchinsky. The Regular Meeting items were discussed. There is one Public Hearing and one Action Item.

Community and Economic Development Director, Jonathan Teerlink, shared information about the Public Hearing item related to a Text Amendment to Chapter 13.84. In October 2024, Council Member Emily Gray was approached by some constituents who had concerns about residential lighting. Over the years, the Code Enforcement Officer has addressed compliance issues and outdoor lighting complaints. However, there are no clear rules to regulate how lights are to be directed and used on residential properties. The Planning Commission has the authority to review Site Plans on a commercial level for lighting compliance and dark sky standards. The last Site Plan the Planning Commission reviewed at that level was the hotel on Highland Drive and 6400 South. When single-family homes are built, there is no review of any sort of lighting plans. Over the last few months, the City Council has directed City Staff to create a framework that addresses lighting in residential neighborhoods. There is drafted language included in the Meeting Materials Packet. It is recommended that the discussion be continued to a future meeting so there is time to review it all.

Chair Roach asked if there have been any public comments on the Text Amendment so far. Mr. Teerlink denied this. He expected that some written comments would be submitted, but none have been received so far. Some residents will likely attend the Regular Meeting to share



1 comments. Chair Roach referenced holiday lights and concerns about regulation. Mr. Teerlink  
2 reported that there was a PowerPoint presentation created so the City Council could review what  
3 cities often regulate. From there, Staff received direction about what to look into further. The  
4 items included in that presentation have since been whittled down to what is seen in the draft text.  
5

6 Commissioner Jill Fonte asked about the recommendation to continue the Text Amendment to a  
7 future meeting. She wanted to know if there was a desire to allow more time for public comment.  
8 Mr. Teerlink clarified that the reason for the recommendation is to ensure there is time to  
9 understand the code and what it means in terms of enforcement. Commissioner Fonte expressed  
10 concerns about the ability to enforce. Mr. Teerlink stated that the language has been written  
11 objectively. This ensures that measurements can be used. There is a new Code Enforcement  
12 Officer, Chad Pedersen. He understands lighting and is comfortable with what has been proposed  
13 at this time. These amendments will add another layer to the enforcement that is needed moving  
14 forward.  
15

16 Commissioner Paul Cunningham pointed out that the Text Amendment will create non-  
17 conforming uses in the City. He asked if it is the vision of the City Council that this be addressed.  
18 Mr. Teerlink reported that there is a section on non-conforming uses in the code. Chair Roach  
19 suggested that the Planning Commission discuss the Action Item and then come back to the Public  
20 Hearing item.  
21

22 Planner I, Justice Tuffour, introduced himself to the Planning Commission and shared information  
23 about the Eastwind Subdivision application. The applicant is seeking to expand the size of his  
24 property. The Eastwind Subdivision originally started as a three-lot subdivision. The applicant  
25 lot was originally Lot 1. The Subdivision Plat was amended in 2024 into a two-lot subdivision.  
26 The two-lot subdivision happened when the owner of Lot 1 and the owner of Lot 3 bought Lot 2  
27 and split it into two. The owner of Lot 1A has bought the neighboring property that fronts onto  
28 Wander Lane. The proposal is to add that neighboring property onto the lot that is owned by the  
29 applicant.  
30

31 Commissioner Cunningham asked what the request will allow the applicant to do that cannot be  
32 done currently. Mr. Tuffour explained that as it stands, the property is conforming to the minimum  
33 lot size requirements and frontage requirements. However, the lot is somewhat narrow. Adding  
34 the neighboring lot to the west would make future improvements possible, such as an addition to  
35 the existing house on the lot. The applicant has a permit for an addition to the new property that  
36 was purchased. Amending the Subdivision Plat would allow the applicant to move forward with  
37 that. Chair Roach asked what zone this is in. Mr. Tuffour reported that it is located in the R-1-8  
38 Zone.  
39

40 Commissioner Karianne Prince reported that she needs to leave the Planning Commission Meeting  
41 at 6:55 p.m. She asked if it would be possible to discuss the Action Item ahead of the Public  
42 Hearing item since the Public Hearing item is proposed to be continued to a future meeting. Mr.  
43 Teerlink confirmed that the switch can be made. There can be a motion made to amend the agenda  
44 order.  
45

1 Commissioner Prince referenced letters from the utility companies to vacate the easement. She  
2 asked if the utilities are being removed. Mr. Teerlink explained that when subdivision  
3 amendments occur, there are easements in place via the plat. Those can be vacated, but there need  
4 to be approvals from each utility provider to prove that there are not any facilities there currently.  
5 He believes there is a desire to build in that area. Additional discussions were had about the  
6 easements.

7  
8 Commissioner Fonte asked if the future intent of the property is something the Planning  
9 Commission should consider. Mr. Teerlink stated that there cannot be building across the current  
10 property line. If the intention is to build across there, that work cannot be approved until the  
11 amendment takes place.

12  
13 City Planner, Carrie Marsh, stated that each of the two lots could have a primary structure and an  
14 accessory structure completely detached. What is proposed is to combine the lots into one with  
15 one single-family structure. There is one permitted accessory structure that could go with that.  
16 Commissioner Prince drove past the property earlier in the day and there is work being done right  
17 now. Mr. Teerlink clarified that there is a lot of landscaping work that is being done on the lot.  
18 Commissioner Angela Gong asked if it is possible to have a sports court or something similar  
19 there. Chair Roach pointed out that the applicant would need to go through the permit process for  
20 that.

21  
22 Additional discussions were had about the Text Amendment. Commissioner Gong believed the  
23 original conversation was the result of neighbor conflicts, but it sounds like the principles are used  
24 by other cities. Mr. Teerlink confirmed this. There was a large property on the corner of  
25 Cottonwood Lane and Walker Lane that had been subdivided several years back. There are two  
26 homes there now and there is a dramatic difference now that the homes are finished and the lighting  
27 treatments are in. Some of the light choices have created concerns, especially with the lights that  
28 are on the gates. When there are lighting concerns, it often has to do with the color of the light  
29 that is being used and the intensity. A lot of cities are moving closer to dark sky compliance, but  
30 in urban areas, most of the city regulations are focused on the color, use, and intensity of the light  
31 to prevent nuisances.

32  
33 Mr. Teerlink reported that there are usually four to five complaints a year related to residential  
34 lighting. For instance, there might be a neighbor who installed a security light that does not turn  
35 off. Generally, there has been work done with the Code Enforcement Officer to arrive at a solution  
36 and redirect the light fixtures so both neighbors are satisfied with the outcome. Chair Roach asked  
37 if the proposed language will address wall washing, where there are lights pointed at the house,  
38 and there is reflective glare. It seemed the language was specifically related to the fixture as  
39 opposed to the light glare or reflection. Mr. Teerlink explained that the City Council is more  
40 interested in having a definition of light trespass. There is a way to calculate reflective light, but  
41 that would be too onerous to enforce. The code addresses the issue to an extent. Mr. Teerlink  
42 shared some example images with the Commission from the presentation slides to highlight the  
43 color differences.

1 Commissioner Cunningham pointed out that there is a lot of definitional language that has come  
2 from somewhere else. He asked if there is a way to adopt that by reference so there do not need  
3 to be amendments made every time the source document changes. Mr. Teerlink confirmed this.  
4 Commissioner Cunningham asked about the 10:00 p.m. and 11:00 p.m. references that are made  
5 in the text. Mr. Teerlink explained that the original proposal was 11:00, but it was determined that  
6 there should be consistency between that language and the Noise Ordinance language that already  
7 exists.

8  
9 The Planning Commission took a brief break before starting the Regular Meeting.

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

13 Chair Roach called the Regular Meeting to order at approximately 6:00 p.m. He noted that all  
14 Commissioners are present with the exception of Commissioner Berndt. There is a Public Hearing  
15 item and an Action Item on the agenda. There were discussions about amending the agenda order  
16 during the Work Session, but the applicant for the Action Item is not present at this time. As a  
17 result, the agenda order will remain as written. No members of the public were present, so the  
18 Opening Statement was not read. Chair Roach asked that the Text Amendment discussions last  
19 for a half hour.

20  
21 **PUBLIC HEARING**

- 22  
23 1. **Text Amendment - Chapter 13.84 Outdoor Lighting Standards Review and**  
24 **Recommendation to the City Council on Proposed Amendments to Title 13, of the**  
25 **Holladay City Code, Land Use and Development Regulations. By Order of the**  
26 **Holladay City Council, the Proposal Relocates Current Lighting Standards from**  
27 **Various Sections of Title 13 and Consolidates them within a New and Expanded City**  
28 **Outdoor Lighting Section Proposed as Holladay Ordinance §13.84. Item Reviewed**  
29 **as a Legislative Action, According to Procedures Set Forth in Holladay Ordinance**  
30 **§13.07. File #25-4-02.**

31 Mr. Teerlink presented the Staff Report and explained that the City Council has directed City Staff  
32 to draft an amendment to the existing Lighting Ordinance for commercial and to add in language  
33 for residential lighting standards. During the City Council Meetings, some elements were  
34 proposed based on concerns that some citizens raised for residential neighborhoods. For example,  
35 nuisance lighting and glare. The commercial lighting standards that have been created for the  
36 Holladay Village Zone are an example of how well lighting can be handled as far as commercial  
37 retail. The lighting there is purposeful, so some of those elements were requested to be brought  
38 into the residential.

39  
40 There was a presentation previously made to the City Council. The presentation slides are included  
41 in the Meeting Materials Packet for Planning Commission review. This provides an overview of  
42 the concerns the community has expressed. Some of the considerations that can address those  
43 concerns include: fixtures that require full shielding, soffit locations, limiting yard lighting, and  
44 considering the lumen level and spectrum color. The City Council is specifically interested in light  
45 trespass and glare. Example images were reviewed by the Planning Commission. Mr. Teerlink

1 explained that there were a few Council Members concerned about security through lighting.  
2 Images from the previous Code Enforcement Officer were shared to illustrate how unshielded light  
3 can create more of a hazard. There is so much perceived glare that it is not possible to see what is  
4 happening behind. The intention is to create a distinction between security/safety and  
5 decorative/seasonal. There is not an intention to prevent the use of either one, but to create  
6 parameters to soften the intensity.

7  
8 The Council was not interested in eliminating the right to have decorative lighting but wants it to  
9 be regulated in a way that there is not an overabundance of the use that would create an issue with  
10 the neighborhood. Sports courts are already regulated in the code, but some additional provisions  
11 have been added to strengthen those elements. For instance, there is interest in lowering the light  
12 pole itself so it is closer to the area of play. An image from a Code Enforcement case file was  
13 shared. The use of sports court lighting that is left on all night long is a concern, especially when  
14 it reflects into other homes. Chair Roach asked if there is something in the proposed language that  
15 delineates the code being different by zone. Mr. Teerlink explained how the drafted language is  
16 organized.

17  
18 Some examples of code considerations were shared. Mr. Teerlink noted that it was disheartening  
19 during the research process to find that certain building supply stores do not have fixtures to meet  
20 the standards. Chair Roach asked if it would be permissible for the City to work with local vendors  
21 for certain products. Mr. Teerlink confirmed that there can be some outreach. Some fixtures have  
22 a Dark Sky Approved logo on the boxes, but he was unable to find examples of those in store when  
23 he looked.

24  
25 Mr. Teerlink shared information about a Lighting Plan. With the code, if there is an addition being  
26 added or a new home is being built, there will be a requirement for a Lighting Plan. Most cities  
27 require that plan to be prepared by a specialist, but the City Council was uncomfortable with that  
28 due to additional costs. As a result, that requirement was withdrawn from the proposed language.  
29 However, for a commercial property, the Lighting Plan will need to be prepared by a professional.  
30 Some cities have a requirement that holiday lighting can only be on 30 days before and 30 days  
31 after the date of the holiday. After speaking to the City Council, there was no interest in that  
32 requirement.

33  
34 Commissioner Fonte asked how the City will make sure the Lighting Plan shows evidence of  
35 compliance if there is difficulty finding complying lighting fixtures at nearby stores. Mr. Teerlink  
36 acknowledged that there are difficulties for the City as a regulatory body and for property owners.  
37 Commissioner Fonte wanted to know what property owners can do to be in compliance. Mr.  
38 Teerlink pointed out that owners can look online or custom order appropriate lighting fixtures.  
39 Commissioner Gong noted that there are a lot of options out there, even if those are not in local  
40 stores at this time. Mr. Teerlink explained that there is language built into the code that  
41 acknowledges changes in technology. Property owners can propose a different product that meets  
42 the ordinance.

43  
44 Chair Roach asked if there is anything in the proposed language that considers setbacks as far as  
45 the placement of lighting on a property. Mr. Teerlink explained that the focus is for there to be

1 compliance and that there not be light trespassing across the property line. There is language for  
2 soffit lighting and sport court lighting heights. Mr. Teerlink asked that the Planning Commission  
3 further review the language so it can be discussed at the next Planning Commission Meeting.  
4

5 Commissioner Prince shared information about the work that she does on an Advisory Committee.  
6 In the past, there have been neighbor issues related to lights. It can become contentious, so the  
7 City of Holladay is lucky that it has not risen to that level in the past. Mr. Teerlink confirmed that  
8 lights can invade private property and shine into a home. The Code Enforcement Officers take  
9 this matter seriously because it is a nuisance problem. The language can create standards for new  
10 construction.  
11

12 Chair Roach asked if the City has a plan for all of the legal non-conforming street lamps that are  
13 not fully enclosed. Mr. Teerlink stated that approximately 10 years ago, there was a grant from  
14 the County to upgrade the street lights to LED. At the time, there was not an understanding of the  
15 color that the LED light gives off. That white-blue light reflects quite a bit. There would need to  
16 be compliance with the standards. Mr. Teerlink suggested that additional Commissioner  
17 comments be emailed to City Staff so those comments can be addressed in the next Meeting  
18 Materials Packet.  
19

20 Chair Roach asked City Staff to generate a few examples of what applicants would be asked to do  
21 for a Lighting Plan. He wants to better understand what would be required from residents in the  
22 future. Mr. Teerlink reviewed the information that outlines what is required in the plan. It includes  
23 the location of all light fixtures proposed and existing as well as a description of each fixture with  
24 manufacturer details. This is similar to a Tree Planting Plan where the City wants to know the  
25 details.  
26

27 Chair Roach wanted to know if the language takes into account the movement of the sun and  
28 daylight saving time. It does not make sense to restrict lights at a certain time if the sun is still  
29 shining. Mr. Teerlink denied this and explained that what is proposed will follow the Noise  
30 Ordinance.  
31

32 Chair Roach opened the public hearing. There were no comments. The public hearing was  
33 continued.  
34

35 ***Commissioner Prince moved to CONTINUE the proposed Outdoor Lighting Standards***  
36 ***amendment and the public hearing to the Planning Commission Meeting on April 1, 2025.***  
37 ***Commissioner Gong seconded the motion. Vote on Motion: Commissioner Cunningham-Aye;***  
38 ***Commissioner Vilchinsky-Aye; Commissioner Fonte-Aye; Commissioner Prince-Aye;***  
39 ***Commissioner Gong-Aye; Chair Roach-Aye. The motion passed unanimously.***  
40

1 **ACTION ITEMS**

2 **2. 'Eastwind' Subdivision - Amendment - 2648 East 4510 South (R-1-8 ZONE) Review**  
3 **and Final Consideration of an Application by Applicant/Property Owner, LACE**  
4 **LEAF LLC, to Expand the Boundaries of the 'Eastwind' Subdivision. This**  
5 **Amendment will add 0.36 acres of Land to Lot 1 of the Subdivision. Item Reviewed**  
6 **as an Administrative Action for Permitted Uses in Accordance with Subdivision**  
7 **Standards Required by Holladay Ord §13.10a. File #01-1-08-3.**

8 Mr. Tuffour presented the Staff Report and explained that the application is for the Eastwind  
9 Subdivision amendment. The property is located at 2648 East 4510 South and it is in the R-1-8  
10 Zone. The applicant is seeking to expand the size of the property. As mentioned in the Work  
11 Session, this used to be a three-lot subdivision and was created in 2003. The subdivision was  
12 amended in 2024 into a two-lot subdivision, where the owners of Lot 1 and Lot 3 purchased Lot 2  
13 and split it. The applicant is proposing to amend the size of the lot, which is currently designated  
14 as Lot 1A. The owner of Lot 1A has bought the neighboring property that fronts onto Wander  
15 Lane. The proposal is to add that neighboring property onto the lot that is owned by the applicant.  
16 The TRC reviewed this application for compliance and what is proposed complies with the zoning  
17 regulations.

18  
19 Commissioner Gong asked about double frontage. Mr. Teerlink explained that there is a definition  
20 for double lot frontage, which is essentially a lot that has frontage on two public streets. Chair  
21 Roach wanted to know if easements need to be maintained on both of those. Mr. Teerlink shared  
22 the plat and stated that there will be new easements to go around the outside of the amended lot.  
23 Chair Roach asked if the driveway has to remain on Wander Lane. Mr. Teerlink reported that it  
24 is possible to have one driveway per street frontage. There were no additional Commissioner  
25 comments.

26  
27 ***Commissioner Cunningham moved to APPROVE the Subdivision Plat Amendment application***  
28 ***by Mike Spainhower for "Eastwind," an amendment to the existing Lot 1A within the Eastwind***  
29 ***Subdivision, located at 2648 East 4510 South in the R-1-8 Zone, based upon the following***  
30 ***findings:***

- 31
- 32 ***1. Development details required for Subdivision Amendments have been submitted***  
33 ***and reviewed by the TRC.***
  - 34
  - 35 ***2. The proposed amendment to the lot complies with the minimum width and area***  
36 ***for single-family home development in the R-1-8 Zone.***
  - 37
  - 38 ***3. The required submittals for Subdivision Amendments have been provided where***  
39 ***applicable and have been found to be complete and acceptable.***
  - 40
  - 41 ***4. Fire access is existing and approved by the Unified Fire Authority (“UFA”).***
  - 42
  - 43 ***5. Public roads and utility easements are shown on the plat.***
  - 44



1 *Commissioner Prince seconded the motion. Vote on Motion: Commissioner Cunningham-Aye;*  
2 *Commissioner Vilchinsky-Aye; Commissioner Fonte-Aye; Commissioner Prince-Aye;*  
3 *Commissioner Gong-Aye; Chair Roach-Aye. The motion passed unanimously.*

4  
5 **ADJOURN**

6 *Chair Roach moved to ADJOURN. There was no second. The motion passed with the*  
7 *unanimous consent of the Commission.*

8  
9 The Planning Commission Meeting adjourned at approximately 6:37 p.m.

*DRAFT*

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the City*  
2 *of Holladay Planning Commission Meeting held on Tuesday, March 18, 2025.*

3  
4  
5

6 Teri Forbes

7 Teri Forbes  
8 T Forbes Group  
9 Minutes Secretary

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

**DRAFT**



**FILE# n/a**

**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:**

Jonathan Teerlink, 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*

**DRAFT**

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

**Tuesday, April 1, 2025**

**6:00 PM**

**City Council Chambers**

**4580 South 2300 East**

**Holladay, Utah**

**ATTENDANCE:**

**Planning Commission Members:**

**City Staff:**

Dennis Roach, Chair

Ginger Vilchinsky

Angela Gong

Brian Berndt

Paul Cunningham

Karianne Prince

Jonathan Teerlink, Community and Economic  
Development Director

Justice Tuffour, Planner I

Brad Christopherson, City Attorney

**WORK SESSION**

Chair Dennis Roach called the Work Session to order at 5:30 p.m. He noted that all Commissioners are present with the exception of Commissioner Jill Fonte and Commissioner Karianne Prince. There are four items on the Regular Meeting agenda, including one Public Hearing, one Action Item, one Continued Hearing Item, and the approval of Meeting Minutes. The agenda items were discussed.

Community and Economic Development Director, Jonathan Teerlink, shared information about the Public Hearing item, which is a Conditional Use Permit (“CUP”) for The Treasure Chest Learning Academy. There are set standards that a pre-school has to adhere to and those standards are included in the Staff Report. It is possible to address those individually with the applicant. The Staff Report includes a recommendation with findings and conditions. It is a fairly straightforward CUP request. An email comment was received from a resident yesterday, which should be mentioned on the record.

Commissioner Brian Berndt asked how the noise will be monitored. Mr. Teerlink explained that the ordinance talks about noise generated between the hours of 8:00 a.m. and 7:00 p.m. If there are complaints about noise before or after those times, then the Code Enforcement Officer will monitor the situation with a noise meter and determine whether or not there is a nuisance violation. Pre-schools normally have a later start time, such as 9:30 a.m. Commissioner Berndt asked if noise is a common problem. Mr. Teerlink reported that there are a lot of pre-schools in the City and he has not heard about any associated noise complaints. Chair Roach noted that there are a few discussion points suggested in the Staff Report, which can be mentioned during the Regular Meeting.

It was noted that Commissioner Prince joined the Work Session at 5:34 p.m.

1 The next item on the Regular Meeting agenda is an Action Item related to Bowthorpe and Wren  
2 Hollow Subdivision Amendments. Planner I, Justice Tuffour, explained that the applicant is  
3 proposing to amend the subdivision boundaries for the Bowthorpe Subdivision and Wren Hollow  
4 Subdivision, primarily because the applicant owns pieces of property located within the two  
5 subdivisions. The intention is to move one piece of property within the Wren Hollow Subdivision  
6 into the Bowthorpe Subdivision. Chair Roach stated that this is a straightforward application.

7  
8 Commissioner Paul Cunningham pointed out that the Staff Report refers to an area of land that  
9 contains a storm drain easement. Mr. Tuffour explained that the application is to move the area  
10 indicated in red into a different subdivision. Chair Roach clarified that this would not come to the  
11 Planning Commission if it was a standard lot line adjustment. It would have been handled  
12 administratively. Since this application relates to a subdivision, it is before the Commission.

13  
14 The Continued Hearing Item relates to the Text Amendment to Chapter 13.84 – Outdoor Lighting  
15 Standards. This was discussed at the last Planning Commission Meeting. Mr. Teerlink asked whether  
16 the Commission is supportive of moving forward with the amendments. Commissioner Cunningham  
17 worried that what is proposed is excessive. Chair Roach believes the words “nuisance” and  
18 “annoyance” are too subjective. Mr. Teerlink explained that when there is a nuisance situation, it  
19 comes down to Code Enforcement making a determination about that situation. There is a desire to  
20 have objective standards in the code to ensure that enforcement is straightforward. Commissioner  
21 Cunningham pointed out that there would be non-conforming residences created. He is not sure that  
22 the draft language will solve the issues that already exist in the community. It was noted that issues  
23 will be addressed over time when changes are made to residential properties. City Attorney, Brad  
24 Christopherson, explained that these kinds of amendments work well in communities that are not built  
25 out. The last item on the agenda is approval of the Meeting Minutes from February 18, 2025.

26  
27 The Planning Commission took a brief break before starting the Regular Meeting.

28  
29 **CONVENE REGULAR MEETING – Public Welcome and Opening Statement by Commission**  
30 **Chair.**

31 Chair Roach called the Regular Meeting to order at approximately 6:00 p.m. He noted that all  
32 Commissioners are present with the exception of Commissioner Fonte. There are four items on the  
33 meeting agenda. Commissioner Berndt read the Opening Statement for the benefit of those present.

34  
35 **PUBLIC HEARING**

- 36 1. **Conditional Use Permit – “The Treasure Chest Learning Academy” In-Home Preschool**  
37 **– 1895 East Eldorado Drive. (R-1-8 Zone) Review and Consideration of a Request by**  
38 **Applicant, Ashely McIntosh, for a Conditional Permit Allowing for Operation of an In-**  
39 **Home Preschool. Item Reviewed as an Administrative Application as Per Provisions**  
40 **Stated in Holladay Ordinance §13.08.040. File #25-02-01.**

41  
42 Mr. Teerlink presented the Staff Report and explained that the item is a CUP for The Treasure Chest  
43 Learning Academy at 1895 East Eldorado Drive. The property is located in the R-1-8 Zone. In the  
44 City Ordinance, there are permitted and conditional uses. Conditional uses are essentially allowed  
45 uses, but those uses do not have standards that can be written to accommodate every type of situation.  
46 In the cast of this application, there is a proposal for a preschool that is incidental to the primary use.

1  
2 There was a review done by the Technical Review Committee (“TRC”) for compliance with  
3 §13.76.720. There should be a discussion with the applicant to ensure those elements can be provided.  
4 Staff has also provided some Conditions of Approval for Planning Commission consideration. The  
5 Staff Report includes aerial images of the driveway to highlight the parking that is available for the  
6 use. Mr. Teerlink reported that there was one emailed comment received from a resident. Staff  
7 recommends approval of this CUP with certain findings and conditions, as listed in the Staff Report.  
8

9 The applicant, Ashley McIntosh, introduced herself to the Planning Commission. She has applied for  
10 a CUP to have a preschool in her home. This is something that she has wanted to do for some time.  
11 She intends to have the preschool in her basement. There was an addition added to her home, so there  
12 is a large room in the basement with a separate entrance. As for the traffic, the intention is for traffic  
13 to flow west down Eldorado Drive. Parents are intended to remain in their vehicles during drop off  
14 and pick up. She will be present to receive the children. At the end of the class, the children will  
15 come out together. She will ensure that each child gets into the correct vehicle. Parents will then  
16 drive south on Eldorado Drive. There is an L-shaped flow of traffic proposed. Ms. McIntosh noted  
17 that she has a lot of support from her neighbors. Several letters of support have been submitted.  
18

19 Chair Roach noted that parking and pick up and drop off are normally the main concerns when it  
20 comes to a CUP application like this. He asked how many children are anticipated to be in the  
21 preschool. Ms. McIntosh reported that according to Holladay and the State of Utah, she can have up  
22 to 16 children with another employee. If there is no additional employee, then the limit is eight  
23 children.  
24

25 Chair Roach asked if all of the children will be arriving and leaving at the same time each day.  
26 Ms. McIntosh explained that there can be up to 16 children per class, and she will potentially have  
27 two classes per day, depending on the enrollment numbers. For the first class, the drop-off time  
28 would be 9:00 a.m. and the pick-up time would be 11:30 a.m. For the second class, the drop-off time  
29 would be 12:00 p.m. and the pickup time would be 2:30 p.m. Commissioner Angela Gong asked  
30 about the yearly schedule and if there is a summer break anticipated. Ms. McIntosh stated that she  
31 will follow the Granite School District calendar for the most part. However, the exception is that she  
32 will start the pre-school in the first week of September and end the pre-school in the last week of  
33 May. There could potentially be summer camps held in the future, but those would not last for the  
34 entire summer.  
35

36 Chair Roach opened the public hearing. There were no comments. The public hearing was closed.  
37

38 Commissioner Prince believes the application is straightforward. She does not have any concerns  
39 that have not already been addressed. Chair Roach explained that his concern has to do with the 32  
40 vehicle trips per day. If there are two classes per day, then that means 64 vehicles coming and leaving  
41 the home. Commissioner Prince pointed out that the numbers will likely not be that high to start.  
42 Mr. Teerlink reported that there is an anti-idling ordinance in the City, which could be directly tied  
43 to the application if there is a concern about the number of vehicles dropping off and picking up at  
44 the property. Based on his own experience dropping a child off at a home-based preschool, there is  
45 not much idling taking place. Discussions were had about staggered times for drop off and pick up.  
46 Mr. Teerlink confirmed that this has been proposed for previous applications that have this kind of



1 use. Commissioner Ginger Vilchinsky recommended staggered times for drop off and pick up, as  
2 this will prevent a line of vehicles in the neighborhood. She does not want traffic to become an issue.

3  
4 Chair Roach mentioned the findings listed in the Staff Report. He asked if there is support for what  
5 has been included. There were no applicant concerns about the findings listed or the suggested  
6 Conditions of Approval. Commissioner Gong noted that one of the resident comments included a  
7 question about noise. She believes that is addressed through the hours of operation. Commissioner  
8 Prince commented that there was a mention of a sign in one of the emails. During the neighborhood  
9 meeting, the applicant stated that she might put a small sign on the house. However, there is a  
10 suggested Condition of Approval to state that there will be no advertising signs. It was clarified that  
11 the ordinance states there cannot be a sign, so there is support for the proposed Condition of Approval.

12  
13 Discussions were had about motion language. Chair Roach suggested that there be an additional  
14 Condition of Approval that mentions staggered drop-off and pick-up times. A question was asked  
15 about whether it would make sense to mention the hours of operation in the motion language. Chair  
16 Roach pointed out that the summer camps might have different hours. Having two different classes  
17 would also impact the hours of operation. He feels it makes sense to follow the ordinance language.

18  
19 Mr. Christopherson reported that the conditional use runs with the land. His recommendation would  
20 be to provide the flexibility that the ordinance allows. The Commission discussed the feedback from  
21 neighbors. There are several letters included in the Meeting Materials Packet that express support.  
22 Chair Roach noted that there was one email submitted that expressed concerns about traffic and noise.  
23 Mr. Christopherson reminded the Commission that conditional uses are permitted with conditions.  
24 He does not believe there is the ability to impose something more restrictive than the ordinance.

25  
26 Chair Roach asked about the days of the week that the preschool will be in operation. He wanted to  
27 know if the pre-school will operate on Saturday and Sunday. Mr. Christopherson explained that pre-  
28 schools are not typically open on the weekends. Mr. Teerlink referenced the language included in  
29 13.05. Mr. Christopherson explained that with a conditional use, in order to impose a condition, there  
30 needs to be an objective standard. Staggering the drop-off and pick-up times is enforceable and  
31 reasonable, as it will eliminate stacking and difficulties on the street. As for the hours of operation,  
32 if the applicant is willing to have a Condition of Approval with narrower hours than the ordinance  
33 mentions, then that is acceptable. However, if there is no support from the applicant to do that, then  
34 the City is limited to the hours of operation that are referenced in the code.

35  
36 ***Commissioner Prince moved to APPROVE the application by Ashley McIntosh for “The Treasure***  
37 ***Chest Learning Academy Preschool,” an in-home pre-school, located at 1895 East Eldorado Drive***  
38 ***in the R-1-8 Zone, based upon the following findings:***

- 39  
40 ***1. The Treasure Chest Learning Academy Preschool is a low-impact daytime-only use in a***  
41 ***residential neighborhood.***  
42  
43 ***2. Minimal impact from drop off and pick up in the front of the home due to connected streets,***  
44 ***designated traffic flow, and potential for carpooling and walking/biking from neighbors***  
45 ***with students enrolled.***  
46

- 1 3. *Primary indoor use with minimal periods of outdoor use. Outdoor noises are minimal and*  
2 *associated with children playing outdoors.*
- 3
- 4 4. *A single employee is proposed if enrollment is over 8 children.*
- 5
- 6 5. *Parking requirements of two spaces (one for parents, one for an employee) are met.*
- 7
- 8 6. *The play area is located within the rear yard.*
- 9

10 *This is also subject to the following conditions:*

- 11
- 12 1. *Two spaces in the driveway should be unobstructed for use associated with the pre-school*  
13 *operation.*
- 14
- 15 2. *Limited to a single employee from outside of the home.*
- 16
- 17 3. *No advertising signs.*
- 18
- 19 4. *The use shall be subject to passing an initial Fire and Building Code inspection and*  
20 *compliance where required prior to opening.*
- 21
- 22 5. *Prior to operation, the applicant must obtain a Business License from the City of Holladay.*
- 23
- 24 6. *The applicant will consider a method to stagger pick up and drop off.*
- 25

26 *Commissioner Gong seconded the motion. Vote on Motion: Commissioner Berndt-Aye;*  
27 *Commissioner Gong-Aye; Commissioner Prince-Aye; Commissioner Vilchinsky-Aye;*  
28 *Commissioner Cunningham-Aye; Chair Roach-Aye. The motion passed unanimously.*

#### 30 ACTION ITEMS

- 31 2. **“Bowthorpe” and “Wren Hollow” Subdivision Amendments – 4794 South Annabow**  
32 **Circle. (R-1-10 Zone) Review and Consideration of an Application by**  
33 **Application/Property Owner, Carolyn Colton to Change the Boundaries of the**  
34 **“Bowthorpe” and “Wren Hollow” Subdivisions. This Amendment Involves Moving a**  
35 **0.09-acre parcel of Land from the “Wren Hollow” Subdivision into the “Bowthorpe”**  
36 **Subdivision. Item will be Reviewed as an Administrative Action for Amending a**  
37 **Subdivision in Accordance with Zone and Subdivision Standards Required by Holladay**  
38 **Ord §13.10A. File #25-01-05.**
- 39

40 Mr. Tuffour presented the Staff Report and explained that the application is a Subdivision  
41 Amendment for the Bowthorpe and Wren Hollow subdivisions. The property is located at 4794 South  
42 Annabow Circle. He explained that there is a City and State mandate in place. Whenever there is an  
43 amendment to a subdivision that would directly impact the subdivision plat, it must be presented to  
44 the Planning Commission. He explained that the applicant owns two pieces of property. The main  
45 property is located at 4794 South Annabow Circle, but the applicant also owns the abutting lot to the  
46 south. That property is approximately 0.09 acres. That area of land does not meet the definition of a

1 lot and is not buildable, as it has a storm drain easement. The applicant is proposing to move that  
2 area of land from the Wren Hollow Subdivision into the Bowthorpe Subdivision. It is essentially an  
3 amendment to both subdivision plats to remove the 0.09 acres from the Wren Hollow Subdivision.  
4 Some findings are included in the Staff Report and this application has been reviewed by the TRC.  
5

6 Chair Roach asked if this application will create one parcel, which was denied. Mr. Tuffour explained  
7 that this process will simply move the 0.09 acres from one subdivision to another. Commissioner  
8 Berndt pointed out that this is not a legal lot based on the size. He asked if it will be brought into  
9 compliance through this process. Mr. Teerlink denied this. The area itself was part of the parcel for  
10 the storm drain easement. Lots have a determined right to them that parcels do not have. The  
11 applicant's request creates a disruption with the subdivision boundaries. Normally, this kind of  
12 request could be handled administratively as a property line adjustment. Since the property line itself  
13 is in a subdivision boundary, moving from one side to the other constitutes amending both plats.  
14

15 The applicant, Carolyn Colton, introduced herself to the Commission and explained that the plan is  
16 to make it one parcel. This is because the intention is to tear down the existing house and build a new  
17 house. The architect told her that the process would be smoother if there was one parcel instead of  
18 two. However, it was discovered that this is not an administrative process due to the subdivisions.  
19

20 ***Commissioner Cunningham moved to APPROVE the Subdivision Plat Amendment application by***  
21 ***Carolyn Colton for “Bowthorpe and Wren Hollow,” an amendment to remove Parcel 22-10-229-***  
22 ***077 from the Wren Hollow Subdivision and add Parcel 22-10-229-077 to the Bowthorpe***  
23 ***Subdivision, located at 4794 South Annabow Circle in the R-1-10 Zone, based upon the findings:***  
24

- 25 ***1. Development details required for the subdivision amendment have been submitted and***  
26 ***reviewed by the TRC.***
- 27
- 28 ***2. The proposed amendment to the lot complies with the minimum width and area for single-***  
29 ***family home development in the R-1-10 Zone.***
- 30
- 31 ***3. The required submittals for the subdivision amendment have been provided where***  
32 ***applicable and have been found to be complete and acceptable.***
- 33
- 34 ***4. Fire access is existing and approved by the Unified Fire Authority (“UFA”).***
- 35
- 36 ***5. Public roads and utility easements are shown on the plat.***
- 37

38 ***Commissioner Berndt seconded the motion. Vote on Motion: Commissioner Berndt-Aye;***  
39 ***Commissioner Gong-Aye; Commissioner Prince-Aye; Commissioner Vilchinsky-Aye;***  
40 ***Commissioner Cunningham-Aye; Chair Roach-Aye. The motion passed unanimously.***  
41

1 **CONTINUED HEARING ITEMS**

2 **3. Continued - Text Amendment – Chapter 13.84 - Outdoor Lighting Standards Continued**  
3 **Review on Proposed Amendments to Title 13, of the Holladay City Code, Land Use and**  
4 **Development Regulations. By Order of Holladay City Council, the Proposal Relocates**  
5 **Current Lighting Standards from Various Sections of Title 13 and Consolidate them**  
6 **within a New and Expanded City Outdoor Lighting Section proposed as Holladay**  
7 **Ordinance §13.84. Item Reviewed as a Legislative Action, According to Procedures Set**  
8 **Forth in Holladay Ordinance §13.07. File #25-4-02.**

9 Mr. Teerlink presented the Staff Report and explained that the above item relates to a Text  
10 Amendment to Chapter 13.84 – Outdoor Lighting Standards. He explained that the City Council has  
11 been reviewing the draft language for a few months. Mr. Teerlink informed the Commission that  
12 there have been some issues in District 5. Through a subdivision process, homes were built in an area  
13 that had been fairly dark before. The new homes were built with more modern lighting fixtures to  
14 accentuate the landscaping and fencing. It is one example of light trespass in a residential  
15 neighborhood. There have not been a lot of situations in the past that might warrant a code  
16 amendment, but there have been some enforcement measures taken on nuisance issues. Mr. Teerlink  
17 reported that there are approximately three to five cases per year where the Code Enforcement Officer  
18 will reach out to a resident about a complaint and work to reach a solution. This is how Holladay has  
19 addressed residential lighting concerns in the past. He noted that commercial lighting is different.

20  
21 During a commercial Site Plan approval, the Planning Commission has complete authority over the  
22 review of that plan. There are lighting requirements included. Some Site Plans come with a lumens  
23 study to show what the fixture itself will project light on. In those cases, there is a maximum number  
24 of lumens that can cross the property line. During commercial reviews, it is possible for the Planning  
25 Commission to determine whether there will be a light trespass problem or a nuisance created.  
26 Modifications can then be made accordingly. There has never been anything like that for residential  
27 properties, but that is what is now proposed. There are elements in the draft language that can also  
28 be used during future deliberations on commercial Site Plans. Some terminology has been updated  
29 and some additional guidance has been provided for light pole heights. This includes how far a light  
30 pole should be from the property line of a residential neighborhood. He referenced 13.84.050, which  
31 outlines regulations that apply to properties in R-1 and R-2 Zones. Before any specific language is  
32 reviewed, Mr. Teerlink asked that there be a discussion to determine whether there is general support.

33  
34 Chair Roach appreciates what is intended with the language and shared an example scenario with the  
35 Commission. While the language will not necessarily address existing non-conformities, it can lead  
36 to future changes. His concern relates to the mitigation of light trespass onto other properties. In the  
37 middle of the graphic shown, it seems to show a wall that has been built to prevent light from spilling  
38 outside of the property. Mr. Teerlink clarified that it assumes a fence on the property line. Chair  
39 Roach does not want the ordinance to result in more fences and walls to trap light onto the property  
40 so that residents can conform with the ordinance. He likes the idea of enclosed lights and trying to  
41 reduce glare, but he does not want every property to be walled off and closed in.

42  
43 Commissioner Prince likes the idea of pursuing some kind of lighting ordinance. As older homes are  
44 torn down and new homes are built, there could be potential issues without lighting guidelines from  
45 the City. She likes that there will be a tool for the City and neighbors to use. Commissioner Prince  
46 expressed support for continuing to discuss the proposed language. Commissioner Cunningham lives



1 in a Homeowners Association (“HOA”) and wondered whether a Lighting Plan would need to be  
2 submitted for that. Mr. Teerlink denied this unless there was a rebuild. Commissioner Cunningham  
3 asked for an example of a rebuild that would require a Lighting Plan to be submitted. Mr. Teerlink  
4 referenced 13.84.020. The language ties it to new construction or expansion of the land uses.

5  
6 Commissioner Gong asked what happens if there is a neighbor dispute where the neighbor is found  
7 to be out of compliance, but the non-compliance was already existing. She wanted to know if the  
8 new standards would apply. Mr. Teerlink denied this but noted that the Code Enforcement Officer  
9 would be involved. In the past, the Code Enforcement Officer has been effective and residents have  
10 generally been understanding. The language that is proposed would not resolve disputes that exist  
11 currently but could prevent disputes in the future. There have been two lighting disputes this year  
12 and there were five last year. Commissioner Gong believes the proposed language will be useful.

13  
14 Discussions were had about the Building Code. Mr. Teerlink explained that there is nothing similar  
15 to this in the Building Code. While the Building Code will address energy efficiency and likely  
16 recommend LED lighting technology, it does not mention lumens. Commissioner Cunningham is  
17 not opposed to the idea of the language but worries that a Lighting Engineer would need to be hired  
18 to come into compliance. It was noted that the City Council had a similar concern and directed Staff  
19 to ensure that a lighting professional will not need to submit the Lighting Plan for residential  
20 properties. A multi-family project in a commercial property would require a Lighting Engineer.

21  
22 It was noted that lumens are the amount of light and kelvin is the color of the light. Commissioner  
23 Cunningham pointed out that there are no Kelvin ratings on the lighting options sold at local stores.  
24 Mr. Teerlink reported that a color scale can be included in the code as a graphic. This could be useful  
25 for residents, but depending on the monitor the code is viewed on, the color might look slightly  
26 different. As for the requirements, there could be a range from 3,500 to 4,500 so there is flexibility  
27 provided to the homeowner. Chair Roach asked if it makes sense to focus on the fixtures and limiting  
28 light trespass. The color of the bulbs could be more of a future concern. Mr. Teerlink confirmed that  
29 a version of the draft can be written that only addresses the light trespass problem and glare issue.

30  
31 Commissioner Cunningham referenced sport court lighting and asked if it is applicable to any kind  
32 of activity. Mr. Teerlink explained that it is for anything with a hard surface court. There is sports  
33 court lighting in the code already, which is limited to an 18-foot light pole, but that might be too tall.  
34 Commissioner Cunningham likes the 15-foot suggestion in the draft language and the 10:00 p.m.  
35 cutoff. He would like there to be a better definition of light trespass. When dealing with noise, the  
36 focus is not on where the noise comes from or what is causing the noise. The focus is on whether  
37 that noise can be heard past the property line. That simplifies enforcement considerably.  
38 Commissioner Cunningham reiterated the need to further define light trespass in the language.  
39 Mr. Christopherson agreed that it would be beneficial to have an objective standard in place. He added  
40 that regulations need to be easily understood, have a clear purpose, and be enforceable.

41  
42 Mr. Teerlink read some of the language from 13.84.040 – General Outdoor Lighting Standards:

- 43  
44 · Light Trespass:
  - 45 ○ All light fixtures and their intended use, including security lighting, shall be aimed to
  - 46 confine lighting to the area within the property boundaries. Exposed light sources

1 shall be shielded to prevent glare onto or across any public or private street or road.  
2 Refer to Figure 13.84.  
3

4 Commissioner Cunningham asked if the language excludes private property because it only mentions  
5 streets and roads. It was noted that there is a reference to property boundaries. Commissioner  
6 Cunningham thought there should be a reference made to private property. Commissioner Prince  
7 asked if Millcreek has a lighting-related ordinance in place. Mr. Teerlink confirmed this.  
8 Commissioner Prince stated that she is on a committee related to the Skyline High School rebuild and  
9 there have been some issues with neighbors to the north of the school due to light pollution from the  
10 tennis courts. She wondered what the language might look like in Millcreek. Mr. Teerlink explained  
11 that the State Code does not require compliance with municipal codes when a school district is  
12 involved. Additional discussions were had about lighting and the school district requirements.  
13

14 Chair Roach suggested that Staff come back to the Commission with an update that does not involve  
15 the kelvin light scale and focuses more on the light fixture itself. There could also be references to  
16 neighboring properties rather than streets and sidewalks. It was noted that there is a numbering issue  
17 that needs to be addressed in the draft. Commissioner Cunningham read the following language:  
18

- 19 · D. Nothing in these regulations shall prevent filing an action for relief from light trespass or  
20 glare as a nuisance, or from other relief under any laws which may currently exist;
- 21 · E. Suspension, Revocation, or Modifications to the Lighting Plan. The Community and  
22 Economic Development Director may suspend, revoke, or require modification of any  
23 Lighting Plan that is found to be not in compliance with this chapter or that is causing nuisance  
24 conditions.  
25

26 Commissioner Cunningham asked what the intent of that language is. Mr. Teerlink explained that  
27 once there is enforcement action taken, there is always an ability to appeal to a higher authority.  
28 Additional discussions were had about the language that has been drafted. Commissioner Gong is  
29 not certain that the kelvin light scale should be removed because it makes a difference in how the  
30 light appears. How bright light is and where it falls is important, but the Kelvin light scale also  
31 impacts how bright the light appears to be. Staff will work on the draft language and bring something  
32 back.  
33

34 ***Chair Roach moved to CONTINUE the proposed Outdoor Lighting Standards amendment to the***  
35 ***next regularly scheduled meeting so Staff can work on continued revisions to the language.***  
36 ***Commissioner Prince seconded the motion. Vote on Motion: Commissioner Berndt-Aye;***  
37 ***Commissioner Gong-Aye; Commissioner Prince-Aye; Commissioner Vilchinsky-Aye;***  
38 ***Commissioner Cunningham-Aye; Chair Roach-Aye. The motion passed unanimously.***  
39

#### 40 **ACTION ITEMS**

#### 41 **4. Approval of Minutes – 2/18/25.**

42  
43 ***Commissioner Cunningham moved to APPROVE the Meeting Minutes from February 18, 2025.***  
44 ***Commissioner Berndt seconded the motion. Vote on Motion: Commissioner Berndt-Aye;***  
45 ***Commissioner Gong-Aye; Commissioner Prince-Aye; Commissioner Vilchinsky-Aye;***  
46 ***Commissioner Cunningham-Aye; Chair Roach-Aye. The motion passed unanimously.***

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**ADJOURN**

*Chair Roach moved to ADJOURN. There was no second. The motion passed with the unanimous consent of the Commission.*

The Planning Commission Meeting adjourned at approximately 7:17 p.m.

**DRAFT**

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, April 1, 2025.*

3  
4  
5

6 Teri Forbes

7 Teri Forbes  
8 T Forbes Group  
9 Minutes Secretary

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

**DRAFT**