

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

Tuesday, May 17, 2022

6:00 p.m.

City Council Chambers

4580 South 2300 East

Holladay, Utah

ATTENDANCE:

Planning Commission Members:

Howard Layton, Chair

Martin Banks

Chris Layton

Ann Mackin

Karianne Prince

Dennis Roach

City Staff:

Jonathan Teerlink, Community Development Director

WORK SESSION

Chair Howard Layton called the Work Session to order at approximately 5:40 p.m. The agenda items were reviewed and discussed. It was noted that two of the action items were postponed to the next meeting. It was reported that the June 7 meeting was rescheduled to May 31.

With regard to agenda item number 1, which was to be tabled, Commissioner Mackin stated that it was continued to allow for more specific information. She was confused as to why the applicants are now asking that the request be removed. Community Development Director, Jonathan Teerlink stated that as with any rezone request, a request can be considered from the applicant to amend the zone map. The property is in the Overlay Zone, the underlying zone is R-1-21. The Overlay Zone includes another layer of standards.

Mr. Teerlink reported on minor adjustments and amendments in response to statutory requirements. During the last Legislative Session, House Bill 282 was passed. It specifies that no municipality can require lawn as part of the landscaping definitions. Fortunately, the City had never had lawn or sod in the City's landscaping definition. They have also allowed any type of water-wise landscaping to count toward the landscaping requirement. What is proposed is specifically related to landscaping and a definition of what landscaping is. The intent is to remove any reference to sod or lawn. The Legislative Session specifically focused on removing that requirement.

With regard to agenda item number 4, the City Council asked that staff and the Planning Commission review and study a request to add multi-family residential to the Office Research and Development (“ORD”) Zone. He identified the office park on 3000 East between 3000 East and Wasatch Boulevard as an area that could be potentially revitalized for residential development. They are looking for various types of housing products in the City. Many rezones come before

the City Council and Planning Commission and most are not seen in a positive light due to the increase in density. Moderate income should be allowed where possible. Because the City is mostly built out, it is difficult and expensive to find and purchase appropriate locations. It is easier to start afresh. The Council has been working with property owners in the area to meet both the State's statutory requirement for moderate-income housing and the City's own requirements through the Royal Holladay Hills Development Agreement. This area is one that the Council feels is appropriate for multi-family development.

In response to a question raised, Mr. Teerlink stated that if the City does not meet its year requirement, it will lose its Class C funding from the State. He explained that the requirement is to provide moderate-income housing at 80% of the Area Median Income ("AMI") for the average household. The City is required by 2028 to provide at least 25 deed-restricted units. The Development Agreement with Royal Holladay Hills is to provide a generous number of moderate-income rates housing units, however, the Development Agreement that was entered into with the City Council at the time agreed that none of those units would be created solely in that space but disbursed throughout the City. If the City does not meet the requirement, Royal Holladay Hills will take over as a group and find the housing units and create them for the City. Mr. Teerlink stated that every city is trying to find property they can purchase, rehabilitate, and deed restrict. The City of Holladay is not interested in becoming a landlord per se and is trying to determine how to create that program.

Mr. Teerlink stated that at the former site of the Jasmine Restaurant on Murray Holladay Road, a site plan was approved by the Planning Commission there for a mixed-use development. The amount of office space and residential units was driven by the parking ratio. Currently, that ratio is not penciling for the property.

Staff was prepared to discuss parking ratios including concepts that are being used nationwide and those that are acceptable in other municipalities. He noted that some cities have completely eliminated their parking ratio requirements and have no minimum parking standards. When a developer comes before the City, they typically know what their parking needs will be. The drawback is that the ratio developed there may not work in the future. Chair Howard Layton was concerned that if there is not enough parking, it will be pushed onto the street, which is not desirable in a suburban area.

Mr. Teerlink explained that when there is an overabundance of parking, an environmental situation is created. The sun also reflects off of the blacktop and concrete areas that create temperature changes in neighborhoods. It also prevents further potential redevelopment of sites.

It was noted that in Park City, parking ratios are deferred to the developer. Commissioner Chris Layton stated that developers know what is needed to make a product successful better than the Commission does. Commissioner Banks was surprised that Park City would defer to the developer. Commissioner Chris Layton stated that Wasatch and Summit Counties seem to be pro-development. He understood both sides of the story.

Mr. Teerlink reported that the Holladay Crossroads Zone (“HCR”) Zone has architectural requirements that were requested to be reviewed and recommended by the Design Review Board (“DRB”). He explained that the DRB has appointment requirements. They are property and business owners and residents who live in the Village. He stated that they should have representation from the HCR Zone area, which is off of 6200 South and Highland Drive. The proposed amendment increases the DRB by one member and requires they be a property owner and a nearby resident of the HCR zone.

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

Chair Howard Layton called the Regular Meeting to order at 6:10 p.m.

ACTION ITEMS

1. Zone Map Amendment – Rezone – Remove FCOZ Overlay at 5560 South Wasatch Boulevard. File #22-4-05.

The above item was tabled.

2. “Base 45 Townhomes Subdivision” – Preliminary Plan/Plat – 2180 East 4500 South (RM Zone). File #13-4-02-4.

The above item was tabled.

3. Text Amendment – Chapter 13 Land Use Development Code; Water Conservation, 13.08, 13.10, and 13.77. File #13-4-02-4.

Community Development Director, Jonathan Teerlink, reported that the above matter is a legislative request on an ordinance text amendment to a couple of Code sections. Each section pertains to what is required for review when an application for redevelopment or a development plan is brought forth to the Planning Commission. One of the checklists includes a landscaping plan. The focus of the amendment is to correlate and ensure that the City’s requirements are in line with state statutory requirements passed at the most recent Legislative Session. HB-282 addresses all municipalities within the State to provide or remove hindrances from having a property owner/developer install water-wise landscaping as their landscaping requirement in the City. He clarified that water-wise landscaping may be used instead of lawn or sod.

Mr. Teerlink reported that the City’s ordinances have also allowed waterwise and xeriscape-friendly to not hinder the property owner by dramatic water use. The definition was reinforced by adding in the idea of Locascapes, which is a registered trademark that is used by the Jordan Valley Water Conservation which is part of a greater state entity known as the Utah Conservancy Water District. It involves using the right type of landscaping in a given activity space. Each type has its own watering requirement. That needed to be added due to a sub-requirement by Jordan Valley Water Conservancy District and their Parkstrip Conversion Program. In order to participate in the Park strip Conversion Program and the rebate the Jordan Valley Water Conservancy District is offering, the municipality must have these types of elements in their Code.

In response to a question raised by Commissioner Roach, Mr. Teerlink stated that Localscapes are a set of definitions. He explained that the landscaping definition was changed slightly. In the site plan requirements when staff is looking at a submission they are looking for a landscaping plan.

Chair Howard Layton asked Commissioner Roach for his insight on the existing tree canopy and remarked that as new projects come forward there may be less motivation to plant certain types of trees. Commissioner Roach stated that he has thought about ways to broach the topic with the City Council and work through the Tree Committee as public advocacy. He recognized that with new development it is important to plant the right trees in the right place. They now have to consider water standards for the tree as well. His larger concern with the initiative behind it is that they are encouraging some residents to reduce the amount of grass and go to more hardscape and xeriscape. While well-meaning but not well-educated homeowners often reverse course on their turf but do not take into consideration the existing trees. They then stop watering them, which creates problems. He saw a lot of potential problems and challenges, particularly in areas that are already heavily forested due to lack of irrigation. He was currently working with the Tree Committee on the current tree list and recommended tree species that do well in drought-tolerant areas.

Commissioner Roach stated that he spoke with Mr. Teerlink and asked him if the proposed amendments would negate or eliminate any of the current tree requirements that they have under the tree canopy or the parking lot side. Because it specifically targets turf and addresses vegetation definitions, they will still have the tree replacement policy in place. Mr. Teerlink explained that the tree requirement applies but the ground covering and the shrub requirements can be replaced by trees but not vice versa. Chair Howard Layton wanted to make sure that any motion to adopt the requested changes is adequate. Mr. Teerlink stated that he was careful to ensure that none of the parking lot tree requirements required the trees to be removed in place of a water-efficient system. The tree parking lot shade elements and the benefits of trees in parking lots far outweigh water-wise landscaping can place in a small area. A drip irrigation system is more efficient and can continually feed the tree and is better than a ground cover situation.

Commissioner Roach reported that when there are trees in a xeriscape environment, even with a highly efficient watering method, they will achieve a smaller canopy at maturity. There will also be an increase in heat island effect in a xeriscape or gravel environment.

Chair Howard Layton asked if there had been any discussion in the City of requiring single-family homes to provide a landscaping plan. Mr. Teerlink confirmed that there was and single-family homes were specifically left out. Site plans for homes do not come to the Planning Commission and are approved at the staff level.

Commissioner Chris Layton stated that most single-family dwellings that he is involved with are required to have a landscape architect involved and the irrigation and planting is very specific and scrutinized. He stated that the size of the home has determined whether there is a Landscape Plan. Currently, a simple site plan shows that they are grading away from the building, addressing where water is going, and determining what areas are landscaped and hardscaped. Mr. Teerlink stated that when staff reviews grading or landscape plans they are looking for those elements. They also

determine if stormwater is being retained, if there are dramatic grade changes where retaining walls will be used, and what the impervious surfaces are. The question was whether they should also look at localscapes. Commissioner Chris Layton stated that often it is driven by a Homeowners Association (“HOA”) who sometimes has independent boards that are very specialized. For twinhomes, landscape plans and landscape architecture must be submitted to the City.

Commissioner Prince commented that it seems like it would be consistent to require everyone to have a Landscape Plan. She considered it to be a glaring oversight that they don’t. Commissioner Roach agreed and stated that if they are trying to incorporate water-wise, highly-efficient landscaping it should be a requirement. Mr. Teerlink stated that the guidelines require a great deal of enforcement.

Mr. Teerlink explained that the City has three different water providers with each being drastically different. There is currently no incentive to curtail water use because there is a continual source for 30 to 40 percent of the residents. Commissioner Prince asked if it would be problematic for Salt Lake City and Holladay Water users to include the Localscapes language in the ordinance. Mr. Teerlink responded that only for Jordan Valley Water Conservancy District. It would be problematic for them to not incorporate it but is currently not an issue for the other users.

Commissioner Roach referenced the proposed change to 13.77.050. Mr. Teerlink stated that some language was deleted since at the time they created the minimum landscaping requirement they wanted to capture homes that had been built recently. As a result, the one-year requirement no longer applied. He explained that HB-282 requires municipalities to omit side yard landscaping requirements. Only front yards can be regulated.

Commissioner Banks moved forward a positive recommendation to the City Council to amend Chapters 13.04, 13.08, 13.10, and 13.77 of the Holladay Municipal Code, as amended based on the following findings:

- 1. Compliance with the Purpose of the Land Development Code by promoting and facilitating the orderly growth and development within the City of Holladay.***
- 2. Compliance with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within the City of Holladay.***

Commissioner Mackin seconded the motion. Vote on motion: Commissioner Chris Layton-Aye, Commissioner Mackin-Aye, Commissioner Banks-Aye, Commissioner Roach-Aye, Commissioner Prince-Aye, Chair Howard Layton-Aye. The motion passed unanimously.

4. Text Amendment – Chapter 13 Land Use Development Code; Residential Uses in the ORD Zone, 13.45, 13.100. File #00-4-30-07.

Mr. Teerlink presented the staff report and stated that the above matter involves a request to study and make a recommendation about the use of multi-family within the Office Research and

Development (“ORD”) Zone. The ORD Zone is the City’s primary office zone and was developed shortly after the City’s incorporation. It is located in an office park on the east side of the City near Wasatch Boulevard. The site is tremendously restricted in terms of the uses that needed to be provided there. Mr. Teerlink explained that the zone and uses were expanded recently to include medical and dental uses. Some of the uses currently exist across the street in Cottonwood Heights. Hotel and minor retail are permitted in that location as well.

The City has been focusing on how to address housing needs. However, it has been a struggle to find a program that will provide moderate-income housing and also meet statutory and local development agreement requirements for 80% Area Median Income (“AMI”) and provide workforce housing. In other areas, professional moderators found properties, operated them for cities, and made sure the tenants qualified for those types of uses, but this created a lot of work for municipalities. Mr. Teerlink noted that the City of Holladay is built out and there is not a lot of available land left. Some municipalities have been able to provide workforce-type housing in conjunction with new commercial developments, but in Holladay, that is not an option to consider.

In recent months, the City Council has been able to partner with Woodbury Corporation, to find out how multi-family units can be placed in the ORD Zone. There was an opportunity to place housing in a location that was already intensified with uses. City Staff had put together a simple recommendation, but there were two specific requests that Mr. Teerlink asked the Planning Commission to review, which were as follows:

- Ordinance 13.45 – ORD Zone:
 - Current Language: Purpose of ORD land use provision;
 - Proposed Changes: Inclusion of multi-family land uses to meet housing needs.
- Ordinance 13.100 – Land Use Table:
 - Current Language: Allowable primary and accessory land uses by zone category;
 - Proposed Changes: Allowing multi-family residential as a primary land use; mixed-use PUD developments are proposed; inclusions of any ancillary uses incidental to a residential unit.

Mr. Teerlink shared the draft amendments with the Commission. He explained that the Holladay Crossroads (“HCR”) Zone has been used as a model for the ORD Zone amendments. In the HCR Zone, a mixed-use Planned Unit Development (“PUD”) or mixed-use commercial PUD is permitted. In the ORD Zone, the proposal was a Conditional Use for a mixed-use PUD, non-residential PUD, or residential-only PUD. PUDs are fairly flexible in terms of setbacks and lot sizes. In the ORD Zone, he believed there would only be requested flexibility for setbacks. He felt it was appropriate to keep these uses as a Conditional Use so that conditions could be applied to any PUDs.

Under the residential section, multi-family was listed as a permitted use. As for accessory uses, all of the ancillary uses that came with a residential space needed to be added to the ORD Zone. For instance, home occupations, household pets, and short-term rentals. Mr. Teerlink reported that short-term rentals are classified as anything less than 30 days. He wondered if that type of use, based on the zone, is appropriate. The Council discussed whether short-term rentals are suitable

for the zone. Mr. Teerlink noted that short-term rentals and moderate-incoming housing are in conflict. However, when there was deed-restricted rent or restricted rent for a period of time, that often eliminated the possibility of using the property as a short-term rental.

Chair Layton noted that short-term rentals would be a Conditional Use. As a result, individual applicants would be required to come in and submit an application for that use. If a Homeowners Association (“HOA”) was open to allowing short-term rentals, the interested individual would still need to come to the City to obtain a permit. Mr. Teerlink pointed out that the Conditional Use would depend on whether the individual lives in a rent-restricted unit. If it is a rent-restricted unit, the unit would not be available for a short-term rental. That being said, from a City-perspective, it would be difficult to know which units were rent-restricted and which were not.

Commissioner Banks believed that if someone qualifies for a moderate-income unit, there would be a deed restriction. If that individual came to the City to ask for a Conditional Use Permit for a short-term rental, that deed restriction would be clear. He wondered if the City could deny the application on that basis. Mr. Teerlink explained that it would need to be written into the Ordinance specifically. In the short-term rentals section of the Ordinance, there were specific limitations listed. For example, it needs to be on a primary road, cannot be part of an HOA that does not allow short-term rentals, and needs to be owner-occupied. Another condition could be added that they be deed restricted for moderate-income housing rate based upon 80% AMI in the City.

It was noted that this is the only ORD Zone in the City unless other areas of the City happen to be rezoned at some point in the future. The discussions were currently focused on a specific site. Mr. Teerlink explained that there had been a conversation with a potential property owner earlier in the day about the potential for short-term rentals to expand within the City. He stated that it was highly unlikely that the use would be expanded. Commissioner Layton felt this was an opportunity for the City to benefit from the ORD Zone and make sure there is a focus on affordable housing. He noted that there was one other ORD Zone in Holladay, where the hotel would be located. Mr. Teerlink clarified that the property had a Development Agreement established. There would only be a hotel use on the site and no other ORD Zone land uses were available.

Commissioner Mackin moved to forward a positive recommendation to the City Council to approve the proposed amendments and allow permitted multi-family land uses and accessory uses within the ORD Zone, as amended, on the following findings:

- 1. Compliance with the Purpose of the Land Development Code by promoting and facilitating the orderly growth and development within the City of Holladay.***
- 2. Compliance with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within the City of Holladay, according to the proposed allowed uses in Chapter 13.100 Appendix A – Allowed Uses.***

Commissioner Prince seconded the motion. Vote on motion: Commissioner Chris Layton-Aye, Commissioner Mackin-Aye, Commissioner Banks-Aye, Commissioner Roach-Aye, Commissioner Prince-Aye, Chair Howard Layton-Aye. The motion passed unanimously.

5. Text Amendment – Chapter 13. Land Use Development Code; Off-Street Parking Requirements, 13.80. File #01-04-23-3.

Mr. Teerlink presented the staff report and stated that the above item relates to an amendment to Title 13.80 – Off-Street Parking Standards of the Holladay Municipal Code. The intention is to update the current off-street parking requirement ratios. He explained that a memo from former City Planner, Robert Hobbs, was included in the packet for review. In the memo, some of the City issues were addressed, which included some redevelopment possibilities. A lot of research had gone into what municipalities could do to address an overabundance of parking, substandard parking, and other scenarios where multi-modal uses (bicycles, motorcycles, scooters, and transit) allowed residents to visit retail locations, but a parking space was not required for those individuals, because the space would not be used.

The number of off-street parking stalls required per use were listed in the Land Use Table. The required stalls are handed down through municipalities. For instance, the City of Holladay received them from the County, and the County created its parking ratio requirements from a handbook written in the early 1970s. There was not a scientific way to determine how many stalls would be required for a specific use. One option was that the requirements could be based on individual seats (seats located in a dentist's office or hair salon) as well as the number of staff members. While some uses were easier to determine, when there is a mixture of uses within one building, it becomes more complicated. As a result, some cities and counties were choosing to do away with minimum parking requirements and allow the developer to determine what is appropriate.

Mr. Teerlink presented the Parking Management Strategies, Evaluation, and Planning document from Todd Litman. The document was written for the Victoria Transport Policy Institute, but it shared parking strategies, evaluations, and future planning tools that made it possible to find a middle ground. There could be opportunities for parking demand to be reduced based on the type of use. If there was a shared parking agreement or a carpool program, for example, that could be considered and the minimum standard could be reduced.

The draft amendment proposed two elements. One was specifically related to allowable strategies and the other was related to multi-family parking ratios. The latter was related to the ORD Zone amendment. Mr. Teerlink overviewed the parking ratio section of the Holladay Municipal Code. The parking ratios for multiple dwellings in 13.80 had been modified. It was originally two spaces for each unit but was now a three-bedroom unit (1.5 stalls), two-bedroom unit (1 stall), and one-bedroom unit (1 stall). This ratio was used in other areas, such as the HCR Zone. Mr. Teerlink explained that the ratio was proposed to be City-wide, wherever multi-family uses are proposed. Most of the amendments pertained to a table that was added. It allowed different options that a developer, property owner, or tenant could implement to offset parking requirements. Some of the strategies included shared parking, remote parking, and walking and cycling improvements. The standards were based on the document from Mr. Litman.

Commissioner Banks noted that on the chart, the fourth column was titled, “Traffic Reduction.” He asked about the significance of the numbers listed. Mr. Teerlink clarified that it was a formatting issue. The line numbers were shown instead of the actual data. The fourth column explained how the different strategies would reduce the introduction of traffic into a development. For example, walking and cycling improvements could potentially reduce the parking ratio by 5-15%. That was a significant traffic reduction for the City to consider.

Chair Layton noted that the main suggestion for the text amendment was to allow some reduction in the parking requirements. He wondered if it would be beneficial for the Commission to take time to read the report from Mr. Litman thoroughly and think about the amendments. Commissioners could come back with suggestions at a later date.

Commissioner Mackin noted that Mr. Teerlink had referenced the discussions between Steve Peterson and the Utah Transit Authority (“UTA”). She asked for additional information. Mr. Teerlink explained that there had been conversations about a circulated route with a trolley system that would connect the Holladay Village with Holladay Hills and Millrock. This would reduce traffic significantly and the idea had been brought up many times. It was something that could continue to be explored as a way to reduce traffic patterns. Connecting nodes of activity was important.

Commissioner Roach believed the amendments stated that off-street parking requirements would remain. There would then be different ways to reduce the necessary amount of parking stalls through the different strategies. Mr. Teerlink confirmed this and explained that Staff was open to hearing feedback about both the off-street parking requirements as well as the different strategies. Commissioner Layton liked the idea of the different strategies and felt they would guide developers. Commissioner Prince felt it would be best to continue the item so that Commissioners could read the provided materials further. Commissioner Banks asked that the next discussion on the item include some fine-tuning of the initial numbers.

Commissioner Banks moved to continue the proposal to amend 13.80 – Off-Street Parking Requirements for further discussion at the May 31, 2022, Planning Commission Meeting. Commissioner Layton seconded the motion. Vote on motion: Commissioner Chris Layton-Aye, Commissioner Mackin-Aye, Commissioner Banks-Aye, Commissioner Roach-Aye, Commissioner Prince-Aye, Chair Howard Layton-Aye. The motion passed unanimously.

6. Text Amendment – Chapter 13 Land Use Development Code; Design Review Board Locale Requirement, 13.05. File #22-4-04.

Mr. Teerlink presented the staff report and stated that the above matter is a housekeeping item. Along with the HCR Zone came some architectural standards. For the Planning Commission to review an architectural proposal of new development within the HCR Zone, there needs to be a recommendation from the Design Review Board (“DRB”). The DRB consists of five members who specialize in some sort of design element. For instance, landscape architecture or interior design. This allows the Planning Commission to focus on other elements of the Site Plan. However, the DRB members are locally appointed, which means they need to be property owners

or business owners within the Holladay Village or live nearby. Expanding the Board from five to six members would allow there to be a property owner or business owner within the HCR Zone. Mr. Teerlink noted that someone who is near the zone would be beneficial. He believed that representation on the Board would be meaningful to applicants.

Commissioner Prince moved to forward a positive recommendation to the City Council to approve the proposal to amend Title 13.05, the appointment requirements of the Design Review Board of the Holladay Municipal Code, as proposed in the Ordinance amendment and presented by Staff. Commissioner Roach seconded the motion. Vote on motion: Commissioner Chris Layton-Aye, Commissioner Mackin-Aye, Commissioner Banks-Aye, Commissioner Roach-Aye, Commissioner Prince-Aye, Chair Howard Layton-Aye. The motion passed unanimously.

ACTION ITEMS

7. Approval of Minutes – April 5, 2022.

Commissioner Mackin moved to approve the April 5, 2022, Meeting Minutes. There was no second. The motion passed with the unanimous consent of the Commission.

ADJOURN

Commissioner Mackin moved to adjourn. The motion was not seconded. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at approximately 7:35 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the City of Holladay Planning Commission Meeting held Tuesday, May 17, 2022.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: July 12, 2022