

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

**Tuesday, January 21, 2025**

**6:00 PM**

**City Council Chambers**

**4580 South 2300 East**

**Holladay, Utah**

**ATTENDANCE:**

**Planning Commission Members:**

Dennis Roach, Chair

Brian Berndt

Ginger Vilchinsky

Angela Gong

Paul Cunningham

Jill Fonte

**City Staff:**

Brad Christopherson, City Attorney

Carrie Marsh, City Planner

**WORK SESSION**

Chair Dennis Roach called the Work Session to order at 5:45 p.m. The Regular Meeting items were discussed, including Planning Commission training and the Public Hearing for a Text Amendment.

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

Chair Roach called the Regular Meeting to order at approximately 6:00 p.m. All Commissioners were in attendance. The Opening Statement was read aloud for the benefit of those present.

**PLANNING COMMISSION TRAINING – Required Training Session Conducted by the City Attorney’s Office.**

City Attorney, Brad Christopherson, conducted the Planning Commission training. He shared information about Closed Sessions, quorums, public meeting requirements, agenda amendments, noticing requirements, electronic meetings, Meeting Minutes and recordings, emergency meetings, electronic messages, GRAMA requests, public hearings, motions, and receiving public comments.

## **PUBLIC HEARING**

### **1. Text Amendment - 13.04: DEFINITIONS and 13.100.010: TABLE OF ALLOWED USES; (A STATE REQUIRED AMENDMENT) Review and Recommendation to the City Council on Proposed Updates, Consolidations and/or Clarifying Amendments to Title 13, of the Holladay City Code, Land Use and Development Regulations as they Relate to Statute Obligations, Set Forth by State of Utah Legislation, Modifying Provisions Related to Home-Based Micro-Schools and Micro-Education Entities. Item Reviewed as a Legislative Action, According to Procedures Set Forth in Holladay Ordinance §13.07. File #25-4-03.**

City Planner, Carrie Marsh, presented the Staff Report and explained that the item is a Text Amendment for 13:04 – Definitions and 13.100.010 – Table of Allowed Uses. The Text Amendment is related to State requirements for micro-schools that are home-based and micro-education entities. The changes are in line with Senate Bill (“S.B.”) 13, which was passed during the 2024 Legislative Session. S.B. 13 provides home-based micro-schools and micro-education entities with similar requirements, waivers, and rights as private and charter schools. Ms. Marsh explained that a home-based microschool is a K-12 education service for up to 16 students from a residential dwelling or property. A micro-education entity provides K-12 education services for up to 100 students. The State regulates a lot of the educational requirements, so most of the requirements are based on those. The definitions in Title 13 match the State definitions for a home-based micro-school and a micro-education entity. Those are included in the Meeting Materials Packet and the draft text.

All of the regulations for home-based micro-schools and micro-education entities are regulated in Title 5 under Business Licensing. Cities can put various regulations on home-based micro-schools and micro-education entities to address parking, traffic, hours of operation, and site development. In addition, cities can regulate the location in order to avoid risks to health and safety. There are size requirements for the floor space needed per student in each application. For home-based micro-schools, it is 35 square feet per student. For micro-education entities, it is 20 net square feet per student. Microschools have to file with the State and the municipality as a business. The standards for parking and the size requirements will naturally filter the use out of residential areas, with the exception of the home-based micro-schools. There needs to be one parking space for each non-resident employee as well as one additional space. Outdoor play areas need to be secured and rooms have to have carbon monoxide and smoke detectors. The State requires them to be allowed in all zones, so that has been reflected in the Land Use Table. A recommendation will be made to the Council.

Chair Roach asked if a micro-education entity is considered separate from a boarding school. He wanted to know if there is anything for a boarding school in the City Code. Ms. Marsh does not know if there is anything related to a boarding school in the code. The closest would be a treatment center. With home-based micro-schools and micro-education entities, it is possible to restrict hours of operation.

***Commissioner Cunningham moved to OPEN the Public Hearing for the Text Amendment. There was no second. The motion passed with the unanimous consent of the Commission.***

There were no comments.

***Commissioner Fonte moved to CLOSE the Public Hearing. Commissioner Gong seconded the motion. The motion passed with the unanimous consent of the Commission.***

***Commissioner Cunningham moved to forward a recommendation to the City Council to APPROVE an application by the City of Holladay to amend Title 13, Chapter 04, and Chapter 100.010 of the City of Holladay Land Use Code relating to definitions and approved land uses, based upon the following findings:***

- 1. Maintains statutory compliance with State legislation.***

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

**ADJOURN**

***Chair Roach moved to ADJOURN. Commissioner Fonte seconded the motion. The motion passed with the unanimous consent of the Commission.***

The Planning Commission Meeting adjourned at approximately 6:45 p.m.

***I hereby certify that the foregoing represents a true, accurate, and complete record of the City of Holladay Planning Commission Meeting held on Tuesday, January 21, 2025.***

**Teri Forbes**

Teri Forbes  
T Forbes Group  
Minutes Secretary

**Minutes Approved: March 4<sup>th</sup> 2025**