

**MINUTES OF THE
HOLLADAY CITY SPECIAL COUNCIL MEETING**

**Tuesday, January 9, 2007
Council Chambers
4580 S 2300 E
Holladay, Utah 84117**

ATTENDANCE

Mayor Dennis Webb

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton

City Staff

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

Paul Allred, Community Development Dir.

Alma Haskell, Planner

Pat Hanson, Planner

Citizens: Steve Luczak, Kellie VanderVeur, Sharron Horsey, Jim Palmer, Scot Safford, Troy Lunt

I. Welcome - Mayor Webb

Mayor Webb called the meeting to order at 11:06 and welcomed those here for this special meeting.

II. Consideration of Ordinance 07-1 Amending Various Chapters of Title 13 of the Code of Ordinances Pertaining to Definitions of Single Family Residential Zones, Multiple Family Residential Zones, Planned Unit Developments and Supplemental Conditions.

Mr. Haskell reviewed and discussed rear yard setbacks. It is better to average the distance from the front property line to the rearmost part of the home and he then presented the Council with some options. Option 1 – would be to take average of the two homes on both sides and increase it by 20% and anything behind that line can build up to 22ft or whatever you decide. Option 2 – is to take the same concept without an increase. Option 3 – no portion of the building may extend past the rear corridor.

Mr. Allred commented that staff feels that we have not had enough time to model and evaluate the options and how it will affect the neighborhoods. The 20% is too restrictive and that Option 2 is best. This could be monumental in its affect.

Council Member Peterson feels it is foolish to act on something that was given to us five minutes ago. The public has had no chance to see the options or make comments.

Council Member Pace likes Option 3 and feels that is what came out of the work meeting last week and was discussed.

Council Member Diederich would like to see the Council include one of the options in the ordinance. He likes Option 1.

Council Member Orton agrees that we have not had time to review the whole thing and would like to vote on what is in front of us. Option 3 was discussed but never set in stone.

11:15:30 Council Member Pace moved to adopt Ordinance 07-01 as drafted with the following amendments: on pg 31-32, clear view section from the travel way, not the property line, on page 10 13.14.052 add Option 3 with the understanding that special exceptions section of the ordinance would be held for further refinement and not approved at this time.

Motion died for lack of second.

Council Member Diederich would like to see us leave out the option for rear yard.

Council Member Peterson moved to adopt Ordinance 07-01 as drafted and to include a graduated height starting point of 8ft instead of 6ft. Council Member Orton seconded the motion.

Council Member Pace expressed concern that it allows the maximum building height all the way to the rear of yard and within in 20ft of the property line. Let's deal with the height issue, because that is more troublesome the further you go back on a lot. To adopt the ordinance as drafted, with no restrictions or guidance does nothing to preserve the compatibility of our community. He feels that Option 1 would be a better approach.

Council Member Orton is concerned that it is an issue that needs specific language and knowing where it fits. Secondly, there are other items that need to be addressed – there are several typos. Lastly in the definitions we have not identified what a front yard is. Need to designate where the front yard is. Just these few examples show there are a lot of things that have not been adequately addressed.

Council Member Diederich commented that some of Council Member's Pace's concerns are addressed in the single family residential zones. The intent is to be compatible and he feels we have addressed compatibility.

Council Member Pace asked if this language of intent gives us the right to deny a permit, which it does not. We have the language for each option with a diagram and it just needs to be plugged into the ordinance. Concern is that we embarked on this project six months ago because we were concerned about making sure new development is desirable and protects the long term residents and their long-term investment. He

feels we have not taken any significant steps to address compatibility and the one thing we talked about taking we are throwing out and letting them build to the max. Need to address the policy issues and pick an option.

Mayor Webb agreed that we did as a council ask our staff to come back to us with options, which they have done. He is favor of Option 1 with 20ft instead of 22ft. To not address some of the concerns that have been raised last week is not right. We also talked about graduated height starting at 8ft instead of 6ft. and proposed that change in the ordinance. We would be a better architectural component.

Council Member Peterson called for the question at 11:32. The Council roll call vote was as follows to cut off debate: Council Members Orton and Peterson in favor with Council Members Pignanelli, Pace, Diederich and Mayor Webb opposed.

The Council roll call vote was as follows: Council Members Orton, Peterson and Pignanelli in favor with Council Members Pace, Diederich and Mayor Webb opposed. Motion died for lack of majority.

11: 35:55 Council Member Pace moved to adopt Ordinance 07-01 as drafted with Option 1 added with a height not to exceed 20ft. Council Member Diederich seconded the motion.

Council Member Pace would like to look more fully at the graduated height issue.

Council Member Orton is concerned about the unintended consequences of the options for rear yard setbacks. Staff has not had time to model these options but we have had time to see the graduated height.

11: 39 The Council roll call vote was as follows: Council Members Pace and Diederich in favor, with Council Members Orton, Peterson, Pignanelli, and Mayor Webb opposed. Motion failed.

11: 39:39 Mayor Webb moved to adopt Ordinance 07-01 as drafted with the following: the graduated height be changed from 6ft to 8ft and Option 1 added in with a 20ft height limitation and that it can be brought back by staff. Council Member Pace seconded the motion.

Mr. Allred stated that staff feels Option 1 is the best. It does not obscure views, etc... This will come back to the Council and we will find out if it works after the first 10-15 permits.

The Council roll call vote was as follows: Council Members Orton, Peterson, Pace, Pignanelli, Diederich and Mayor Webb in favor. Ordinance 07-01 was adopted by a unanimous vote.

III. Adjourn

There being no further business, Mayor Webb adjourned the meeting at 11:42pm.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Special Council meeting held Tuesday, January 9, 2007.

Stephanie N. Carlson, CMC
Holladay City Recorder

Dennis R. Webb, Mayor

Minutes approved: 1-18-07