

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

Wednesday, September 23, 2008

7:00 p.m.

**Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE

Planning Commission Members:

Paul Shupe, Chair
Gene Carr
Lori Khodadad
Richard Kimball
Cyrus McKell
Brad Scott, Vice Chair

City Staff:

Paul Allred, Community Development Director
Rick Whiting, City Planner
Jonathan Teerlink, City Planner
Pat Hanson, City Planner

FIELD TRIP AND WORK MEETING

1. All Agenda Items May be Visited and/or Discussed.

The Work Meeting commenced at 5:48 p.m.

Community Development Director, Paul Allred, indicated that McDonald's filed an appeal on the hours of operation. Staff assured the applicants over the phone that there was no restriction on the hours. City Attorney, Craig Hall wrote a letter advising McDonald's that the appeal is unnecessary.

Mr. Allred stated that the applicants would have to show an upgraded base around the sign on the plans. They did not submit any of the plans per the revisions requested at the meeting. Staff would inform the applicants that they need to provide the necessary revisions. Mr. Allred questioned McDonald's contention that the City has cost them \$500,000. It was reported that a pre-construction meeting will be held and the project will move forward. Staff believed what is proposed will be a vast improvement over what exists presently.

(17:52:43) Mr. Allred reported that staff was in contact with City Geologist, Darlene Batatian and asked her to provide the needed acknowledgement letter. Ms. Batatian agreed to have the letter to the City by the following Monday. It was reported that Ms. Batatian works as a consultant to the City on an as-needed basis.

Mr. Allred reported that the site plan approval for the two twin homes on Murray-Holladay Road would not be constructed. He explained that various projects that received approvals previously have not gone forward. Because there are fewer projects coming forward, the Commission can spend more time working on the Code, LUDMA, and ordinances.

Mr. Allred stated that the Village is moving ahead. Soon the Commission will be seeing a PR effort on the part of the City to publicize what is coming forward. He reported that Holladay Water has already started digging to prepare to replace the water line. They will provide the

water for most if not all of the project. The City was nearly ready to move forward with signing a contract with Rocky Mountain Power for the estimated cost of removing the power lines through the heart of the Village. There has been a lot of time, delay, and discussion about how to handle the situation. He noted that it is quite expensive for the City. Mr. Allred reported that City Engineer, Clarence Kemp did a wonderful job for the City and found numerous overcharges and errors in Rocky Mountain Power's estimates. The City provided Rocky Mountain Power with the needed information on more than one occasion and there had been difficulty getting good information from them about the vaults that have to go into the ground as well as the above ground boxes.

(17:59:57) Mr. Allred commented that the City has been pressuring Dan Lofgren to come up with a plan for the Video Vern's site. The City Manager met earlier in the day with staff and asked them to put together a plan on how to get the business community, particularly in the Village, to participate in an open house. The idea is to hold an open house for the public and business owners to come and find out how long their businesses may be disrupted by the road closures and repairs that will take place. Staff was putting together a master list and will consider amending the sign regulations to relax them during construction for businesses that will be negatively impacted. The City must clearly explain how long things will be closed and in what order work will be done. Work on the project was expected to be done over two construction seasons.

Mr. Allred stated that there was some discussion about bringing in a point person for the City rather than assigning a City employee. That was completely unofficial at this point. Staff had had several inquiries about what will be taking place. With the other work done, staff was finding that they will be able to include the power line costs included in the budget. It was not expected to be as expensive as originally believed because of the reduction of the Rocky Mountain Power bid. In addition, a fixed cost was provided on the benches and lights. The City would most likely borrow \$1.5 million for the burying of the power lines. Staff planned to meet with UDOT the following week with regard to on-street parking. Mr. Allred stated that UDOT was raising questions about it; however, the on street parking had been planned for years. He stated that much of the process was to create place. That is done by allowing on street parking and having the vibrant mix of pedestrians and cars on the roads. He explained that without burying the power lines, they don't have the Village because there is a horizontal and vertical separation between the power lines and the buildings. The buildings can't be placed up against the right-of-way line and have power poles. Some people have not understood that the buildings have to be moved back.

City Engineer, Tosh Kano strongly recommended to the City Manager that an outside consultant be hired to manage the PR and be the point person for questions that arise. Instead of City Hall being flooded with questions, a person will be assigned that intimately knows the details of the project and be able to answer all of the questions that come up. That will allow staff to continue their daily work.

(18:14:34) Mr. Allred stated that residential growth is slowing down. He stated that the City is dependent on the revenues generated from fees, permits, and licenses. The Planning Department generates much of the revenue the City receives. The City likes to see people doing business. When they don't, it affects the City negatively and they look to cut costs. He stated that many communities are laying people off, consolidating, and raising taxes. The Mall project was discussed. Mr. Allred expected to see the subdivision component come forward in the spring

rather than in the winter. A sign submittal was expected in six to 12 months. Revenue issues were discussed.

City Planner, Jonathan Teerlink described the various amendments to Title 13. He explained that the Tree Protection Ordinance came about after the Mayor attended Mayor Carroon's presentation the previous fall on one million trees for Salt Lake County. The Mayor realized that Holladay is one of the few cities in Utah that is not designated as a Tree City by the National Arbor Day Foundation. Mr. Teerlink spoke with Meredith Perkins who reviews and approves Tree City applications. She stated that the City's ordinance is inadequate as far as National Arbor Day conditions. He hoped that the proposed ordinance addresses what is required for the City to attain Tree City status and get more tree protection ordinances in the Code. Tree regulation issues were discussed.

(18:27:10) Mr. Teerlink referred to the section that defines a "community tree". He commented that a community tree would be anything within 20 feet of a City-owned canal. A street tree is a tree located in a park strip. A community tree could also be a tree located in publicly owned space. Commissioner Carr reviewed the tree ordinance and found no mention of solar access. Mr. Teerlink stated that regulating trees on private property that block solar access was something he was not sure the City would want to get into.

Mr. Allred stated that there are two sides of the issue. When solar access is discussed, the issue of cooling should also be mentioned. One person might want shade in the summertime to cut their air conditioning costs. Another person might want solar access in the wintertime to heat their home. That means that the City must be very careful with regard to how they regulate and put standards in place and where trees are located on a property. Mr. Allred stated that where trees are planted is critical. Tree protection issues and modifications were discussed. Under the heading Tree Protection and Planting, Commissioner Shupe suggested language be added addressing solar orientation.

(18:41:15) Commissioner Carr referred to the definition of "Tree Board" on page two and recommended it be changed to read, "Volunteer group of concerned citizens designated by the Community Development Director...". Housekeeping and consistency changes were made to the document. To page 3, line 1, Mr. Teerlink suggested that language be added addressing solar placement. To page 3, line 8, Mr. Allred suggested "and" be changed to "or". He also recommended "or city-owned" be stricken from page 3, line 10. Mr. Allred suggested "at a minimum" be stricken from line 18. To line 21, "National" was replaced with "International". To line 23, Mr. Allred recommended it be changed to read, "plant, prune, maintain, or remove".

AGENDA ITEMS

Chairman Paul Shupe called the meeting to order at 7:16 p.m. and read the Commission statement.

2. PUBLIC HEARINGS

2.1 Planner: Jonathan Teerlink – (Discussion and Possible Decision)

Section 13.76.600 "Tree Protection" Amend Existing Ordinance to Specify Tree Removal and Planting Guidelines on Public and Private Property, Including Guidelines on the Creation and Procedures of a Community Tree Board;

(19:17:40) City Planner, Jonathan Teerlink, reviewed the Tree Protection Ordinance and stated that as directed by the City Council and in response to recent events, a Tree Protection Ordinance

was drafted and submitted to the Commission for review. Specific items include regulation of trees in public and City-owned spaces, the designation of a volunteer tree board, maintenance responsibilities, and a heritage tree designation program.

Commissioner Shupe opened the meeting to public comment. There were no public comments.

Commissioner McKell asked why the City would be looking at an amendment to the Tree Ordinance. Mr. Teerlink responded that the current Tree Ordinance is very thin. Past ordinances have been proposed to the Planning Commission but have been scaled back. The proposed ordinance takes some aspects from the previously proposed ordinance but most of it is new and addresses issues that are important to communities. Mr. Teerlink stated that Holladay City is one of very few cities in Utah that have not yet received the Tree City designation.

(19:21:33) Commissioner Shupe reported that the Commission met earlier in their study session and discussed the tree protection section of the ordinance. They reviewed it line by line trying to get a better understanding of it and what has changed.

(19:24:33) Doug Shelby gave his address as 4318 Lynn Lane. He serves on the Board of the Upper Canal and is concerned about the community tree aspect of the ordinance. There was a recent incident on Sleepy Hollow where vegetation was removed without any kind of consideration. In considering the ordinance, he suggested the City make sure they have the ability to clean the canal. He noted that some trees are detrimental to the bank. The Upper Canal is no longer responsible for leaks resulting from tree damage, the City is. He stated that good trees are worthwhile while others like Box Elders, can cause problems. Commissioner Khodadad noticed that there is a section in the ordinance addressing tree maintenance and care that deals with the removal of trees that are detrimental.

Commissioner McKell encouraged Mr. Shelby to make comments on a copy of the draft ordinance. Commissioner McKell stated that his backyard is on the Upper Canal and it is a constant worry to him because of the trees that line it. Commissioner Carr asked specifically what problems the trees cause. Commissioner McKell stated that dead trees can potentially fall and cause damage.

2.2 Section 13.14.070 (B)(2b) “Graduated Height” to Reduce the Allowed Height of Gable Ends;

(19:28:25) Mr. Teerlink presented the above amendment to graduated height. He explained that the graduated height section of the ordinance has been hotly debated. It regulates the height of a gable at the property line. Currently the graduated height is defined as an eight-foot tall pole at a 45-degree angle toward the property line that regulates how much mass the home can have at the property line. Gables can go beyond that plane up to a height of 75% of where it intersects the gable. Some property owners abutting new construction have had issues with the ordinance having too much height. To remedy a loophole in the ordinance, staff suggested changing the 75% provision to 50%. The issue of privacy prompted the graduated height ordinance. Mr. Teerlink explained that the impetus behind creating a graduated height ordinance was to prevent a second story right at the property line. Dormers can extend beyond the plane but there are some design criteria that restrict the width of the dormer and how they are spaced.

Commissioner Shupe opened the public hearing.

(19:38:44) Nolan Mendenhall identified himself as an architect in Holladay with an office at 1709 East Murray-Holladay Road. He commented that on the smaller lots there is a maximum height limitation of 32 feet. He asked Mr. Teerlink to describe mathematically the difference between the 1.7 and 1.5. Mr. Teerlink explained that typically it is 1 ½ to 2 ½ feet.

There were no further public comments.

2.3 Section 13.14.070 (B)(1b) Amendment the Method for Calculating the Building Corridor; and

(19:40:40) Mr. Teerlink described the proposed amendment. He stated that as directed by the City Council, the mass of a home with a second story being within the building corridor measurement has been determined to be too obtrusive to neighboring rear yards. The depth of the building corridor is an average of the measurements from the property line to the rear most portion of the home on either side of the subject property where the building is being built. To fix this, it has been proposed that the building corridor be instead an average measurement from the front of each home to the rear most portion of each home on either side of the subject property. Adverse effects include limiting the height of the home in both the rear and front of the lot. To remedy this, staff proposed an alternative to require the second story square footage to be 70%. Mr. Teerlink explained that instead of having a drastic change in height from the max height to the restricted 20 feet outside the building corridor, it should be more gradual. Staff looked at using a 2-to-1 ratio so the drop is one foot for every two feet.

Mr. Allred stated that there is a series of suggested changes. On the graduated height, it became apparent that the rules still result in a situation where a home can overwhelm the property. Originally staff was resistant to the idea of changing the ordinance. He personally examined it and doubted that it met the intent of preventing the overwhelming of an existing property by a new home. Mr. Allred was convinced that the building corridor allows someone to go too deep at a 20% bump. Council Member Pace suggested perhaps a 10% bump would be better. Staff looked at the idea of measuring the depth of houses. He stated that that might go too far. In an older neighborhood, if everyone starts to redevelop and remodel homes, the first person that comes in will get the smallest addition. Subsequent applicants will get more and more.

(19:57:13) Mr. Teerlink showed a graphic demonstrating the concept. What was proposed would give more control over massing the corridor up and down the street. In actuality, it could move the second story mass away from the streetscape by moving it into the center of the lots. The intent of the building corridor was to prevent the second story from looking back into the rear yards.

Mr. Allred stated that staff was bringing forward possible solutions to some of the monster home issues that drove some of the changes that have taken place over the last few years. When they are looking at the difference between measuring from the back of the sidewalk to the back of the house or from the front of the house to the back of the house, it mathematically changes the result. He suggested staff prepare examples showing the difference between measuring from the front to the back of the home and measuring just the depth of the home. Mr. Allred suggested the Commission consider averaging building heights in the neighborhood.

(20:07:17) Mr. Allred stated that in discussions with Council Member Pace, he argued that there should not be a transition area. Any transition should occur within the corridor since that just extends the mass of the home on the second level. Mr. Allred explained that the code simply

doesn't allow for a transition area at this time. Staff proposed that it could be allowed for and that there could be an architectural transition. He explained that presently there is an 80% maximum rule that there be no more than 80% of the square footage of the main floor on the second floor. The result is a terracing effect. If building is allowed outside of the maximum height corridor the formula will have been changed.

Commissioner Shupe suggested the Commission be provided with some examples and take a field trip. In response to a question raised by Commissioner Khodadad, Mr. Allred clarified that Council Member Pace was not suggesting the current allowance for a second level be reduced. His opinion is that there should not be a sharp transition from the maximum height to the next level down. It must be done within the maximum height area, which means it would be a defacto reduction of the second level. Commissioner Carr stated that perhaps the goal is to eliminate windows in the transition area. Mr. Allred stated that the purpose is not to prevent there being a view shed outside the house from the second level.

(20:13:10) Commissioner Shupe opened the meeting to public comment.

Nolan Mendenhall remarked that the City planners have been very understanding and he appreciated the flexibility of the direction the Code is going. With regard to the transition area, he stated that having a transition that is a graduated or sloping angle might make more sense because it complies with the rest of the Code issues. Mr. Mendenhall asked what the intent was in dealing with flag lots. He recognized that there are some very deep lots in the City that should be considered. He was in the process of designing a home in Holladay that sits on a corner lot. Many of the Code issues he is dealing with have to do with homes that have a front setting to the street. There is nothing dealing with a corner lot. He suggested there be some sensitivity to what the building corridor is doing when it turns on another public street. Mr. Allred commented that he visited the site with Mr. Mendenhall recently and the property owner. The Code in some ways hampers what he wants to do since corner lots, by definition punish the property owner. They have less privacy and a greater side yard to maintain. In this case fencing was discussed. Fencing is also a problem on a corner lot because the Code only allows for a four-foot fence on a front yard. It was discouraging for the property owners to design a home that maximizes their privacy that everyone else might get, especially since they are more exposed than others.

(20:18:00) Doug Shelby gave his address as 4318 Lynn Lane. He stated that much of the discussion deals with tastes. To some people large homes are "monster homes" but the owner might not see it the same way. There should be a balance between the existing home next door and what the new one will be. Many are in transition and the standards should not be based on the old homes.

Ryan Abrams an Albright Drive resident stated that perpendicular to Albright Drive is Terra Linda Drive. On Terra Linda there are homes where a second story has been added. Most of the older homes are single-story on slab. He thought it would be ridiculous to tell someone who buys a lot or home on Terra Linda that they can't have a second story because all of the surrounding homes are still on a slab with one story. He considered the term "monster home" to be very subjective. He did not think the goal of the ordinances should be to put every person who wants to build a home in a position where they have to apply for a variance. He wanted the laws to be flexible.

(20:22:29) Dallas Christensen gave his address as 2252 Melody Ann Way. He asked the Commission to think about the stated goals that the regulations are meant to accomplish. One is to preserve land values. He recognized that land values in Holladay are quite high. What they should not do is discourage those that are willing to invest in the community from building a new home or extensively remodeling an existing one.

There were no further public comments.

2.4 Section 13.14.080 “Lot Coverage” to Include Purpose Statement, Definitions for “Impervious Surface” and “Permeable Paving”.

(20:24:22) Mr. Teerlink explained that lot coverage in the past has been criticized. Addressing lot coverage has also been directed by the City Council and included major concerns from the community when new homes are being built. Someone wishing to build is referred to a table that sets out the portion that can be covered with structure and impervious surfaces. Many companies have created porous pavement or permeable pavers. The current level of lot coverage restricts the amount of property that can be covered and is an environmental concern, storm water drainage concern, and an urban climate concern. There are some paving companies who recognize this and are modifying their materials. They are creating composite paving materials that allow water to get through and can be used as a path or walkway. Grass block paving systems can be driven on but still allow water to get through. Staff was asked to propose a definition of “impervious coverage”, determine what is included in the calculations, what is a permeable paver, and a porous surface. All were added to the proposed language.

Mr. Teerlink stated that issues have come up where a new home is built and met all of the criteria of the current zoning ordinance but they later come in and want to construct a swimming pool. Swimming pools are counted against impervious coverage. Usually just the area of the swimming pool puts them over that amount. Many communities that have lot coverage requirements have removed swimming pools from the calculation. Staff looked at both options. Mr. Teerlink suggested public comment be received on the matter to get some input on what is desirable.

Mr. Teerlink stated that a matrix is provided that allows for overages. A person can go up to 500 square feet over what is allowed if “green” things are done such as planting trees on the property. Such options could provide ways for a property owner to put in a swimming pool, extra garage, patio, or tennis court and still be sensitive to environmental concerns.

(20:28:03) Commissioner Shupe opened the meeting to public comment.

Dallas Christensen gave his address as 2252 Melody Ann Way. He read through the goals of the lot coverage requirements and suggested that swimming pools and manmade ponds with artificial liners be removed from the impervious surface definition. It was his opinion that they accomplish many of the things the City is trying to achieve through the rules. He knew quite a few people with pools and he had never known a pool to fill up and overflow in heavy rains. Natural ponds are similar and tend to collect the rain. As the weather warms up, the water evaporates and more has to be added to them. The evaporation helps cool an area.

(20:30:55) Doug Shelby reminded the Commission that his Lynn Lane Estates project was approved in January and the project is now underway. They are now working on the architecture and determining what will fit on the lot. He commented that the 28% impervious surface limit is

reached quickly. He did not realize earlier that the fire turnaround area is taken out of his net. He stated that he did not want to build a two-story home but the 28% required him to go up. He asked that the fire turnaround be included in the lot if it can be made green and attractive and not put any runoff into the system. He considered swimming pools to be a similar situation and did not think someone should be restricted from putting a swimming pool in just because there is a number that has been established. They should be considered on an individual basis and if it fits and doesn't hurt the environment it should be allowed.

(20:33:52) Brian Abrams wanted to construct a swimming pool and agreed with Mr. Christensen's comments. He remarked that the water from a pool will not overflow and will evaporate. His home plans were currently under review and there had been some indication that the grass blocks could be used. That is an extra expense and hassle that he would be willing to bear in exchange for the pool. When the City allows for compensatory things to occur, the end result will be good. In driving his neighborhood, he recognized that almost none meet the current impervious surface criteria. He was being asked to meet a completely different standard than others have in the past. He was happy to compromise and hoped something could be worked out. He agreed with Mr. Shelby that the fire turnaround should not limit what he can do with his home. His opinion was that many of the rules are hurting rather than helping.

(20:38:02) Brad Wright gave his address as 2037 Lincoln Circle. He is a contractor and appreciated the way the Planning Department has assisted him in his various projects. When he pursues a permit for an addition to a house, he finds that many of the existing homes are already over the impervious surface limit because of their driveway. He asked how many existing homes are out of compliance. He was concerned that new houses are required to meet a higher standard. With regard to hammerheads, Mr. Wright remarked that if a fire truck driver can't back out of a driveway like he pulled into, someone else should be hired to drive the truck. It seemed silly to take up so much land to build a hammerhead. With regard to grass block, the area gets a lot of snow and frost and they will be a nightmare to maintain. If grass blocks and pavers are acceptable because they allow drainage, concrete should be considered since the water from it can be collected in a sump. The water all goes into the ground and does not flood off into the street or the neighbor's yard.

(20:40:42) David Layton a Sandy resident, was designing a home at 2520 East Walker Lane. He had found himself through their design, adverse to the issue. He remarked that strict interpretation of an ordinance can produce an unintended result. He commended staff thus far in being flexible in working through issues. Mr. Layton stated that he owns a four-acre parcel that is heavily wooded. His home was designed around the existing trees. That has produced a larger footprint and greater roof surface area than would be built if some of the mature trees were removed. All were aware of the aggressive tree pruning process undertaken by the power company. Two years earlier he spent \$50,000 burying the utilities so that he can keep the tree pruners off his property. Through the design process he met with the fire marshal who wants a 20-foot paved area back to his home. Mr. Layton has a private lane that is about 400 feet in length. If he were to go along with the 20-foot requirement, he would have to remove 50 mature trees to create the 50-foot width and turning radius desired. That does not anticipate any type of hammerhead or turnaround. He believed the value of his property is the vegetation on it. He was working with the fire department to solve that problem. Currently, if he were to build the home designed, he would be in violation of the impervious surface requirement just using the pavement that exists from the previous home. That would allow him no opportunity to put any type of pavement around his home.

Mr. Layton stated that he is a civil engineer by education and deals with these types of issues frequently. Many conclude that a pervious surface is a better surface than an impervious surface. He argued that if a raindrop falls in the middle of his asphalt lane and runs to either edge, it will go into the soil as easily as if there was no pavement there. He suggested there be a distinction between surfaces that drain into a storm drain system and those that drain to natural or existing vegetation. They clearly were not looking to add water to the storm drain system. Pervious surfaces heave, crack, and are expensive to install and maintain. He noted that several studies have determined that there is benefit to having runoff go through a grass or organic environment before going into ground water because the bio mass collects toxins and oils before they are absorbed into the soil. Sands, gravels, and road base that underlay typical pavers are not very effective at collecting toxins and oils and they continue to migrate. Mr. Layton encouraged the Commission to look at the percentage of coverage that the current ordinance allows and consider easing it back. He encouraged the Commission to get continued input from staff and give them the flexibility to make the right decision rather than the strict interpretation.

(20:47:35) An unidentified member of the audience referred to page 7, item number 3, which states that impervious surfaces damage tree root systems. He stated that before moving to Holladay he lived in Sugarhouse where maple trees border the street. They were in a four-foot strip of grass with the street on one side and sidewalk on the other. The trees were beautiful and healthy and he doubted that item 3 was true. He stated that the burying of overhead power lines could be added to the matrix with regard to beautifying Holladay in exchange for more pavement.

There were no further public comments.

(20:48:46) Commissioner Carr wondered if civil engineers conceive most of the standards. He was interested in hearing arguments from another civil engineer that might refute some of the conclusions. Commissioner Shupe had always struggled with the less than 15,000 square feet requirement and found it to be overly restrictive.

Mr. Allred commented that the public input received had been very helpful. He stated that the Title 13 rules adopted in 2007 have worked well for the most part. Much of the feedback from the developers and public has been that the rules are pretty flexible. The standards were designed to allow homeowners to get approval when they want to rebuild. Staff did not want to be characterized as “overbearing bureaucrats”. Many of the architects, homeowners, and contractors have been appreciative of the rules as not being completely inflexible. However, no rule will ever please everybody. Many of the restrictions will have unintended consequences and efforts are made to minimize them. He remarked that staff has a duty to be as objective as possible and develop and enforce rules that work for everybody but provide for the future. Staff was very concerned about several aspects of what is coming forward. Staff’s responsibility is to balance the input they hear from the public and City officials. Mr. Allred stated that the Commission and City Council in January of 2007 were very careful in crafting the rules initially. What was proposed was an amendment to them. It was believed that perhaps they have gone too far. In that light, Mr. Allred stated that the matrix was created to assign values to various things. Trees in almost every instance were assigned the highest value.

In analyzing whether to count swimming pools in the requirement, Mr. Allred recognized that they will catch some water and covers are typically on during the winter and when not in use.

He questioned whether a proper place was being provided for water to run into the groundwater system rather than into the storm drain system. The intent was to get water into the ground water system and not into the storm drain system. Staff's view was that sumps and other methods of keeping water out of the storm drain system have value. Mr. Allred stated that staff hesitated to develop the matrix because it suggests trade offs. That was not what the Council or the City Attorney wanted. As staff, their job is to enforce the hard and fast rules. The matrix suggests that there are hard and fast rules with regard to impervious surface unless certain things are done that fit within the framework of being "green" and thinking long term. He suggested the issue continue to be examined and a determination made as to whether the maximums currently allowed are too restrictive. Tonight they were hearing that they probably are. He explained that there will always be some kind of inequity when programs are changed.

The value of trees was discussed. Mr. Allred stated that they are valuable to the community and environment. He commented that perhaps the City might be moving toward regulating trees. Trees are also an important environmental tool that can be used as a trade off if someone goes over on their impervious surface areas. Mr. Allred explained that the job of staff is to advise the Commission of what is coming forward. The intent of staff is to be as objective as possible and balance what people want versus what the community should be looking at and try to place reasonable restrictions on building. It was his opinion that more work is needed and suggested the Commission look at some of the homes that have been built in the last 18 months. Interpretation issues were discussed.

(21:10:22) Mr. Allred explained that when the ordinances were developed, staff involved architects and builders on a committee. Staff did not object to doing the same thing again. Tree protection issues were discussed. UFA regulations were discussed.

Mr. Allred encouraged members of the public to submit suggestions in writing to staff. He specifically welcomed suggestions as to how to filter groundwater, keep water out of the storm drain, and keep properties cool.

Commissioner McKell suggested the Commission take the advice that not all of the impervious surface situations described are perfect. They don't always occur and may be mitigated. He suggested that language be used moving forward.

The Commission took a short break.

2.5 Planner: Paul Allred – (Discussion and Possible Decision) - Creating Regulations for Classifying Lots Where Dwellings are Built Over Property Lines and Requiring the Subdividing of Such Properties;

3. CONTINUED ITEMS

3.1 Ordinance Discussion – Proposed Land Use Table and Associated Definitions – Planner: Pat Hanson.

4. APPROVAL OF MINUTES

4.1 Minutes from September 3, 2008 and September 9, 2008 Planning Commission Meetings.

(21:32:20) The minutes of September 3 were reviewed and modified.

(22:29:48) *The minutes of September 3, 2008 were approved as amended with the unanimous consent of the Commission.*

The minutes of September 9, 2008 were reviewed and amended.

(22:32:57) *Commissioner Carr moved to approve the minutes of September 9, 2008, as amended. Commissioner McKell seconded the motion. The motion passed with the unanimous consent of the Commission. Commissioner Scott was not present for the vote.*

- 5. **PLANNING COMMISSION BUSINESS – NO Final Action to Be Taken.**
- 5.1 **Updates or Follow-Up on Items Currently in the Development Review Process.**
- 5.2 **Report from Staff on Upcoming Applications.**
- 5.3 **Discussion of Possible Future Amendments to Code.**

6. **ADJOURN.**

The Planning Commission Meeting adjourned at 10:32 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the City of Holladay Planning Commission meeting held Wednesday, September 23, 2008.



Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: 10/7/08