

Minutes of the Planning Commission meeting held on Thursday, July 5, 2012 at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Jim Harland, Chair
Karen Daniels, Vice-Chair
Tim Taylor
Vicki Mackay
Scot Woodbury
Chad Wilkinson, Division Manager
Mark Boren, Assistant Planner
Tim Tingey, Director of Admin & Development Services
G.L. Critchfield, Deputy City Attorney
Citizens

Excused: Ray Black
Phil Markham

The Staff Review meeting was held from 6:00 to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording of this is available at the Murray City Community and Economic Development Department.

Jim Harland opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

APPROVAL OF MINUTES

Ms. Mackay made a motion to approve the minutes for June 21, 2012. Mr. Taylor seconded the motion.

A voice vote was taken. Motion passed, 5-0.

CONFLICT OF INTEREST

Ms. Daniels has a conflict of interest on item #4 John and Laura Cowan – Conditional Use Permit as her employer holds the mortgage on the property. She would like to recuse herself from this item.

APPROVAL OF FINDINGS OF FACT

Ms. Mackay made note that there is a “no” vote made by Mr. Markham in section 7 (Decision and Summary) correctly identified in the meeting minutes, but not in the Findings of Fact for the Octapharma Plasma Center.

Chad Wilkinson stated that staff is aware of that and have already made the changes in the Findings of Fact that are before the Planning Commission this evening.

Mr. Taylor made a motion to approve the June 21 , 2012 Findings of Fact for Conditional Use Permits for Catalina Ochoa and Octapharma Plasma Center, with a correction made from the 4-0 vote to a 3-1 vote with Mr. Markham having the “no” vote on the Octapharma Plasma Center Conditional Use Permit.

Seconded by Ms. Daniels.

A voice vote was made. Motion passed 5-0.

JOHN & LAURA COWAN – 642 East Lincoln Place – Project #12-78

John and Laura Cowan were the applicants present to represent this request. Mark Boren reviewed the location and request for Conditional Use Permit approval for an accessory dwelling unit (ADU), in the basement of the existing dwelling. Municipal Code Ordinance 17.78.030 allows an accessory dwelling unit within the R-1-8 zoning district subject to Conditional Use Permit approval. The proposed accessory dwelling unit will have approximately 997 square feet which is within the 40% of the main dwelling unit allowed. The plans submitted show a two bedroom unit with an exterior access from the rear of the main dwelling. The accessory dwelling unit ordinance allows ADU's in residential zones subject to Planning Commission approval and compliance with specific development standards contained in the ordinance. In addition to the standards for development, approval of an accessory dwelling unit requires submittal of evidence that the unit is the principal residence of the owner and an affidavit stating that the owner of the property will live in either the principal or accessory unit. The house has a 2 car garage and additional vehicle parking space is located on the driveway and a concrete pad adjacent to the garage. The standards for accessory dwelling units require 2 additional off-street parking spaces besides those required for the principal unit and in no case shall be less than 4 spaces. The submitted plan shows adequate space available for off-street parking. The dwelling meets the required setbacks for the R-1-8 residential zone as shown on the plan. The zoning regulation requires all residential landscaping to be maintained in a neat and orderly fashion. Mr. Boren made note that several neighbors have expressed concerns about parking and what is happening on the property. Mr. and Ms. Cowan have tried to address all the concerns that have come to staff's attention. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval subject to conditions.

John Cowan, 642 East Lincoln Place is the owner and applicant. He thanked Mr. Boren, Ray Christensen and others in the Community & Economic Development Department of Murray City for helping them understand the process, requirements and options that they had for this ADU. He is aware of a letter that was sent to staff in opposition of the project. He stated that most of the issues in that letter have been addressed.

The meeting was opened up for public comment.

Mr. Harland made note there was an email received on July 5, 2012 from Lincoln Place neighbors and a letter from Julie Taylor listing concerns about the project. Both letters/email have been entered into the record.

Julie Taylor, 632 Lincoln Place, stated she is a neighbor of the Cowan's. She asked what neighbors were present that put together the collective letter staff received. She then read the letter. A copy of the letter is on file.

Trent D'Ambroseo, 648 Lincoln Place, asked where the site plan came from, who

measured the square footage and was it independently verified. He stated that he understands the measurements to read 997 sq. ft. He questioned the accuracy and asked if the city would take their own measurements.

Mr. Harland stated that the permit is not issued; the building inspector will come out to the project and will verify what needs to be done. Mr. D'Ambroseo stated that he could provide a set of original plans of the house. Mr. Wilkinson stated that staff is taking notes and all questions will be answered at the end of the public comment period.

Mr. Boren stated that the definition of Single Family has recently been defined by the state as up to four unrelated adults living in a single family dwelling unit, using common cooking facilities. The ADU allows up to two unrelated or related adults and their children. He explained that if the City receives a complaint they will follow up on it, but do not have enough manpower or time to police the property. The neighbors are the eyes and if there are concerns, they should call the City. The ADU requires a minimum of four off-street parking spaces. Parking for the occupants of the Cowan home should be using the off street parking provided for long periods of time. As long as there isn't any parking violations there may be times they are just coming and going for a short period of time and could possibly park on the street.

Mr. Harland asked if it is a violation for a vehicle parked in the driveway to block the sidewalk. Mr. Boren stated that would be a violation and is not in compliance with the off street parking codes. The difference between a visitor and an occupant is the occupant would be on the lease agreement and the visitor would not be staying there for an extended period of time.

Mr. Wilkinson stated that with a Conditional Use Permit the code provides for revocation if the conditions have not been met or there is a violation of the city code. If there are violations, staff will work with the applicant to get voluntary compliance. If compliance is not met, staff does have the authority to initiate a revocation of the permit.

Mr. Wilkinson commented that the city does not typically go out and do physical measurements of a property and relies on the applicant to supply accurate measurements. If someone felt that verification on measurements needed to be done, then staff would go out and re-measure. Also, the commission is able to put a condition upon verification by staff that the measurements are accurate.

Mr. D'Ambroseo asked what segments of the plan itself will be walled off to meet the requirements. He stated that he interprets the plan to not include the storage unit area. He asked if the stairs and the landing pad are considered in the square footage of the ADU. Mr. Cowan stated there is a finished basement that was done by the prior owners of the house and he wanted to make sure that the plans Mr. D'Ambroseo have of the house included the square footage of the finished basement. Mr. Cowan referred to the drawings showing the areas that are excluded from the ADU which are two storage areas. In addition he has a room that is his own personal library. As of yet that room has not been separated, but will be put behind a wall with a door and lock for private use. Because of those three locked off areas, the total ADU square footage

comes down to 997.49 sq. ft. There is a locked door at the top of the stairs that goes to the main level of the house and a rear access door.

Theresa Nebeker, 2464 Murray Holladay Road, stated she is the designer that drew up the square footage map. She stated that she took the information from plans that were made by Alan Kruckenberg and Jerry Boone, her former employers. The square footage in the finished basement is measured from the inside of the walls; the stairwell, private library, mechanical room, storage under the porch or the storage room off "bedroom 1" is not included in the interior space. Ms. Nebeker stated that she went to the county recorder's office and got the measurements for the lot. She personally verified the measurements for the site plan.

Mr. Cowan noted that he has 8 children of his own, along with the extended family (spouses, grandkids) and that he frequently has family members over for celebrations. They are very active in their church through leadership and mentorship to the college career aged group and lead a very active life. He stated that some of the misunderstandings of the numbers of people living in the dwelling might be from neighbors thinking that some of the people being seen at the house were not family members. He stated that he has not been in compliance with the parking and that this process has made him more aware of the code and what he needs to do to be in compliance. He apologized to his neighbors for the parking issues. He stated that they have never been out of compliance with the numbers of people living in the house.

Mr. Harland asked if Mr. Cowan has had a chance to read the recommended conditions and if he will be able to comply. Mr. Cowan responded that he needs to work on condition #2, stating that he doesn't believe that condition was on his copy. Referring to condition #3, Mr. Cowan asked if the notarized affidavit supplied with their application is sufficient. Mr. Boren made note that condition #3 is in addition to the affidavit already submitted. The wall for the private library is not yet in place as it is connected with this whole process.

Jan Trujillo, 647 Lincoln Place, stated that she is very concerned about the parking issues. She stated there are so many cars parked in and around the circle that there is never any parking for guests if she wants to have people over. Her lawn care service workers can never park in front of her house and if she wants to sweep out the gutter in front of her house, she has to go around cars. She stated that there are cars constantly parked in the circle and she feels that it isn't right that they constantly are taking up all of the parking. Mr. Harland made note that the issue is being addressed through the conditions and there are restrictions on how long a car can be legally parked on the street. Mr. Harland suggested that Mr. Cowan work with his neighbors on this issue as well.

Mr. Cowan clarified that when he mentioned the 10 members of his family earlier, he wasn't referring to family that lived in the actual dwelling; he was referring to family members that live in the Murray area. He stated that in the home currently there is himself, his wife, Tricia Cook, Zach Smith and his sixteen year old son. Several family members have been there off and on, but not on a regular basis. He recognizes and is aware this does constitute activity. He stated that he holds bible study once a week. He stated that once the numbers got over 12 they tried to mitigate the number

of cars by splitting the group up into two groups with the second group meeting at a different location. He stated that he and his wife have recently downsized from two cars to one car. He stated that it is not wise to park vehicles in front of mailboxes and fire hydrants. He has been trying to figure out different ways of handling the amount of cars and one idea would be to get traffic cones to cone off the fire hydrant and mailboxes. He has given each of the neighbors a letter focusing on the issues relevant to this application along with his cell phone number and an invitation to call or text with any concerns.

Shelley Pereboom, 603 East Lincoln Place, stated that she would like to offer the Cowan's to park in front of her house. She likes the fact that they have activities going on and welcomes the activity.

The public comment portion for this agenda item was closed.

Mr. Boren addressed the Planning Commission and reminded them that they have the ability to add any other conditions they feel necessary for this Conditional Use Permit. Mr. Harland asked the commission if there was anyone that felt they needed to modify or add additional conditions. The commission didn't have any additions or corrections.

Mr. Taylor made a motion to approve a Conditional Use Permit for an accessory dwelling unit (ADU), in the basement of the existing dwelling at the property addressed 642 East Lincoln Place, subject to the following conditions:

1. The project shall meet all applicable building and fire code standards. The units will be required to have hard wired interconnected smoke detectors and carbon monoxide alarms per R314.3 and R315.1
2. Dwellings shall be separated from each other by wall and/or floor assemblies having not less than one-hour fire resistive construction. See IRC sec. R317.1, R317.1.1., etc.
3. The applicant shall submit evidence that the property is their principal residence and shall submit an affidavit stating that they are the owner of the property and that they will live in either the primary or accessory unit as their principal residence. Once the affidavit has been approved by City staff, it shall be recorded against the property. A copy of the recorded affidavit shall be provided to Community and Economic Development staff.
4. Separate utility meters shall not be allowed.
5. Meet all Power, Water, and Sewer Dept. requirements.
6. Parking for the residential units shall be off-street in compliance with the ADU regulations.

Mr. Woodbury seconded the motion.

Call vote recorded by Mark Boren.

A _____ Jim Harland
N/A _____ Karen Daniels
A _____ Tim Taylor
A _____ Vicky Mackay
A _____ Scot Woodbury

Motion passed, 4-0. Mrs. Daniels abstained from voting.

Mr. Harland made mention that agenda item #5, Landscaping Text Amendment, would be moved to the last item on the agenda.

FOLLOW UP ORDINANCE TEXT AMENDMENTS – Various Sections of the MCCD Project #12-76

Mr. Wilkinson stated that the MCCD ordinance was adopted on March 15, 2011 by the City Council. There has been feedback from the City's third party code publishing company that there are areas of the code that are not consistent with the decision that were made. Essentially they will be replacing DHOD with MCCD and the acronym MU needed to be added to reference the Mixed Use zoning district. Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendments to the Murray City Code.

The meeting was opened for public comment. No comments were made by the public.

Ms. Daniels made a motion to forward a recommendation of approval to the Murray City Council for the proposed text amendments to the Murray City Code.

Mr. Taylor seconded the motion.

Call vote recorded by Mr. Wilkinson.

A _____ Jim Harland
A _____ Karen Daniels
A _____ Tim Taylor
A _____ Vicky Mackay
A _____ Scot Woodbury

Motion passed, 5-0.

TRANSIT ORIENTED DEVELOPMENT TEXT AMENDMENT – Guidelines for Street Lighting - Project #12-81

Hooper Knowlton was the applicant present to represent this request. Mr. Wilkinson made note that this item is a policy issue and that the recommendation the Planning Commission makes tonight will not be the final approval. The recommendation tonight will be forwarded to the City Council for final approval.

Mr. Wilkinson reviewed the proposal for modifications to reduce the required distance

for street lights on the rights-of-way. The current standard is a maximum spacing of between 30 and 50 feet on principal streets. The proposal is to allow a 100-120 foot distance with staggering to occur on both sides of the street. Their rationale for the request is included in the attached application materials. Mr. Wilkinson explained that in February 2007 the Murray City Council passed a resolution adopting the Fireclay Redevelopment Project Area, Street Network, Circulation Plan, and Street Design Cross Sections as part of the Transit Oriented Development (TOD) District Design Standards and Transportation Master Plan. The Design Standards are adopted by reference as a part of the TOD zoning district. The standards include regulations for streetlight spacing, approved street trees, street furnishings, sidewalk treatment and other standards related to the streetscape in the TOD. The purpose of the light spacing standards is to promote a safe, well-lit environment for pedestrians in the district. Any project proposal that does not adhere to the regulations in the TOD ordinance and design standards must go through a process and present justification for the modifications which includes a recommendation from the Redevelopment Agency of Murray (RDA), Murray City Planning Commission, and final decision by the City Council. The applicant has proposed the following change to page 8 of the TOD Design Standards related to street light spacing:

Existing language:

Placement/Spacing

Principal Streets- 30' – 50' spacing on center, stagger with landscaping.

Proposed language:

Placement/Spacing:

Principal street- 100' to 120' on center, with Street Light spacing on the opposite side of the street staggered, so the net effect will be a street light every 50 lineal feet from the centerline of the street; but Street Lights will be 100' to 120' on center on any one side of the street.

Intersections will have a minimum of two street lights placed at opposite corners placed in an "X" pattern; NCW to SEC; and NEC to SWC.

Staff has evaluated the proposal and has concluded the following:

- After input from Power, Engineering and Community and Economic Development staff, the current lighting configuration provides more light than is necessary for the area;
- Staggering the lighting on opposite sides of the street will still preserve enough light to maintain the pedestrian elements for the area;
- The change in the distance of the light placements will also reduce costs for development and will reduce future City maintenance expenditures;
- The change will not compromise the quality of streetscape in the area.

Based on this analysis by impacted City Departments, RDA staff had originally recommended a spacing of 100' feet on center staggered on opposite sides of the street with the net effect of a street light every 50 lineal feet. After discussion with the applicant at their April 17, 2012 meeting, the RDA determined that there may be situations at the intersection of streets where the 100-foot spacing would be difficult

based on right-of-way widths and other constraints. The RDA recommended that at intersections spacing be allowed to be increased to 120 feet on center with staggering across the intersection. Based on the above findings, staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the requested amendment to page 8 of the Transit Oriented Development standards related to street lighting on principal streets with modifications recommended by staff as follows:

Principal streets- 100' on center, with staggering of street light spacing on the opposite side of the street, so that the net effect will be a street light every 50 lineal feet;

Spacing at street intersections may increase to 120' on center and will have a minimum of two street lights placed at opposite corners in an "X" pattern; i.e. northwest corner to southeast corner and northeast corner to south west corner.

Ms. Mackay asked what happens if Main Street is to be widened. Mr. Wilkinson stated that there are bridge improvements slated to be done, but no immediate plans for widening of Main Street. He also made mention that the TOD streets are generally narrower than the standard streets. Ms. Mackay then asked if the Planning Commission does make a positive recommendation and City Council approves the policy change, will any new developments be following the same guidelines. Mr. Wilkinson noted that it would pertain only to developments along Fireclay, Main Street and Birkhill Boulevard.

Mr. Taylor asked if this issue had been considered by an urban designer or is it just being proposed by staff. Mr. Wilkinson responded by saying that this is not a City request, but is being requested by an applicant. Mr. Wilkinson stated that there have not been any outside consultants look at the plan.

Mr. Woodbury asked what the difference would be in the lighting when walking down the streets between the Boulevard and the proposed street. Mr. Wilkinson stated that staff doesn't have any photo metrics right now, but staff has gone out at night and looked at the current lighting. Feedback from the power department stated that they did feel the current lighting was spaced too close. The ultimate effect would be staggered lighting every 50 feet. With the exception of Main Street, the streets will maintain their current width. Mr. Wilkinson noted that staff feels this new spacing proposal will keep within the urban design.

Mr. Taylor asked if the brightness of the existing lights can be reduced by using a different bulb or wattage. Mr. Wilkinson responded in the affirmative. Mr. Taylor asked if reducing the wattage would be an alternate solution. Mr. Wilkinson stated that one of the challenges would be to figure out how much reduction in wattage would be appropriate. Mr. Taylor stated that his concern and hesitancy is because there isn't development on both sides of the street and there needs to be consistency and symmetry on both sides of the street with lighting and trees.

Ms. Daniels suggested spreading the lighting 75 feet instead of 50 feet might be

better. Mr. Taylor commented that this situation may be a time when it would be beneficial to consult with an urban designer.

Hooper Knowlton, 1445 Canterbury Drive, stated he is representing Parleys Partners who is applicant for this request. He suggested that the Planning Commission drive from 4500 South, north on Main Street and look at the light spacing. His viewpoint is that it is overkill. The Murray City Power Department adamantly opposed the current lighting before it went in, but were over ridden by the Community & Economic Department staff at the time. His company is proposing the lighting change simply because the lighting is overbearing in that area. His company has also suggested that the lighting on Birkhill Way be removed and staggered so it matched some of the other lighting. The Murray City Power Department is in favor of that proposal as well. The problem with the current lighting on Main Street is that this is a residential neighborhood with condominiums and townhouses. There will be apartment units that will front onto Main Street and have bright lights beaming into their windows at night. They won't be able to have windows open in the summer and will have to have shades drawn. If the City wants the lights at 50 feet, they will build them at 50 feet, but each lamp that is put in will have a reflector on the back so that it doesn't shine into the windows of the residents living in those buildings. He stated that the problem that comes from that scenario is, what will be developed on the west side of Main Street from 4500 South northward and would the lights on that side of the road be installed at 50 feet would it be too intense. The intensity of the light can be diminished by changing the wattage, but most cities want to maintain a standardization of their lighting, so they don't have to go to a computer program to figure out which light bulb to change out when they burn out. Mr. Knowlton state that they are presently in preliminary discussions with Wells Fargo Bank about acquiring that piece of property. He stated the lighting has never been energized on Birkhill Way, because there wasn't development there. His company's suggestion is to remove some of those light poles to provide a more consistent pattern. From a design standpoint they suggest the pattern of putting in lights every 120 feet is because in their opinion you want to have the minimum of two lights at an intersection as oppose to four lights. They need to be staggered in an "X" pattern. In addition, there should be some thought about dealing with streets that are not through streets.

Ms. Mackay asked if Murray has thought about any downward lighting to alleviate light pollution going into people's windows. Mr. Knowlton stated that the design they have come up with is user friendly as it relates to the residential complexity.

Mr. Taylor expressed concern that the only solution Parleys Partners are presenting is to space the lights out further and not looking at a wattage change. He stated that the power company understands lighting, but they don't understand urban design. Mr. Taylor stressed that in most downtown or urban developments, the lighting is the signature element of place-making. He is not in favor of light pollution, but his concern lies with it being pedestrian scale lighting. He doesn't feel that the lights should be spaced simply because it's too bright.

Mr. Woodbury asked Mr. Wilkinson who would pay to remove the lights. Mr. Wilkinson stated that the applicant has proposed removal as a solution, but there are no current plans for the city to remove them. If they were removed, the city would pay for the

removal.

Mr. Taylor commented that Mr. Knowlton had suggested that they would only be saving one light, but based on the frontage it looked like they would be saving approximately eight lights using the space with every 50 feet vs. every 100 feet. Mr. Knowlton responded that he was referring to the lighting that would be saved in their first phase.

Mr. Harland asked Mr. Knowlton if he had an urban designer review their plans. Mr. Knowlton responded indicating that they have had their architects in Los Angeles look at the plans and this is where the questions originally emanated from.

The meeting was opened up for public comment.

Travis Nay, 6019 Ragsdale Drive, stated that this is urban scale in a very dense urban environment. The residents that live there want to feel safe walking down the street. He feels that most people wouldn't feel safe walking north of Murray on 4500 South with a lower lighting pattern. One of the elements of making that area better is improving the urban fabric and having additional infrastructure of lights.

Mr. Taylor stated that he doesn't disagree that when he drives in that area, it is bright, but he questioned if the right answer is to increase the spacing for the lighting.

Ms. Mackay asked if they need to make their recommendation at this meeting. Mr. Harland reiterated that the Planning Commission is being asked to forward a recommendation to the City Council.

Mr. Taylor noted that City Council will be voting on this item and not the modifications that the Planning Commission submits. Mr. Wilkinson reiterated that it will be this item, but the commission's comments and proposed modifications will be forwarded with that.

Mr. Woodbury stated that he favors consistency in a neighborhood, but at the current state of what the existing lighting is, it doesn't seem to go together. That is a concern for him on an aesthetic stand point. He questioned that given the present economy, if it makes sense to have the city pay to take down street lighting.

Ms. Daniels prefers not to see the staggering of lights and to have consistency. Ms. Mackay concurred.

Mr. Taylor reiterated that his concern is that the only solution being looked at is spacing and he would like to see more options.

The public comment portion for this agenda item was closed.

Mr. Taylor made a motion to forward a recommendation of denial to the City Council for this request for an amendment to page 8 of the Transit Oriented Development Standards related to street lighting on principal streets with regard to the modification to change the spacing from 100 feet to 120 feet and that other options be considered

such as lower wattage or different directional head types on the pole. Ms. Daniels seconded the motion.

Call vote recorded by Mr. Wilkinson.

A _____ Jim Harland

A _____ Karen Daniels

A _____ Tim Taylor

A _____ Vicky Mackay

A _____ Scot Woodbury

Motion to recommend denial passed, 5-0.

LANDSCAPING ORDINANCE AMENDMENT- Project #11-28

Mr. Wilkinson stated that he would prefer having a discussion and receiving opinions and comments from the commission for this item. He stated that staff is recommending that this issue be looked at in two areas which are commercial changes and residential park strip changes. He stated that staff intends to consult with a landscape architect for additional input. The proposed amendment would change the existing landscape ordinance so that it is easier to implement and review. Staff recommends that changing the requirement from a minimum percentage of lawn and landscaping to a specific number of plants will make it clear to the applicant what is required, and make it easier for staff to be consistent with all applicants. Staff has brought this ordinance change forward to increase flexibility of materials/designs and increase consistency of plan review and inspections.

Mr. Wilkinson stated that one of the main reasons staff recommends updating the landscape code is to increase consistency. Current standards require a minimum 40-50% of lawn with the remaining area consisting of an "effective combination of trees, shrubs and groundcover." It is difficult to interpret what constitutes "an effective combination" and to remain consistent in interpretation. In addition, requests have been made by applicants to consider xeriscaping and to limit turf/lawn. In response to increasing demands on a limited water supply, staff is recommending that other options be considered in addition to lawn/turf. Lawn will still be allowed but will be an option rather than mandated. Staff is also seeking clarification on requirements for residential park strips.

Mr. Wilkinson stated that because the proposed ordinance will impact a large number of city residents and businesses, staff is bringing forward the changes in two separate meetings for consideration. The first changes will cover modifications to commercial, industrial and multifamily landscaping. The next meeting will focus on potential changes to residential landscape standards. Staff has concluded that changes need to be made to the current code for the following reasons:

- Clarify landscaping requirements
- Increase consistency between applicants during plan review
- Increase flexibility in design/materials
- Add requirements for interior parking lot landscaping

- Address Xeriscaping

Some of the proposed changes include:

Switch from a minimum percentage of turf or lawn to a specific number of trees/shrubs and groundcover—changing the requirement from a percentage of turf and lawn to a specific number of plants will make it clear to the applicant what is required, and make it easier for staff to be consistent with all applicants.

Allow ground cover in addition to turf/sod—allowing the option for ground cover instead of turf/sod will address a concern raised by applicants to allow water efficient alternatives. Some ground covers require much less water to sustain and require less maintenance.

Allow berms two (2) feet or smaller—Berms have not been allowed in the past because they limit visibility for the ingress/egress of vehicles. Allowing them at a limited height of two (2) feet will allow for some increased design options, and still maintain the visibility.

Requiring interior parking lot landscaping if the parking lot requires fifty (50) or more parking spaces—Staff feels that this requirement (in addition to the minimum distance requirement for landscaping from parking) will do even more to reduce the visual impact of parking and pavement. Adding a requirement for landscaping within parking lots will reduce the visual impact of parking and pavement.

Staff recommends that the planning commission review the proposed changes to the ordinance and provide feedback. Staff recommends the public hearing be continued in order to provide additional analysis and incorporation of feedback from the commission.

Mr. Wilkinson stated that often times citizens' mistake xeriscape for "zero scape" landscaping, which is not acceptable. He stated that even xeriscape must have a sprinkling system which is typically a drip system. He cited the example of the Intermountain Medical Center which has numerous xeriscaping on the site. There is good coverage with water conserving materials and sprinkling system. He stated that one possibility for applications is to require a certified landscape architect stamp the plans for new buildings over 4,000 sq.ft., and possibly also having a requirement for projects over a certain amount of acreage. The idea behind this is to give the smaller business owner a break on costs for not requiring plans to be stamped by a landscape architect.

Mr. Wilkinson explained another proposed change is to have the review authority be changed from the City Forester in the Power Department to the Community & Economic Development Division. He stated that for this reason it would be helpful to have professional certification for the larger projects.

Mr. Wilkinson stated that the current code allows for much flexibility in plant material and that it would be nice to have more specific criteria regarding the number of trees, shrubs, etc for a project specifically along the street frontage. He stated that Murray

City is a "tree city" USA and the requirement for trees is referred to in the General Plan and is an important element to the city. This proposed change will provide specific criteria for projects and more consistency.

Mr. Harland stated that by requiring certain sprinkling systems and ground cover as opposed to turf and also having a drip system will provide for more efficiency in water usage. He stated that drip systems also help with maintenance issues caused by overspray onto asphalt and fences, etc.

Ms. Mackay commented that by having more and larger trees it provides additional shading which then requires less water usage.

Ms. Daniels commented that when uses are allowed by conditional use, it requires the property to be brought into compliance with the current code, but in the case where properties do not change uses for many years, those properties remain out of compliance and it is very noticeable which properties are in compliance and which properties are out of compliance. She commented that it would be nice to have a mechanism to require properties to be updated in the case where many years go by without any changes to the business use.

Mr. Wilkinson stated that one of the proposed changes is the requirement for landscaping in larger parking lots. The proposal is that where there are parking lots with 50 or more parking stalls it would require a minimum 162 sq.ft. cap of landscaping at the end of the parking stalls which is equal to one 9'X18' parking stall. Another scenario would be to have a landscape area for every 75 feet in the parking lot. Mr. Wilkinson stated that the Murray Shade tree Commission suggested having a minimum of 5 feet width of landscaping in the island areas to allow adequate room for tree root growth. Ms. Mackay stated she had observed parking lots that have interior landscape islands and that they appear much nicer aesthetically.

Tim Taylor suggested changing the wording for tree spacing to be 3 feet from the curb rather than 3 feet from the parking space. He suggested having the landscaping width be 8-9 feet where if it is 10 feet it starts to off-set the other parking stalls. He suggested the wording be 9 feet width inclusive of curb. He suggested having the "exemptions" section closer to the beginning in the landscaping code.

Mr. Harland recommended having deep rooted trees rather than lateral rooted trees in the island landscaping areas. Mr. Wilkinson stated that ever green trees are prohibited in small spaces because their root systems are more lateral roots. He stated that the code should allow for properties where there is mature landscaping and the ability for those businesses to maintain that mature landscaping.

The commission members were in agreement that the draft landscaping ordinance is a good ordinance and that it should be brought back at the July 19th meeting.

The public hearing was opened for public comment. No comments were made by the public.

Karen Daniels made a motion to continue the public hearing on the landscaping

Planning Commission Meeting

July 5, 2012

Page 14

ordinance text amendment to the July 19th, 2012 Planning Commission meeting for further review. Seconded by Vicki Mackay.

Call vote recorded by Mr. Wilkinson.

A _____ Jim Harland

A _____ Karen Daniels

A _____ Tim Taylor

A _____ Vicky Mackay

A _____ Scot Woodbury

Motion passed, 5-0.

OTHER BUSINESS

There were no other business items.

Meeting adjourned.

Chad Wilkinson, Manager
Community & Economic Development