



**Minutes of the
Millcreek City Council & Planning Commission
October 26, 2022
6:30 p.m.
Special Meeting**

The City Council and Planning Commission of Millcreek, Utah, met in a special public meeting on October 26, 2022, at City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106. The meeting was live streamed via the City's website.

PRESENT:

Council Members

Jeff Silvestrini, Mayor
Silvia Catten, District 1
Thom DeSirant, District 2 (excused)
Cheri Jackson, District 3
Bev Uipi, District 4 (excused)

City Staff

Francis Lilly, Assistant City Manager
Elyse Sullivan, City Recorder
John Brems, City Attorney (electronic)
Kurt Hansen, Facilities Director
Josie Showalter, Grants Administrator (electronic)
Robert May, Long Range Planner

Commissioners

Shawn LaMar, Chair
Victoria Reid, Vice Chair
Aryel Cianflone (absent)
Scott Claerhout (electronic)
David Hulsberg (excused)
Christian Larsen
Nils Per Lofgren (excused)
Skye Sieber
Ian Wright

Attendees: Joe Moss, John Janson

WORK MEETING – 6:30 p.m.

TIME COMMENCED – 6:44 p.m.

Mayor Silvestrini called the meeting to order.

1. Zoning and Subdivision Code Update Project Overview; Logan Simpson

Joe Moss, Logan Simpson, updated the council and commission on the progress of the land use code update. The guiding principles for the code update were legibility, quality development, and administration. The process was to listen to the community, review and assess existing code, and draft code. The project was in Phase 2 of 3. On July 29, 2022, stakeholders went on a 3-hour tour of Millcreek and visited 16 sites including mixed-use, attached single family, multi-family,

Millcreek Common, and commercial properties. Four topics of interest included site layout standards (setbacks, parking loading, open space, landscaping and amenities), architectural standards (height limits, bulk and scale, articulation and visual interest, and materiality), and urban design standards (building entrance locations, relationship to the street, and location of active uses). The consultants have used a project page on the city website, articles in the city newsletter, a Phase 1 online questionnaire, two steering committee meetings, and one-on-one interviews with various people as far as public engagement. On the questionnaire, there were 339 total responses, 5 open questions on aspects of the code, options for contact preferences, and options for the respondent's demographics. Moss said people shared that they loved community spaces, improved streetscapes, Millcreek Common, and landscaping opportunities. There was concern with massing and high-density, parking, height of buildings, turf and water-wise landscaping, preserving single family neighborhoods, wanting more mixed-use development, and adding bike and pedestrian safety. Most respondents were ages 50-70 and homeowners. The preliminary findings were in zoning, development standards, and process.

Mayor Silvestrini said the council was inclined to change the concept of density or height bonuses for owner occupation in multi-family dwellings. They wanted to encourage it as much as possible. He said it would be good to anticipate state code changes, too. He thought the legislature would ban nonfunctional turf for commercial and institutional uses. He anticipated converting more processes to be administrative-heavy, such as standardizations for subdivision approvals. There had been state level discussion on the ability to meet the housing demand being served by land use applications coming before public bodies more than once. The more it happens, the more public clamor is generated, and it costs developers more money. He would like the code to accommodate that kind of change.

Chair LaMar asked about "water-wise" standards providing meaningful reduction. Moss said there were state rebate programs available, and the consultants wanted Millcreek residents to be able to automatically be eligible for them. They were trying to incorporate best practices as much as possible so people had the option, and that the requirement would be held in good regard. He said the term "water-wise" was generic and not currently defined in codes. Mayor Silvestrini would like to see more "meat on the bones" in the code and encourage incentives to encourage the practice. Moss was looking at providing options so property owners could pick what worked for them. They would strike a balance between being responsible and not wasting water but not overregulating landscaping.

John Janson said the first four code chapters for revision were on processes. He tried to highlight big issues with every draft of the code. Council Member Catten added that recent large developments were going in along creeks and the city was not requiring them to do anything with protecting the creek. The city should help preserve waterways. Janson noted Mill Creek ran through the whole city. Lilly said many concerns of the Seven Canyons Trust was incorporated into the latest development agreement for a project near a waterway. There was opportunity to incorporate best practices into the landscaping ordinance. Council Member Catten noted the Jordan River Commission was working to create best practice recommendations for cities to use. Janson acknowledged there was not an overall sensitive lands philosophy. Mayor Silvestrini said there was a general welfare consideration for vegetation to prevent flooding. Council Member Catten said there was a new development in Bluffdale along the river and the city required it to manage the phragmites around the river. Janson pointed out the council had a lot of power with development agreements.

Janson said the code assessment themes included health and environment, unique neighborhoods, vibrant gathering places, and thriving economy. This would include combining subdivisions and zoning into a single code, moving engineering standards to Title 14, updating language for consistency and compliance, including more graphics, tables, and pictures, moving definitions to a single section, and building a procedures section with a table to show processes and general/specific review procedures. Title 18 would include restructuring and simplifying, allowing minor subdivision to be administratively approved, and incorporating the flag lot policy. He suggested three or fewer lot subdivisions could be handled by staff. Chair LaMar noted subdivisions that were apartments being converted into condos could be done administratively. Title 19 would include: restructuring and simplifying; eliminating unused or unneeded districts and combining similar districts; reviewing permitted uses versus conditional use current classifications; establishing clear criteria for conditional uses, which could be administratively approved; reviewing prohibited uses where categories of use (like “retail”) are permitted; updating as needed and establishing citywide standards; considering combining similar overlays; updating to avoid advisory (“should”) language; considering making planned unit developments (PUDs) an overlay district; creating a new subheading for all citywide development standards such as parking, signage, and lighting; and updating parking and landscaping requirements to be in line with city goals and new state laws.

Mayor Silvestrini said the public frequently did not have an understanding on the conditional use process and the things they could rightfully shape. Janson noted that could be explained in the notices then went out to the public. Mayor Silvestrini would like the Foothills and Canyons Overlay Zone (FCOZ) map revisited. Janson said it may be addressed in a sensitive lands ordinance.

Janson said the steering committee would review code drafts on November 21st. He was considering having an open house before the community council meetings. Mayor Silvestrini suggested having an open house on Millcreek Common to review the code and ice skate. Moss said additional surveys would be targeted, but they were looking to get actual code drafts out and educate the public on them. He wanted the public comfortable with the code. He anticipated getting the module 1 drafts in front of the steering committee, elements of those would go forward as code text amendments on their own, then there would be one larger code update.

Mayor Silvestrini reminded the council and commission of a co-creator event on November 9th for various community players to have discussions on policy. Robert May said staff was putting together a request for qualifications and a steering committee for drafting the station area plan with Murray. He asked for a planning commission volunteer to join the committee. The first committee meeting would be November 17th. Mayor Silvestrini would like to see some outreach to people who live in west Millcreek as the ones who use transit.

ADJOURNED: Council Member Jackson moved to adjourn the meeting at 7:39 p.m. Commissioner Reid seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. Chair LaMar voted yes, Commissioner Reid voted yes, Commissioner Claerhout voted yes, Commissioner Larsen voted yes, Commissioner Sieber voted yes, and Commissioner Wright voted yes.

The motion passed unanimously.

APPROVED: _____ Date
Jeff Silvestrini, Mayor

Attest: _____
Elyse Sullivan, City Recorder

DRAFT