



**NOTICE OF A MEETING OF THE
CITY OF HOLLADAY CITY COUNCIL
THURSDAY, FEBRUARY 15, 2024**

- 5:00 p.m.** **Council Dinner** – *Council members will be eating dinner. No city business will be discussed.*
- 5:30 p.m.** **Briefing Session** - *The Council will review and discuss the agenda items; NO decisions will be made*

PUBLIC NOTICE IS HEREBY GIVEN that the Holladay City Council will hold a Council meeting **Thursday, February 15, 2024 at 6:00 pm** It is possible that a member of the Council will be participating by electronic means. The Council Chambers shall serve as the anchor location. * *Agenda items may be moved in order, sequence and time to meet the needs of the Council*

All documents which are available to the City Council are also available on the City's website or are linked in this agenda. Interested parties are encouraged to watch the **live video stream** of the meeting - <http://cityofholladay.com/government/elected-officials/meetings-and-agendas/>

Persons desiring to make public comments or to make comments during any public hearing may provide such comments as follows:

1. **In-person attendance:** at Holladay City Hall
2. **Email** your comments by 5:00 pm on the date of the meeting to scarlson@cityofholladay.com

AGENDA

- I. **Welcome** – Mayor Dahle
- II. **Pledge of Allegiance**
- III. **Public Comments**
Any person wishing to comment on any item not otherwise on the agenda may provide their comment via email to the Council before 5:00 p.m. on the date of the meeting to scarlson@cityofholladay.com, with the subject line: Public Comment. Comments are subject to the Public Comment Policy set forth below
- IV. **Public Hearing on Proposed Amendments to the Moderate-Income Housing element of the General Plan** *(The proposed amendment does not apply to any specific location but would apply generally throughout the City and include additional strategies and tasks that will comply with requirements adopted State Legislature during the 2022 Legislative Session.)*
- V. **Public Hearing on Proposed Amendments to Title 13.100.010 Adding Quasi-public (churches) as Permitted Use in the C-2 Zones**
- VI. **Public Hearing on Proposed Amendments Title 13.76.730, 13.100.010 and Chapter 5.54.010 Regarding Home Occupations** *(the amendments would create standards for common and*

customary Home Occupations that involve clients going to an individual's home, such as for in-home salons, lessons, crafts, counseling or consulting, massage, computer repair, etc)

- VII. ***Public Hearing Regarding the Creation of Public Infrastructure Districts (PID's) at Royal Holladay Hills*** (((i) whether the requested service is needed in the area of the Proposed Districts, (ii) whether the service should be provided by the City or the Proposed Districts, and (iii) all other matters relating to the Proposed Districts)
- VIII. ***Consent Agenda***
- IX. ***City Manager Report - Gina Chamness***
- X. ***Council Reports & District Issues***
- XI. ***Recess City Council in a Work Meeting:***
 - a. ***Spring Lane Reuse Plan - MHTN***
 - b. ***Discussion on Previous Public Hearings***
 - c. ***Calendar***
 - Council Meetings –March 7 & 21, April 11 & 25***
 - Council Retreat & Pictures – Feb. 29***
- XII. ***Closed Session pursuant to Utah Code Section 52-4-204 & 205 to Discuss the Physical or Mental Health or Professional Competence of an Individual, Potential Litigation, Property Acquisition and Disposition***
- XIII. ***Adjourn***

Public Comment Policy & Procedure: During each regular Council Meeting there will be a Public Comment Time. The purpose of the Public Comment Time is to allow citizen's access to the Council. Citizens requesting to address the Council will be asked to complete a written request form and present it to the City Recorder. In general, the Chairman will allow an individual three minutes to address the Council. A spokesman, recognized as representing a group in attendance, may be allowed up to five minutes. Comments which cannot be made within these time limits should be submitted in writing to the City Recorder prior to noon the day before the meeting so they can be copied and distributed to the Council. At the conclusion of the Citizen Comment time, the Chairman may direct staff to assist the citizen on the issue presented; direct the citizen to the proper administrative department(s); or take no action. This policy also applies to all Public Hearings.

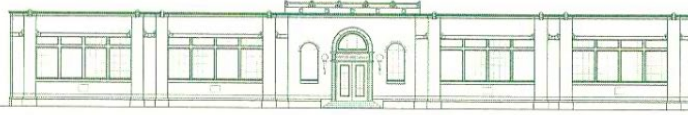
CERTIFICATE OF POSTING

I, Stephanie N. Carlson, the City Recorder of the City of Holladay, certify that the above agenda notice was posted at City Hall, the City website www.cityofholladay.com, the Utah Public Notice website www.utah.gov/pmn, and was emailed to the Salt Lake Tribune and Desert News and others who have indicated interest.

DATE POSTED: Monday, February 12, 2024 at 10:30 am

*Stephanie N. Carlson MMC,
City Recorder City of Holladay*

Reasonable accommodations for individuals with disabilities or those needing language interpretation services can be provided upon request. For assistance, please call the City Recorder's office at 272-9450 at least three days in advance. TTY/TDD number is (801)270-2425 or call Relay Utah at #7-1-1



City of Holladay
CITY COUNCIL

CITY OF HOLLADAY COUNCIL SUMMARY REPORT

MEETING DATE: February 15, 2024

SUBJECT: Text Amendment – General Plan, Chapter 5: Moderate Income Housing

SUBMITTED BY: Ann Frances Garcia, Economic Development & Housing Manager

Action Needed:

- Review recommendation from the Planning Commission made on February 6, 2024
- Hold a required public hearing; and
- Motion to continue for discussion during next available agenda.

SUMMARY:

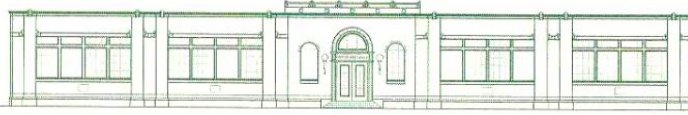
Staff has prepared a comprehensive amendment to the currently adopted Chapter 5 plan adopted in February 2023. These amendments address a long-range vision of the purpose of the chapter and are summarized as follows:

- Addition of action items and tasks for strategies that have been completed and we have a desire to continue to report on them to show the continued work that staff is doing to meet our city's housing goals.
- Addition of timelines and measurable tasks to allow for ongoing reporting without making substantive changes to the Plan on an annual basis.
- The addition of new strategies, actions and tasks that we have had conversations on and anticipate implementing these ideas. Especially identifying resources that offer households opportunities to lower their housing maintenance costs and assist with affordability.

ANYALYSIS: Staff submitted an annual report for August 1, 2023 and we shared how challenging it was to report on items. The state code states that we can only report progress on actions identified in the approved plan that was adopted by the city and approved by the State. If items are not identified in the Plan, we cannot report on them.

In order to enable a strategic and more effective reporting response, staff is suggesting taking advantage of items that have been discussed but not yet implemented and ideas on how to facilitate potential programs, and projects that could increase resources for our residents. As staff continues to review and analyze opportunities to further facilitate affordable housing, we need to consider including these tasks and actions in our Plan to ensure that we can report on them to the state and assist us in becoming eligible for transportation funding.





**City of Holladay
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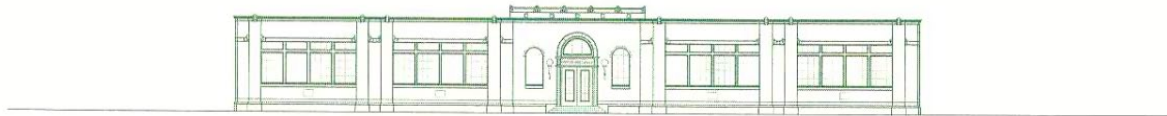
Planning Commission Summary (Feb 6th 2024):

The text amendments were proposed to the Planning Commission on Tuesday, February 6th in a public hearing. The Planning Commission had a robust discussion on why we would add additional strategies since we were already in compliance with what we had currently. The discussion also involved how many actions and tasks to include and if we add them, would we have to report on all of them each year. After explaining that to be eligible for transportation funding, we must report on five (5) Strategies. Our current Plan has six (6) Strategies. Out of the six (6) Strategies, we have completed three (3) Strategies. This will leave three (3) Strategies we can report on, but it does not get us to the five that are needed to be eligible for funding. We have an opportunity to include additional actions and tasks in the strategies that have been completed, so that we can share the work that staff have been tasked with doing to meet our housing needs.

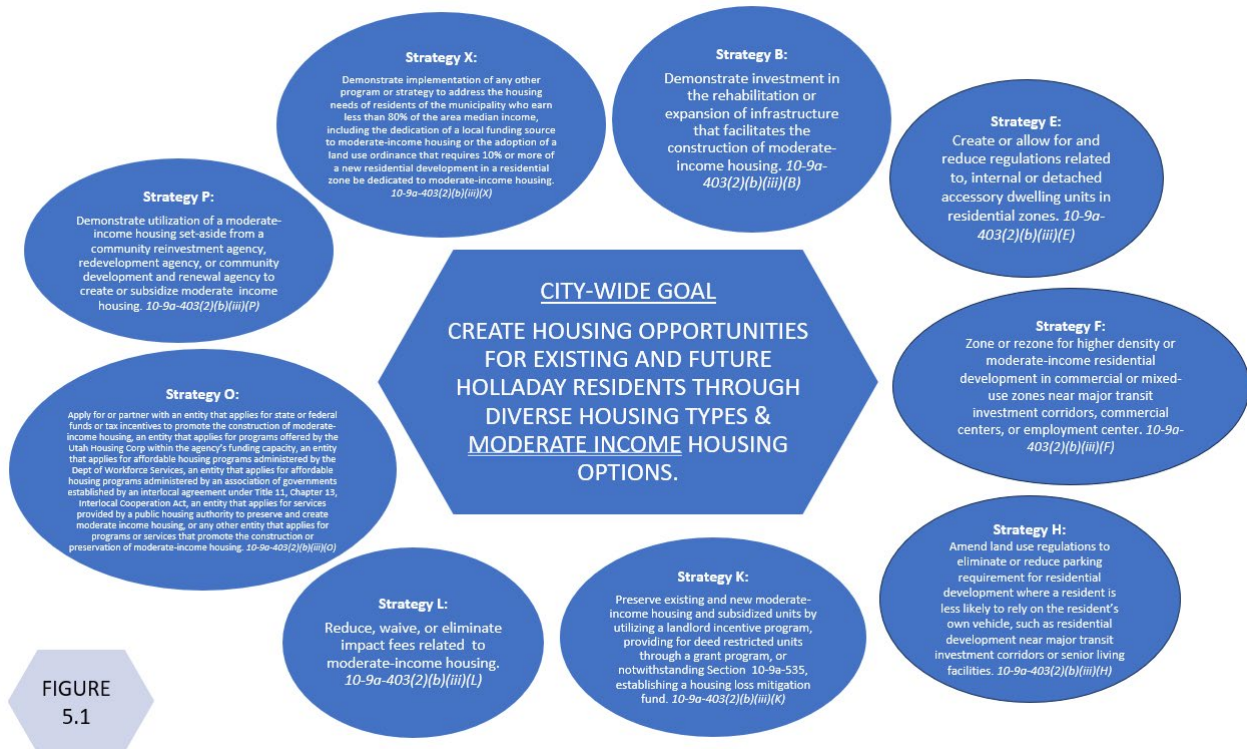
The additional (3) strategies that we are recommending being included play an important role in improving affordability for moderate-income residents. Because constructing moderate income housing is so costly, we need to think of ways to increase affordability creatively and invest our efforts in programs that encourage rehabilitation of our housing stock. Reducing housing costs can take the form of providing education and resources that will help residents keep their homes maintained and lower costs for maintaining their homes.

After researching and requesting guidance from the Utah Department of Workforce Services, who were tasked with interpreting and providing guidance on the statute to municipalities, we were able to develop a revised plan that would allow the city to report on at least five (5) strategies annually to stay in compliance and make us eligible for funding. We have several tasks and actions that we can choose from for each strategy and by including frequency and a type of measurement, we can continue to report on them annually without having to make substantive changes every year. The current plan does not have the language that will allow us to report annually on any action.





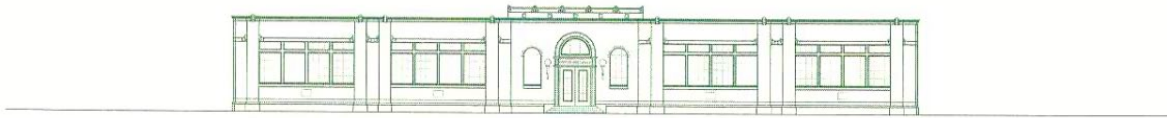
City of Holladay CITY COUNCIL



The Planning Commission made a unanimous motion to recommend approval of an amendment to the General Plan, Moderate Income Housing plan, Chapter 5, as proposed, based on the following findings:

- Compliance with Utah State Legislature passed [HB462](#) by establishing baselines of current housing stock. Based upon this data, the Land Use Authority shall adopt strategies within their general plan focused on moving the needle toward increasing numbers based upon population growth and development within the City of Holladay.
- Compliance with the City's Long Range Housing Goals in the General Plan Chapter 5 Moderate Income Housing Plan that was revised and passed in February 2023.
- Compliance with the State's reporting requirement stating that a municipality shall develop actionable and measurable implementation plans for each chosen strategy, adopt them in their General Plan and provide a yearly report to the state via the Department of Workforces Services on steps the city has accomplished making affordable housing more attainable and making meaningful progress towards that goal.





City of Holladay
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ATTACHMENTS:

- PC Staff Report and Draft Amendments
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FISCAL IMPACT: N/A

SUGGESTED MOTION: Motion to continue for discussion during next available agenda.





Request: **PUBLIC HEARING, Moderate Income Housing Amendments SB462**
Applicant: City of Holladay, Community and Economic Development Department
Planner: Jonathan Teerlink

GOVERNING ORDINANCES:	13.07.030	Text Amendment Procedure / Requirements
	13.80	2016 General Plan, Chapter 5: Moderate Income Housing

REQUIRED PLANNING COMMISSION ACTION: *Legislative Public Hearing Required. PC shall make a recommendation to City Council to either approve or approved with recommendations or disapprove the amendment. All motions require findings which support the recommendation.*
[Holladay Ord. 13.07.020](#)

REQUEST

Community and Economic Development Staff have prepared proposed amendments to Chapter 5, Moderate Income Housing of the 2016 General Plan for Land Use Authority review in compliance with state requirements. The purpose of the ordinance amendment is to propose additional items to further our efforts in reporting annually and demonstrate meaningful progress towards the Plan and stay in compliance.

BACKGROUND

In March of 2022 the Utah State Legislature passed [House Bill 462 \(HB 462\)](#), requiring that municipalities take additional steps to ensure that local planning efforts focus on removing barriers preventing the construction or preservation of needed housing at moderate income levels throughout the state. Moderate income is defined as those persons/families with household incomes less than eighty percent (80%) of the COUNTY area median income level. (AMI).

Specifically, HB 462 requires a municipality to establish baselines of current housing stock. Based upon this data, the Land Use Authority shall adopt strategies within their general plan focused on moving the needle toward increasing numbers based upon population. To accomplish this, the bill provides a “menu” of twenty-four strategies municipalities must select from. In addition to adopting the selected strategies, a municipality shall develop actionable and measurable implementation plans for each chosen strategy, adopt them in their General Plan and provide a yearly report to the state via the Department of Workforces Services on steps the city has accomplished making affordable housing more attainable.

CED staff has identified three additional strategies to the six that have already been identified in the Third Revision from February 2023. There are a total of nine (9) items from the required list that are most supported by current and future goals of the City and that can be most reasonably studied and/or implemented. These amendments are presented for review with a recommendation to forward to the City Council.

KEY FACTS

- Holladay is classified as a “Class 3” municipality, having a population of 30k to 65k.
- Holladay does not have fixed-guideway public transit station (rail or bus rapid transit corridor)
- The FY 2023 HUD AMI is \$106,099 for Salt Lake County
- HB 462 modifies and expands the menu items and requires that municipalities review their moderate-income housing plans and update items with implementation elements.
- Implementation elements must include a timeline that has specific benchmarks for each chosen strategy but provides flexibility for the municipality to make adjustments.
- *Minimum adoption of menu item remains at 3 for cities without fixed guideway transit and 5 for those with fixed guideway transit (one of which is required to be the adoption of Station Area Plan). **If a city selects 5 (or 6 for fixed rail cities) and annually reports on them, then those cities would qualify for enhanced prioritization of state TIF/TTIF and ARPA local match program funds.***

HB 462 COMPLIANCE PROPOSAL REVIEW

Based upon City Council direction, staff has prepared a fairly comprehensive revision to the currently adopted Chapter 5 language. These amendments address a long-range vision and purpose of the chapter and are summarized as follows:

- Updated use of comparable terms referenced by statutory language.
- Revision or clarification of actions and task objectives.
- Addition of actions, tasks and timelines for each Strategy.

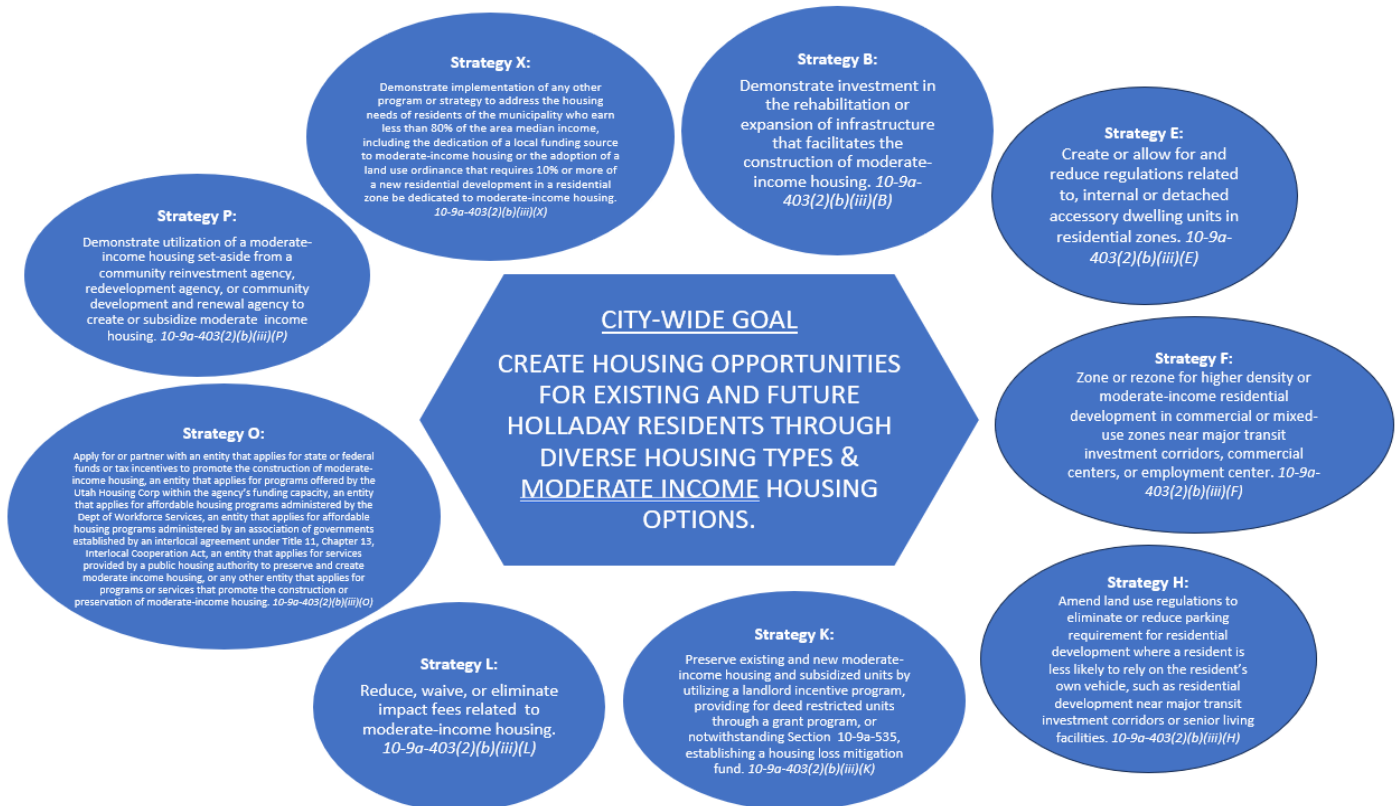
LONG RANGE GOAL:

Staff is confident that the predominant goal for Moderate-Income Housing is clearly stated in Chapter 5 of the 2016 General Plan and the additional statement that was added in the February 2023 revision of the MIH Plan:

1. *Provide the opportunity for development of housing options for different ages, lifestyles, and incomes.*
2. *Accommodate additional new dwellings by focusing appropriate additional dwellings within existing and redeveloping neighborhoods and mixed-use districts, throughout the City.*
3. *Provide a diversity of housing through a range of types and development patterns to expand housing product types which support moderate-income housing options available to existing and future residents.*

STRATEGY, IMPLEMENTATION & ACTION REVISION:

According to the previous goals set by the city and given the land use challenges Holladay must be mindful of, the CED staff proposes nine (9) strategy efforts (six that are currently in the Plan and 3 additional) from the list of twenty-four (24) provided in HB 462.



STRATEGY B: Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing. §10-9a-403(2)(b)(iii)(B)**Goal: 1 and 3**

Action Items	Progress/Proposal	Tasks
Increase or improve active transportation access to safe pedestrian infrastructure and access to nearby amenities like parks and schools.	Propose Action Item and Tasks	<ul style="list-style-type: none"> Expanding transportation services will contribute to the goal of building a lifelong community for all stages of life by hiring a contractor to develop a plan for nearby closed Spring Lane Elementary. (Starting 2024) Improve pedestrian and bike connectivity within mixed use areas and connect into the surrounding neighborhoods and amenities. Review connectivity needs annually. (Starting 2024) Update our Bike and Trail Plan to show bike routes and public transit connections. (Starting 2024) Share links on the city's website on public transit connections and schedules. Update annually or as needed. (Starting 2024)
Research grants and participate in discussions with regional organizations to help fund for infrastructure projects and rehabilitation.	Propose Action Item and Task	<ul style="list-style-type: none"> Provide information on at least 1 grant application to be submitted or be considered for submittal by the end of the reporting year. (Starting 2024) Apply for funding to improve Highland Drive and make it more pedestrian friendly for our residents, many who utilize bus transit. (Starting 2024) Research and apply for at least 1 grant annually for further infrastructure improvements like sidewalks and increasing safe routes to school and other destinations. (Starting 2024)

STRATEGY E: Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones. §10-9a-403(2)(b)(iii)(E)**Goal: 1, 2 and 3**

Action Items	Progress/Proposal	Tasks & Timeline
Conduct public engagement study to determine hinderances to remodeling existing homes and amend ordinances accordingly.	COMPLETE	<ul style="list-style-type: none"> No Ongoing tasks Action Completed – ADU Ordinance passed Sept. 2021
Implement procedures encouraging ADU occupancy of approved "mother-in-law" apartment situations, established via "Second Kitchen Affidavit" policy, in order to identify legal remodels with secondary kitchenettes, etc.	Propose Additional Tasks for this Action	<ul style="list-style-type: none"> Monitor Quarterly ADU production (started 2023) Send an annual letter to residents explaining protection of homeownership rights relating to ADU in residential zones. (Starting 2024) Educate the community, and provide a summary to the City Council, annually, on ADU's and encourage those with illegal ADUs to become legal and meet adopted legal building codes. The city will provide education by updating the city's website with information on legalizing their ADU (Starting 2024)

Evaluate the Accessory Dwelling Unit (ADU) program citywide	Propose Action Item and Tasks	<ul style="list-style-type: none"> • Monitor legislative changes annually to determine if further changes are required. (Starting 2024) • Educate the community, and provide a summary to the City Council, annually, on ADU's and encourage those with current illegal ADUs to become legal and meet adopted legal building codes by updating our city's website with information on legalizing their ADU. (Starting 2024). • Work with the City Council on defining what an amnesty program would look like for those who currently rent illegal ADUs. Revisit the Amnesty program annually to evaluate the utilization of the program. (Starting 2024) • Quarterly Review and evaluate the code for revisions that may help streamline ADU development. (Starting 2024) • Conduct proactive code enforcement annually to promote good property maintenance and to educate landlords. (Starting 2025)
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STRATEGY F: Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers. §10-9a-403(2)(b)(iii)(F)		
Goal: 2 and 3		
Action Items	Progress/Proposal	Tasks
Study and review potential housing related amendments to the Office Research and Development (ORD) zone by December 31, 2022, to facilitate new moderate housing types in this major employment center.	COMPLETE	<ul style="list-style-type: none"> • No ongoing tasks • Action Completed
Adopt new mixed-use zone designation for the Holladay Crossroads Small Area Master Plan (HCR-SAMP) by December 31, 2022, as a transit oriented, mixed-use zone available for multi-family residential development.	COMPLETE	<ul style="list-style-type: none"> • No ongoing tasks • Action Completed
Study and review potential housing related amendments to the C-1 and C-2 commercial zones, to recommend facilitating additional housing types in these mixed-use zones.	Propose Additional Tasks for this Action	<ul style="list-style-type: none"> • Create a Study Committee to address housing related amendments (Starting 2024) • Research and develop a list of properties that fall within these zones to have the Committee study and provide recommendations. (Starting 2024)

STRATEGY H: Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the residents own vehicle, such as residential development near major transit investment corridors or senior living facilities. §10-9a- 403(2)(b)(iii)(H)

Goal: 1, 2 and 3

Action Items	Progress/Proposal	Tasks
Complete a study period proposing a reduction to multi-family and related residential parking requirements with alternative off-street parking options by December 31, 2022.	COMPLETE	<ul style="list-style-type: none"> No Ongoing Tasks Completed in 2022

STRATEGY K: Preserve existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund. §10-9a-403(2)(b)(iii)(K)

Goal: 1 and 3

Action Items	Progress/Proposal	Tasks
Preservation of subsidized units	Propose new Action item and Tasks	<ul style="list-style-type: none"> Reference state preservation notice law and start reaching out to owners at least 3-6 years prior to expiration date. (Starting 2024) Research the need for Rental Assistance programs for at-risk populations. (Starting 2024)
Preserve existing moderate-income housing	Propose new Action item and Tasks	<ul style="list-style-type: none"> Research properties that have potential to be converted to MIH due to their need for rehabilitation. (Starting 2024) Reach out to property owners of properties that could be converted to MIH and establish relationships. (Starting 2024) Staff will track existing and new moderate-income housing quarterly. (Starting 2024)
Promote Housing Preservation and link to programs that will help residents maintain their homes and lower costs for maintaining their homes.	Propose Action Item and Task	<ul style="list-style-type: none"> Partner with organizations that promote programs that assist residents with maintaining their home and provide incentives to preserve their homes and lower costs for maintaining their homes. (Starting 2024)

STRATEGY L: Reduce, waive, or eliminate impact fees related to moderate income housing. §10-9a- 403(2)(b)(iii)(L)

Goal: 1, 2 and 3

Action Items	Progress/Proposal	Tasks
Park Impact Fees may be considered to be waived for proposed new developments, for new MIH housing units.	Proposed Tasks for this Action item	<ul style="list-style-type: none"> Review the RFP's for the General Plan and Spring Lane to evaluate how they will influence the impact study. (Starting 2024) Create a study committee to review previous and current RFP's that may impact MIH and how impact fees relate to MIH. (Starting 2025) Coordinate for completing an impact study. (Starting 2025)
Complete an impact study to revise the current fee analysis with intent to reduce current Impact Fees as they relate to MIH housing.	Proposed Task for this Action item	<ul style="list-style-type: none"> Coordinate the tasks to conduct and complete an impact study, with the intent to reduce impact fees related to MIH housing development. (Starting 2025)

STRATEGY O: Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing. §10-9a-403(2)(b)(iii)(O)

Goal: 1 and 3

Action Items	Progress/Proposal	Tasks
Beginning June 2022 and Bi-yearly thereafter, a meeting shall be convened with the intent to seek out and apply for Salt Lake County incentive programs or partnership with other entities which apply for incentive programs offered by the Utah Housing Corporation, the Department of Workforce Services, or by an association of governments established by an interlocal agreement.	Propose additional Tasks for this Action	<ul style="list-style-type: none"> Partner with Royal Holladay Hills. A development agreement was executed (Completed) Hire an Economic Development & Housing Manager with the intent to seek out partnerships and research programs that would further the goal of promoting/preserving moderate income housing in the city. (Completed 2023) Develop a marketing plan for housing programs that can be provided by community-based partners. (Starting 2025) Create an inventory of housing programs and make that information readily available to existing and new residents seeking homeownership opportunities, housing rehabilitation services and rental assistance. (Starting 2024) Maintain a close partnership with the Housing Authority of Salt Lake County to facilitate rental assistance or other eligible programs for residents, research their site quarterly for programs. (Started 2023) Set up a meeting with TURN – they have a project at Holladay Duplex (focus on population with disabilities) to discuss their plans for the units after their expiration under the OWHLF program that their affordability expires in 2029. (Starting 2025)
Apply for CDBG funding, and if awarded to create and offer housing programming to include Home Repair Grant program for moderate income residents.	Propose Action Item and Tasks	<ul style="list-style-type: none"> Contact CDBG representatives to establish a relationship and get registered for their workshops for application. (Starting 2024) Apply for CDBG grant funding to fund these programs. (Starting 2024) Monitor current partnerships and seek out new partnerships to support these housing programs for our moderate-income residents. (Starting 2024)
Increase access to programs that relate to property resilience. Homes can have conditions that lead to building degradation and make them vulnerable to weatherization or other disasters. This action will connect residents with resources to keep their homes maintained and possibly mitigate potential health risks.	Propose Action Item and Tasks	<ul style="list-style-type: none"> Research and develop a plan that helps us partner with housing agencies to provide preservation opportunities and resources for our residents. (Starting 2024) Educate residents and connect them to resources by posting links and information on our city website, on the programs where funding may be available to reduce conditions within a home that may be harmful to families like water leaks and ventilation issues. Revise quarterly or as needed. (Starting 2024)

STRATEGY P: Demonstrate utilization of a moderate-income housing set-aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing. §10-9a-403(2)(b)(iii)(P)		
Goal: 1 and 3		
Action Items	Progress/Proposal	Tasks
We currently have housing funds generated by RDA projects with approximately a million dollars or more earmarked for affordable housing. More than 100 MIH units are currently on track to be established. new by 2028	Propose additional Tasks for this Action	<ul style="list-style-type: none"> Establish an RDA partnership (Started in 2022) Partner with the County on property within Holladay and coordinate annual conversations. (Started in 2023)
Conduct a process and policy establishment study by December 31, 2025 , designed to require new higher density developments to have a minimum percentage of the dwellings to be set aside for lower income households through the possibility of density bonuses and/or other tools.	Proposed Tasks for this Action	<ul style="list-style-type: none"> Create a study committee (including the County) to review mixed use properties and help develop a process and possible inclusionary policy. (Starting in 2025) Coordinate monthly meetings with the Study Committee to evaluate possible affordable housing opportunities and how we can best use our set-aside funds in new developments. (Starting in 2025)

STRATEGY X: Demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing. §10-9a-403(2)(b)(iii)(X)		
Goal: 1 and 3		
Collect and assess housing and demographic data to determine immediate and future housing needs and goals.	Propose Action Item and Tasks	<ul style="list-style-type: none"> Collect baseline data, evaluate and analyze and post results on the website on an annual basis. (Starting 2024)
Apply for CDBG funds to create a Housing Rehabilitation Program or Neighborhood Improvement Program if awarded.	Propose Action Item and Tasks	<ul style="list-style-type: none"> Annually Budget and apply for CDBG funding (Starting 2024) Create a Housing Rehabilitation Program with guidelines and application. (Starting 2025 if awarded grant) On an annual basis Identify areas that qualify as eligible census tracts for Moderate Income residents. (Starting 2024)
Promote Fair Housing	Propose Action Item and Tasks	<ul style="list-style-type: none"> Promote on our city's website fair housing practices by making available links and information on agencies that offer fair housing services. Revise annually or as information changes. (Starting 2024)
Promote Senior Housing Opportunities	Propose Action Item and Tasks	<ul style="list-style-type: none"> Research and build a list of senior housing services to assist our aging population with resources to find housing and services. (Starting 2024) Add a list of Senior housing opportunities to the City Website and continue to update annually. (Starting 2024)
Promote and Provide Water and Energy Conservation information to our residents.	Propose Action Item and Tasks	<ul style="list-style-type: none"> Research programs for residents on water, solar and other energy conservation improvement programs to assist and ease the stress of high housing costs. (Starting 2024) Promote these programs on the city's website and update biannually. (Starting 2024)

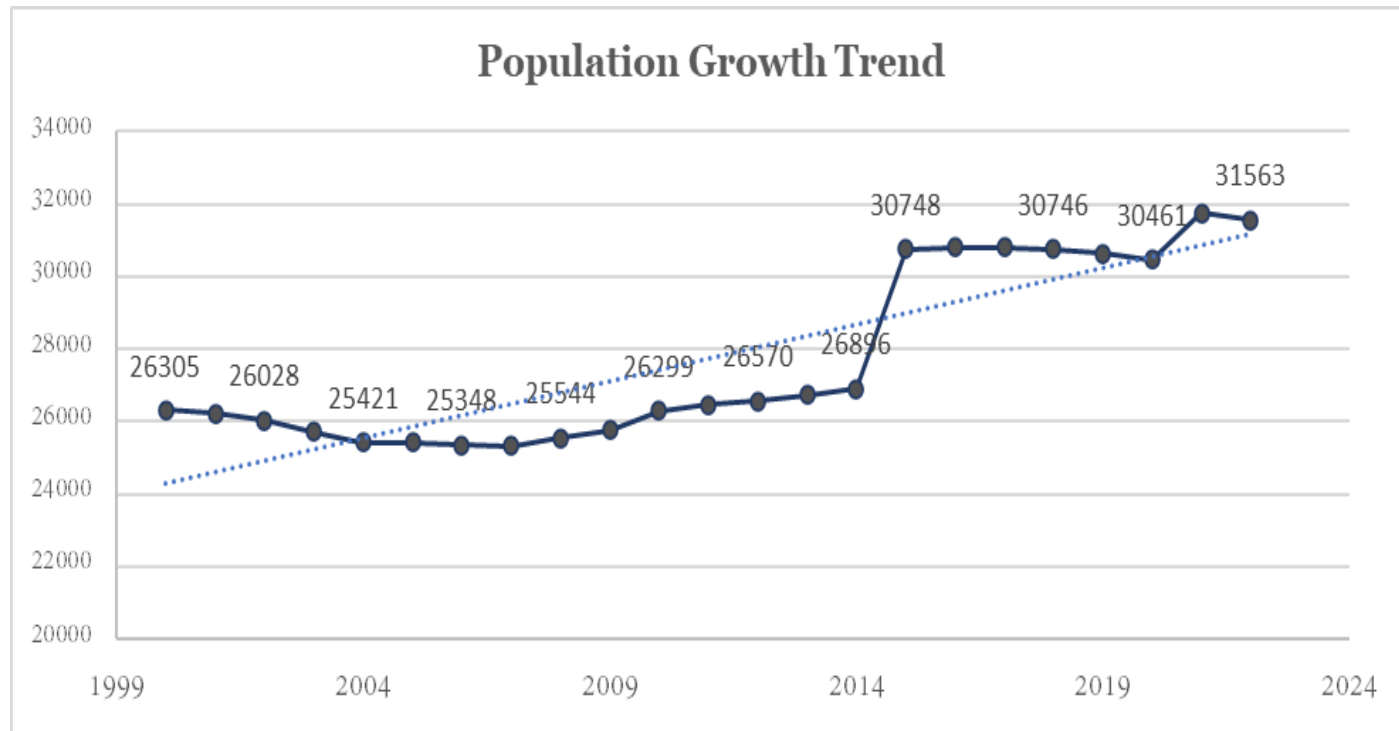
Provide residents with a list of apartments with various accommodations.	Propose Action Item and Task	<ul style="list-style-type: none"> Gather all city-wide apartments contact information and update annually on our city's website to assist residents in finding housing in Holladay. (Starting 2024)
Offer Rental Subsidies or Down Payment Assistance information to eligible residents.	Propose Action Item and Tasks	<ul style="list-style-type: none"> Provide opportunities to offset rising housing costs and promote reinvestment in existing single family residential areas to MIH residents. (Starting 2026)

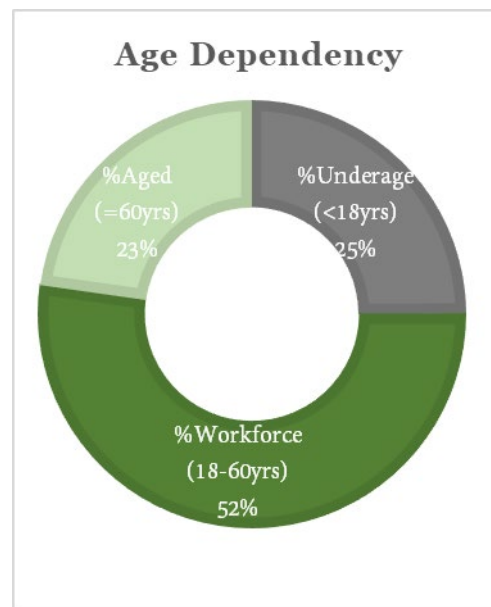
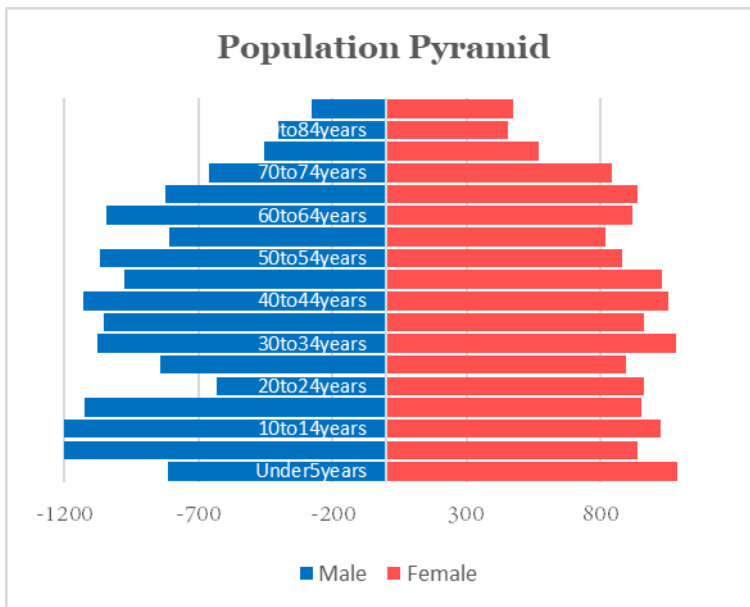
REQUIRED POPULATION AND HOUSING DATA UPDATE:

Population

Given the current estimates, the city has 25% of the population in the young dependent cohort (*i.e., under the age of 18 years*), 52% in the working force (*i.e., between 18 to 60 years*), and 23% in the aged group (*i.e., over 60 years*). Meanwhile, about 19.5% of the work force cohort are between the ages of 45 to 60 years. This suggests that Holladay city has an aging population with a dependency ratio that may rise in the next five to ten years.

This demographic profile has significant implications for community and economic development, particularly in terms of accommodating the increasing health and social infrastructure needs of an aging population. Advanced planning will be essential to address these needs, including considerations for hospitals, parks, open spaces, recreational facilities, and enhanced mobility options. To effectively respond to these demographic trends, Holladay may need to focus on strategies that promote age-friendly environments, accessible healthcare services, programs that lower housing costs in maintaining their homes, and supportive housing options for older residents. Additionally, investing in programs and services that cater to the needs of the moderate-income and aging population can contribute to the overall well-being and quality of life for all residents.

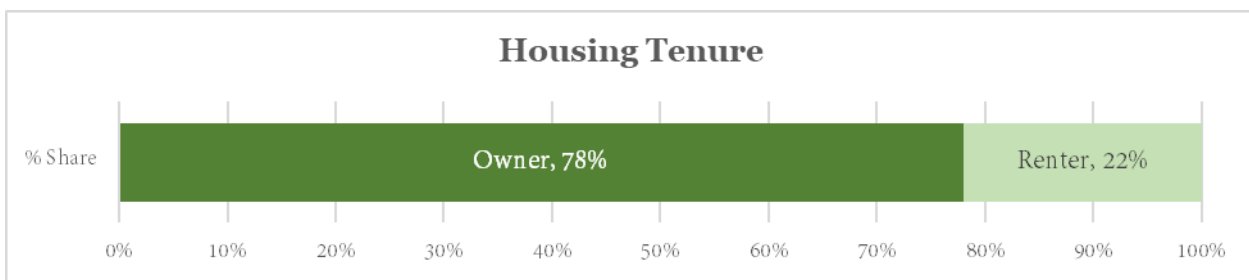


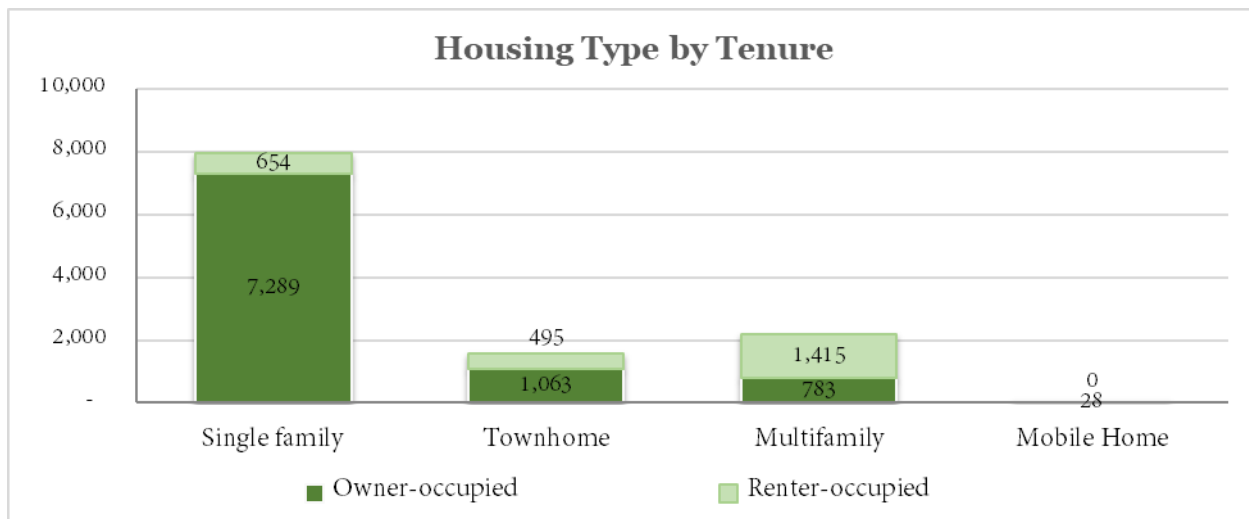


Housing, Tenure, and Affordability

With a total housing stock of 12,574, Holladay city has 11,727 occupied units and 847 vacant units – signifying a vacancy rate of 7%. The median home value in Holladay city is \$541,800. The city is primarily owner-occupied dominated (78%) versus the 22% of households who rent. The housing tenure dynamics takes semblance with that of the State – with a tenure share of 71% to 29% for owners and renters respectively. The city's housing stock can be categorized into four main types: single-family homes (67.7%), townhomes (13.3%), multifamily homes (18.7%), and mobile homes (0.2%). Notably, the majority of homes in the city are single-family dwellings, contributing to a low-density development pattern that characterizes the community.

These housing trends have several implications for the city's overall growth and development. The high median home value suggests a relatively affluent residential market, which may impact affordability and housing accessibility for certain segments of the population. The mix of housing types, with a significant proportion of single-family homes, reflects a low-density development pattern that can influence land use planning, infrastructure needs, and the overall character of the community. We may need to consider strategies that balance the preservation of this low-density character with the potential for infill development or increased housing diversity to meet evolving demographic and market demands.





Average Household Size

Average Household Size (ACS Table B25010)			
	2009 American Community Survey	2017 American Community Survey	2022 American Community Survey
Average Household Size	2.61	2.71	2.68
Owner-Occupied HH Size	2.67	2.73	2.73
Renter-Occupied HH Size	2.42	2.62	2.48

Source: US Census Bureau. Table B25010 Average household size of occupied housing units by tenure. American Community Survey.

Median Household Income

Median Household Income (ACS Table B25119)			
	2009 American Community Survey	2017 American Community Survey	2022 American Community Survey
Salt Lake County Median Household Income	\$63,384	\$81,409	\$106,099
Owner-Occupied Income (ACS Table B25119)	\$75,500	\$99,336	\$121,735
Renter-Occupied Income (ACS Table B25119)	\$42,743	\$45,203	\$65,513

Source: US Census Bureau. Table B25119 Median Household Income by Tenure.. American Community Survey.

Salt Lake County Area Median Income

Median Household Income - Table: B19019			
	2009 American Community Survey	2017 American Community Survey	2022 American Community Survey
Total:	\$0	\$67,922	\$106,099
1-person households	\$29,347	\$35,234	\$44,891
2-person households	\$60,515	\$70,072	\$100,349
3-person households	\$66,549	\$79,895	\$135,435
4-person households	\$72,043	\$88,785	\$202,778
5-person households	\$72,151	\$87,250	\$159,205
6-person households	\$79,716	\$92,268	\$250,000 +
7-or-more-person households	\$81,746	\$96,814	\$250,000 +

Median Family Income - Table B19119			
	2009 American Community Survey	2017 American Community Survey	2022 American Community Survey
Total:	\$66,413	\$78,828	\$133,137
2-person families	\$59,252	\$68,991	\$94,653
3-person families	\$63,983	\$78,081	\$141,058
4-person families	\$72,222	\$88,255	\$193,203
5-person families	\$73,345	\$87,065	\$161,458
6-person families	\$80,836	\$92,594	\$250,000 +
7-or-more-person families	\$85,906	\$95,705	\$250,000 +

Source: US Census Bureau. Tables B19019 Median Household Income and Table B19119 Median Family Income. American Community Survey.

GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS - Universe: RENTER-OCCUPIED HOUSING UNITS	
	Estimate
Total:	2,564
Less than 10%	99
10 to 15%	419
15 to 20%	186
20 to 25%	451
25 to 30%	206
30 to 35%	314
35 to 40%	107
40 to 50%	83
50% or more	555
Not computed	144

Source: US Census Bureau. Tables B25070 Gross Rent as a Percentage of HH Income American Community Survey.

Housing Units By Structure Type

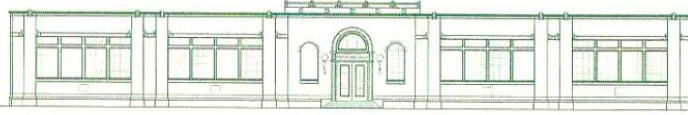
Housing Units by Structure Type (Tables: B25001 and B25032)			
	2009 American Community Survey	2017 American Community Survey	2022 American Community Survey
Total Housing Units (Table B25001)	10,333	12,021	12,574
Total Occupied Structures: (Table B25032)	9,593	11,297	11,727
Owner-occupied housing units:	7,062	8,759	9,163
1, detached	5,783	7,262	7,289
1, attached	763	751	1,063
2	71	119	28
3 or 4	137	166	133
5 to 9	104	285	252
10 to 19	93	881	278
20 to 49	66	33	63
50 or more	45	36	29
Mobile home	0	26	28
Boat, RV, van, etc.	0	0	0
Renter-occupied housing units:	2,531	2,538	2,564
1, detached	417	678	654
1, attached	333	398	495
2	434	369	173
3 or 4	222	251	86
5 to 9	193	269	537
10 to 19	491	214	317
20 to 49	347	293	190
50 or more	94	66	112
Mobile home	0	0	0
Boat, RV, van, etc.	0	0	0

Source: US Census Bureau. Tables B25001 and B25032 Housing Units by Structure Type. American Community Survey.

RECOMMENDATION:

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to amend [Holladay Ord. 13.07.020](#) as shown in section “Strategy, Implementation and Action Revision” section based on the following findings:

1. Compliance with Utah State Legislature passed [HB462](#) by establishing baselines of current housing stock. Based upon this data, the Land Use Authority shall adopt strategies within their general plan focused on moving the needle toward increasing numbers based upon population growth and development within the City of Holladay.
2. Compliance with the City’s Long Range Housing Goals in the General Plan Chapter 5 Moderate Income Housing Plan that was revised and passed in February 2023.
3. Compliance with the State’s reporting requirement stating that a municipality shall develop actionable and measurable implementation plans for each chosen strategy, adopt them in their General Plan and provide a yearly report to the state via the Department of Workforces Services on steps the city has accomplished making affordable housing more attainable and making meaningful progress towards that goal.



City of Holladay
HOLLADAY CITY COUNCIL

COUNCIL STAFF REPORT

MEETING DATE: February 15, 2023
SUBJECT: Ordinance Amendment – Adding Quasi-Public uses as a Permitted use to C-2 Zones Table of Allowed Uses (*Title 13, Chapter 13.100.010*)
SUBMITTED BY: Carrie Marsh, City Planner

ACTION:

Legislative. Ordinance amendments are to be reviewed and considered during a public hearing prior to a motion of final decision/action.

SUMMARY:

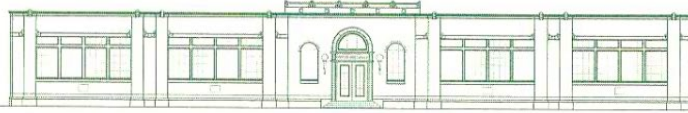
On behalf of the Korean Presbyterian Church of Utah, the applicant, represented by David P. Billings is proposing to Amend Title 13, Chapter 13.100.010, Table of Allowed Uses, of the Holladay Municipal Code. The purpose of the Code Amendment is to amend the table of allowed uses to permit quasi-public uses, defined as: “A use operated by a private, nonprofit educational, religious, recreational, charitable, or philanthropic institution which primarily serves the general public” within the C-2 zone.

The overall intent of this amendment is to address zones in which churches, a quasi-public use, are permitted. Currently, the City has rules which only permit quasi-public uses and other public uses in the Public (P) zone. Permitted land uses are designated by zone in the Table of Allowed Uses in Chapter 13.100.010. The current language prevents the use of properties that are not zoned as P to be used for churches, and other quasi-public uses, creating a situation which limits churches and non-profit organizations to only property that is currently zoned as P, or requires property owners to attempt to rezone property they wish to use for quasi-public use to the P zone.

PROPOSED ORDINANCE, CONSIDERATIONS:

As currently written, The City’s current code consists of land use regulations that date to early 1980’s. Some elements, i.e. land uses and the zone in which they are allowed, have been left unaltered since the City’s 2000 incorporation. Many church and other quasi-public uses that existed at the time of incorporation were put into a designated Public zone, with the exception of a church that existed within a commercial zone, which became a legal non-conforming use.

Quasi-public organizations, including non-profits and churches, that wish to relocate to Holladay face a burden of purchasing property and rezoning to the P zone. Another significant challenge would be for an organization or church to lease existing space as it would require rezoning a singular space with the non-profit or church not actually owning the property. In an area where land is limited and largely infill



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HOLLADAY CITY COUNCIL

development within existing zones, it can be difficult for churches to relocate to the community. Existing churches within Holladay have been in place since the city was incorporated.

Largely, churches are viewed as a community asset and foster community involvement in the cities in which they are located. Many cities commonly allow churches in both residential zones and commercial zones as opposed to having a separate public zone. A factor that determines the feasibility of a property's use as church space is parking requirements. Considering parking that exists at commercial properties based on commercial use parking requirements and proximity to public transportation, many commercial properties may be suitable for allowing church use.

On the opposing side, quasi-public uses, including church uses, are not exempt from zoning regulations. The Federal Government recognizes the right of municipalities to designate areas in which quasi-public uses are permitted or not. The Religious Land Use and Institutionalized Persons Act (RLUIPA), enacted in 2000, bars zoning restrictions which place a "substantial burden" on religious exercise, unless a city can show a "compelling interest" for imposing a particular zoning restriction, and that restriction is the least restrictive way for the city to further that particular interest. A compelling interest for a City would include preserving key commercial and economic areas for commercial and economic uses. However, it is likely that there would need to be some way for new religious organizations to locate their church within the City (i.e. eliminating the "substantial burden").

While this application is just for the C-2 zone as requested by the applicant, the broader consideration for the City is, are there zones outside of the P zone in which quasi-public uses would be desired or appropriate? One public comment heard by the Planning Commission was from another church which is currently operating (not permitted) within an office space in a property zoned as RM supporting of a consideration of expanding quasi-public uses within other zones as well, and the RM zone specifically.

An alternative approach would involve allowing quasi-public uses in specific (or all) zones, but as a conditional use as opposed to a permitted use, which the Planning Commission was in support of.

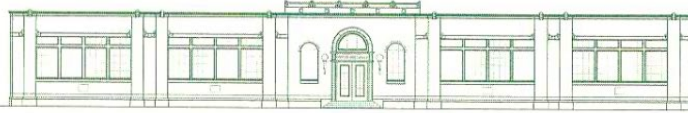
SUMMARY OF CHANGES:

The following is a summary of the proposed changes to Title 13:

- The Table of Allowed Uses, Sec. 13.100.010, is what regulates uses as Permitted, Conditional, or Not Allowed within all zones. Currently, quasi-public use is only permitted within the Public (P) zone. The proposal is to change quasi-public use as a Permitted use within the C-2 zone only.

GENERAL PLAN COMPLIANCE:

The General Plan's section on sustainability includes a goal to encourage and educate the community regarding measures to reduce unnecessary car trips and encourage the use of mass transit and other alternative transportation options including walking to school and church (page 73). The location of



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churches in C-2 zones places churches in areas where transit infrastructure exists, creating opportunities for congregants to utilize alternative transportation to go to church.

The General Plan also “strives to accommodate new growth while protecting the development patterns that have made Holladay a unique and desirable place to live and work. This plan recognizes the need for a greater variety of shopping options within existing commercial areas and an improved tax base for the community, similar to the Holladay Village model.” (Page 14). Future land use decisions should be based on three core principles of growth and development (page 16):

- Principle 1 - Support Stable Neighborhoods
- Principle 2 - Transform Key Commercial Districts into Better Functioning Destinations
- Principle 3 - Redevelop Smaller Commercial Sites to Meet Future Needs

Implementation measures are detailed on pages 21-22 of the General Plan. One goal of the implementation measure element is to Ensure that the zoning ordinance meets the goals expressed in the General Plan.

Relevant measures include:

- Encourage new developments and redevelopment projects to provide significant neighborhood/community amenities where appropriate, such as local and regional trail connections, public plazas or gathering spaces, pedestrian access to public or commercial activity centers, or development of public open space. (item 6)
- Allow and encourage mixed-use development at the Holladay Hills site, Holladay Village, Holladay Crossroads area, in addition to other key areas of the City that are transitioning from solely commercial to mixed-use.

NON-CONFORMING USES:

This Code Amendment would not create any non-conforming use situations as it expanding a land use to be permitted within a specific zone. Permitting quasi-public use in the C-2 zone would bring an existing non-conforming church use located at 2065 E 6200 S. into a legal conforming status.

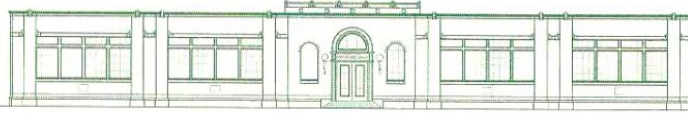
The church within the RM zone that provided a public comment is not a non-conforming use. It is a non-permitted land use and thus requires the lease holder to vacate the space they are occupying.

RECOMMENDATION:

City Council should hold the required public hearing and review the **positive recommendation of the Planning Commission** to amend the Table of Allowed Uses within Title 13, Chapter 13.100.010 of the Holladay Municipal Code, as shown in Exhibit “A”, to allow quasi -public uses within the C-2 zone.

Planning Commission findings:

1. Compliance with the Purpose of the Land Development Code by promoting and facilitating the orderly growth and development within the City of Holladay.



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2. Compliance with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within the City of Holladay

Outside of this application and positive recommendation, the Planning Commission is also requesting that the Council direct Staff to further study how to manage quasi-public uses within the City of Holladay, specifically to consider:

1. A separate definition of church use outside of the definition of quasi-public uses,
2. Other zones in which quasi-public uses would be appropriate, and
3. The consideration of making quasi-public uses a conditional use.

STANDARDS for CONSIDERATION, FOR or AGAINST:

13.07.030G: Approval Standards:

1. A decision to amend the text of this title or the zoning map is a matter within the legislative discretion of the city council. The city council, after reviewing the planning commission recommendation, may:
 - a. Adopt the amendment as recommended by the planning commission;
 - b. Make any revisions to the proposed amendment that it considers appropriate;
 - c. Remand the proposed amendment back to the planning commission for further consideration; or
 - d. Reject the proposed amendment.
2. In reviewing a text or map amendment, the following factors should be considered:
 - a. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;
 - b. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
 - c. The extent to which the proposed amendment may adversely affect abutting properties; and. The adequacy of facilities and services intended to serve the subject property, such as, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, environmental hazard mitigation measures, water supply, and wastewater and refuse collection

ATTACHMENTS:

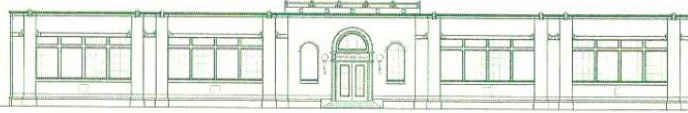
Title 13 Amendments

FISCAL IMPACT: Loss of commercial tax revenue in the C-2 zone

SUGGESTED MOTION: Continue to Work session

13.100.010: TABLE OF ALLOWED USES:

Use	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-2 1, R-1-4 3, R-1-8 7	R-2- 8/ R-2-10	R-M	PO	HCR	O-R- D	P	RO	NC	C-1	C-2	HV	R/ M-U	LU
Public																
Cemetery									P							
Charter School						P	P		P							
Educational facility, public									P							
Public use									P							
Quasi-public use									P				P			



City of Holladay
HOLLADAY CITY COUNCIL

COUNCIL STAFF REPORT

MEETING DATE: February 15, 2023

SUBJECT: Ordinance Amendment – Home Occupations (Title 13); involving Business Licensing for Home Occupations (Title 5)

SUBMITTED BY: Carrie Marsh, City Planner;

ACTION:

Legislative. Ordinance amendments are to be reviewed and considered during a public hearing prior to a motion of final decision/action.

SUMMARY:

At the request of the City Council, the Community Development Department is proposing amendments to Title 13, Land Development Code. The amendments have been reviewed by the Planning and Business Licensing Departments within the Community and Economic Development Department. The purpose of the code amendment is to address parking requirements for Home Occupations and define select Home Occupation types as either Conditional or Permitted Uses with standardized requirements. The proposed amendments create standards for routine home occupations and allow a business license to be issued if standards are met after review by staff. The following sections of City of Holladay Code are affected by this proposal:

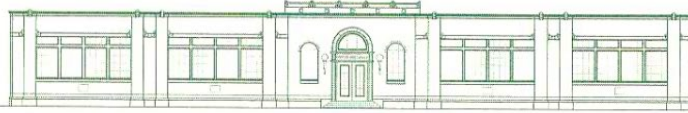
- Title 13, Chapter 76.730, Home Occupation
- Title 13, Chapter 13.100; Appendix A – Allowed Uses
- Title 5, Chapter 5.54.010; Home Occupations Defined (*Changes within Title 5 is addressed in a separate staff report and public hearing*)

PROPOSED ORDINANCE, CONSIDERATIONS:

The overall intent of this amendment is to simplify the process and requirements involved with a home owner seeking to operate a business from their home (home occupation) that involves clients coming to the home. Home Occupations are a traditional and customary accessory use of a person's dwelling and have thus been permitted in neighborhoods, with conditions to mitigate health and safety impacts to neighboring properties caused by increased traffic and visitors to the home.

Currently, the City has rules which place specific requirements on conducting a home occupation (as per Chapter 13.76.760 of the City Code), further regulated by requiring a conditional use permit to apply





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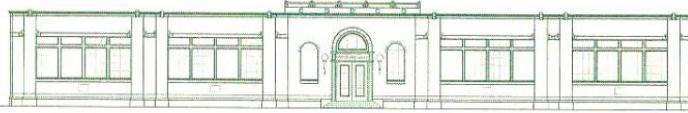
appropriate mitigation measures for potential impacts specifically associated with the operation of the business from the home (as per Chapter 13.08.040). Conditional use permits for home occupations under the current code require public notice to surrounding properties, a public hearing, and reasonable conditions applied by the Planning Commission to mitigate any potential impacts on surrounding properties.

This code amendment creates a list of standards that is equally applied to all home occupation applicants, a process that is clear and simple for applicants, and enables the approval of Home Occupation Conditional Use Permits to staff after review by the TRC. Many cities and Salt Lake County have moved home occupations to permitted uses, with standards. The purpose of this change is to create an easier, clearer, and more standardized process for individuals who have clients come to their home as part of a business operation while also mitigating impacts that often accompany this type of use. The proposed ordinance is structured as follows and includes the following changes:

KEY/SIGNIFICANT CHANGES:

1. Allowing the use of accessory buildings (previously not allowed)
 - Reasoning: Residents may want a detached office, studio, or production/storage space. The ordinance explicitly states that the look/character of a single-family dwelling is not to be altered. Business use cannot replace required parking spaces within a garage.
2. One employee limit (previously was limited to only a person who lives in the home can be employed).
 - Reasoning: Many small businesses may pay an employee to help with various aspects of their business operation.
3. Allowance for “owner-occupied” with a specific definition of “owner-occupied” (previous language was “person residing in the home”).
 - Reasoning: In the majority of home occupations, residents of a home conduct their home occupation where they reside. The Planning Commission was okay with allowing a property owner to conduct a home occupation in property they owned, but where a family member lived.
 - Considering property rights and sometimes significant investment into a property for a specific business, a middle ground between the previous conditional use that ran with the land and proposed permitted use that is confined to an individual should be considered.
 - Staff proposes clarifying language that allows home occupation by a **property owner** should be considered. This would require the property owner to **retain the primary residential use** of the property, but allow a property owner to continue the use of a portion of the property for





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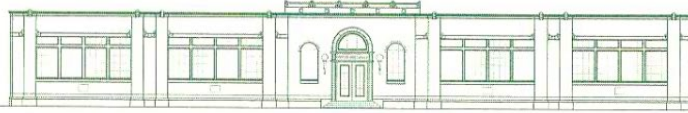
their business. (i.e. a photographer who uses a portion of the property as office and studio (indoor or outdoor) space, any professional who has studio, office, production, or storage space on a property they own (either within a main or accessory structure), or an owner of a property used for agricultural production who could retain the operation of the business at the property even if they move).

SUMMARY OF ALL CHANGES:

The following is a summary of the proposed changes to Title 13:

- Sec. 13.76.760 is repealed and replaced with a re-write of the Section, with the same title “Home Occupations. The new version of Sec 13.76.760 adds the following:
- Approval by Staff with standards detailed in 13.76.760 I.
 - Parking standards. All parking associated with the business must be on-site. TRC can approve on-street parking for one vehicle within 200 feet of the home. Off-site parking agreements can be approved. Parking exceedance (i.e. recitals/groups) cannot occur more than two times in a month.
 - Limit to 6 people present for group lessons
 - Hours of operation limited to 7 am to 9 pm
 - Drop off and pick up routes must be designated
 - Owner-occupant defined
 - Clients seen on an appointment basis only
- Conditional Use Permit required for proposed uses that don’t meet the standards within Sec. 13.76.760
- Use of an accessory building allowed; business use cannot occupy required garage spaces for the dwelling unit.
- One employee other than the business owner(s)
- Home occupation license expires and is non-transferrable
- Additional conditions to mitigate potential impacts if other home occupations within ¼ mile have an active license
- Health/fire/building code inspections required and property can be inspected during stated business hours.
- Fines and revocation if standards are not met.
- Table of Allowed Uses (Sec. 13.100.010) amended to reflect Home Occupation as a Permitted Use. Reference text changed to explicitly state that a license is required, with references to Sec. 5.54 and Sec. 13.76.760





City of Holladay
HOLLADAY CITY COUNCIL

GENERAL PLAN COMPLIANCE:

The General Plan encourages appropriate development standards for all uses and zoning categories within Holladay. This code amendment would further that goal and objective. The proposed code ensures the public health, safety and welfare, and ensures consistency and equitable standards for residents.

NON-CONFORMING USES:

This code amendment to the above sections would create non-conforming use situations in that Conditional Use Permits for Home Occupations issued prior to the proposed text amendment would remain in adherence to the conditions specific to their individual Conditional Use Permit as opposed to the standard detailed in the proposed text. While conditions on previously issued Home Occupation Conditional Use Permits carry most of the same standards detailed in the proposed text amendment, some previously approved conditional use permits may not have the same extent of conditions outlined in the proposed changes. These non-conforming uses created are addressed with language in the code that eliminates any previously approved home occupation conditional use permit once ownership of a property changes.

RECOMMENDATION:

City Council should hold the required public hearing and review the recommendation of the Planning Commission to amend various chapters and sections of Title 13 of the Holladay Municipal Code, as shown in Exhibit "A". And to also review needful amendments to Title 5, Business Licensing, as required.

Planning Commission findings:

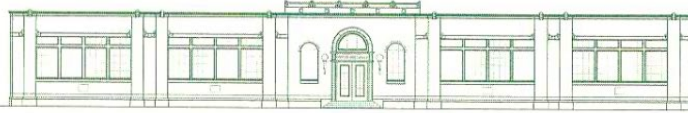
1. The City Council may amend land use ordinances consistent with the purposes of the Holladay Land Development Code, the General Plan.
2. Compliance with the Purpose of the Land Development Code by promoting and facilitating the orderly growth and development within the City of Holladay.
3. Compliance with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within the City of Holladay

STANDARDS for CONSIDERATION, FOR or AGAINST:

13.07.030G: Approval Standards:

1. A decision to amend the text of this title or the zoning map is a matter within the legislative discretion of the city council. The city council, after reviewing the planning commission recommendation, may:
 - a. Adopt the amendment as recommended by the planning commission;
 - b. Make any revisions to the proposed amendment that it considers appropriate;





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- c. Remand the proposed amendment back to the planning commission for further consideration; or
 - d. Reject the proposed amendment.
- 2. In reviewing a text or map amendment, the following factors should be considered:
 - a. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;
 - b. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
 - c. The extent to which the proposed amendment may adversely affect abutting properties; and. The adequacy of facilities and services intended to serve the subject property, such as, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, environmental hazard mitigation measures, water supply, and wastewater and refuse collection

ATTACHMENTS:

Title 13 Amendments

FISCAL IMPACT:

Forseen increase in home occupation business licenses issued due to a simplified process.

SUGGESTED MOTION:

Continue to Work session



1 **TITLE 13**

2 **~~13.76.730: HOME OCCUPATION:~~**

3 ~~A. The business activity must be conducted entirely within a dwelling and carried on by persons~~
4 ~~residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for~~
5 ~~dwelling purposes and does not change the character of the dwelling or property for residential~~
6 ~~purposes.~~

7 ~~—B. No home occupation license shall be required for businesses that:~~

8 ~~—1. Do not have customers that come to the home;~~

9 ~~—2. Do not have employees who come to the home; and~~

10 ~~—3. Do not have combined offsite impacts of the home based business and the primary residential~~
11 ~~use that exceed the impact of the residential use alone.~~

12 ~~—C. There shall be no display of merchandise nor stock in trade, "stock in trade" being an item offered~~
13 ~~for sale which was not produced on the premises.~~

14 ~~—D. The business shall not include the sale of commodities except those produced on the premises.~~

15 ~~—1. Original or reproductions of works of art designed or created by the artist operating a home~~
16 ~~occupation may be stored on the premises. "Reproductions of works of art" include such items as~~
17 ~~printed reproductions, casting and sound recordings.~~

18 ~~—2. Commodities produced on the premises may be sold on the premises if the Planning Commission~~
19 ~~grants a conditional use permit for customers coming to the home.~~

20 ~~—E. The home occupation shall not involve the use of an accessory building or yard space or activity~~
21 ~~outside the main building.~~

22 ~~—F. The Community Development Director shall determine whether additional parking, in addition to~~
23 ~~the requirements of chapter 13.80 of this title is required for a home occupation and shall also~~
24 ~~determine the number and location of such additional parking spaces. (Ord. 2017-17, 6-15-2017)~~

25
26 **13.76.730: HOME OCCUPATION:**

27 A. Purpose: Home occupations, as an accessory use to a primary residential use, promote local and
28 sustainable economic growth and development. The purpose of this section is to permit allow, by
29 license, permitted and conditional types of home occupations within single-family, duplex, and multi-
30 family dwellings within zones as shown in the Table of Allowed Uses (13.100.010) and ensure that home
31 occupations are compatible within the zone in which they are located, having decidedly ~~no negative~~
32 ~~minimal and reasonable~~ impacts on the surrounding neighborhood. ~~Home occupations are an accessory~~
33 ~~use to the residential use and are intended to promote local and sustainable economic growth and~~
34 ~~development.—~~

B. No home occupation license shall be required for businesses that:

1. Do not have customers or clients that come to the home;
2. Do not have employees who come to the home; and
3. Do not have combined offsite impacts of the home-based business and the primary residential use that exceed the impact of the residential use alone.

C. Home Occupations that do not comply with the standards of this section shall apply for a Conditional Use Permit as per 13.08.040.

D. Permitted Home Occupations: All home occupations not specifically listed as prohibited may be permitted subject to their compliance with the standards specified in subsection I of this section.

E. Home Occupations Prohibited: The following businesses, regardless of their conformance with the standards in subsection I of this section, are prohibited as home occupations. This section supersedes any other allowed uses within this Title.

1. Motor and recreational vehicle repair
2. Kennels
3. Welding, metal fabrication, or machine shops
4. Large appliance/electronics or equipment repair or service (washers, dryers, refrigerators, and other appliances or equipment that are too large to be carried in 1 individual's arms)
5. Truck hauling
6. Deliveries
7. Stables/Boarding
8. Bottling plant
9. Commercial bakery
10. Industrial assembly
11. Laboratory, medical, dental, optical
12. Laboratory, testing
13. Sale or repair of firearms
14. Stocking and sale of ammunition
15. Stock and trade
16. Tattoos and body art

F. Applications for home occupations shall include the following information:

1. Completed Business License Application

2. A complete description of the type of business proposed including the location of the storage and operations area for the home occupation.

3. The expected hours of operation of the business

4. The expected number of clients per hour and total expected number of clients visiting the home per day.

5. Drop off and pick up routes and locations

6. Location of parking for clients in relation to the nature of the business

G. License required: It is unlawful for any person, firm, corporation, or association to engage in a "home occupation" as defined in chapter of this title without first obtaining a license pursuant to the provisions of Title 5, Chapter 5.06.020 of this code. Prior to issuance of said license, the criteria set forth in this title must be satisfied and all applicable fees shall be paid. All home occupation permits shall be valid for one year, and may be renewed annually, provided there have been no reported violations, subject to subsection J of this section.

H. Determination of Completeness: Upon receipt of an application for a home occupation, the Business License Official shall make a determination of completeness.

I. Standards: All home occupations shall comply with the following standards:

1. The home occupation must be clearly incidental and secondary to the primary use of the dwelling for residential purposes.

2. The dwelling unit must be either the primary place of residence for the person(s) conducting the home occupation, or be owner occupied, with "owner occupant" defined as the following:

a. An individual who is listed on a recorded deed as an owner of the property;

b. Any person who is related by blood, marriage, or adoption to an individual who is listed on recorded deed as an owner of the property; or

c. An individual who is a trustor of a family trust who possesses legal ownership of the property.

3. The area of the residence used for home occupations shall remain in character with the rest of the home except for minor renovations necessary to conduct an approved home occupation.

4. The home occupation shall not be conducted in, nor in any way use, a carport, or any portion of the yard. A home occupation may use a garage or other fully enclosed accessory structure provided all other standards in this section are met. A home occupation may not eliminate or occupy required parking areas for a dwelling within a garage. A home occupation license to distribute produce grown on the premises for off-premises sales may be conducted in the rear yard and include the use of accessory buildings but may not occupy required parking areas; Home occupation work conducted at the residence shall not involve more than one employee other than the business owner(s);

5. Except for the applicant's personal transportation, there shall be no vehicles or equipment stored outdoors, which would not normally be found at a residence. Service vehicles which double as a personal vehicle such as taxicabs, limousine, or other vehicles used for mobile businesses and used for off-site services may only be parked on-site in a legal parking area;

6. Delivery of merchandise, goods, or equipment, to the site of the home occupation, shall be made by a vehicle typically employed in residential deliveries. No deliveries to the site of the home occupation by semi-tractor/trailer truck shall be permitted. Loading and deliveries to the site of the home occupation shall be limited to the hours of eight o'clock (8:00) A.M. and six o'clock (6:00) P.M.;

7. Tools, items, equipment shall be limited to those that are commonly associated with a residential use or are customary to home crafts. Tools, items, equipment, or occupations which are offensive or noxious by reason of the emission of odor, smoke, gas, fumes, dust, vibration, magnetic or electrical interference, noise, or other similar impacts extending beyond the property line of the lot where the occupation is located, are prohibited. Operations shall not violate noise ordinance as detailed in City of Holladay Code Title 9, Chapter §9.48.

~~8. Stock in trade, inventory or other merchandise shall be allowed to be kept only in the interior space of the dwelling; "Stock in trade" being an item offered for sale which was not produced on the premises.~~

9. No outdoor storage is permitted in conjunction with the occupation other than produce for off premises sales, outlined in subsection H4 of this section;

10. Customers/Clients shall be allowed at the residence only if scheduled on an appointment basis and are only allowed between the hours of seven a.m. and ~~ten~~ nine p.m. Group lessons or sessions shall not exceed six people at a time.

11. In addition to the parking spaces required for the residents of the dwelling, parking for clients and for an employee, if allowed under subsection (E) above, must be provided in the driveway or garage. On-street parking may be approved by the Community and Economic Development Director, ~~upon application, and with a recommendation by the TRC~~, under circumstances where on-site parking creates a safety issue or is in conflict with property access and use. ~~On-street parking proposals may not exceed one vehicle space and must be located immediately in front of the residence or within 200 feet of the residence.~~ Off-site parking agreements may be utilized to fulfil parking requirements. Temporary exceedance of allowed parking on-site may only occur twice within a single calendar month.

12. Stock in trade, and/or direct retail sales are prohibited. Incidental or secondary sales ensuing from the services provided in conjunction with the home occupation are permitted. Commodities produced on the premises may be sold on the premises only under the conditions of this title.

13. The premises of a home occupation may be inspected during ~~reasonable~~ stated business hours to determine compliance with the provisions of this title.

14. If additional home occupations are being conducted within ¼ mile at the time of application, additional conditions to mitigate increased traffic or other potential impacts in the area may be applied by the Community and Economic Development Director, upon review and recommendation by the TRC.

I. Decision By The Community and Economic Development Director: The Community and Economic Development Director shall, with a recommendation by the TRC, issue a permit for the home occupation if they find that:

1. The provisions of this title are satisfied;
2. The home occupation will be in keeping with the character of the neighborhood and will not adversely affect the desirability or stability of the neighborhood;
3. The home occupation does not diminish the use and enjoyment of adjacent properties or create an adverse parking impact on adjacent streets or properties;
4. The home occupation will not negatively impact the future use of the property as a residence;
5. The home occupation will not adversely affect the public health, safety or welfare; and
6. The home occupation conforms with all fire, building, plumbing, electrical and health codes.

J. Loss Of Home Occupation Use: The Community and Economic Development Director may apply any associated land use fine according to Title 3, Chapter 3.35 and/or terminate any home occupation use upon making findings that support either or both of the following conclusions:

1. Any of the required licenses or permits necessary for the operation of the business have been revoked or suspended; or
2. Any of the provisions of this title have been violated.

K. Termination of Home Occupation:

1. The licensee shall be responsible for the operation of the licensed premises in conformance with this code. Any business license issued by the city may be suspended or revoked per the provisions of Title 5, Chapter 5.10.020 of this code.

L. Appeals:

1. Any termination of a home occupation may be appealed pursuant to the provisions of Title 5, Chapter 5.11.050 of this code as if the termination were a business license revocation.
2. Any person adversely affected by the denial or issuance of a permit for a home occupation may appeal that decision to the appeals hearing officer pursuant to Title 5, Chapter 5.11.010 of this title.

M. Existing Home Occupation Licenses: Existing licenses for home occupations which were legal under the prior zoning ordinance regulating home occupations but which are not permitted under this title are subject to the following:

174 1. May continue in operation, subject to the approved conditions of their conditional use
175 permit.

176 2. Shall discontinue operation upon transfer of ownership of the property. Any new owner shall
177 reapply for a Home Occupation Permit under the provisions of this section.

178 N. Non-transferability: Permits for home occupations are personal to the applicant, non-transferable
179 and do not run with the land.

180

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13.100.010: TABLE OF ALLOWED USES:

Zone Abbreviation Reference

FR: Forestry and Recreation, **R-1:** Residential Single-family, **R-2:** Residential Two-family, **R-M:** Multiple Family Residential, **PO:** Professional Office, **HCR:** Holladay Crossroads, **ORD:** Office, Research Park, and Development, **P:** Public, **RO:** Residential Office, **NC:** Neighborhood Commercial, **C-1:** Commercial, **C-2:** Commercial, **HV:** Holladay Village, **R/M-U:** Regional Mixed-Use, **LU:** Limited Use

Use	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-2 1, R-1-4 3, R-1-8 7	R-2- 8/ R-2-10	R-M	PO	HCR	O-R-D	P	RO	NC	C-1	C-2	HV	R/M-U	LU
Home occupation	G ⁵ P ⁵	G ⁵ P ⁵	G ⁵ P ⁵	G ⁵ P ⁵	G ⁵ P ⁵	-	G ⁵ P ⁵	G ⁵ P ⁵	-	-	-	-	-	-	-	-

5. License Required according to Title 5.54.010, "Home Occupations Defined"; Regulations according to 13.76.730, "Home Occupation", of this title.

191 **TITLE 5**

192 **5.54.010: HOME OCCUPATIONS DEFINED:**

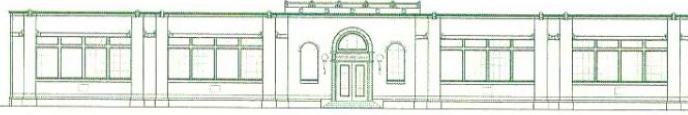
193 A. Defined: "Home occupation" means any use conducted entirely within a dwelling and carried on by
194 one person residing in the dwelling unit, which use is clearly incidental and secondary to the use of the
195 dwelling for dwelling purposes and does not change the character of the dwelling or property for
196 residential purposes, and in connection with which there is no display of stock in trade; "stock in trade"
197 being any item offered for sale which was not produced on the premises.

198 B. Sales: The home occupation shall not include the sale of commodities except those produced on
199 the premises; provided, however, that original or reproductions of works of art designed or created by
200 the artist operating a home occupation may be stored and sold on the premises. "Reproductions of
201 works of art" includes, but is not limited to, printed reproduction, casting, and sound recordings.

202 ~~—C.— Use Of Accessory Buildings Prohibited: The home occupation shall not involve the use of any~~
203 ~~accessory building or yard space or activity outside the main building.~~

204 ~~—D.— Parking: The planning commission, with the city council's concurrence, shall determine whether~~
205 ~~additional off-street parking, in addition to the two (2) spaces required per dwelling unit, is required for~~
206 ~~a home occupation and shall also determine the number and location of such additional parking spaces.~~
207 ~~(1999 Code)~~

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City of Holladay
HOLLADAY CITY COUNCIL

COUNCIL STAFF REPORT

MEETING DATE: February 15, 2024

SUBJECT: Proposed Public Infrastructure Districts (PIDs)

SUBMITTED BY: Gina Chamness

SUMMARY: On Friday January 26, 2024 the owners of the Holladay Hills project submitted a petition and proposed governing document for Holladay Hills Public Infrastructure District Nos. 1-3. Should the City Council choose to approve this governing document, three separate independent units of government would be created. These districts would be intended to provide public improvements that would benefit the districts, and their purpose would be to finance construction of public improvements, including 3 parking structures.

Staff, City Attorney, Outside Counsel and the City's Financial Advisor have reviewed the attached document, and have identified some areas of consideration for the Council and the City to discuss. These include:

- Clarification of commercial and residential definitions in Section I.
- Inclusion of provisions related the future PIDs' ability to use C-PACE funding.
- Technical changes related to correct current references in state law, and related to the qualifications of a Municipal Advisor.
- Clarification of the purpose and permitted uses of the PIDs in Section IV.
- Discussion of the total debt issuance limitation in section V (F).
- Clarification of Governance and Board requirements.
- Clarification of requirements for dissolution of the PIDs.
- Clarification on phasing, costs of individual parking structures.

RECOMMENDATION: Consider options during work session discussion.

ATTACHMENTS:

- Proposed Governing Document revisions – staff and counsel.

FISCAL IMPACT: Adoption of the governing document allowing the creation of Public Infrastructure Districts as detailed in the petition will not result in a fiscal impact for city residents. As the City considers a policy for future PID petitions, the Council may wish to consider imposing a fee for costs associated with consideration of a proposed PID.



APPENDIX A

Public Infrastructure District No. 1

All of Block E, of Royal Holladay Hills Subdivision #2, Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah.

TOGETHER WITH

All of Block D, of Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

LESS AND EXCEPTING THEREFROM

Units 501-516 and Garage Numbers 1-16 within Block D, Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

Public Infrastructure District No. 2

All of Block F, of Royal Holladay Hills Subdivision #2, Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah.

Public Infrastructure District No. 3

All of Block G, of Royal Holladay Hills Subdivision #2, Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah.

Annexation Area

All of Blocks A-C and E-J, of Royal Holladay Hills Subdivision #2 Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah

TOGETHER WITH

All of Block D, of Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

LESS AND EXCEPTING THEREFROM

Units 501-516 and Garage Numbers 1-16 within Block D, Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.



CITY OF HOLLADAY

February 12, 2024

Mayor Robert Dahle
City Council of the City of Holladay

*Re: Certification of a Petition Requesting the Creation of Holladay Hills Public
Infrastructure District Nos. 1-3 in the City of Holladay*

Dear Mayor Dahle and City Councilmembers,

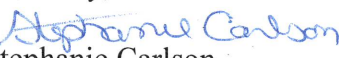
On January 24, 2024, the City of Holladay received the above referenced Petition requesting the creation of public infrastructure districts within the City in an area generally identified as a portion of the Royal Holladay Hills Project. Pursuant to the provisions of *Utah Code Annotated* Section 17B-1-206, it has been my obligation to, with the assistance of City staff, review the Petition to determine whether it complies with the requirements of existing law.

Upon my review of the Petition, I find that the Petition complies with the requirements of Utah law and I am hereby providing Notice of Certification of the Petition. The Petition satisfies the requirements of *Utah Code Annotated* 17B-1-204(2) and 17B-1-205(1). It is my recommendation that this Petition be placed before the governing body for its review and determination.

The Certification of this Petition does not in any way constitute or imply approval of the Petition by the City Council. Nor does my Certification relate to the contents of the Petition beyond those required by statute or the proposed governing document.

Thank you for your attention to these matters.

Sincerely,


Stephanie Carlson
City Recorder

cc: Gina Chamness, City Manager
Todd Godfrey, City Attorney
McKinnon Woodbury

Public Infrastructure District Nos. 1-3 and Annexation Area



GOVERNING DOCUMENT
FOR
HOLLADAY HILLS PUBLIC INFRASTRUCTURE DISTRICT NOS. 1-3
HOLLADAY, UTAH

Prepared By:



2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122
(303) 858-1800

APPROVED ON: _____, 2024

LIST OF EXHIBITS

EXHIBIT A	Legal Descriptions
EXHIBIT B	Map of Initial District Boundaries and Annexation Area
EXHIBIT C	Estimated Public Improvement Costs

I. INTRODUCTION

A. Purpose and Intent. The Districts are independent units of local government, separate and distinct from the City, and, except as may otherwise be provided for by State or local law or this Governing Document, their activities are subject to review by the City only insofar as they may deviate in a material matter from the requirements of the Governing Document. It is intended that the Districts will provide a part or all of the Public Improvements for the use and benefit of all anticipated inhabitants and taxpayers of the Districts. The primary purpose of the Districts will be to finance the construction of these Public Improvements.

B. Objective of the City Regarding Districts' Governing Document. The City's objective in approving the Governing Document for the Districts is to authorize the Districts to provide for the planning, design, acquisition, construction, installation, relocation and redevelopment of the Public Improvements from the proceeds of Debt to be issued by the Districts. All Debt is expected to be repaid by a tax mill levy no higher than the Maximum Debt Mill Levy for commercial and residential properties, and/or repaid by Assessments. Debt which is issued within these parameters will insulate property owners from excessive tax burdens to support the servicing of the Debt and will result in a timely and reasonable discharge of the Debt.

This Governing Document is intended to establish a limited purpose for the Districts and explicit financial constraints that are not to be violated under any circumstances. The primary purpose is to provide for the Public Improvements associated with development and regional needs. Operational activities are allowed, but only through an Interlocal Agreement with the City, provision through a relevant public entity, or if statutory changes occur subsequent to approval of this Governing Document that allow the Districts to directly provide for operational activities.

It is the intent of the Districts to dissolve upon payment or defeasance of all Debt incurred or upon a determination that adequate provision has been made for the payment of all Debt, and if the Districts have authorized operating functions, to retain only the power necessary to impose and collect taxes or Fees to pay for these costs.

C. Limitation on Applicability. This Governing Document is not intended to and does not create any rights or remedies in favor of any party other than the City. Failure of the Districts to comply with any terms or conditions of this Governing Document shall not relieve any party of an obligation to the Districts or create a basis for a party to challenge the incorporation or operation of the Districts, or any Debt issued by the Districts.

II. DEFINITIONS

In this Governing Document, the following terms shall have the meanings indicated below, unless the context hereof clearly requires otherwise:

Annexation Area: means the property shown in **Exhibit B**, highlighted in red.

Assessment: means assessments levied in an assessment area created within the Districts.

Board: means the Board of Trustees of a District.

Bond, Bonds or Debt: means bonds or other obligations, including loans of any property owner, for the payment of which any District has promised to impose an *ad valorem* property tax mill levy, and/or collect Assessments.

City: means Holladay, Utah.

City Code: means the City Code of Holladay, Utah.

City Council: means the City Council of Holladay, Utah.

District: means any one of the Holladay Hills Public Infrastructure District Nos. 1-3.

Districts: means two or more Holladay Hills Public Infrastructure District Nos. 1-3.

Districts' Area: means the property within the Initial Districts' Boundary Maps and the Annexation Area Boundary Map.

Fees: means any fee imposed by any Districts for administrative or operational services provided by such Districts.

General Obligation Debt: means a Debt that is directly payable from and secured by ad valorem property taxes that are levied by the Districts and does not include Limited Tax Debt.

Governing Document: means this Governing Document for the Districts approved by the City Council.

Governing Document Amendment: means an amendment to the Governing Document approved by the City Council in accordance with the City's ordinance and the applicable state law and approved by the Boards in accordance with applicable state law.

Initial Districts' Boundaries: means the boundaries of the Districts described in the Initial Districts' Boundaries Map.

Initial Districts' Boundaries Map: means the map attached hereto as **Exhibit B**, describing the initial boundaries of the Districts, highlighted in blue.

Limited Tax Debt: means a debt that is directly payable from and secured by ad valorem property taxes that are levied by the Districts which may not exceed the Maximum Debt Mill Levy.

Local Districts Act: means Title 17B of the Utah Code, as amended from time to time.

Maximum Debt Mill Levy: means the maximum mill levy a District is permitted to impose for payment of Debt as set forth in Section VII.C below.

Municipal Advisor: means a consultant that: (i) advises Utah governmental entities on matters relating to the issuance of securities by Utah governmental entities, including matters such as the pricing, sales and marketing of such securities and the procuring of

bond ratings, credit enhancement and insurance in respect of such securities; (ii) shall be an underwriter, investment banker, or individual listed as a public finance advisor in the Bond Buyer's Municipal Market Place; and (iii) is not an officer or employee of the Districts and has not been otherwise engaged to provide services in connection with the transaction related to the applicable Debt.

Net Proceeds: means the gross proceeds of the sale of bonds, less any of the following: (1) amounts applied or to be applied to pay transaction and administrative expenses, including underwriting discount, (2) amounts to pay cost of issuance, and (3) amounts to pay capitalized interest and to fund any reserves deemed necessary or appropriate by the Districts, not including any investment earnings realized thereon.

Project: means the development or property known as Holladay Hills.

PID Act: means Title 17D, Chapter 4 of the Utah Code, as amended from time to time and any successor statute thereto.

Public Improvements: means a part or all of the improvements authorized to be planned, designed, acquired, constructed, installed, relocated, redeveloped and financed as generally described in the Local District Act, except as specifically limited in Section V below to serve the future taxpayers and inhabitants of the Districts' Area as determined by the Board.

State: means the State of Utah.

Taxable Property: means real or personal property within the Districts' Area subject to ad valorem taxes imposed by the Districts.

Trustee: means a member of a Board.

Utah Code: means the Utah Code Annotated 1953, as amended.

III. BOUNDARIES

The area of the Initial Districts' Boundaries includes approximately 41 acres. A legal description of the Initial Districts' Boundaries is attached hereto as **Exhibit A**. It is anticipated that the Districts' Boundaries may change from time to time as they undergo annexations and withdrawals pursuant to Section 17B-4-201, Utah Code. The project will consist of approximately 15 acres of residential and commercial property, 9 acres of civic/open space and parks, and 17 acres of impervious surfaces.

IV. BENEFITS OF DISTRICTS

The Districts anticipate providing many benefits to the City and surrounding areas including: parking structures, sewer and wastewater improvements, water lines, common area landscaping, streets, curbs, sidewalks and related site work.

V. DESCRIPTION OF PROPOSED POWERS, IMPROVEMENTS AND SERVICES

A. Powers of the Districts and Governing Document Amendment. The Districts shall have the power and authority to provide the Public Improvements within and without the boundaries of the Districts as such power and authority is described in the PID Act, and other applicable statutes, common law and the Constitution, subject to the limitations set forth herein. The estimated cost of the public improvements are set for in **Exhibit C**.

B. Operations and Maintenance Limitation. The purpose of the Districts is to plan for, design, acquire, construct, install, relocate, redevelop and finance the Public Improvements. Where required, the Districts shall dedicate the Public Improvements to the City or other appropriate public entity in a manner consistent with rules and regulations of the City and applicable provisions of the City Code. The Districts shall be authorized, but not obligated, to own, operate and maintain Public Improvements not otherwise required to be dedicated to the City or other public entity, including, but not limited to street improvements (including roads, curbs, gutters, culverts, sidewalks, bridges, parking facilities, paving, lighting, grading, landscaping, and other street improvements), traffic and safety controls, retaining walls, park and recreation improvements and facilities, trails, open space, landscaping, drainage improvements (including detention and retention ponds, trickle channels, and other drainage facilities), irrigation system improvements (including wells, pumps, storage facilities, and distribution facilities), and all necessary equipment and appurtenances incident thereto.

C. Construction Standards Limitation. To the extent that the Districts construct any Public Improvements, they will ensure that the Public Improvements are designed and constructed in accordance with the standards and specifications of the City and of other governmental entities having proper jurisdiction. The Districts will obtain applicable permits for construction and installation of Public Improvements prior to performing such work. Land easements, or improvements to be conveyed or dedicated to the City and any other local government entity shall be conveyed in accordance with the related standards at no cost to the City. All public infrastructure within the Districts which will be connected to and owned by another public entity shall be subject to all design and inspection requirements and other standards of such public entity. The Districts shall be subject to City zoning, subdivision, building codes, and all other applicable City ordinances and regulations. Approval of the Governing Document shall not bind the City to approve other matters which the Districts or developer may request. The Districts shall pay all fees and expenses as provided in the Governing Document.

The Districts shall be subject to the State of Utah's procurement statutes and regulations. At a minimum, the acquisition of completed or partially completed improvements shall be for fair market value, as reasonably determined by a surveyor or engineer.

D. Annexation and Withdrawal.

(a) The City, by approval of this Governing Document, has consented to the annexation of any area within the Districts' Area into any District. Such area may only be annexed after obtaining consent of all property owners and registered voters, if any, within the area proposed to be annexed and the passage of a resolution of the Board of the District approving the

annexation. The Districts shall not annex within their boundaries any property outside the Districts' Area without the prior written consent of the City.

(b) The City, by approval of this Governing Document, has consented to the withdrawal from the Districts of any property within the Districts' Area. Such area may only be withdrawn from a District after obtaining consent of all property owners and registered voters, if any, within the area proposed to be withdrawn and the passage of a resolution of the Board of the District approving the withdrawal.

(c) Any annexation or withdrawal shall be in accordance with the requirements of the PID Act.

(d) Upon any annexation or withdrawal, the Districts shall provide the City a description of the revised Districts' Boundaries.

(e) Annexation or withdrawal of any area in accordance with this section shall not constitute an amendment of this Governing Document.

E. Governing Document Amendment Requirement. This Governing Document has been designed with sufficient flexibility to enable the Districts to provide required facilities under evolving circumstances without the need for numerous amendments. Subject to the limitations and exceptions contained herein, this Governing Document may be amended by passage of a resolution of the City and the applicable District approving such amendment.

F. Total Debt Issuance Limitation. The Districts shall not issue Debt in excess of an aggregate amount of Eighty Million Dollars (\$80,000,000). This amount excludes any portion of bonds issued to refund a prior issuance of debt by the Districts.

G. Bankruptcy Limitation. All of the limitations contained in this Governing Document, including, but not limited to, those pertaining to the Maximum Debt Mill Levy, have been established under the authority of the City to approve a Governing Document with conditions pursuant to Section 17D-4-201(5), Utah Code. It is expressly intended that such limitations:

(a) Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Governing Document Amendment; and

(b) Are, together with all other requirements of Utah law, included in the "political or governmental powers" reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the "regulatory or electoral approval necessary under applicable nonbankruptcy law" as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

Any Debt, issued with a pledge or which results in a pledge, that exceeds the Maximum Debt Mill Levy, shall be deemed a material modification of this Governing Document and shall not be an authorized issuance of Debt unless and until such material modification has been approved by the City as part of a Governing Document Amendment.

H. Multiple District Structure. It is anticipated that the Districts, collectively, will undertake the financing and construction of the Public Improvements. The nature of the functions and services to be provided by each District may be clarified in an interlocal agreement between and among one or more of the Districts. All such agreements will be designed to help assure the orderly development of the Public Improvements and essential services in accordance with the requirements of this Governing Document. The Districts may not double tax, whether by mill levy, assessment, impact fees, or any combination thereof, any end user for the costs of Improvements.

I. Alternative District Types. If it is determined, in the sole discretion of the Board of any District, that the particular District is not adequately serving the project, the Board may convert or replace the District with an alternative type of local district, special service district or other statutorily created governmental entity whether in existence at the time of approval of this Governing Document or established subsequent to the approval of this Governing Document. At the direction of a Board, any District may, in accordance with applicable law be converted from a public infrastructure district to an alternative governmental entity.

VI. THE BOARD OF TRUSTEES

A. Board Composition. Each Board shall be comprised of five (5) Trustees, who shall initially be appointed by the City Council pursuant to the PID Act. All Trustees shall be at-large seats. Trustee terms for each District shall be staggered with initial terms as follows: Trustees 3, 4, and 5 shall serve an initial term of 4 years; Trustees 1 and 2 shall serve an initial term of 6 years; and all subsequent terms shall be 4 years. All initial terms shall commence on the date of issuance of a certificate of creation by the Office of the Lieutenant Governor of the State of Utah. In accordance with the PID Act, appointed Trustees shall not be required to be residents of such District.

B. Appointments and Vacancies. Any vacancy on a Board shall be filled by the remaining members on the Board in accordance with all qualifying and eligibility requirements set forth in Section 17D-4-202, Utah Code.

VII. FINANCIAL PLAN

A. General.

The Districts shall be authorized to provide for the planning, design, acquisition, construction, installation, relocation and/or redevelopment of the Public Improvements from their revenues and by and through the proceeds of Debt to be issued by the Districts.

B. Maximum Voted Interest Rate and Maximum Underwriting Discount.

The interest rate on any Debt is expected to be the market rate at the time the Debt is issued. In the event of a default, the proposed maximum interest rate on any Debt is not expected to exceed eighteen percent (18%). The proposed maximum underwriting discount will be five percent (5%). Debt, when issued, will comply with all relevant requirements of this Governing

Document, State law and Federal law as then applicable to the issuance of public securities. The maximum term for the bonds will be 40 years, not including refundings.

C. Maximum Debt Mill Levy.

(a) The “Maximum Debt Mill Levy” shall be the maximum mill levy the Districts are permitted to impose upon the taxable property within such Districts for payment of Limited Tax Debt shall be \$0.015 per dollar of taxable value of taxable property in such Districts; provided that such levy shall be subject to adjustment as provided in Section 17D-4-301(8), Utah Code. The Districts may only impose a mill levy against commercial property and multi-family residential property. The Districts may not impose a mill levy against any residential units that are owner-occupied.

(b) Such Maximum Debt Mill Levy may only be amended pursuant to a Governing Document Amendment and as provided in Section 17D-4-202, Utah Code.

D. Debt Instrument Disclosure Requirement.

In the text of each Bond and any other instrument representing and constituting Debt, the Districts shall set forth a statement in substantially the following form:

By acceptance of this instrument, the owner of this Bond agrees and consents to all of the limitations in respect of the payment of the principal of and interest on this Bond contained herein, in the resolution of the Districts authorizing the issuance of this Bond and in the Governing Document for creation of the Districts.

Similar language describing the limitations in respect of the payment of the principal of and interest on Debt set forth in this Governing Document shall be included in any document used for the offering of the Debt for sale to persons, including, but not limited to, a developer of property within the boundaries of the Districts.

E. Security for Debt.

The Districts shall not pledge as security any land, assets, funds, revenue or property of the City, or property to be conveyed to the City, as security for the indebtedness set forth in this Governing Document. Approval of this Governing Document shall not be construed as a guarantee by the City of payment of any of the District’s obligations; nor shall anything in the Governing Document be construed so as to create any responsibility or liability on the part of the City in the event of default by the Districts in the payment of any such obligation. All debt issued by the Districts for which a tax is pledged to pay the debt service shall meet the requirements of all applicable statutes.

F. Bond and Disclosure Counsel; Municipal Advisor.

It is the intent of the City that the Districts shall use competent and nationally recognized bond counsel, disclosure counsel and a Municipal Advisor with respect to the District's Bonds to ensure proper issuance and compliance with this Governing Document.

VIII. ANNUAL REPORT

A. General. In addition to all reporting requirements required by state law, the Districts shall be responsible for submitting an annual report to the City Recorder's Office no later than 210 days following the end of the District's fiscal year, beginning with fiscal year 2024.

B. Reporting of Significant Events. The annual report shall include information as to any of the following:

1. Names and terms of Board members and officers;
2. Districts' office contact information, if changed;
3. A summary of any litigation which involves the Districts as of the last day of the prior fiscal year, if any;
4. A summary of the total debt authorized and total debt issued by the Districts as well as any presently planned debt issuances;
5. Notice of any uncured events of default by the Districts, which continue beyond a ninety (90) day period, under any Debt instrument; and
6. Any inability of the Districts to pay its obligations as they come due, in accordance with the terms of such obligations, which continue beyond a ninety (90) day period.

IX. DISSOLUTION

Upon an independent determination of the City Council that the purposes for which the Districts were created have been accomplished, the Districts agree to file petitions for dissolution, pursuant to the applicable State statutes. In no event shall a dissolution occur until such Districts have provided for the payment or discharge of all of their outstanding indebtedness and other financial obligations as required pursuant to State statutes.

X. DISCLOSURE TO PURCHASERS

Within thirty (30) days of the Office of the Lieutenant Governor of the State of Utah issuing a certificate of creation for the Districts, the Board shall record a notice with the recorder of Salt Lake County and provide a copy of the notice to the City. Such notice shall (a) contain a description of the boundaries and annexation area of the Districts, (b) state that a copy of this Governing Document is on file at the office of the City, (c) if applicable, state that the debt may convert to general obligation debt and outlining the provisions relating to conversion, and state that the Districts may finance and repay infrastructure and other improvements through the levy

of a property tax; (d) state the maximum rate the Districts may levy; and (e) include substantially the following language in bold:

“Under the maximum property tax rate of the Districts, a business property valued at \$[insert average anticipated commercial property value] would have an additional annual property tax of \$_____ for the duration of the Bonds.”

Failure to provide any disclosures required by this Section shall not relieve any property owner of the obligation to pay taxes imposed by the Districts.

XI. ENFORCEMENT.

In accordance with Section 17D-4-201(5) of the Utah Code, the City may impose limitations on the powers of the Districts through this Governing Document. The City shall have the right to enforce any of the provision, limitations or restricts in this Governing Document against the Districts, through any and all legal or equitable means available to the City, including, but not limited to, injunctive relief.

EXHIBIT A

Legal Descriptions

Public Infrastructure District No. 1

All of Block E, of Royal Holladay Hills Subdivision #2, Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah.

TOGETHER WITH

All of Block D, of Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

LESS AND EXCEPTING THEREFROM

Units 501-516 and Garage Numbers 1-16 within Block D, Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

Public Infrastructure District No. 2

All of Block F, of Royal Holladay Hills Subdivision #2, Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah.

Public Infrastructure District No. 3

All of Block G, of Royal Holladay Hills Subdivision #2, Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah.

Annexation Area

All of Blocks A-C and E-J, of Royal Holladay Hills Subdivision #2 Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah

TOGETHER WITH

All of Block D, of Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

LESS AND EXCEPTING THEREFROM

Units 501-516 and Garage Numbers 1-16 within Block D, Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.


EXHIBIT B

Initial Districts' Boundaries and Annexation Area



EXHIBIT C

Estimated Public Improvement Costs

		HOLLADAY HILLS PUBLIC PARKING ENGINEER'S OPINION OF PROBABLE COST			
McNEIL ENGINEERING		1/22/2024			
NO.	DESCRIPTION	QUANTITY	UNIT	UNIT COST	ITEM COST
EROSION CONTROL & EARTHWORK					
	Erosion Control BMP's	1	LS	\$20,000	\$20,000
	Excavate Block B Parking Garage & Haul Material Off-Site	8,000	CY	\$45	\$360,000
	Excavate for Block HIJ Concrete Retaining Wall	20,000	CY	\$40	\$800,000
	Backfill Block HIJ Concrete Retaining Wall	20,000	CY	\$50	\$1,000,000
	Excavate Block HIJ Parking Garage and Place & Compact in Block	12,500	CY	\$60	\$750,000
	Fine Grading for Block B Parking Garage Phase 1	75,000	SF	\$8	\$600,000
	Fine Grading for Block HIJ Parking Garage Phase 1	45,000	SF	\$8	\$360,000
	Fine Grading for Block HIJ Parking Garage Phase 2	45,000	SF	\$8	\$360,000
	Fine Grading for Block HIJ Surface Parking W/ Asphalt & Curbs	75,000	SF	\$10	\$750,000
TOTAL EROSION CONTROL & EARTHWORK					\$5,000,000
PUBLIC PARKING					
	Block B Parking Garage (Per Stall) (3 Stones)	514	EA	\$25,000	\$12,850,000
	Block HIJ Parking Garage Phase 1 (Per Stall) (3 Stones)	345	EA	\$25,000	\$8,625,000
	Block HIJ Parking Garage Phase 2 (Per Stall) (3 Stones)	390	EA	\$25,000	\$9,750,000
	Block HIJ Surface Parking (Per Stall)	255	EA	\$2,900	\$739,500
TOTAL PUBLIC PARKING					\$31,964,500
CONCRETE RETAINING WALLS					
10	Block B 10" Thick Concrete Retaining Wall	4,200	SF	\$26	\$108,889
16	Block B 16" Thick Concrete Retaining Wall	3,000	SF	\$41	\$124,444
22	Block B 22" Thick Concrete Retaining Wall	2,400	SF	\$57	\$136,889
96	Block B Footing for Concrete Retaining Wall (8' Wide x 1' Thick)	240	LF	\$249	\$59,733
360	Block B Footing for Concrete Retaining Wall (15' Wide x 2' Thick)	300	LF	\$933	\$280,000
10	Block HIJ 10" Thick Concrete Retaining Wall	4,500	SF	\$26	\$116,667
16	Block HIJ 16" Thick Concrete Retaining Wall	6,000	SF	\$41	\$248,889
22	Block HIJ 22" Thick Concrete Retaining Wall	6,000	SF	\$57	\$342,222
96	Block HIJ Footing for Concrete Retaining Wall (8' Wide x 1' Thick)	400	LF	\$249	\$99,556
360	Block HIJ Footing for Concrete Retaining Wall (15' Wide x 2' Thick)	750	LF	\$933	\$700,000
	Veneer or Façade for Portion of Wall Exposed to Lifetime Fitness	6,000	SF	\$8	\$48,000
	Guard Rail Along Top of Wall (Along Fitness Center Amenity Area)	450	LF	\$80	\$36,000
TOTAL CONCRETE RETAINING WALLS					\$2,301,289
COST SUMMARY					
EROSION CONTROL & EARTHWORK					\$5,000,000
PUBLIC PARKING					\$31,964,500
CONCRETE RETAINING WALLS					\$2,301,289
TOTAL					\$39,265,789
SOFT COSTS & FEES					
	Contingency @ 20%	1	LS	\$7,853,158	\$7,853,158
	Engineering @ 5%	1	LS	\$1,963,289	\$1,963,289
	Mobilization @ 1%	1	LS	\$392,658	\$392,658
	Construction Testing @ 1%	1	LS	\$392,658	\$392,658
	Construction Staking @ 2%	1	LS	\$785,316	\$785,316
TOTAL SOFT COSTS & FEES					\$11,387,079
TOTAL					\$50,652,868

CYDS
 \$849/cy 129.63
 148.148
 162.963
 71.1111
 333.333
 138.889
 296.296
 407.407
 118.519
 833.333

**PETITION REQUESTING THE CREATION OF
HOLLADAY HILLS PUBLIC INFRASTRUCTURE DISTRICT NOS. 1-3
IN THE CITY OF HOLLADAY, UTAH**

Holladay City Council
4580 S. 2300 E.
Holladay, UT 84117

The undersigned (the "Petitioners") hereby request that the City of Holladay, Utah (the "City") create public infrastructure districts (collectively, the "Districts") pursuant to the Local District Act, Title 17B, Chapter 1, Utah Code Annotated 1953 and the Public Infrastructure District Act, Title 17D, Chapter 4, Utah Code Annotated 1953 (collectively, the "Acts"). The Petitioners request the Districts in order to assist in the financing of public infrastructure to service and benefit the proposed areas of development within the Districts.

I. Petitioners

Petitioners / Owners:

KMW Development, L.L.C.
Holliday Hills Block D, L.L.C.
Royal Holladay Hills Block D Homeowners Association

Contact / Sponsor:

McKinnon Woodbury
8585 S. Scottish Dr
Cottonwood Heights, UT 84093

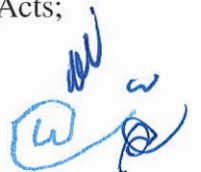
The above and undersigned Petitioners represent 100% of the surface property owners within the proposed boundaries of the Districts. At the time of executing this Petition, there are no registered voters residing within the proposed boundaries of the Districts.

II. Proposed District Boundaries

The Petitioners request that the initial boundaries of the Districts include all of the real property described in Exhibit A-1, and as depicted on the map attached hereto as Exhibit A-2 (the "District Boundaries"). The Petitioners further request that the annexation area of the Districts be established as depicted on the map attached hereto as Exhibit A-2 (the "Annexation Area").

III. Requested Service

The Petitioners request the Districts be created for the purpose of financing the construction of public infrastructure relating to the development, as permitted under the Acts;



for benefit of the Districts and annexation area, as shall be further described in a governing document relating to the Districts.

IV. Boards of Trustees

The Petitioners propose that the Boards of Trustees for the Districts be initially composed of five (5) members appointed by the City Council who are property owners, their agents, or officers, as follows:

- Trustee 1: Steve Peterson
- Trustee 2: Scott Bishop
- Trustee 3: McKinnon Woodbury
- Trustee 4: Curtis Woodbury
- Trustee 5: Jeff Woodbury

V. Petitioner Representations

The Petitioners hereby represent and warrant that:

- (a) Those signing on behalf of entity owners are authorized to do so;
- (b) The Petitioners are the owners of the real property included within the District Boundaries;
- (c) This Petition is signed by 100% of the surface property owners of real property within the District Boundaries;
- (d) The Petitioners will not include any portion of the Annexation Area (if any) into the Districts without the consent of 100% of the surface property owners thereof and registered voters, if any, residing within such area;
- (e) At the time of executing this Petition, there are no registered voters residing within the District Boundaries; and
- (f) The proposed Trustees listed above are registered voters at their primary residence and are either a property owner or the agent or officer of a property owner.

VI. Petitioner Consent

The Petitioners hereby consent to:

- (a) The creation of public infrastructure districts within the District Boundaries;
- (b) The annexation of any portion of the Annexation Area into the Districts upon petition by the owner of such portion and any registered voters residing thereon;
- (c) A waiver of the residency requirement for members of the Boards of Trustees of the Districts as permitted under Section 17D-4-202(3)(a) of the Acts;
- (d) A waiver of the entirety of the protest period described in Section 17B-1-213 of



the Acts, pursuant to Section 17D-4-201(2)(b) of the Acts;

(e) The recording of a notice as required under Section 17B-1-215(2)(a) and 17D-4-303(3)(a) of the Acts, which will apply to all real property within the District Boundaries;

(f) The Districts levying a property tax of up to \$0.015 per dollar of taxable value of taxable property within the District Boundaries, specifically including the properties of the Petitioners; and

(g) The issuance by the Districts of bonds repayable through property taxes.

VII. Electronic Means; Counterparts

This Petition may be circulated by electronic means and executed in several counterparts, including by electronic signature, all or any of which may be treated for all purposes as an original and shall constitute and be one and the same document.


IN WITNESS WHEREOF, the Petitioners have each executed this Petition as of the date indicated below.

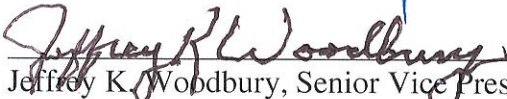
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**KMW DEVELOPMENT L.L.C.,
a Utah limited liability company**

**By: WOODBURY CORPORATION, a Utah corporation,
Its Manager**

By: 
O. Randall Woodbury, Vice Chairman

By: 
Jeffrey K. Woodbury, Senior Vice President

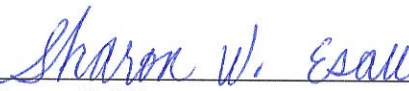
**By: MILLROCK CAPITAL II, LLC,
a Utah limited liability company, Its Manager**

By: 
Steven Peterson, Manager

ACKNOWLEDGMENTS

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 24 day of January 2024, before me personally appeared Jeffrey K. Woodbury, to me personally known, who being by me duly sworn did say that he is the _____ of WOODBURY CORPORATION, a Utah corporation, known to be the Manager of KMW DEVELOPMENT L.L.C., a Utah limited liability company, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its Operating Agreement.


Notary Public





STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

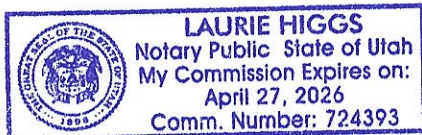
On the 15th day of January 2024, before me personally appeared O. Randall Woodbury, to me personally known, who being by me duly sworn did say that he is the Vice Chairman of WOODBURY CORPORATION, a Utah corporation, known to be the Manager of KMW DEVELOPMENT L.L.C., a Utah limited liability company, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its Operating Agreement.



Tiffany Steele
Notary Public

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 24th day of January 2024, before me personally appeared STEVEN PETERSON, to me personally known, who being by me duly sworn did say that he is the Manager of MILLROCK CAPITAL II, LLC, a Utah limited liability company, known to be the Manager of KMW DEVELOPMENT L.L.C., a Utah limited liability company, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its Operating Agreement.



Laurie Higgs
Notary Public

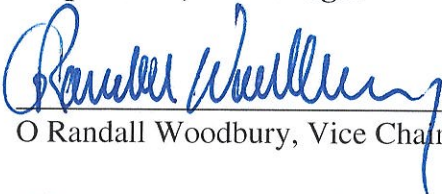
[Signature Page to Petition Requesting the Creation of Holladay Hills Public Infrastructure District Nos. 1-3]

W W

**HOLLADAY HILLS BLOCK D L.L.C.,
a Delaware limited liability company**

**By: WCL GP L.L.C., a Delaware limited liability company,
Its Manager**


**By: WOODBURY CORPORATION,
a Utah corporation, Its Manager**


By: 
O Randall Woodbury, Vice Chairman

By: 
Jeffrey K. Woodbury, Senior Vice President

**By: KMW DEVELOPMENT L.L.C., a Utah limited
liability company, Its Manager**

**By: WOODBURY CORPORATION,
a Utah corporation, Its Manager**

By: 
O Randall Woodbury, Vice Chairman

By: 
Jeffrey K. Woodbury, Senior Vice President

**By: MILLROCK CAPITAL, II, LLC,
a Utah limited liability company, Its Manager**

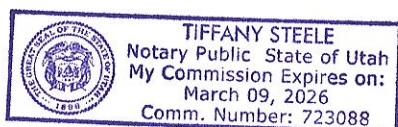
By: 
Steve Peterson, Manager



ACKNOWLEDGMENT

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 25th day of January 2024, before me personally appeared O. RANDALL WOODBURY, to me personally known, who being by me duly sworn did say that he is the Vice Chairman of WOODBURY CORPORATION, a Utah corporation, known to be the Manager of WCL GP L.L.C., a Delaware limited liability company, known to be a Manager of HOLLADAY HILLS BLOCK D L.L.C., a Delaware limited liability company, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its operating agreement.



[Signature]
Notary Public

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 24 day of January 2024, before me personally appeared JEFFREY K. WOODBURY, to me personally known, who being by me duly sworn did say that he is the Senior Vice President of WOODBURY CORPORATION, a Utah corporation, known to be the Manager of WCL GP L.L.C., a Delaware limited liability company, known to be a Manager of HOLLADAY HILLS BLOCK D L.L.C., a Delaware limited liability company, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its operating agreement.

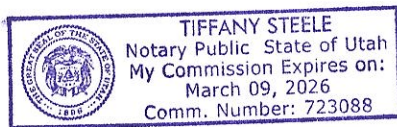
[Signature: Sharon W. Esau]
Notary Public



[Handwritten initials]

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 25th day of January 2024, before me personally appeared O. RANDALL WOODBURY, to me personally known, who being by me duly sworn did say that he is the Vice Chairman of WOODBURY CORPORATION, a Utah corporation, known to be a Manager of KMW DEVELOPMENT L.L.C., a Utah limited liability company, known to be a Manager of HOLLADAY HILLS BLOCK D L.L.C., a Delaware limited liability company, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its operating agreement.

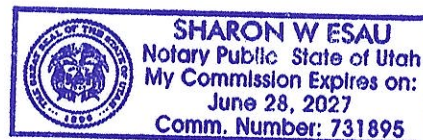


[Signature]
Notary Public

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 24 day of January 2024, before me personally appeared JEFFREY K. WOODBURY, to me personally known, who being by me duly sworn did say that he is the Senior Vice President of WOODBURY CORPORATION, a Utah corporation, known to be a Manager of KMW DEVELOPMENT L.L.C., a Utah limited liability company, known to be a Manager of HOLLADAY HILLS BLOCK D L.L.C., a Delaware limited liability company, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its operating agreement.

[Signature]
Notary Public



[Signature]

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 24th day of January 2024, before me personally appeared STEVE PETERSON, to me personally known, who being by me duly sworn did say that he is the Manager of MILLROCK CAPITAL II, LLC, a Utah limited liability company, known to be a Manager of KMW DEVELOPMENT L.L.C., a Utah limited liability company, known to be a Manager of HOLLADAY HILLS BLOCK D L.L.C., a Delaware limited liability company, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its operating agreement.




Laurie Higgs
Notary Public

[Signature Page to Petition Requesting the Creation of Holladay Hills Public Infrastructure District Nos. 1-3]

W a

HH BLOCK D MASTER ASSOCIATION INC.,
a Utah nonprofit corporation


By:


McKinnon L. Woodbury,
President/Treasurer

By:


Steve Peterson, Vice President

By


Curtis G. Woodbury, Secretary

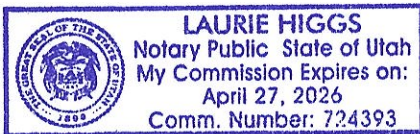
ACKNOWLEDGMENT

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 24th day of January, 2024, before me personally appeared MCKINNON L. WOODBURY, to me personally known, who being by me duly sworn did say that he is the President/Treasurer of HH BLOCK D MASTER ASSOCIATION INC., a Utah nonprofit corporation, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its bylaws.



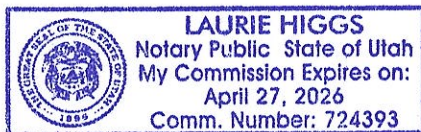
Notary Public





STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

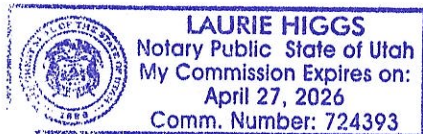
On the 24th day of January 2024, before me personally appeared STEVE PETERSON, to me personally known, who being by me duly sworn did say that he is the Vice President of HH BLOCK D MASTER ASSOCIATION INC., a Utah nonprofit corporation, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its bylaws.



Laurie Higgs
Notary Public

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 24th day of January 2024, before me personally appeared CURTIS G. WOODBURY, to me personally known, who being by me duly sworn did say that he is the Secretary of HH BLOCK D MASTER ASSOCIATION INC., a Utah nonprofit corporation, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its bylaws.



Laurie Higgs
Notary Public

[Signature Page to Petition Requesting the Creation of Holladay Hills Public Infrastructure District Nos. 1-3]

W AB

EXHIBIT A-1
(Legal Description of Public Infrastructure District Nos. 1-3
and Annexation Area)

Over all Description w/o Blocks K, L, and level 5 Condos Block D:

Ten parcels of land known as only Blocks A, B, C, E, F, G, H, I, and J of The Royal Holladay Hills Subdivision #2 on file within the official records of the Salt Lake County Recorder's Office (entry# 13700581), excluding there in Blocks K and L of reference Subdivision. Said parcel of land is located in the Northeast quarter of Section 9 and in the Northwest quarter of Section 10, Township 3 South, Range 1 East, Salt Lake Base and Meridian, and is described as follows:

Beginning at a point that is located North 00°03'51" West 1284.87 feet along Section Line from the East Quarter Corner of Section 9, Township 2 South, Range 1 East, Salt Lake Base & Meridian; said point also lies on the center R.O.W of Sunset Drive as recorded in previously stated Royal Holladay Hills Subdivision Plat.

Thence S 41° 18' 43.4" E for a distance of 537.21 feet to the beginning of a non-tangential curve, Said curve turning to the left through an angle of 38° 59' 52", having a radius of 127.34 feet, and whose long chord bears S 14° 45' 03" E for a distance of 85.01 feet. Thence S 34° 14' 59" E for a distance of 41.95 feet, Thence S 64° 16' 35" W for a distance of 120.11 feet, Thence N 87° 39' 28" W for a distance of 79.95 feet, Thence S 07° 21' 33" W for a distance of 435.75 feet, Thence N 87° 39' 28" W for a distance of 316.62 feet, Thence S 02° 20' 32" W for a distance of 216.12 feet, Thence N 87° 03' 34" W for a distance of 37.20 feet to the beginning of a non-tangential curve, said curve bears to the right through an angle of 23°04'22", having a radius of 56.00 feet along the arc a distance of 22.55 feet, and whose long chord bears South 49°52'46" West a distance of 22.40 feet, Thence South 61°24'57" West a distance of 45.21 feet to the Easterly R.O.W. Highland Drive, Thence Along said Highland Drive the following courses: North 56°10'59" West a distance of 13.95 feet, Thence North 39°48'39" West a distance of 1124.58 feet to the beginning of a ten cord spiral curve , said curve bears to the right through 00°01'38", having a radius of 41472.00 feet along the arc a distance of 19.65 feet, and whose long chord bears North 39°47'50" West a distance of 19.65 feet to the beginning of a non-tangential curve, said curve bears to the right through 0°07'20", having a radius of 9216.00 feet along the arc a distance of 19.65 feet, and whose long chord bears North 39°42'57" West a distance of 19.65 feet to the beginning of a non-tangential curve, said curve bears to the right through 00°12'13", having a radius of 5529.60 feet along the arc a distance of 19.65 feet, and whose long chord bears North 39°33'11" West a distance of 19.65 feet to the beginning of a non-tangential curve, Said curve bears to the right through 00°17'06", having a radius of 3949.71 feet along the arc a distance of 19.65 feet, and whose long chord bears North 39°18'31" West a distance of 19.65 feet to the beginning of a non-tangential curve, said curve bears to the right through 00°21'59", having a radius of 3072.00 feet along the arc a distance of 19.65 feet, and whose long chord bears North 38°58'58" West a distance of 19.65 feet to the beginning of a non-tangential curve, Said curve bears to the right through 00°26'53", having a radius of 2513.45 feet along the arc a distance of 19.65 feet, and whose long chord bears North 38°34'32" West a distance of 19.65 feet to the beginning of a non-tangential curve, said curve bears to the right through 00°31'46", having a radius of 2126.77 feet along the arc a distance of 19.65 feet, and whose long chord bears North 38°05'13" West a distance of 19.65 feet to the beginning of a non-tangential curve, said curve bears to the right through 00°36'39", having a radius of 1843.20 feet along the arc a distance of 19.65 feet, and whose long chord bears North 37°31'01" West a distance of 19.65 feet to the beginning of a non-tangential curve, said curve bears to the right through 00°41'32", having a radius of 1626.35 feet along the arc a distance of 19.65 feet, and whose long chord bears North 36°51'55" West a distance of 19.65 feet to the beginning of a non-tangential curve, Said curve bears to the right through 00°47'14", having a radius of 1430.07 feet along the arc a distance of 19.65 feet, and whose long chord bears North 36°07'56" West a distance of 19.65 feet to the beginning of a non-tangential curve, said curve bears to the right through 30°02'13", having a radius of 1381 .83 feet

along the arc a distance of 724.42 feet, and whose long chord bears North 20°47'43" West a distance of 716.15 feet to the beginning of a ten cord spiral curve, said curve bears to the right through 00°43'03", having a radius of 1430.07 feet along the arc a distance of 17.91 feet, and whose long chord bears North 05°15'53" West a distance of 17.91 feet to the beginning of a non-tangential curve, said curve bears to the right through 00°41'32", having a radius of 1626.35 feet along the arc a distance of 19.65 feet, and whose long chord bears North 04°34'00" West a distance of 19.65 feet to the beginning of a non-tangential curve, said curve bears to the right through 00°36'39", having a radius of 1843.20 feet along the arc a distance of 19.65 feet, and whose long chord bears North 03°54'54" West a distance of 19.65 feet to the beginning of a non-tangential curve, said curve bears to the right through 00°31'46", having a radius of 2126.77 feet along the arc a distance of 19.65 feet, and whose long chord bears North 03°20'42" West a distance of 19.65 feet to the beginning of a non-tangential curve, Said curve bears to the right through 00°26'53", having a radius of 2513.45 feet along the arc a distance of 19.65 feet, and whose long chord bears North 02°51'23" West a distance of 19.65 feet to the beginning of a non-tangential curve, said curve bears to the right through 00°21'59", having a radius of 3072.00 feet along the arc a distance of 19.65 feet, and whose long chord bears North 02°26'57" West a distance of 19.65 feet to the beginning of a non-tangential curve, said curve bears to the right through 00°17'06", having a radius of 3949.71 feet along the arc a distance of 19.65 feet, and whose long chord bears North 02°07'24" West a distance of 19.65 feet to the beginning of a non-tangential curve, Said curve bears to the right through 00°12'13", having a radius of 5529.60 feet along the arc a distance of 19.65 feet, and whose long chord bears North 01°52'45" West a distance of 19.65 feet to the beginning of a non-tangential curve, Said curve bears to the right through 00°07'20", having a radius of 9216.00 feet along the arc a distance of 19.65 feet, and whose long chord bears North 01°42'58" West a distance of 19.65 feet to the beginning of a non-tangential curve, Said curve bears to the right through an angle of 00°01'38", having a radius of 41472.00 feet along the arc a distance of 19.65 feet, and whose long chord bears North 01°38'05" West a distance of 19.65 feet to a point of intersection with a non-tangential line, Thence North 01°43'40" West a distance of 3.89 feet, Thence South 88°12'51" West a distance of 10.00 feet, Thence North 01°43'40" West a distance of 43.18 feet to Southerly R.O.W. of Murray Holladay Road, Thence along said Murray Holladay Road the following courses South 89° 47' 36" East a distance of 144.66 feet, Thence South 00°11'01" West a distance of 15.00 feet, Thence South 89°47'36" East a distance of 95.81 feet, Thence South 46°19'00" East a distance of 27.52 feet, Thence South 86°40'30" East a distance of 39.22 feet, Thence North 43°40'39" East a distance of 29.03 feet, Thence South 89°47'36" East a distance of 507.67 feet, Thence South 52°39'07" East a distance of 31.14 feet, Thence South 85°08'59" East a distance of 62.56 feet to the centerline of Chanin Vista as recorded in previously stated Royal Holladay Hills Subdivision Plat, Thence along centerline of Chanin Vista the following five calls, Thence S 03° 12' 35" E for a distance of 144.94 feet to the beginning of a non-tangential curve, Said curve turning to the right through an angle of 11° 58' 20", having a radius of 99.35 feet, and whose long chord bears S 02° 45' 34" W for a distance of 20.72 feet to a point of intersection with a line. Thence S 08° 48' 26" W for a distance of 16.40 feet to the beginning of a non-tangential curve, Said curve turning to the left through an angle of 12° 01' 14", having a radius of 101.33 feet, and whose long chord bears S 02° 43' 04" W for a distance of 21.22 feet to a point of intersection with a line. Thence S 03° 12' 35" E for a distance of 120.10 feet to the centerline of Sunset Drive as recorded in previously stated Royal Holladay Hills Subdivision Plat, Thence along centerline of Sunset Drive the following two calls, Thence S 76° 26' 18" E for a distance of 265.41 feet, Thence S 41° 18' 43" E a distance of 363.46 feet to the point of beginning.

Containing 18,165,580 Sq. Ft. or 41.70 Acres

Also including, Block D of the Royal Holladay Hills Subdivision #2 on file within the official records of the Salt Lake County Recorder's Office (entry# 13700581), otherwise described as; Beginning at a point that is located North 00° 03' 51" West 1042.79 feet along Section Line and West 417.72 feet from the East Quarter Corner of Section 9, Township 2 South, Range 1 East, Salt Lake Base & Meridian; Beginning at a point that is located, Thence South 48° 40' 47" West a distance of 523.62 feet, Thence

North 39° 48' 39" West a distance of 287.51 feet to the beginning of a curve, Said curve bears to the right through 00° 01' 38", having a radius of 41472.00 feet along the arc a distance of 19.65 feet, and whose long chord bears North 39° 47' 50" West a distance of 19.65 feet to the beginning of a non-tangential curve, Said curve bears to the right through an angle of 00° 04' 27", having a radius of 9215.99 feet along the arc a distance of 11.95 feet, and whose long chord bears North 39° 44' 23" West a distance of 11.95 feet to a point of intersection with a non-tangential line, Thence North 48° 41' 17" East a distance of 307.35 feet, Thence North 31° 40' 15" East a distance of 113.75 feet, Thence South 62° 58' 33" East a distance of 268.49 feet, Thence South 41° 18' 43" East a distance of 102.68 feet to the point of beginning. Containing 158,423 Sq. Ft. or 3.636 Acres

Less and excepting the Residential Condominiums Units, the Residential Condominium Unit Balconies, and Garage Condominium Units of the Royal Holladay Hills Block D Condominium on file within the official records of Salt Lake County Recorder's Office (Entry #14045663).

Handwritten signature and initials in blue ink, located in the bottom right corner of the page. The signature appears to be "W" followed by a stylized "D" or "R".

SPRING LANE ADAPTIVE REUSE PLAN

February 15, 2024



*Presentation Intent:
Discuss vision + goals
Confirm project work plan
and project criteria*

AGENDA

Introductions - 2 mins

Schedule and Approach Overview - 5 mins

Kick-Off Summary - 2 mins

Vision + Goals - 5 mins

Initial Site Conditions - 5 mins

Building Assessment - 10 mins

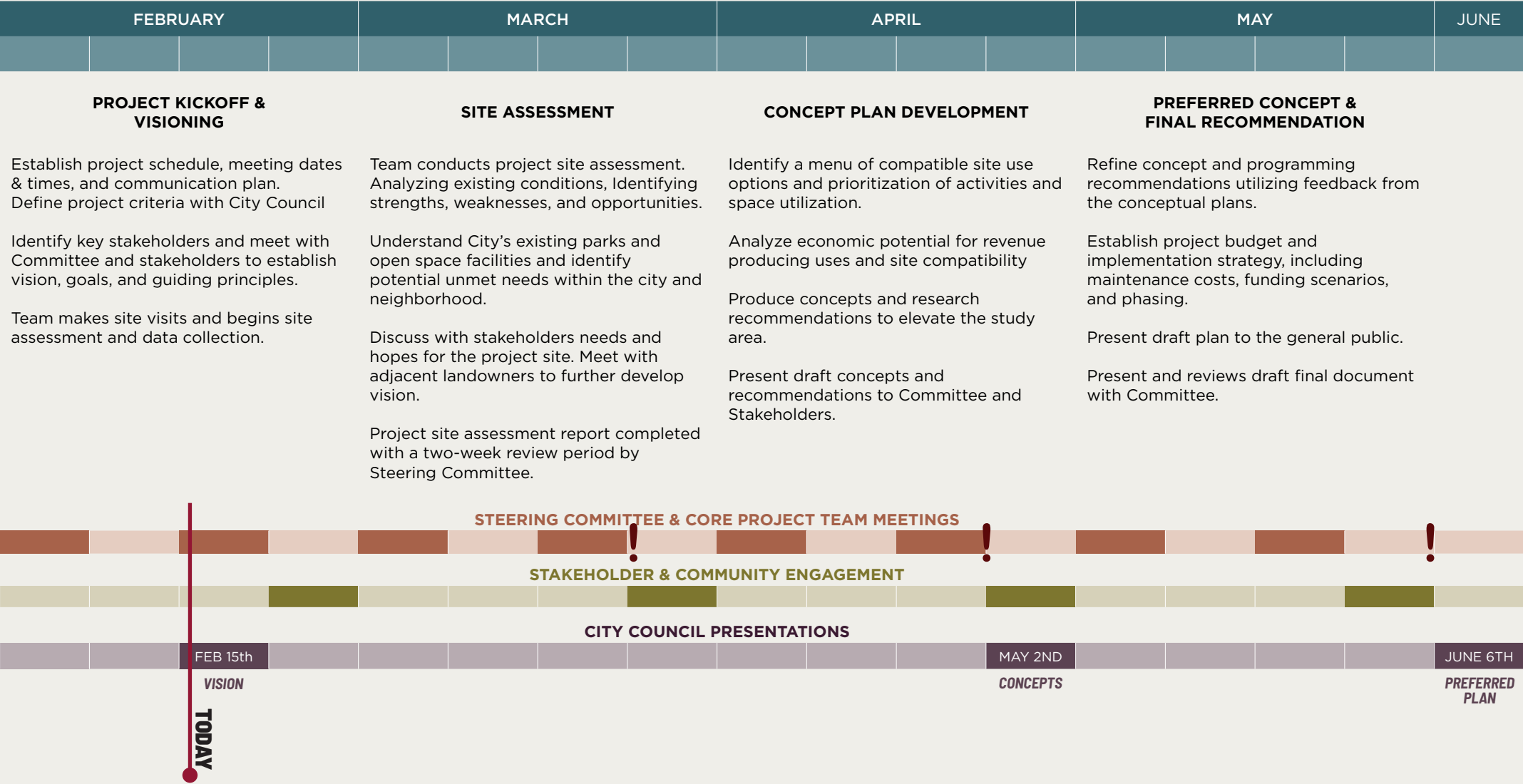
Next Steps - 5 mins

Discussion

PROJECT TEAM



SCHEDULE



WORK PLAN SUMMARY



TASK 1: Project Management

Task 1.1 Kick-Off Meeting

Task 1.2 Project Work Plan

Task 1.3 Regular Team Work Sessions

Task 2: Site Assessment

Task 2.1 Existing Conditions

Task 2.2 Building Conditions

Task 2.3 Property Assessment

Task 2.4 Utility Assessment

Task 2.5 Transportation Assessment

Task 2.6 Community Characteristics and
Park Amenities Assessment

Task 3: Public Engagement

Task 3.1 Public Outreach Plan

Task 3.2 Stakeholder Meetings

Task 3.3 Adjacent Resident Workshop

Task 3.4 Options Preference Survey

Task 3.5 Draft Plan Summary

Task 3.5 Public Engagement Report

Task 4: City Council Presentations

Task 5: Revenue Generating Uses (Optional)

Task 6: Plan Options

Task 7: Adaptive Reuse Plan

Task 8: Implementation and Preliminary Project Budget

PUBLIC ENGAGEMENT APPROACH

01 Inform

- › Present Information For All Audiences
- › Share Purpose and Goals
- › Expectations and Outcomes
- › Social Media

02 Consult

- › Ask For Input on a Defined Issue
- › Survey or Poll
- › Invite Comments and Questions
- › Focus Interviews



04 Collaborate

- › Steering Committee Meetings

03 Involve

- › Ideation, Invite Suggestions
- › Prioritization
- › Focus Interviews

PROJECT KICK-OFF



ROSE *Something Positive*

Wasatch Front Views, Large Area, Neighborhood Support, Tucked Away and Quiet, Walkable Area.

THORN *Something Negative*

Low Visibility, Building Structural Concerns, Low Visibility, Grounds Conditions, Lack of Shade, High Water Table, Too Close to Residents for Certain Uses.



BUD *Something with Potential*

Education and Natural History, Public Art, Sustainability Pilot Projects, Event Space, Building's Tile Facade and Atrium.

Big Ideas: Community Garden, Cross-Country Ski Path, Bike Pump Track, Roller Dance Rink, Dog Run, Small Business Support and Flex Space, After-School Care, Indoor Racquetball, Pickleball

DRAFT VISION + GOALS

VISION

To create a vibrant and inclusive Holladay City park that fosters belonging and connection. Sustainable design and efficient resource utilization will meet the long-term needs of the community. Spring Lane will have innovative design and programming to provide year-round activation, preserve the neighborhood character, establish a unique and cherished destination enriched with local heritage and creative placemaking.

COMMUNITY + CONNECTION

A vibrant and inclusive public park that fosters a sense of belonging and connection among residents of all ages, abilities, and interests. The park’s design and amenities will reflect the priorities and desires of the Holladay City community.

SUSTAINABLE + RESILIENT

A financially sustainable park that enhances the resilience of the community, through minimizing long-term costs and efficient resource utilization. The park’s construction, maintenance, and programming will align with the sustainability goals of the community, creating a valued long-term asset for the community.

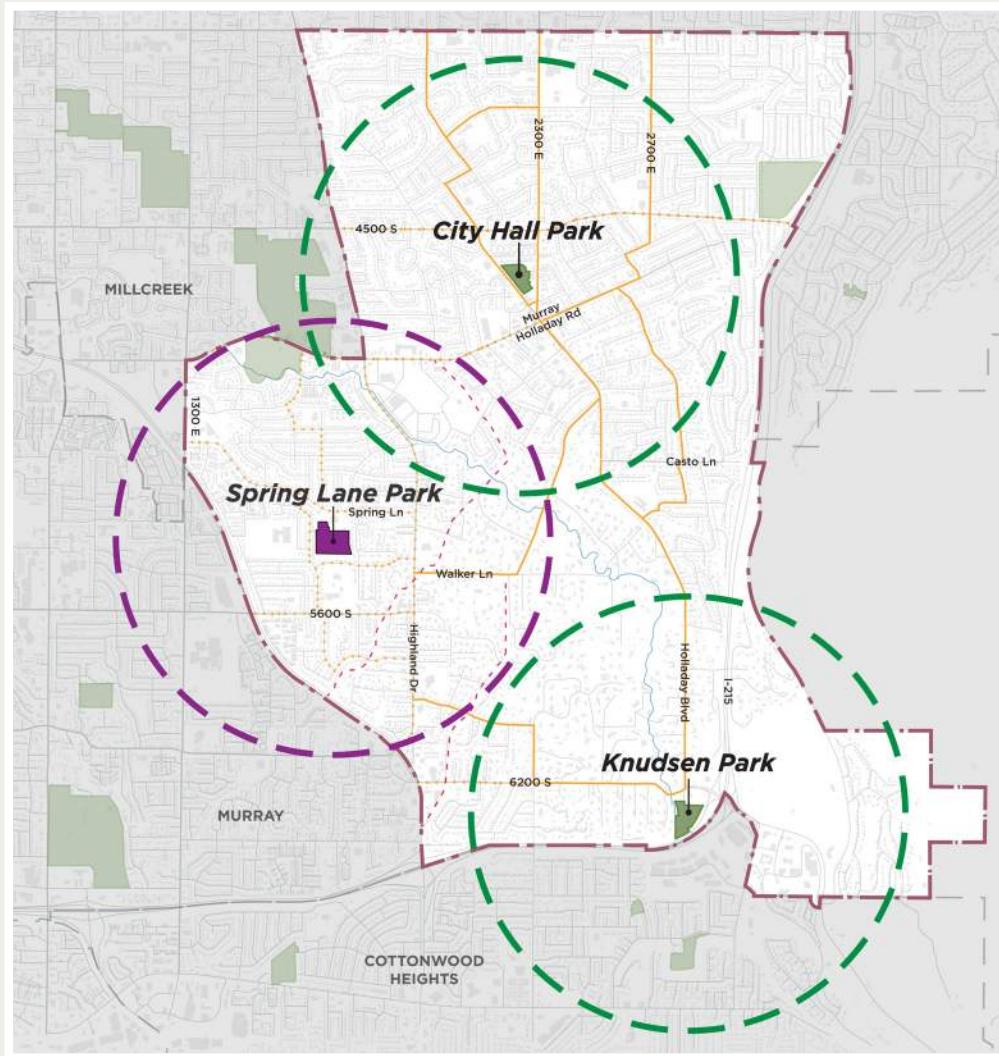
INNOVATIVE + FLEXIBLE

Embrace innovation and flexibility in park design and programming to adapt to evolving community needs and emerging trends. The park identity and programming will synergize with existing city parks to complement and enrich the fabric of the City’s outdoor spaces. Strategies ensure year-round activity and opportunities for connection and recreation.

LEGACY + PLACEMAKING

Establish a park identity to create a unique and memorable destination. Which aims to preserve neighborhood character and incorporate educational heritage and natural history elements. Cultivate a sense of place through creative placemaking strategies, site programming, recreation opportunities, natural elements, and the integration of local art.

COMMUNITY PARK CONTEXT



City Hall Park

6.5 Acres

- Playground
- Restrooms
- Gazebo/Bandstand
- Picnic Pavilion
- Sports Fields
- Pickleball/
Volleyball Court
- Sport Court
- Walking Path



Knudsen Park

6.1 Acres

- Playground
- Restrooms
- Picnic Pavilion
- Water Feature
- Hammock Garden
- Trail Connectivity

SITE



2015 BUILDING ASSESSMENT

[illegible]

ASSESSMENT COMPLETED:
August 2015

ORIGINAL NAME:
Meadow Moor Elementary
School

BUILDING CONSTRUCTED:
1963

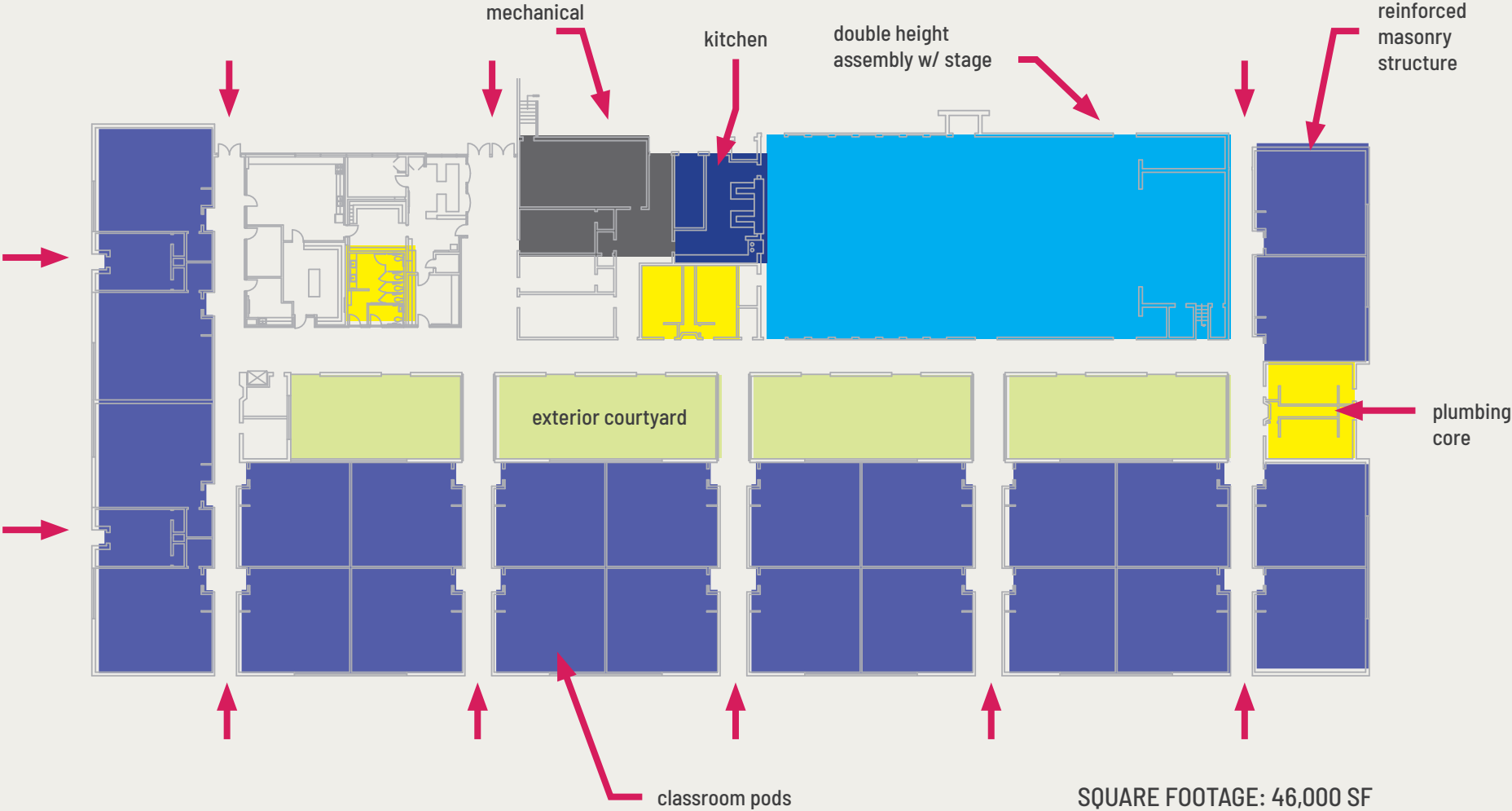
SQUARE FOOTAGE:
46,000 SF

SITE SIZE:
12.6 Acres

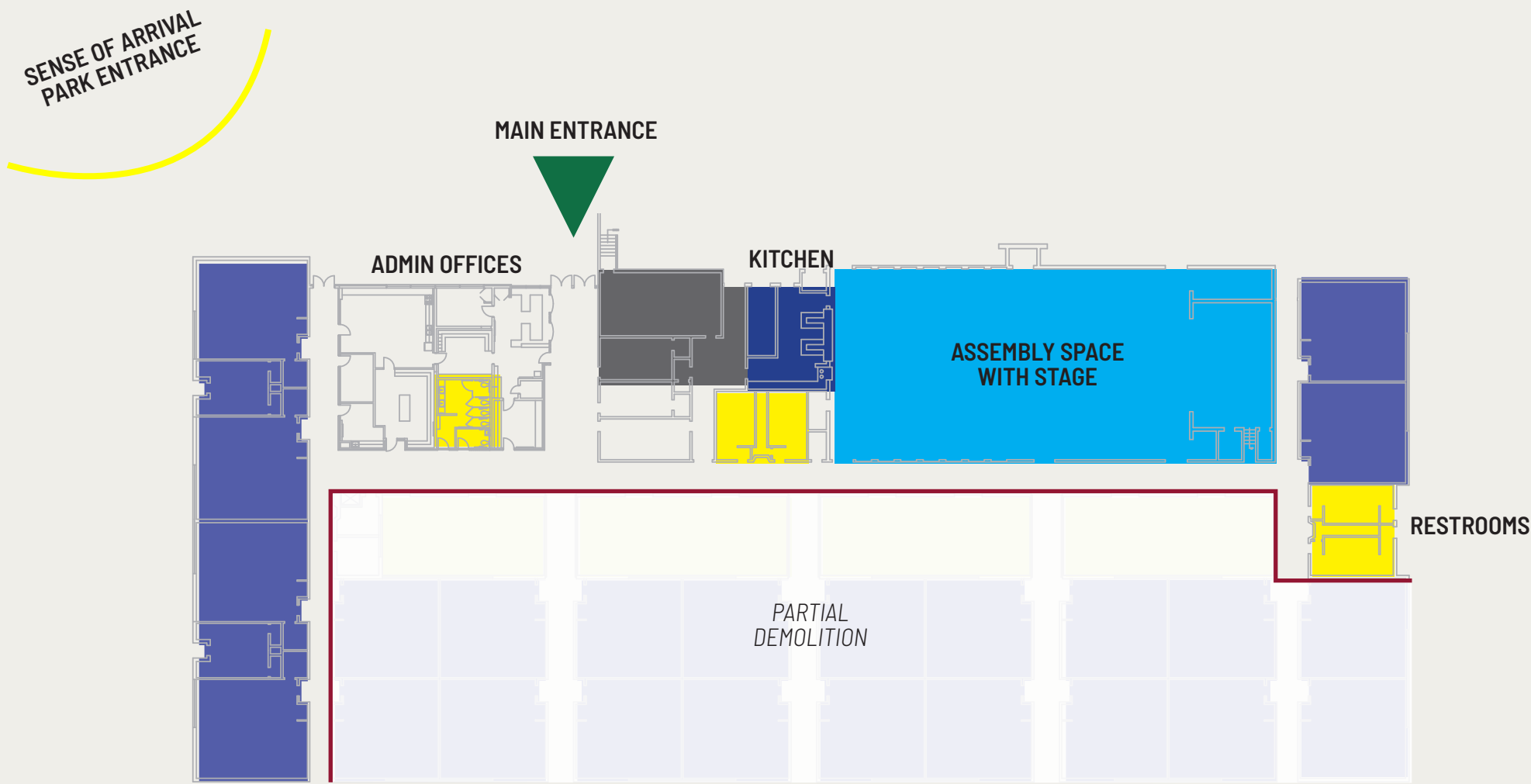
CLASSROOMS:
24 Total Classrooms



FLOOR PLAN



FLOOR PLAN



BUILDING CONDITION CONSIDERATIONS

HIGH-LEVEL COST ASSUMPTIONS

Full Building Renovation with Seismic Upgrades	\$350 - \$400 /SF
New School Building	\$400 - \$450 /SF
Full Building Demolition	\$35 - \$100 /SF
New Restroom	\$600 - \$675 /SF
New Custom Pavilions	\$175 - \$250 /SF
New Concession Stand	\$450 - \$500 /SF
General Park Site Improvements	\$15 - \$25 /SF

Notes:
SPRING 2024 DOLLARS, NOT ESCALATED
PRICE VARIES + OR - 15%, PENDING DESIGN DETAILS AND CONDITIONS
DOES NOT ACCOUNT FOR HAZARDOUS ABATEMENT (DEMOLITION OR RENOVATION)

- CODE REQUIREMENTS - May trigger upgrades, including seismic
- MECHANICAL, ELECTRICAL, PLUMBING OVERHAUL
- COST IMPACT
- ONGOING MAINTENANCE
- BENEFIT/USE POTENTIAL AND ALTERNATIVES
- AREA LEGACY - How to honor the history of the area? Are there community relics worth preserving?

A wide-angle photograph of a winter landscape. In the foreground, a large, open field is covered in a layer of snow, with some faint tracks visible. In the middle ground, there is a wooden gazebo with a peaked roof. Behind the gazebo, several large, leafless trees stand against a backdrop of a snow-covered mountain range. The sky is a clear, pale blue. The entire image has a soft, slightly desaturated color palette, giving it a serene and quiet feel.

NEXT STEPS