

**CITY OF HOLLADAY**

**ORDINANCE NO. 2014-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLADAY REVISING PROVISIONS OF THE CITY'S LAND USE AND DEVELOPMENT ORDINANCE RELATING TO THE HOLLADAY VILLAGE ZONE.**

**WHEREAS**, the City Council of the City of Holladay desires to amend provisions of the Holladay Village Zone to provide for the coordinated development of property within the zone in an effort to further the public interest and welfare; and

**WHEREAS**, the Planning Commission of the City of Holladay has held a public hearing and has forwarded a recommendation to the City Council relating to amendments to the Holladay Village Zone and related sections of Title 13; and

**WHEREAS**, the City Council of the City of Holladay has held a public hearing and has considered public input relating to the proposed revisions to the Holladay Village Zone, and now desires to amend the zoning text to further public interest and welfare as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Holladay as follows:

**Section 1.** Amendment; Building Height. The following sections of Title 13, the City's Land Use and Development Ordinance, relating to building heights in the Holladay Village Zone, are hereby amended as follows;

a. The chart set forth in Section 13.71.1 with the associated notes is hereby amended to read as set forth in Exhibit 1.a to this Ordinance, attached hereto and incorporated herein by reference.

b. Figure 13.71.3 is hereby amended by the insertion of a new figure 13.71.3 as set forth in Exhibit 1.b to this Ordinance, attached hereto and incorporated herein by reference.

c. Section 13.76.190 is hereby amended to read in its entirety as set forth in Exhibit 1.c to this Ordinance, attached hereto and incorporated herein by reference.

**Section 2.** Amendment; Ground Floor Retail. The following section of Title 13, the City's Land Use and Development Ordinance relating to requirements for ground floor retail uses in the Holladay Village Zone are hereby amended as follows;

Figure 13.71.4 as set forth in Exhibit 2 of this Ordinance, attached hereto and incorporated herein by reference, is hereby adopted.

**Section 3.** Amendment; Buffering Guidelines for HV property abutting residential uses not in the HV zone. The following sections of Title 13, the City's Land Use and Development Ordinance relating to requirements for buffering in the Holladay Village Zone are hereby amended as follows;

a. Subsection 13.71.080 C is hereby amended to read in its entirety as set forth in Exhibit 3.a to this Ordinance attached hereto and incorporated herein by reference.

b. Subsection 13.71.080 K, with Figure 13.71.5 Graduated height envelope included is hereby amended to read in its entirety as set forth in Exhibit 3.b to this Ordinance, attached hereto and incorporated herein by reference.

c. Section 13.77.050 is hereby amended to read in its entirety as set forth in Exhibit 3.c to this Ordinance, attached hereto and incorporated herein by reference.

**Section 4.** Amendment; Allowed Uses in the HV Zone. The following sections of Title 13, the City's Land Use and Development Ordinance relating to primary and accessory uses allowed in the Holladay Village Zone are hereby amended as follows;

a. Appendix A, Chapter 13.100, Allowed Uses, is hereby amended to read in its entirety as set forth in Exhibit 4.a to this Ordinance, attached hereto and incorporated herein by reference.

b. Section 13.71.040, is hereby amended to read in its entirety as set forth in Exhibit 4.b to this Ordinance, attached hereto and incorporated herein by reference.

**Section 5.** Other minor text amendments. The following sections of Title 13, the City's Land Use and Development Ordinance relating to Chapter 13.71, Holladay Village Zone, are hereby amended as follows;

a. Section 13.71.020 A; is hereby amended to read in its entirety as set forth in Exhibit 5.a to this Ordinance, attached hereto and incorporated herein by reference.

b. Section 13.71.080 I2; is hereby amended to read in its entirety as set forth in Exhibit 5.b to this Ordinance, attached hereto and incorporated herein by reference.

c. Section 13.71.090 C; is hereby amended to read in its entirety as set forth in Exhibit 5.c to this Ordinance, attached hereto and incorporated herein by reference.

d. Subsection 13.71.090 E1; is hereby amended to read in its entirety as set forth in Exhibit 5.d to this Ordinance, attached hereto and incorporated herein by reference.

e. Subsection 13.71.090 K2; is hereby amended to read in its entirety as set forth in Exhibit 5.e to this Ordinance, attached hereto and incorporated herein by reference.

f. Section 13.71.100 is hereby amended to read in its entirety as set forth in Exhibit 5.f to this Ordinance, attached hereto and incorporated herein by reference.

**Section 6.** Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Resolution shall be severable.

**Section 7.** Effective Date. This Ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first.

**PASSED AND APPROVED** this \_\_\_ day of August, 2014.

**HOLLADAY CITY COUNCIL**

By: \_\_\_\_\_  
Robert Dahle, Mayor

[SEAL]

**VOTING:**

Lynn H. Pace	Yea	___	Nay	___
J. James Palmer, Jr.	Yea	___	Nay	___
Sabrina R. Petersen	Yea	___	Nay	___
Steven H. Gunn	Yea	___	Nay	___
Patricia Pignanelli	Yea	___	Nay	___
Robert Dahle	Yea	___	Nay	___

**ATTEST:**

\_\_\_\_\_  
Stephanie N. Carlson, MMC  
City Recorder

**DEPOSITED** in the office of the City Recorder this \_\_\_ day of August, 2014.

**RECORDED** this \_\_\_ day of August, 2014.

## EXHIBIT 1.a

CHART 13.71.1

Development Standard	Amount
Lot area, minimum	5,000 square feet
Lot width, minimum	50 feet at 25 feet back from right of way
Lot frontage, minimum	50 feet
Build-to line	1/2 the width of the right of way shown on chart 13.71.2 of this section, measured from the centerline
Right of way encroachments	Exception: Ornamental architectural features such as arcades, canopies, awnings, balconies, cornices, etc., and subsurface intrusions such as footings and foundations may be allowed to protrude into the right of way provided they do not interfere with the normal use of the right of way, after review and approval of the planning commission and subject to a license agreement approved by the city manager
Front setback, nonconforming	Expansion and remodeling permitted so long as nonconforming setback is not expanded
Impervious surface coverage, maximum	100 percent, subject to landscaping requirements
Building width, maximum	No requirement
Building height, maximum <sup>1</sup> , including screened mechanical equipment but excluding: 1) chimneys of 6 feet or less; 2) architecturally compatible elevator shafts 6 feet or less; 3) gables 4 feet or less	2 stories, 38 feet maximum, or 3 stories, 48 feet maximum, as shown on figure 13.71.3 of this section except for a grand corner architectural feature for the building on the northwest corner of the intersection of Murray Holladay Road and Holladay Boulevard which shall not exceed 68 feet <u>See Figure 13.71.3</u>
Land use for <u>floor space buildings</u> abutting major streets <u>and plaza</u> within the Holladay Village zone	<u>The street level floor space fronting and of buildings</u> abutting major streets, 2300 East, Holladay Boulevard, Murray-Holladay Road and Laney Avenue between 2300 East and Holladay Boulevard and <u>buildings-floor space</u> abutting Holladay Village Plaza, as shown on <del>the map attached to the ordinance codified herein</del> <u>Figure 13.71.4</u> shall be retail <sup>2</sup> uses only. Exception: <del>Minor or</del> Small street level lobby areas that lead to upper story <del>residential</del> uses.

Note:

1. To reasonably accommodate for grade and slope changes and as measured from the top back of curb of the nearest street, maximum building height for ~~two and three-~~ multi-story buildings may be averaged using 10 equal measurements over the length of the roofline facing the street but at no point may exceed 4 feet above maximum.
2. For the purposes of this chapter the term "retail use" shall include all allowed uses categorized under the general heading of "Retail" in Chapter 13.100-Appendix A as well as uses categorized as "Personal Services" and "Pet Grooming/pet daycare".

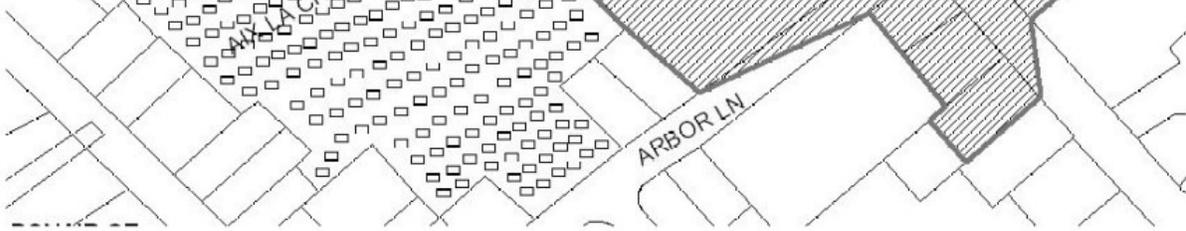


Figure 13.71.3

**Allowed Building Heights  
in the HV Zone**

As recommended by PC 7/1/14

-  Maximum Height-38 FT
-  Maximum Height-48 FT
-  Maximum Height of  
Architectural Feature -68 FT  
*(Not to exceed the footprint of the associated building)*



Figure 13.71.3

**Allowed Building Heights  
in the HV Zone**

As recommended by PC 7/1/14

-  Maximum Height-38 FT
-  Maximum Height-48 FT
-  Maximum Height of  
Architectural Feature -68 FT  
*(Not to exceed the footprint of the associated building)*

## **EXHIBIT 1.c**

### 13.76.190: HEIGHT LIMITATIONS; EXCEPTIONS:

In the C-1, C-2, O-R-D, HV and R-M zones, penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, architectural feature towers, steeples, flagpoles, chimneys, wireless or television aerials, theater lofts, or similar structures, may be erected a maximum of eight feet (8') above the height limits prescribed in this title, and provided the protrusion meets the graduated height requirement. No space above the height limit shall be allowed for the purpose of providing additional floor space.

## **EXHIBIT 2**

### **FIGURE 13.71.4**

*(This graphic needs to be adopted at the time of the motions, either  
a. current with no change, b. PC recommended, or c. New graphic with Olympus Clinic  
removed)*

## **EXHIBIT 3a**

### Subsection 13.71.080 C

- C. Landscaping: Although landscaping is not required by the HV zone standards except within the buffer areas where an HV property abuts a residential zone or property, all installed landscaping ~~All uses~~ in the HV zone shall comply with the applicable planting and maintenance provisions governing landscaping and buffering in chapter 13.77 of this title.

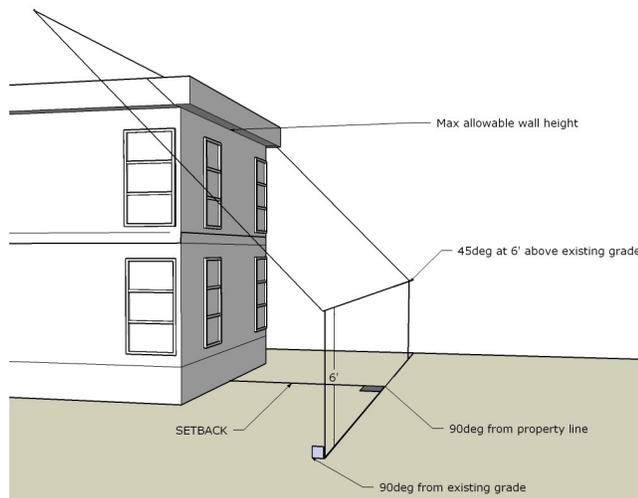
## EXHIBIT 3.b

### Subsection 13.721.080 K

K. Buffer Standards for Proposed Development Adjacent to Abutting Residential Property Not In the HV Zone:

1. The minimum building setback for any building is twenty feet (20').
2. ~~Building height shall not exceed the design envelope created by starting at a point six feet (6') above the ground at the residential property line and then sloping along a plane at a forty five degree (45°) angle toward the center of the lot. Building height shall not exceed the graduated height envelope as defined in subsection (a) of this section.~~
  - a. The graduated height envelope is defined by projecting a vertical plane from the property line to a height of six feet (6') and then slanting upward and toward the interior of the HV zone property at a forty five degree angle (45°). Refer to figure 13.71.5 for graphic representation of the graduated height envelope.
  - b. The graduated height envelope applies to properties within the HV zone that abut residentially zoned properties not in the HV zone.
  - c. Some architectural elements may be exempt as defined in section 13.76.190.

FIGURE 13.71.5- GRADUATED HEIGHT ENVELOPE



3. Maximum building height shall not exceed the limits shown on Figure 13.71.3 of this section.
4. A six foot (6') high ~~opaque masonry wall screening wall or fence shall~~ should be constructed along the property line which is the boundary between the HV and an abutting residential zone. Such ~~fence or wall shall not be a plain cinder block wall, but shall~~ should include design and other decorative elements consistent with the design of the new building. ~~Fences, walls or enclosures designed for screening shall be architecturally consistent and compatible with the building and/or site with which they correspond. This requirement may be waived or modified by the Planning Commission if it can be demonstrated that existing walls or fences provide the desired buffering and aesthetic effect or can be altered to do so.~~
5. A ~~landscaped~~ landscaping buffer strip (not in addition to the minimum building setback) at least twenty feet (20') wide of five feet (5') as per Chapter 13.77, shall be provided parallel to the fence or wall to allow for the planting of appropriate trees, or other vegetation anticipated to provide either shade, screening and/or beauty at the common property line.

6. A primary or accessory building or structure shall not have a single, unbroken facade longer than fifty feet (50').
7. No trash receptacle or storage area shall be located closer than fifty feet (50') from a ~~residential property line~~ residence on an abutting property not in the HV zone unless located within a fully enclosed building.
8. Site lighting shall be designed to direct lighting away from residential property. The use of energy efficient, color and intensity controlled LED lighting as per subsection 13.71.080 I is preferred and encouraged.
9. An outdoor dining facility shall be constructed in a manner which visually obscures the facility from abutting adjacent residential property and which protects the property from noise and light emanating from the facility.
10. Mechanical equipment, including penthouses and elevator shafts, shall be screened and soundproofed so that its presence or operation does not violate the noise ordinance or create a nuisance for the occupants of any abutting residence.

## EXHIBIT 3.c

### 13.77.050: MINIMUM LANDSCAPING REQUIREMENTS BY ZONE:

The following requirements are the minimum landscaped area required by each zone except where modified by the planning commission as an administrative relief allowed by section 13.77.130 of this chapter:

- A. Single-Family Residential Zones (FR, R-1):
  - 1. Within one year of the adoption of this chapter the entire front yard and side yard abutting to a street of developed lots in residential zones shall be landscaped and maintained.
  - 2. The front yard of all lots on which buildings are located shall be landscaped within one year of the date of the issuance of a final certificate of occupancy or final inspection.
- B. Multiple-Family Residential Zones (R-2, R-M): The minimum landscaping coverage in percent for all lots in the multi-family zones are as follows:
  - 1. A minimum of forty percent (40%) of the total site shall be landscaped.
  - 2. A minimum landscaped buffer averaging five feet (5') wide as required by section 13.77.070 of this chapter shall be provided along the side and rear property lines.
- C. Office, Research Park and Development Zone (O-R-D):
  - 1. A minimum of thirty percent (30%) of the total site shall be landscaped.
  - 2. A minimum landscaped buffer averaging five feet (5') wide as required by section 13.77.070 of this chapter shall be provided along the side and rear property lines.
  - 3. Where a side or rear yard abuts a residential use or residential zone boundary the entire setback area shall be landscaped.
- D. Neighborhood Commercial Zone (NC):
  - 1. All front setback areas and the side setback areas which abut a public street on corner lots shall be landscaped.
  - 2. A minimum landscaped buffer averaging five feet (5') wide as required by section 13.77.070 of this chapter shall be provided along the side and rear property lines.
- E. C-1 and C-2 Commercial Zones:
  - 1. The front setback area and the side setback area which faces on a street on corner lots shall be landscaped for a minimum distance of twenty feet (20') behind the property line for all main uses in the C-1 and C-2 zones.
  - 2. A minimum landscaped buffer averaging five feet (5') wide as required by section 13.77.070 of this chapter shall be provided along the side and rear property lines.
- F. Residential Office Zone (RO):
  - 1. The first twenty feet (20') in depth of the front setback and/or front yard shall be landscaped.
  - 2. Other setback areas which abut a public street shall be landscaped.
  - 3. A minimum landscaped buffer averaging five feet (5') wide as required by section 13.77.070 of this chapter shall be provided along the side and rear property lines.
- G. Holladay Village Zone (HV): Landscaping is not required in the HV zone except for the requirements of Section 13.71.080 K of this Title; Buffer Standards for Development Abutting Residential Property Not in the HV Zone.
- H. Other Zones:
  - 1. All required front and side yard areas that abut a public street shall be landscaped.
  - 2. A minimum landscaped buffer averaging five feet (5') wide as required by section 13.77.070 of this chapter shall be provided along the side and rear property lines.

**EXHIBIT 4.a**

**13.100: APPENDIX A- ALLOWED USES**

Use	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/ R-2-10	R-M	O-R-D	R-O	P	NC	C-1	C-2	HV	R/M-U	LU
<b>Accessory uses*:</b>														
Alcoholic beverage retail sales <sup>14</sup> :														
Brewery	-	-	-	-	-	C	-	-	-	-	C	-		
Club, dining	-	-	-	-	-	C	-	-	-	-	C	-		
Club, equity	-	-	-	-	-	C	-	C	-	-	C	-		
Club, fraternal	-	-	-	-	-	C	-	-	-	-	C	-		
Club, social	-	-	-	-	-	C	-	-	-	-	C	-		
Off premises	-	-	-	-	-	-	-	-	P	P	P	P		
On premises banquet and catering	-	-	-	-	-	C	-	P	-	-	C	P		
On premises beer retailer	-	-	-	-	-	P	-	P	-	-	P	P		
Restaurant - full service	-	-	-	-	-	P	-	P	P	P	P	P		
Restaurant - limited service	-	-	-	-	-	P	-	P	P	P	P	P		
Special event permit	-	P	P	P	P	P	-	P	P	P	P	P		
Drive-through	-	-	-	-	-	P	-	-	-	C	P	-		
Family food production	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	-	-	-	-	-	-	-	-	-		
Flea market/farmers' market	-	-	-	-	-	-	-	P	-	P	P	P		
Guesthouse and/or caretaker quarters	C <sup>9</sup>	C <sup>9</sup>	C <sup>9</sup>	-	-	-	-	-	-	-	-	-		
Home daycare/preschool	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	-	-	-	-	-	-	-		
Home daycare/preschool, small	C <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	-	-	-	-	-	-	-		
Home occupation	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	-	-	-	-	-	-	-		
Household pets	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	-	-	-	-	-	-	-		
Livestock, large	P <sup>1</sup>	-	P <sup>1</sup>	-	-	-	-	-	-	-	-	-		
Livestock, small	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	-	-	-	-	-	-	-	-	-		
Merchandise vending machine, outside	-	-	-	-	-	-	-	-	-	P	P	P		
Mobile food trailer	-	-	-	-	-	P	-	P <sup>17</sup>	-	P	P	P		
Mobile food truck	-	-	-	-	-	P	-	P <sup>17</sup>	-	P	P	P		
Outside dining	-	-	-	-	-	C	-	C	C	C	C	C		
Outside display	-	-	-	-	-	-	-	-	C	P	P	P		
Outside storage	-	-	-	-	-	-	-	-	-	C	C	-		
Permanent cosmetics	-	-	-	-	C <sup>14</sup>	P <sup>14</sup>	-	-	P <sup>14</sup>	P <sup>14</sup>	P <sup>14</sup>	P <sup>14</sup>		
Resource recycling collection	-	-	-	-	-	P <sup>8</sup>	-	P <sup>8</sup>						
Seasonal sales	-	-	-	-	-	P <sup>13</sup>	-	P <sup>13</sup>						
Short term rental	-	-	-	C <sup>6</sup>	C <sup>6</sup>	-	-	-	-	-	-	-		
Sportsman's kennel/animal hobby permit	-	-	C <sup>11</sup>	C <sup>11</sup>	-	-	-	-	-	-	-	-		
Stable, private	-	-	P <sup>1</sup>	-	-	-	-	-	-	-	-	-		
Temporary buildings incidental to construction, including living quarters for security	C <sup>13</sup>	C <sup>13</sup>	C <sup>13</sup>	C <sup>13</sup>	C <sup>13</sup>	P <sup>13</sup>	-	P <sup>13</sup>						
Temporary sales/use	-	-	-	-	-	-	-	P <sup>13</sup>	-	P <sup>13</sup>	P <sup>13</sup>	-		
<b>PRIMARY USES:</b>	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/ R-2-10	R-M	O-R-D	RO	P	NC	C-1	C-2	HV	R/M-U	LU
<b>Agriculture:</b>														
Agriculture	P	P	P	P	P	-	-	P	-	P	P	-	See SDMP	See chapter 13.63 of this title
<b>Entertainment and recreation:</b>														
Arcade	-	-	-	-	-	-	-	-	-	-	P	-	See SDMP	See chapter 13.63 of this title
Auditorium, exhibit hall, convention center	-	-	-	-	-	P	-	-	-	C	P	-	See SDMP	See chapter 13.63 of this title
Motion picture theater, live theater	-	-	-	-	-	-	-	-	-	P	P	-	See SDMP	See chapter 13.63 of this title





*\* Includes accessory buildings and uses customarily incidental to a permitted or conditional use.*

- 1. See section 13.76.240, "Animal And Fowl Restrictions", of this title*
- 2. See section 13.76.715, "Bed And Breakfast", of this title.*
- 3. See section 13.76.720, "Home Daycare/Preschool", of this title.*
- 4. See section 13.76.725, "Home Daycare/Preschool, Small", of this title.*
- 5. See section 13.76.730, "Home Occupation", of this title.*
- 6. See section 13.76.735, "Short Term Rental", of this title.*
- 7. Reserved.*
- 8. See section 13.76.750, "Resource Recycling Collection Facility", of this title.*
- 9. See section 13.14.110, "Accessory Buildings", of this title*
- 10. Provided the area is not in a watershed area.*
- 11. See title 8, "Animals", of this code.*
- 12. See section 13.76.260, "Commercial Daycare/Commercial Preschool Facilities", of this title.*
- 13. See sections 13.76.250, "Temporary Sales/Seasonal Sales Permit", and 13.76.501, "Temporary Uses", of this title.*
- 14. When accessory to a permitted or conditional use.*
- 15. Subject to well source protection ordinance.*
- 16. May not exceed 10,000 square feet of gross floor area.*
- 17. By contract with public entity only.*

## **EXHIBIT 4.b**

### **13.71.040: PRIMARY USES:**

- A. Permitted Uses: The permitted uses allowed in the HV zone shall be as set forth in chapter 13.100, "Appendix A - Allowed Uses", of this title.
- B. Conditional Uses: Any use legally existing as a conditional use in the HV zone on the effective date of this chapter, is allowed to continue and is subject to the requirements of the conditional use permit issued for such use. Except as otherwise set forth in section 13.71.060 of this chapter, each conditional use shall conform to the development standards and design guidelines of this chapter and other applicable requirements of this title.
- C. Mixed or Combined Uses (See 13.71.020B): Any mixture or combination of allowed uses may be established within the same building or on the same lot or parcel. If any of the proposed uses is are a conditional use, that use shall be reviewed and approved by the planning commission as required by section 13.08.040 of this title.
- D. Prohibited Uses: Any primary or accessory land use not shown as a permitted or conditional use in chapter 13.100, "Appendix A - Allowed Uses", of this title shall be prohibited.
- E. Hours: None of the foregoing uses shall be open to the public between the hours of twelve o'clock (12:00) midnight and six o'clock (6:00) A.M. except for hotels and bed and breakfast uses.

## EXHIBIT 5.a

### 13.71.020: PURPOSE:

- A. The purpose of this chapter is to identify and enhance the Holladay Village (HV), create a development pattern for new development that is appropriately oriented toward public rights of way, and provide a center for human interaction and protect and increase the economic vitality of the City. To achieve these goals, in part, ~~all~~ street level floor space ~~of buildings immediately abutting~~ 2300 East, Holladay Boulevard, Murray-Holladay Road and Laney Avenue between 2300 East and Holladay Boulevard and abutting Holladay Village Plaza, as shown on Figure 13.71.4 ~~as shown on the map attached to the ordinance codified herein,~~ shall be retail use only. Exception: ~~Minor or~~ Small street-level lobby areas that lead to upper story ~~residential~~ uses. However, it is not the intent of this chapter to impair the rights of existing businesses and property owners. Therefore land uses and structures existing at the time of adoption of this chapter should be treated as nonconforming uses and structures, except as expressly stated herein. The provisions of this chapter allow lawfully established buildings and uses to continue but limits their expansion or modification unless brought into compliance with the requirements herein.
- B. It is intended that the Holladay Village become a place of diverse land uses within an aesthetically attractive, easily accessible and economically healthy environment. A range and mix of commercial, service, public and residential land use is allowed. Quality designed and environmentally sensitive structures and site features will create visual interest, encourage greater pedestrian use, and enhance the economic vitality of the entire city.
- C. It is the intent of this chapter that the historical principal access to the area by automobile will be maintained on arterial roads, with mid block roadways providing and leading to well placed, accessible parking located on and off the street. A pedestrian scale environment will be created through building height and mass and orienting structures toward the streets and sidewalks.
- D. This chapter is also intended to preserve the value and residential character of neighborhoods surrounding the Holladay Village. To that end, the impact on surrounding neighborhoods of development within the village, as well as measures to mitigate any adverse impacts will be considered in the submission and review process for any proposed project.
- E. To ensure these goals are met, any development within the HV zone shall be reviewed by the design review board (DRB) to determine a project's degree of overall conformity with the design guidelines set forth in this chapter. These design guidelines are intended to establish a greater sense of quality and unity within the HV zone. Design guidelines are not intended to slow or restrict development, but rather to add consistency and predictability to the project review process.
- F. Approval of any applicable land use application, as provided for in section 13.71.030 of this chapter, within the zone may only be given by the planning commission. Recommendation of the DRB shall be considered if available.
- G. Appeals from decisions of the planning commission or where appropriate as set forth herein, shall be made to the city council in accord with the provision of section 13.08.040 of this title.

## EXHIBIT 5.b

### Section 13.71.080 I

- I. Site Lighting: It is the intent of this subsection to encourage lighting practices and systems that will minimize light pollution, glare and light trespass, conserve energy and resources, and maintain nighttime safety and utility while ensuring the enjoyment of a starry night for all members of the community.

Except as provided herein, or unless otherwise explicitly approved by the planning commission the light source shall be a full cutoff fixture, completely concealed within an opaque housing. All exterior lighting fixtures designed or placed so as to illuminate any portion of a site shall meet the following requirements:

1. Fixture (Luminaire): Where the design for an area may suggest the use of lighting fixtures of a particular "period" or architectural style, fixtures other than full cutoff fixtures may be used if the lumens generated by each fixture do not exceed five thousand five hundred (5,500) and if the mounting heights of such fixtures do not exceed fifteen feet (15'). Fixtures used under gasoline canopies and other structural canopies shall be flat lens, recessed lens, or drop lens with glare shields. Use of drop lens without glare shields is prohibited.
2. Light Source (Lamp): Only LED, incandescent, fluorescent, metal halide, or color corrected high pressure sodium may be used. LED is the preferred light source. The same type shall be used for the same or similar types of lighting on any one site. No colors other than white or off white (light yellow tones) may be used for any light source for the lighting of signs, structures or the overall site unless the DRB deems such lighting to be appropriate to the design theme of the proposed development. Noncolor corrected low pressure sodium and mercury vapor light sources are prohibited.
3. Mounting: Fixtures shall be mounted in such a manner that the cone of light does not cross any property line of the site. Poles shall be black, dark gray, dark brown, dark green, or earth tone. The height of the light shall not exceed twenty five feet (25') above grade. Any fixtures located within any required buffer shall not exceed twelve feet (12') above grade. For purposes of these regulations, the mounting height of a lighting fixture shall be defined as the vertical distance from the grade elevation of the surface being illuminated to the bottom of the lighting fixture (i.e., luminaire).
4. Submittal Requirements: Project plan submittals shall be prepared by a lighting professional and include a site lighting plan at a scale of one inch (1") to twenty feet (20') or other scale acceptable to the city which shows:
  - a. All proposed exterior lighting in relation to existing and proposed buildings, trees, landscaping, parking areas;
  - b. Specifications for all proposed lighting fixtures including fixture design, type of lamp, wattage, designation as "cutoff" fixtures, lumens or light contour study and other descriptive information on the fixtures; and
  - c. Proposed mounting height and placement of all exterior lighting fixtures.
5. Timers and Dimmers: Lighting installations shall include timers, dimmers and/or sensors to reduce overall energy consumption and eliminate unneeded lighting.
6. Holiday Lighting: Holiday lighting during the months of October, November, December and January shall be exempt from the provisions of this section, provided that such holiday lighting does not create
7. Light Trespass: In addition to the general provisions of this subsection, all site lighting shall be shielded and/or directed in such a manner that it illuminates only the user's premises and does not spill over into neighboring residential areas so as to interfere with the peaceful enjoyment of residential or public properties.
8. Architectural Feature Lighting: Architectural feature lighting including wall washer spotlights are permitted.

9. Nonconforming Fixtures: Except where otherwise noted, all outdoor lighting fixtures existing and legally installed and operative before the effective date of this code are exempt from the requirements of this subsection. Whenever a nonconforming fixture is replaced, upgraded or moved, the replacement fixture shall meet the requirements of this code.

## **EXHIBIT 5.c**

### **Section 13.71.090 C**

C. Parking: Parking should be integrated with the design of the Holladay Village and complement the pedestrian activities and visual character of the village. Intrusive impacts of parking lots and structures should be mitigated through sensitive design, location and configuration. The following should be integrated into the design on any new parking lot or structure:

1. Parking lots shall not be located on a corner facing an intersection.
2. The number of parking lot entrances, driveways and curb cuts shall be minimized in favor of combined driveways and coordinated parking areas among property owners.
3. Individual parking entrances and curb cuts on Holladay Boulevard and/or Murray Holladay Road shall be consolidated wherever reasonably possible to complement a coordinated parking strategy and promote walkability.
4. Pedestrian walkways, which comply with ADA standards, shall be constructed within a parking lot to connect the sidewalk and building entrances. Raised concrete pavement should be provided where the walkway traverses between parking stalls and/or is ~~adjacent to~~ abutting vehicular circulation.
5. Parking structures visible from the public rights of way shall be architecturally integrated or designed with an architectural theme similar to the main buildings.
6. The perimeter of each floor of a parking structure facing a public street shall have a screening mechanism designed to shield automobiles and any mechanical appurtenances from public view. An architectural treatment, landscaping and/or space for pedestrian oriented businesses along the street side edges of the parking structure should be provided.

## **EXHIBIT 5.d**

### **Subsection 13.71.090 E1**

E. Building Design: It is the intent of this subsection to encourage timeless architectural designs and building facades in keeping with the historical character of early Utah architecture that has been lost in the commercial center of Holladay. Typical design elements should include three (3) levels: the bottom or street (storefront) level, the middle or shaft level, and the top or parapet level with articulated or ornamental cornices or rooflines. Each level should have different proportions and composition of openings and ornamentation. Storefronts should include display windows, separated by simple vertical piers or classical columns, located below, for example, decorative cornices, fascia boards and divide-light transom windows with simple fabric awnings above decorative bulkheads. Signs should be mounted on the lintel above the first story or painted directly on the inside of display windows.

1. Compatibility of New Buildings: All new buildings should be designed with a unique character compatible with the objectives of the Holladay Village zone. ~~master plan~~.

**EXHIBIT 5.e**  
**Section 13.71.090 K**

K. Lighting:

1. Pedestrian scale light fixtures should be incorporated into the site design to give visual variety from one building to the next and should blend with the architectural style.
2. Lighting should use minimum wattage LED, metal halide or color corrected sodium light sources which give more "natural" light.
3. All building entrances should be well lit to provide inviting access and safety.
4. Building mounted lights and display window lights should contribute to lighting of walkways in pedestrian areas.
5. Parking area light fixtures should be designed to confine emitted light to the parking area.
6. Neon lighting may be used as a lighting element, provided that the tubes are concealed and are an integral part of the building design. Neon tubes used to outline the building are prohibited.

## **EXHIBIT 5.f**

### **13.71.100: ILLUSTRATIONS:**

The photographs and drawings included in this section are intended only to illustrate appropriate and inappropriate application of the design guidelines set forth in this chapter. They are not intended to imply that a particular design will be approved notwithstanding its similarity to an illustration included herein.

Illustration Figure 1. Development in the HV zone should be designed to encourage pedestrian activity.  
*(Associated graphics are re-adopted as currently in Chapter)*

Illustration Figure 2. Outside display and outside uses are encouraged but must leave a clear pedestrian pathway.  
*(Associated graphics are re-adopted as currently in Chapter)*

Illustration Figure 3. Creatively designed mid block pedestrian connections with wide pavements, lighting, benches, and landscaping will encourage pedestrian circulation.  
*(Associated graphics are re-adopted as currently in Chapter)*

Illustration Figure 4. Surface parking lots should be screened from view from the street and designed with pedestrian connectivity in mind. Walkways and ADA accessibility should be an integral part of any surface parking lot design.  
*(Associated graphics are re-adopted as currently in Chapter)*

Illustration Figure 5. Street fixtures such as streetlights, pedestrian benches and trash receptacles of a specific design and scale create a sense of place. The design of these elements will be selected by the city and installed in the public rights of way as part of the overall village plan.  
*(Associated graphics are re-adopted as currently in Chapter)*

Illustration Figure 6. New structures should incorporate traditional design elements, be built to the street edge and foster unique, human scale environments that encourage pedestrian activity.  
*(Associated graphics are re-adopted as currently in Chapter)*

Illustration Figure 7. Blank walls without visual or architectural features are out of character with pedestrian oriented streets and should not be designed.  
*(Associated graphics are re-adopted as currently in Chapter)*

Illustration Figure 8. Recessed entryways create a shaded area that helps to define doorways and provide shelter for pedestrians. The repetition of these entryway features creates a sense of scale.  
*(Associated graphics are re-adopted as currently in Chapter)*

Illustration Figure 9. All buildings should have an articulated base course and cornice ornamented with details consistent with the chosen architectural style.  
*(Associated graphics are re-adopted as currently in Chapter)*

Illustration Figure 10. Buildings may should have upper story features, which improve the relationship between the upper story and the street.

*(Associated graphics are re-adopted as currently in Chapter)*

Illustration Figure 11. Buildings on corner lots should be oriented to the corner. Corner entries and/or architectural treatments should be used to emphasize the corner.  
(Associated graphics are re-adopted as currently in Chapter)

Illustration Figure 12. Windows and doors are some of the most important character defining features of a unique structure. They give scale to a building and provide visual interest to the composition of individual facades.  
(Associated graphics are re-adopted as currently in Chapter)

Illustration Figure 13. Articulated, transparent facades should be created along pedestrian right of way including display windows.  
(Associated graphics are re-adopted as currently in Chapter)

Illustration Figure 14. Windows on the second or third level upper levels should be vertically proportioned and the design of surrounding window casing, the depth and profile of window sash element and the material of which they are constructed should be distinctly associated with the specific building style.  
(Associated graphics are re-adopted as currently in Chapter)

Illustration Figure 15. Awnings and canopies should contribute to the building's architectural theme and be integrated within the building design. Awnings should be constructed of traditional materials and located over windows, doors, or walkways.  
(Associated graphics are re-adopted as currently in Chapter)

Illustration Figure 16. Building colors should be muted or natural. Bright florescent colors are out of keeping with the desired village character.  
(Associated graphics are re-adopted as currently in Chapter)

Illustration Figure 17. Exterior finish materials should be part of a strong architectural theme and should not appear as a material foreign to the character of the building.  
(Associated graphics are re-adopted as currently in Chapter)

Illustration Figure 18. The character of a roof is a major feature of any structure. The roof pitch, its materials, size and orientation are all distinct features that contribute to the character of the building. Shadows created by traditional overhangs contribute to one's perception of a building's scale. Roof designs should relate to the building facade articulations.  
(Associated graphics are re-adopted as currently in Chapter)

Illustration Figure 19. A compatible mix of architectural styles is encouraged, however, contemporary styles incorporating large expanses of glass and unornamented building facades are not in keeping with the desired village character.  
(Associated graphics are re-adopted as currently in Chapter)

Illustration Figure 20. All major new construction should include pedestrian oriented amenities such as a plaza, art, wayfinding signage, greenspace, or a distinctive water feature.  
(Associated graphics are re-adopted as currently in Chapter)