

**NOTICE OF AN ELECTRONIC MEETING OF THE
CITY OF HOLLADAY CITY COUNCIL
THURSDAY, OCTOBER 1, 2020**

PUBLIC NOTICE IS HEREBY GIVEN that the Holladay City Council will hold a Council meeting **Thursday, October 1, 2020 at 6:00 pm**. The City Council of the City of Holladay will be conducting this meeting by electronic means, in accordance with the *Utah Open and Public Meetings Act*, and the *Order on Public Meetings of the City Council of the City of Holladay*, issued by Mayor Dahle.

Mayor Dahle has determined that due to the current COVID-19 pandemic, public meetings present a substantial risk to the health and safety of those who may be present at the meetings, and that the risk can be substantially mitigated by holding public meetings of the City Council pursuant to electronic means that allow for public participation. A copy of the Order issued by Mayor Dahle is available on the City's website at: <http://cityofholladay.com/government/elected-officials/meetings-and-agendas/>

All documents which are available to the City Council are also available on the City's website or are linked in this agenda. Persons desiring to make public comment or to make comment during any public hearing may provide such comment as follows:

1. **Email your comments by 5:00 pm on the date of the meeting to**
scarlson@cityofholladay.com
2. **During the meeting, go to www.zoom.us in your web browser and join a meeting:**
Meeting ID is:
3. **During the meeting, call Zoom on your telephone: 699-900-6833 or 346-248-7799 or 301-715-8592 or 253-215-8782**
Meeting ID is:
4. **City of Holladay Facebook page – Live stream**

AGENDA

- I. **Welcome** – Mayor Dahle
- II. **UFA Update – Neff's Canyon Fire** – Capt. Dan Brown
- 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 prior to 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. **Consideration of Ordinance 2020- 13 Amending the City Zoning Ordinance to Create a New Residential Infill (RI) Zone**
- V. **Consideration of Resolution 2020-28 Granting Advice and Consent of the City Council for the Appointment of a Member to the Planning Commission** *(This resolution will constitute the council's advice and consent to the manager's appointment of Martin Banks to the planning commission for a 3 yr term.)*

- VI. ***Consideration of Resolution 2020-29 Amending the General Plan for the Area Located at Approx 2450 E and 4680 S, Currently Designated as MDR-S (Medium Density Residential Stable) to LDR-S (Low Density Residential Stable)***
- VII. ***City Manager Report***
- VIII. ***Council Reports & District Issues***
- IX. ***Recess City Council to a Work Meeting***
a. Discussion on Proposed Storm Water Ordinance
b. Discussion on Proposed Holladay Crossroads Zone
Timeline, Public process
c. Discussion on Proposed Sidewalk Policy
d. Budget Overview and Discussion on Budget Amendments
e. Calendar
Oct. 1, 8 & 15 – Council Mtgs
Oct. 12-16 – Fine Art Show
Oct. 10-31 – Plein Air Exhibit
Nov. 5, 12 & 19 – Council Mtgs
Nov. 22 – Interfaith Service
- X. ***Closed Session pursuant to Utah Code Section 52-4-204 & 205 to Discuss Personnel Issues, Potential Litigation and Property Acquisition and Disposition (if needed)***
- XI. ***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, September 28, 2020 at 11:00 am

Stephanie N. Carlson MMC, City Recorder
City of Holladay

Reasonable accommodations for individuals with disabilities or those in need of language interpretation service 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

ORDINANCE NO. 2020-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLADAY APPROVING
THE CREATION OF THE RESIDENTIAL INFILL “RI” ZONE AND CODIFYING THE ZONE
AS A PART OF THE TEXT OF THE CITY OF HOLLADAY ZONING ORDINANCE.**

WHEREAS, the City has received an application from a resident, Ron Hilton, proposing the creation of a Residential Infill Zone; and

WHEREAS, the Planning Commission of the City of Holladay has held a public hearing and has recommended denial of the application; and

WHEREAS, the City Council of the City of Holladay has held a public hearing, has considered public comment and now desires to approve the creation of the Residential Infill Zone;

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

Section 1. Adoption. The City Council of the City of Holladay hereby adopts the Residential Infill Zone with the corresponding amendments to the Zoning Ordinance of the City of Holladay, all as more particularly set forth in Exhibit A, attached hereto and incorporated herein by reference.

Section 2. 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 Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this day of October, 2020.

By: _____
Robert Dahle, Mayor

[SEAL]

VOTING:

Matt Durham	Yea ____	Nay ____
Sabrina R. Petersen	Yea ____	Nay ____
Drew Quinn	Yea ____	Nay ____

CITY OF HOLLADAY

RESOLUTION No. 2020-

**A RESOLUTION GRANTING ADVICE AND CONSENT OF THE CITY COUNCIL FOR THE
APPOINTMENT OF A MEMBER TO THE PLANNING COMMISSION.**

WHEREAS, the City Manager has the responsibility and authority pursuant to Section 2.08.010 City of Holladay, Code of Ordinances to appoint individuals to various boards and commissions; and

WHEREAS, the City Manager has requested advice and consent of the City Council for the appointment of Martin Banks as a member of the Planning Commission from District 1, for a term not to exceed three (3) years; and

WHEREAS, the City Council has the responsibility pursuant to Section 2.08.010 of the City Code to provide advice and consent on all appointments to City boards; and

WHEREAS, the City Council has met in regular session to consider this appointment;

NOW, THEREFORE, be it resolved by the City Council of the City of Holladay, Utah as follows:

Section 1. Appointment. The City Council hereby gives advice and consent for the appointment of Martin Banks as a member of the Planning Commission from District 1, for the term of three (3) years, to expire on June 30, 2023.

Section 2. Effective Date. This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED this 1st day of October, 2020.

HOLLADAY CITY COUNCIL

By: _____
Robert Dahle, Mayor

[SEAL]

VOTING:

Matt Durham	Yea ____	Nay ____
Sabrina R. Petersen	Yea ____	Nay ____
Drew Quinn	Yea ____	Nay ____
Paul Fotheringham	Yea ____	Nay ____
Dan Gibbons	Yea ____	Nay ____
Robert Dahle	Yea ____	Nay ____

ATTEST:

CITY OF HOLLADAY

RESOLUTION No. 2020-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLADAY ADOPTING AN
AMENDMENT TO THE LONG-RANGE LAND USE MAP OF THE CITY OF HOLLADAY GENERAL
PLAN FOR PROPERTY IN THE VICINITY OF KENTUCKY AVE AND CLEARVIEW AVE**

WHEREAS, the City of Holladay has received an application from residents within the area of Kentucky Avenue and Clearview Avenue, proposing an amendment to the Long-Range Land Use Map of the City of Holladay General Plan, expanding the boundary of the Low Density Residential Stable Land Use District to include certain property in the designated area; and

WHEREAS, the Planning Commission of the City of Holladay has held a public hearing and has recommended approval of the proposed amendment; and

WHEREAS, the City Council of the City of Holladay has held a public hearing and now desires to approve the proposed change to the Long-Range Land Use Map of the City of Holladay General Plan;

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

Section 1. Amendment. The Long-Range Land Use Map of the City of Holladay General Plan is hereby amended to reflect that certain property, approximately 8.3 acres in area and affecting 23 parcels of land, in the vicinity of Kentucky Avenue and Clearview Avenue, as more particularly shown in Exhibit A, attached hereto and incorporated herein by reference, shall be designated as Low-Density Residential Stable, changing its designation which was previously Medium-Density Residential Stable.

Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its approval by the City Council.

PASSED AND APPROVED this ___ day of October, 2020.

HOLLADAY CITY COUNCIL

By: _____
Robert Dahle, Mayor

CITY OF HOLLADAY, UTAH
ORDINANCE NO. xx-xx

**AN ORDINANCE ENACTING TITLE xx, CHAPTER xx, OF THE CITY OF
HOLLADAY CODE OF ORDINANCES WITH RESPECT TO THE CREATION
AND OPERATION OF A STORM WATER UTILITY FEE**

WHEREAS, the City of Holladay City Council (the “*Council*”) met in a regular session on Month xx, 2020, to consider, among other things, enacting Title xx, Chapter xx, of the City of Holladay Code of Ordinances with respect to the creation and operation of a storm water utility fee; and

WHEREAS, the City of Holladay (“*City*”) owns and operates a storm water ~~sewer~~ system, which was developed over multiple years by Salt Lake County as the City’s predecessor in interest and currently consists of a network of natural conveyances and manmade structures and conduits that collect and routes storm water runoff; and

WHEREAS, the Council finds that inadequate management of the quantity and quality of storm water runoff causes flooding and property damage, carries concentration of heavy metals, oils, and toxic materials into receiving and ground waters, and degrades the integrity of city streets and transportation systems; and

WHEREAS, the Council finds that such are hazards and pose a significant risk to public health, safety, and welfare; and

WHEREAS, the Council finds that such risks are best managed by a storm ~~sewer~~ water system that is effectively repaired, replaced, improved, maintained, operated, regulated, and controlled; and

WHEREAS, the Environmental Protection Agency (“*EPA*”) has established rules setting forth the National Pollutant Discharge Elimination System permit application process and has adopted rules and regulations for storm water discharge; and

WHEREAS, the State of Utah, through its Department of Environmental Quality (“*DEQ*”), has established a Utah Pollutant Discharge Elimination System permit system and has adopted rules and regulations for storm water discharge; and

WHEREAS, the rules and regulations promulgated by the EPA and the DEQ provide that where more than one public entity owns or operates a municipal separate storm water system within a geographical area, such municipalities may join together and be co-applicants for a permit; and

WHEREAS, the City joined with Salt Lake County and other municipalities in the Salt Lake Valley as co-applicants pursuant to the and the Utah Pollutant Discharge Elimination System; and

WHEREAS, on February 26, 2020, the City was issued authorization to discharge municipal storm water under the Utah Pollutant Discharge Elimination System (“Permit”); and

WHEREAS, pursuant to the Permit the City is required, among other things, to have legal authority to (i) control the contribution of pollutants to the storm water system associated with residential, commercial, institutional, and industrial activities; (ii) prohibit illicit discharge to the storm water ~~sewer~~ system; (iii) control discharges to the storm drain system of spills, dumping, or disposal of materials other than storm water; and (iv) means to enforce compliance with the conditions and ordinances; and

WHEREAS, the Council finds that implementing a storm water utility fee ~~will help~~ fiscally necessary to achieve compliance with the requirements of the Permit; and

WHEREAS, the Council finds that implementing a storm water utility fee will enable ongoing maintenance, operations, regulation, enforcement, and improvement of the storm ~~sewer~~ water system; and

WHEREAS, based on the ~~representations made~~ review of information and data presented to the City and the Council by financial advisory consultant Lewis Young Robertson & Burningham, Inc. (“LYRB”), the Council finds that the owners of impervious surfaces contribute to, makes use of, or benefit from the City’s storm ~~sewer~~ water system and should proportionately contribute to the funding of the City’s program to maintain, operate, regulate, enforce, and improve the City storm water program; and

WHEREAS, LYRB has conducted a study, evaluated methods to fund the City storm water ~~program~~ sewer system and has recommended a storm water utility fee; and

WHEREAS, the Holladay@20 Preparing for Tomorrow Citizen Advisory Group has worked with LYRB over the course of their committee charge and process that subsequently resulted in the Group recommendation report that included the establishment of storm drain utility fee as presented to the Council on May 14, 2020; and

WHEREAS, the Council hereby finds that the establishment of a storm water utility is the most fair, equitable, and nondiscriminatory method to fund the City’s storm water program, including requirements of the Permit, and that the establishment of a storm ~~sewer~~ water utility fee is in the best interest of the health, safety, and welfare of the citizens.

NOW, THEREFORE, BE IT ORDAINED by the Council that the following be adopted as Title xx, Chapter xx, of the City of Holladay Code of Ordinances:

17.30.010 Purpose.

The purpose of this chapter is to protect the health, safety, and welfare of the city and its inhabitants by efficiently operating the storm ~~sewer~~ water system, managing and controlling storm water runoff, protecting property, preventing polluted waters from entering the water supply and other receiving waters, and establishing a viable and equitable method of financing the storm water system long-term improvement, operation, and maintenance.

17.30.030 Definitions.

For purposes of this chapter, the following definitions shall apply. Words used in the singular shall include the plural, and the plural shall include the singular; words used in the present tense shall include the future tense. The word “shall” is mandatory and not discretionary. The word “may” is permissive. Words not defined in this section shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

“City” means City of Holladay, a Utah municipality.

“Class” means (1) Residential Area A with a mean impervious area of 5,200 square feet, (2) Residential Area B with a mean impervious area of 2.5 times the mean impervious area in Residential Area A, or 13,000 square feet, and (3) Non-Residential to capture all other property types. See exhibit A.

“County” means Salt Lake County.

“Council” means the City of Holladay City Council.

“Customer” or “Person” means any individual; public or private corporation and its officers; partnership; association; firm; trustee; executor of an estate; the State or its departments, institutions, bureaus, agencies; county; city; political subdivision; or any other governmental or legal entity recognized by law.

“City Engineer” means the Holladay City Engineer or Engineer’s designee.

“Equivalent Residential Unit (ERU)” means a unit equal to the square footage of impervious surface area. This is based on an average single-family residential parcel, which has an impervious surface area of 5,200 square feet.

“Holladay Storm Water Fee Policy Manual” or “Policy Manual” means policies and procedures for the administration of the user fees maintained by the City and is hereby adopted in their entirety by this reference.

“Impervious Surface” means a parcel's hard surface area that causes water to run off its surface in quantities or speeds greater than under natural conditions and discharge directly into the City’s storm sewer system. Some examples of impervious surfaces are rooftops, concrete or asphalt paving, walkways, patios, driveways, parking lots or storage areas, and gravel that has been subject to surface traffic, including compacted gravel surfaces.

“Mitigation” means on-site facilities or practices which reduce storm water quantity or improve storm water quality.

“Parcel” means the smallest, separately segregated unit of land having an owner. A parcel

has boundaries and surface area and is documented with a property number by the county.

“Developed Parcel” means any parcel whose surface has been altered by grading, filling, or construction of any improvement.

“National Pollutant Discharge Elimination System (NPDES) Storm Water Regulations” means the provisions of the Federal Clean Water Act establishing specific permit requirements for the control of storm Water discharge.

“Single-Family Residential Parcel” means any parcel of land containing a single-family dwelling unit.

“Standard Plans for Public Works Manual” means the Holladay Standard Plans Design Manual maintained by the City and is hereby adopted in their entirety by this reference.

“Storm Water” means water produced by storms, surface drainage, snow and ice melt, and other water handled by the storm ~~sewer-water~~ drainage system.

“Storm Water Facilities” means any facility, improvement, development, or property made for controlling stormwater quantity and quality.

“Storm Water System” means all man-made storm ~~sewer-water~~ facilities and conveyances, and natural storm water systems owned or maintained by the City that store, control, treat, and/or convey storm water.

“Stormwater Utility” or “Utility” means the utility created by this Ordinance, which operates, maintains, regulates, and improves storm ~~sewer-water~~ facilities and programs within Holladay.

“User Fee” means the fee charged to use the Storm Drainage System and is imposed by this chapter.

“Undeveloped Parcel” means any parcel that has not been altered by grading, filling, or construction.

17.30.050 Storm sewer utility.

A. Creation. There is hereby created and established a storm water utility operated by the city that includes a user fee rate structure.

B. Enterprise Fund. There is hereby established a storm water utility enterprise fund to handle all income, expenses, and other financial transactions related to the storm ~~sewer-water~~ utility. All fees collected with respect to the storm water utility shall be deposited in the storm water utility enterprise fund. Money in the storm water utility enterprise fund shall not be

commingled with other city funds and may only be transferred to other city funds as allowed by the Uniform Fiscal Procedures Act for Utah Cities.

C. Facilities and Assets. The city shall determine which storm water facility assets will be transferred to the storm water utility. Until such transfer, the utility shall operate, maintain, and improve all existing storm drain facilities.

D. Administration. The storm water utility shall be administered by the City Manager and the City Engineer.

17.30.070 Storm water utility user fee

A. Imposed. All owners of impervious surfaces within the city which contribute runoff water to the storm ~~sewer-water~~ system or any others who otherwise use or benefit from the storm ~~sewer-water~~ system or the storm water utility will be responsible for paying the storm water utility user fee as set forth in this chapter.

B. Amount of User Fee. The user fee shall be based on the number of equivalent residential units (ERU's) on the customer's property. An ERU is the average amount of impervious surfaces in a single-family residential parcel and is based on a statistical analysis of homes within the city. One ERU equals 5,200 square feet of impervious surface area.

C. Calculation.

Each Class A Residential Area-~~A~~ shall pay a base rate equal to 1 ERU, each Class B Residential Area-~~B~~ shall pay a rate equal to the 2.5 of the base ERU rate, and each Non-Residential Area shall pay a multiple of the ERU base rate according to the measured impervious area on the property calculated by dividing the total square feet of impervious area of the property by 5,200 square feet.

D. User Fee per ERU. The user fee charge imposed hereby shall be as set forth in the consolidated fee schedule.

E. Credits. The City Engineer or his designee may grant a fee credit as set forth below. The credit shall be available for customers that (i) own and maintain a detention facility in accordance with City standards and as set forth in the Policy Manual, (ii) own and maintain a retention facility in accordance with City standards and as set forth in the Policy Manual, (iii) conduct training of personnel as set forth in the Policy Manual, or (iv) demonstrate a financial hardship or who have a family member in active military service as set forth in the Policy Manual.

F. Policies. The city hereby adopts the Holladay Storm Water Fee Policy Manual to assist in applying, administering, and interpreting the user fee, the user fee credit, and other provisions related to the storm ~~watersewer~~ utility.

G. Appeals. Any person or entity who is aggrieved by the provision of this chapter, request for a credit, or the application and calculation of the user fee ~~charge-assessed~~ to their

property may appeal to the City as set forth in the Policy Manual.

H. Billing and Collection. The City will contract with Rocky Mountain Power to include the user fee on the monthly electric utility bill for all residences and commercial properties that are billed for electric service. The City shall bill the user fee to all other residential units or commercial property that are not billed by Rocky Mountain Power for electric service.

17.30.110 Severability. If any portion of this chapter is determined to be, or is rendered, illegal, invalid, or superseded by other lawful authority, including any state or federal, legislative, regulatory, or administrative authority having jurisdiction thereof, or determined to be unconstitutional, illegal, or invalid by any court of competent jurisdiction, such section shall be deemed a separate, distinct, and independent provision, and such determination shall have no effect on the validity of any other section.

This Ordinance assigned Ordinance No. xx-xx, shall take effect Month xx, 2020, and deposited and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED by the Council this xx day of Month 2020.

CITY OF HOLLADAY CITY COUNCIL

By: _____
Robert M. Dahle, Mayor

ATTEST:

Stephanie Carlson, City Recorder

Roll Call Vote:

R. Dahle	Yes	No
S. Petersen	Yes	No
M. Durham	Yes	No
P. Fotheringham	Yes	No
D. Quinn	Yes	No
D. Gibbons	Yes	No

CERTIFICATE OF POSTING

I, the duly appointed recorder for the City of Holladay, hereby certify that:
ORDINANCE xx-xx: AN ORDINANCE ENACTING TITLE x, CHAPTER x, OF THE
CITY OF HOLLADAY CODE OF ORDINANCES WITH RESPECT TO THE CREATION
AND OPERATION OF A STORM WATER UTILITY FEE

was passed and adopted the xx day of Month, 2020 and certifies that a summary was published in the Deseret News and Salt Lake Tribune the day of , 2020.

Stephanie Carlson, City Recorder

Holladay Crossroads Zone Proposed Timeline

Oct. 1	Council work session overview of HCR Zone* & review of timeline
Oct. 21st	Public Open House – On-site at Dmitri's parking lot 4-6pm. Displays, maps etc.
Oct. 28	Zoom Webinar – Council/Staff? –time TBD
Nov. 12	Council Public Hearing
Nov. 19	Council work session page by page review of document
Dec. 3	Tentative Adoption

**Since we have not yet had the public hearing we need to be careful on making changes on the PC recommendation.*

Chapter 13.66

HOLLADAY CROSSROADS ZONE

13.66.010: VISION STATEMENT:

- A. It is intended that the Holladay Crossroads (HCR) Zone be an economically healthy, primary gateway, mixed-use district within the City. The HCR Zone is currently the second most valuable economic center in the City and sales revenues from businesses therein greatly contributes to the City's budget. Future development in this area must not only provide economic benefits to the property and business owners but contribute to the City's overall desirability and quality of life. Arguably positioned along the City's most prominent gateway, the HCR redevelopment area must create a sense of "arrival" to people entering Holladay.
- B. The HCR Zone offers a valuable opportunity for mixed-use and/or commercial development as reflected in the Holladay adopted Crossroads Small Area Master Plan (SAMP). The SAMP recommends future development that would result in a commercial district with a higher density residential component, or, mixed-use. The capacity of the roadways in the area can support this type of future development and traffic growth can be accommodated with the roadway enhancements proposed in the SAMP. This zone anticipates the blending of older strip commercial development with new, compatible mixed-use development through flexible yet consistent, building design. HCR sanctioned land uses will be influenced by traffic volumes occurring in the area and design themes will be overseen by the City's Design Review Board (DRB).

13.66.020: PURPOSE:

- A. The purpose of this chapter is to identify and enhance the HCR Zone to create a pattern for new development that is appropriately oriented and situated toward public rights of way, provides an opportunity for increased human interaction and protects and increases the economic vitality of the city. It is not the intent of the HCR Zone to impair the rights of existing businesses and property owners. Depending on individual circumstances, some uses and structures existing at the time of adoption of this chapter within the area devoted to HCR Zone may become non-conforming except as expressly stated herein. The provisions of this chapter allow lawfully established buildings and uses to continue in accordance with section 13.88 of this title.
- B. It is intended that the HCR Zone becomes a place of diverse land uses within an aesthetically attractive, easily accessible and economically healthy environment. A range and mix of commercial, service, and residential land use is encouraged and desirable. High quality architecture and energy efficiency for all new structures with attractive architectural and site features will create dramatic, visual interest in the HCR zone. This will encourage greater bike and pedestrian access to the site and enhance the economic vitality of the entire city. It is essential that new development is compatible with abutting land uses and that potential impacts are minimized for abutting residential property owners.

13.66.030: SCOPE:

The provisions (including design review) of this title shall apply to any new construction or remodeling for a residential, mixed-use or nonresidential use, building, or structure located in the HCR zone. For the purpose of this section, "remodeling" means:

- A. Any proposed action that will increase the footprint of the building;
- B. Any exterior remodel which includes more than fifty percent (50%) of a given facade...

13.66.040: PRIMARY USES:

- A. Permitted Uses: Primary uses of property that are, and shall be, allowed to be developed and/or operated within the HCR Zone shall be as set forth in section 13.100, "Appendix A - Allowed Uses", of this title.
- B. Conditional Uses: Primary uses of property that may be allowed to be developed and/or operated within the HCR Zone upon issuance by the City of a Conditional Use Permit are identified in section 13.100; "Appendix A – Allowed Uses" of this title. As per section 13.88 of this title, any use legally existing as a conditional use in the HCR 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 13.66.060 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 subsection 13.71.020B of this chapter.) Any mixture or combination of allowed primary property uses may be established within the same building or on the same lot or parcel. If any of such proposed uses require conditional use approval, that use shall be reviewed by the planning commission as required by section 13.08.040 of this title.
- D. Prohibited Uses: Property uses that are not allowed (i.e., are prohibited) within the HCR Zone are, and shall be, as listed in section 13.100; "Appendix A" of this title.
- E. Hours: None of the foregoing uses shall be open to the public between the hours of twelve o'clock [1 am limit] and bed and breakfast uses and 24 hours gym facilities. Uses that about single family residential property shall close between the hours of 10pm and 7am.

13.66.050: ACCESSORY USES:

Allowable Accessory Uses: Accessory uses of property that are, and shall be, allowed to be developed and/or operated within in the HCR Zone shall be as set forth in section 13.100 "Appendix A - Allowed Uses", of this title. Furthermore:

- A. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the zone except as otherwise expressly provided in this title

B. No accessory use, building or structure shall be allowed on a lot or parcel unless a primary permitted or conditional use is currently established on the parcel except as allowed by section 13.09.020 of this Title.

C. Specific accessory uses allowed in the HCR Zone are as set forth in chapter 13.100, "Appendix A - Allowed Uses", of this title.

13.66.060: NON-CONFORMING USES AND/OR SITE SITUATIONS/CONDITIONS:

Notwithstanding any contrary provision set forth in chapter 13.88 of this title, any permitted or conditionally approved use of property or operation thereon within the HCR Zone that does not conform to the development standards and design guidelines set forth in this chapter may be continued; provided, however, that any expansion of such use and/or operation which will not increase the floor area of, or the amount of setback encroachment by, a structure wherein the use is housed. Any change in use that requires a change of occupancy type under the City's adopted building or safety code(s) shall be subject to the development standards and design guidelines set forth in this chapter.

13.66.070: PROJECT APPROVAL PROCEDURES:

All project/site plans for new development, construction and/or remodeling of existing structures within the HCR Zone shall be [first] approved by the Planning Commission as per section 13.08.080. Prior to application being made to the Planning Commission, a project shall first receive a recommendation from the DRB where at all available. Furthermore:

A. Approval of any applicable land use application, as provided for in this chapter, within the zone, may only be given by the Planning Commission.

B. Any appeals from decisions of the Planning Commission shall be made to the City Council in accordance with the provisions set forth in Section 13.08.040 of this title.

13.66.080: DEVELOPMENT STANDARDS:

The following minimum development standards shall apply in the HCR Zone:

A. Lot, Yard and Other Bulk Regulation/Development Standards: Except as otherwise required by a provision of this section or section 13.71.090 of this chapter, the development standards shown on the following chart (13.66.1) of this section shall apply in the HCR Zone....

CHART 13.66.1

Development Standard	Requirement(s)
Front Setback (Build-to line) -- For property fronting on a public right-of-way.	Minimum allowed setback/separation from a ROW line 15'; Maximum allowed setback/separation from a ROW line 25' feet
Right-of-Way Encroachments Exception:	Ornamental architectural features including, but not limited to: arcades, canopies, awnings, light fixtures, balconies, cornices, etc., sitting areas, and subsurface intrusions (e.g.,

	such as footings and foundations) may be allowed by the City to encroach into the public right-of-way, provided they do not interfere with the normal use of the right-of-way. [Note: This exception requires review and approval of the Planning Commission and may be subject to a license agreement approved by the City Council/Manager.]
Side/Rear Setbacks	Not required (0"); Exception: Property(ies) in the HCR Zone that directly abut residentially zoned property(ies) shall employ the same offset distance to property line (i.e., side yard to side yard or rear yard to rear yard) as that already governing the abutting residentially zoned property(ies).
Setback from Canals,/ Laterals	Minimum allowed shall be 20 feet from the top of bank or established canal structure/wall
Impervious Surface Coverage	No minimum or maximum percent (%) requirements -- Subject to buffering requirements in section 13.77 or as determined necessary by the Planning Commission.
Building Width	No minimum or maximum measurement is required
Building Height: 1 (For buildings proposed beyond 200 feet of an abutting residentially zoned property)	Maximum shall be [limited to] 65 feet [Note: Maximum height ¹ , includes screened mechanical equipment but excludes: 1) chimneys of 6 feet or less in height; 2) architecturally compatible elevator shafts 6 feet in height (or 14 feet in height if the elevator services a rooftop amenity), or, 3) gables 4 feet or less in height.]
Building Height. 1 (For buildings proposed within 200 feet of an abutting residentially zoned property)	Maximum shall be 32 feet -- subject also to graduated height limitation from property lines (see Figure 13.66.3)
Ground Floor Height:	Commercial/retail: Minimum shall be 13' (floor to ceiling free and clear)
Land Use Limitation: Floor Space Abutting Collector or Arterial Rights-of-Way	Ground level building(s) floor space within 60 feet from a collector or arterial right-of-way (i.e., street) line (as depicted by Figure 13.66.2 hereafter) shall be limited to occupancy by businesses identified by Appendix A of this title as [being] "Primary", and, either "Retail", or, "Professional", or, "Personal Service(s)", or, "Entertainment" type uses. Exception: Small, lobby entrances directly accessing upper story uses may be permitted by the City.

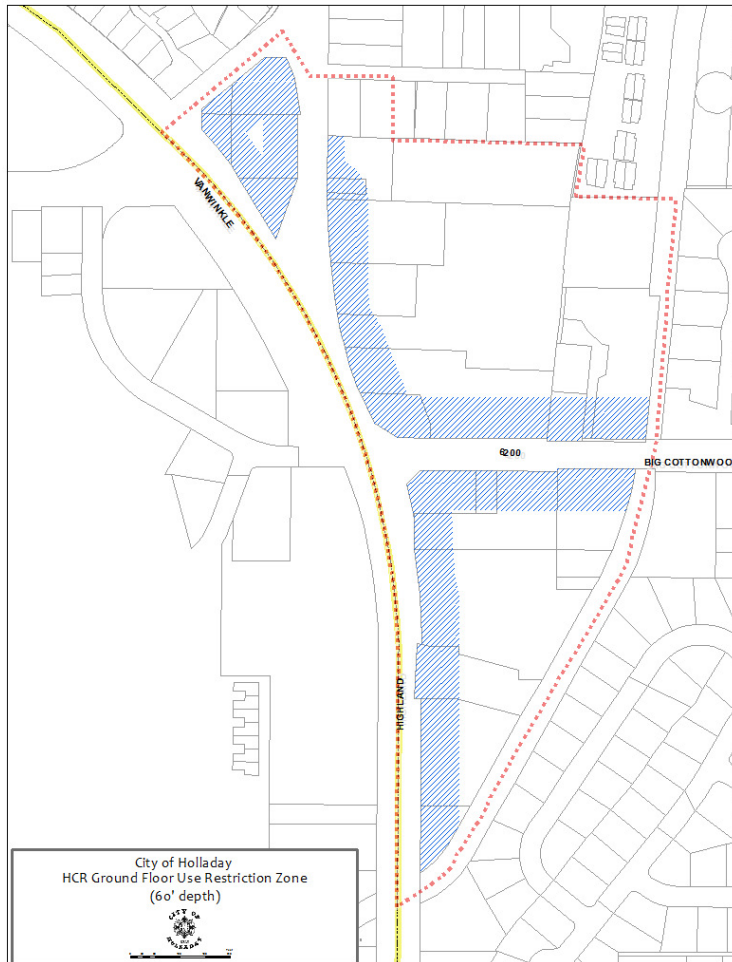
Notes:

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 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.

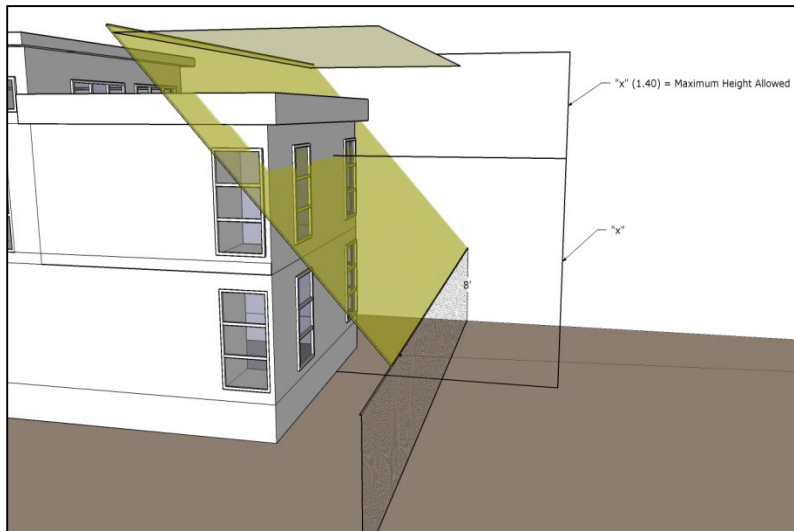
FIGURE 13.66.1. *Reserved*

FIGURE 13.66.2 HCR Ground Floor Use Map



(Map note: the red dashed line is the HCR Zone boundary at date of adoption)

132 FIGURE 13.66.3 GRADUATED HEIGHT ENVELOPE ILLUSTRATION



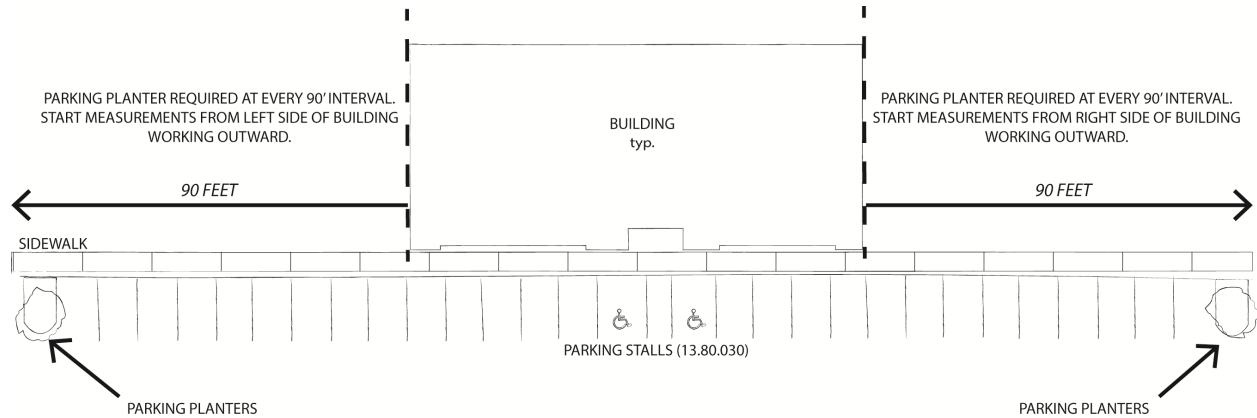
133
134

135 B. Parking Requirements: Parking requirements for the HCR zone shall be the same as for the
136 City's HV Zone save that any "extra parking" provided for a use shall not exceed in quantity a
137 125% of the minimums number of spaces required for the Holladay Village zone (HV) -- including
138 allowances for shared parking analysis and parking partnerships.

139 C. Parking Lot Planter Island Standards: All new or refurbished parking lots or portions thereof,
140 shall comply with standards listed in Section 13.77.060 and the following additional, specific
141 requirements:

142 a. Interior Parking Lot Planters: Interior parking lot planters are, and shall be,
143 required within in parking rows/banks. They are allowed to count towards
144 satisfying requirements of Table 13.77.061 and Section 13.77.060.B(1)
145 (landscape percentage provisions).

146 (1) Landscape Planter Spacing: Interior parking lot planter interrupts shall be
147 located at intervals not to exceed ninety feet (90') within each parking bank --
148 except for any parking bank/row located immediately fronting/against any
149 principal commercial or multiple-family residential building on a property and
150 between the limits/span of its exterior side walls, for which such placement in
151 front of the building is optional. In other words, if a parking bank abuts the
152 front entry area of non-single family residential building and extends past the
153 outside walls of that building, then planters shall be required where any
154 continuous ninety foot (90') parking space intervals are found past the
155 end/side walls. Refer to the following illustration:
156

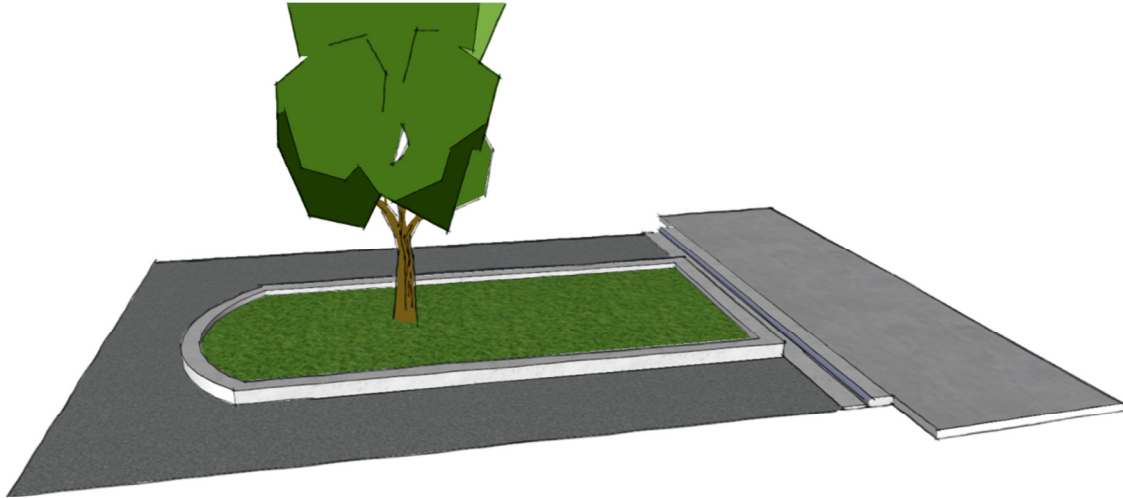


(2) Parking Bank Interrupt Style Landscape Planters' Content(s): Each single interior interrupt style planter shall contain one 1.5-inch caliper deciduous Class I shade tree (e.g., Redbud, Yellow Wood, Turkish Filbert, Hornbeam, Zelkova, Maple, Locusts, Medium Elm, Kentucky Coffee), provided such tree(s) will grow on/from a single trunk and be at least fifteen feet (15') tall at maturity of this section). Interior parking lot planters shall also contain some combination of decorative rock and/or shrubbery and/or lawn and/or bark.

(3) Landscape Planters' Dimensions: Interior planters shall be of equivalent size, dimensions and angle of the parking stalls that surround them in the same parking bank. For example, if located in a single row of ninety degree (90°) oriented parking spaces that are nine feet (9') wide by eighteen feet (18') deep/long, a landscape planter would also need to be nine feet (9') wide and eighteen (18') deep.

Where two (2) parking rows adjoin each other "head to head", back to back planters may be situated, or they may be separated. If placed back to back in, for example, a pair of ninety degree (90°) oriented parking rows, then the resulting planters would likely appear to be a single nine foot (9') wide by thirty-six foot (36') deep/long planter.

(4) Drainage Channel: A one foot (1') shall be provided at the back end of, or within, a parking planter's abutment against a curb or other barrier in order to facilitate site drainage (e.g., stormwater flow across a parking lot into a drain). Refer to the following illustration:



184
185
186
187 (5) Landscaping Irrigation, Generally: All landscaping emplaced in
188 conjunction with new development shall be irrigated with an efficiently
189 designed sprinkler system. Said system will be designed to minimize
190 watershed onto adjoining public right(s) of way. Properties being renovated
191 and/or upgraded to meet site development codes may utilize either
192 underground or some kind of aboveground system (e.g., watering with hose).

193 2. Re-construction of a Parking Lot: When a parking lot is expanded, or torn up and then
194 reconstructed (as opposed to being just resealed or slurried and/or striped) only the
195 renovated portion shall be improved to comply with current development code(s),
196 including [any] engineering, water, wastewater or fire division/department improvement
197 regulations including, but not limited to, curbing, gutter, sidewalk, storm drainage facilities,
198 landscaping, light fixtures, etc.

199 D. General Property Landscaping (Non-Parking Lot): Landscaping shall only be required in
200 buffer areas where a property abuts a residential zone or property, and, in parking lots as
201 specified above. Notwithstanding, in cases where a use is conditionally approved by the
202 Planning Commission, the Commission may require emplacement of additional property
203 landscaping. All landscaping installed in the HCR Zone shall comply with relevant
204 planting and maintenance regulations that govern landscaping and buffering in section
205 13.77 of this title as well as Tree Canopy Sustainability Ordinance standards.

206 E. Outside Display: Unless expressly allowed in a preexisting conditional use permit, all
207 goods, including food, beverage, and vending machines, shall be within a completely
208 enclosed structure. New construction of enclosures for the storage of goods should have
209 windows and/or other fenestration which should be greater than sixty percent (60%) of
210 the total wall area. This section does not preclude temporary sales in conjunction with a
211 special event license, sidewalk sale, or seasonal plant sale.

212 1. Areas designated as required vehicular parking may not be used as outdoor
213 display areas.

-
- 214 2. If merchandise is displayed on any sidewalk, a minimum of seventy-two inches
215 (72") of the sidewalk shall remain open and unobstructed to facilitate safe pedestrian
216 circulation.
- 217 3. Plans for new developments shall clearly designate any areas for outdoor display
218 of merchandise. Outdoor display of merchandise shall only occur in areas designated
219 for such display on the approved plan.
- 220 F. Signs: The sign regulations for the C-2 zone shall apply to properties within the HCR
221 Zone with the exception that "crown" signs may be used for buildings, either single or
222 multi-tenant, that are three or more stories in height.
- 223 G. Outdoor Uses: The following outdoor uses are encouraged and may be approved by the
224 community development director by special permit as either an ongoing or one time,
225 periodic event:
- 226 1. Outdoor dining. Outdoor dining is subject to the following criteria:
- 227 a. The proposed seating area is located on private property or public property
228 (with City permission) and does not diminish parking or landscaping.
- 229 b. The proposed seating area does not impede pedestrian circulation.
- 230 c. The proposed seating area does not impede emergency access or
231 circulation.
- 232 d. No music or noise in excess of that allowed by applicable noise ordinance.
- 233 2. Outdoor events and music excluding government sponsored events.
- 234 a. Outdoor events and music require a business license and the applicant
235 shall submit a site plan and written description of the event, addressing the
236 following:
- 237 (1) Compliance with applicable noise ordinances.
- 238 (2) Impacts on adjacent residential uses.
- 239 (3) Proposed plans for music, lighting, structures, electrical signs, etc.
- 240 (4) Parking demands and impacts on neighboring properties.
- 241 (5) Duration and hours of operation.
- 242 (6) Impacts on emergency access and circulation.
- 243 b. The applicant shall submit the required application, pay all applicable fees, and
244 provide all required material and plans.

-
- 246 H. Access, Service And Delivery:
- 247 1. All access to commercial businesses and facilities shall be located within areas
- 248 zoned for commercial use.
- 249 2. Service yards, loading docks, truck parking areas and other similar areas shall be
- 250 screened from view by a combination of walls, fences, and dense planting. Screening
- 251 shall block the view of such areas from public areas of the site, adjacent properties,
- 252 and public rights of way.
- 253 3. Drive-through windows with corresponding driveways, curb cuts, etc., are allowed,
- 254 subject to City site plan review and compliance with section 13.80.140 of this title.
- 255 I. Lighting:
- 256 1. Should be dark-sky friendly.
- 257
- 258 2. Pedestrian oriented light fixtures should be incorporated into the site design to
- 259 illuminate patios, walkways, corners and to give visual variety from one building
- 260 to the next and should blend with the architectural style.
- 261
- 262 2. All lighting shall be low voltage, soft LED only yielding low to medium kelvins.
- 263
- 264 3. All building entrances should be appropriately lit to provide inviting access and
- 265 safety.
- 266
- 267 4. Parking area light fixtures should be limited in height and designed to confine
- 268 emitted light to the parking area.
- 269
- 270 5. Light fixtures (including pole mounted and building wall packs) shall be down
- 271 directed, boxed/shielded using photo cell operation.
- 272
- 273 6. Neon lighting may be used as an accent lighting element, provided that the tubes
- 274 are concealed and are an integral part of the building design. Neon tubes used to
- 275 outline the building are prohibited.
- 276 J. Utility Lines: All new utility lines (e.g., electric, telephone, CATV, or similar) emplaced in
- 277 the HCR Zone shall (where feasible in conjunction with new construction [projects] that
- 278 require (a) building permit(s) and site re-design) be placed underground. All junction and
- 279 access boxes shall be located to the side or the rear of the building unless public safety
- 280 concerns dictate otherwise. All utility pads shall be shown on the project plan. Any utility
- 281 connections, meter boxes, etc., shall be integrated with the architectural elements of the
- 282 project plan.
- 283
- 284 K. Buffer Fencing: In conjunction with any new construction on a property within the HCR
- 285 Zone, a six-foot (6') high screening wall or fence shall be constructed along any property
- 286 line which is the boundary between the HCR zoned property being developed and an
- 287 abutting residentially zoned property not in the HCR Zone. Such fence or wall should
- 288 include design and other decorative elements consistent with the design of the new
- 289 building. This requirement may be waived, decreased, increased or modified by the
- 290 Planning Commission if it can be demonstrated that existing walls or fences provide the
- 291 desired buffering and aesthetic effect or can be altered to do so. (Additional fence

standards associated with individual project or property development in the HCR Zone are listed in section 13.66.90(F) hereafter.)

- L. Façade: A primary or accessory structure shall not have a single, unbroken façade longer than fifty feet (50') in span.
- M. Trash: No trash receptacle or storage area shall be located closer than fifty feet (50') to a residential dwelling unit/structure located on an abutting property not in the HCR Zone unless located within a fully enclosed building.
- N. Outdoor Dining: Any outdoor dining space shall be designed, constructed and landscaped in a manner which visually obscures the dining area from any adjacent residential property and protects the same from noise and light emanating from the dining space.
- O. Nuisances and Hazards: Operations shall not be conducted which emit offensive or objectionable noise, vibration, smoke, odors, dust or gases, air pollution, water pollution or generates heavy truck traffic. Precautions shall be taken in all operations against radiation, radioactivity, fire and explosion hazards and other activities that negatively impact the safe and enjoyable use of property in the vicinity. Trash pickup for commercial uses is, and shall be, prohibited prior to 7am.

13.66.090: DESIGN STANDARDS:

- A. Purpose: This section establishes certain specific design [review] standards intended to improve the quality and compatibility of development in the HCR Zone. Design standards that employ the word "should" are intended to be applied as stated. However, an alternative measure may be considered if it meets or exceeds the intent of the guideline. Standards using the words "shall" are mandatory. Standards using the words "encouraged" or "discouraged" are desirable but not mandatory.

- B. Site Access[ability]: All new development shall include:

1. Sidewalks, alleys, plazas, landscaping and appropriately scaled buildings that encourage and complement pedestrian activities.
2. Commercial buildings shall include clearly defined primary entrances and large windows that display goods and services to create a visual unity both on the street and internally.
3. Sidewalk Clearance: At least seventy-two (72") of the sidewalk width should be preserved for pedestrian movement in front of every building fronting on a public right of way.
4. Pedestrian ADA Access: All plazas, arcades and open-air seating shall provide handicapped access.
5. "Bicycle Parking: New development shall provide bicycle racks in designated areas on-site as determined reasonable by the City. The racks shall be permanently secured to a non-permeable surface, placed within thirty feet (30') of the main entrance of the building(s) which they serve, shall provide at least four

feet (4') of clear space around their perimeter, and otherwise, and, shall not obstruct pedestrian movement(s)".

C. Parking Area Design (non-landscaping): Parking shall complement the pedestrian activities and visual character of the district. Negative 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 allowed in accordance with provisions in Title 14 of the Holladay City Code. The City desires that the number of parking lot entrances, driveways and curb cuts be minimized where able in favor of combined driveways and coordinated parking areas among property owners and reserves the right to require, where reasonable, minimization during site plan review and approval by TRC recommendation and planning commission approval. Cross access between properties via service drive connectivity shall be required as recommended by Staff or the TRC and required by the Commission.
3. Individual parking entrances and curb cuts on Van Winkle, Highland Drive and 6200 South shall be consolidated to complement a coordinated parking strategy and promote walkability and to comply with the vision of the Holladay Crossroads Small Area Master Plan. New curb cuts are discouraged.
4. ADA compliant walk ways shall be constructed within a parking lot to connect the sidewalk and building entrances.
5. Parking structures visible from the public rights-of-way shall be: 1) architecturally compatible in design and integrated with main buildings which they serve; and, 2) The perimeter of each floor of a parking structure facing a public street shall be screened to shield automobiles and any mechanical appurtenances from public view; and 3) An architectural treatment, landscaping and/or space for pedestrian oriented businesses along the street side edges of the parking structure should be provided.

D. Streetscape: The streetscape shall include public amenities such as plazas, fountains, kiosks, public art, landscaping, signage, and other street fixtures such as streetlights, decorative barriers/fencing, pedestrian benches and trash receptacles.

E. Building Design: All new buildings in the HCR Zone shall feature building facades that are made of high quality finishes and materials. Buildings facing public streets, especially on the ground floor level shall not "turn their back" to the street, but instead provide ample window openings, entrances and design features to create interest and calm traffic.

1. Compatibility of New Buildings: All new buildings should be designed with a unique character compatible with the objectives of the Holladay Crossroads zone and SAMP.
2. Building Mass: To avoid any large, continuous building mass of uniform height, no portion of any multi-story building shall continue for more than one hundred

feet (100') horizontally along any street frontage without a vertical break in the roofline. The required break in the building height shall continue for a minimum of thirty feet (30') along the horizontal plane.

a. Break in Roofline: A "break in the roofline" is defined as:

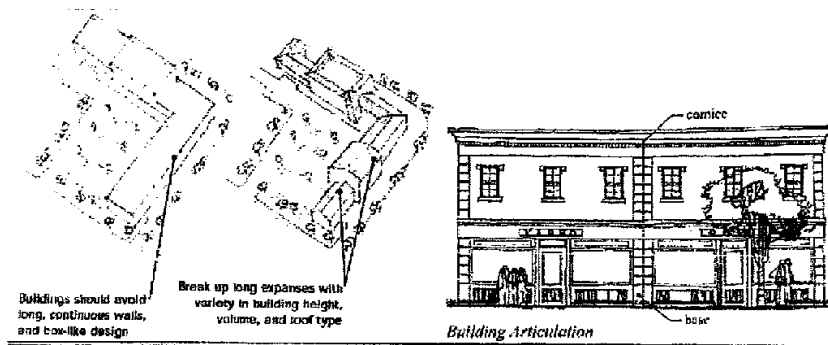
(1) A ten foot (10') minimum step-back of the vertical plane of the building on the third story, second and third stories, or all stories; or

(2) A reduction in stories of the entire building.



Typical Roofline Breaks

b. Structural Articulation: The vertical planes of a building shall be varied so that no continuous elevation is longer than seventy five feet (75') horizontally without a structural articulation (which may include facade modulation, structural expressions, varied setbacks or heights, textural modulations and/or projections such as balconies, cornices, covered entrances, arcades or colonnades or other architectural element dividing the facade visually to provide relief to perceived building mass from the street elevation).



Building Articulation

3. Streetscape Perspective: All building fronts shall provide features that are designed to be consistent with pedestrian activity and that provide a variety of architectural interest and detail that can be viewed from both vehicular and

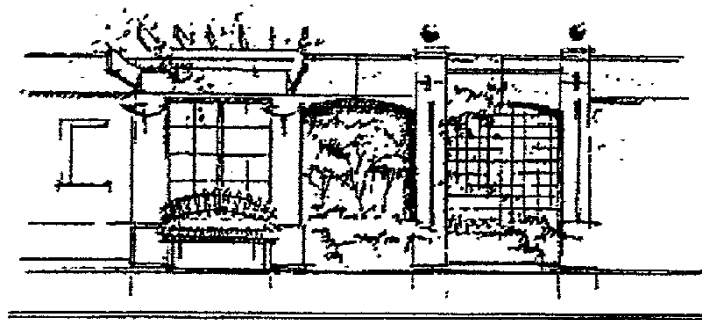
408
409

pedestrian perspective.



410

- 411 4. Facade Embellishment: All building elevations readily visible from public view
412 shall provide consistency in architectural design elements/embellishments. In
413 addition, a contiguous building wall (longer than 50 feet) shall have a building
414 element to visually divide the facade (which may include windows, a recessed
415 entrance or other appropriate variations).
416



417
418

- 419 5. Shading for Pedestrians: At least twenty percent (20%) of walls facing sidewalks
420 or other pedestrian accessible space shall be architecturally treated with a
421 shade/weather protecting element such as an awning, arcade, trellis, or other
422 overhanging architectural feature(s) consistent with the overall building(s)
423 architecture.
424
425 4. Primary Entrances: Primary entrances to commercial buildings shall be recessed,
426 providing a shaded area that helps to define doorways and provide shelter for
427 pedestrians. Repetition of recessed entries shall also be used to provide a
428 rhythm of shadows along the street to help establish a sense of scale. Entrance
429 doors shall be topped with transom windows to extend the vertical emphasis of
430 these openings.
431
432 7. Maintaining an Expression Line: Upper stories of buildings shall maintain an
433 expression line along the facade such as a setback, change of material, or a
434 projection to reduce perceived building mass.
435
436 8. Consistency of Architectural Style: All buildings shall have an articulated base
437 course and cornice ornamented with details consistent with the chosen
438 architectural style. The middle section of the building shall be divided either
439 horizontally or vertically in a manner consistent with the selected style. Buildings

may have upper story features which improve the relationship between the upper story and the street. Such features include, but are not limited to, balconies, roof decks, bay windows or upper story commercial activities.

9. Mixing of Styles: A compatible mix of architectural styles for the Holladay Crossroads Zone is acceptable provided that some basic design features which complement each other are present throughout the site.

a. In order to encourage design consistency, all major new construction shall include at least three (3) of the following elements on the street facing facades:

(1) Window and door treatment which embellishes the facade

(2) Decorative light fixtures

(3) Unique facade treatment, such as decorative materials and design elements

(4) Decorative paving

(5) Trellises, railings, gates, grillwork, or unique landscaping

b. The DRB and TRC may recommend other elements in place of the above for approval by the Planning Commission.

10. Oriented to the Corner: Buildings on corner lots shall be oriented to the corner. Corner entries and/or architectural treatment should be used to emphasize the corner.

11. Emphasis of HCR Identity: Any main building located at the intersection of Highland Drive and 6200 South shall have a prominent scale and iconic design to emphasize the importance of this vital gateway of Holladay as indicated in the SAMP.

12. Window and Door Designs: Windows and doors shall be used to define the character of buildings by giving scale to the building and providing visual interest to the composition of individual facades. Distinct window and door designs shall be used to help define building styles. Articulated, transparent facades shall be created along vehicular and pedestrian rights of way, including display windows as a link between both vehicles and pedestrians and activities in the building.

a. In keeping with the intent of these design guidelines, the following shall apply to any street level building facade:

(1) Major new construction shall have at least fifty percent (50%) of the length of the ground floor facade between the height of two feet zero inches (2'0") and eight feet zero inches (8'0") devoted to windows and doors affording views into retail, office, or lobby space.

(2) Highly tinted or mirrored glass windows, shades, blinds or screens that prevent pedestrian view into buildings shall not be permitted.

485 b. Windows on the second or third level shall be proportioned in favor of
486 verticality, and, the design of surrounding window casing, the depth and
487 profile of window sash element, and the material of which they are
488 constructed shall be distinctly associated with the specific building style.

489 c. Awnings and ground level canopies should contribute to the architectural
490 theme of the structure to which they are [to be] affixed and shall be integrated
491 within a building's design. Awnings shall be constructed of traditional
492 materials and located over windows and doors.

493 d. On multi-storefront buildings, separate awnings shall be located within
494 each storefront opening so that the building frame and details are revealed.

495 e. Retractable and fixed awnings are allowed (and encouraged).

496 f. Under awning lights that are designed to specifically illuminate the sidewalk
497 and storefront are permitted.

498

499 13. Reinforcement of Design: Building design should reinforce the building's location
500 abutting the street edge and public space.

501

502 14. Use of Customized Components: Prototype design for franchises, formula or
503 national chains shall use customized components consistent with the design
504 requirements for the HCR Zone that reinforce visual consistency with other
505 buildings in the Holladay Crossroads area.

506

507 a. Building Materials: Exterior finish materials selected should be part of a
508 strong architectural theme and shall not appear as a material foreign to the
509 character of the building nor to the Holladay Crossroads Zone.

510

511 b. Building exteriors shall be constructed from high quality and durable
512 materials. It is important that the materials and colors will weather well and
513 need minimal maintenance. Acceptable exterior finish materials include the
514 following:

515

516 (1) Painted, stained or weathered wood siding such as, 4-S shingles,
517 board and batten and clapboard

518 (2) Artificial wood siding such as painted Cementous fiberboard

519 (3) Brick or natural stone

520 (4) EIFS (synthetic stucco) (not more than 50 percent of all exterior
521 finished surfaces)

522 5) Stucco, but as a minority material

523 (6) Synthetic stone

524 (7) Architectural finish or decorative faced concrete masonry units
525 (CMUs). No portion of a building constructed of standard CMUs shall
526 be visible from an existing public right of way. Exposed concrete walls
527 should be architecturally treated. The enhancement must include joint
528 treatments, textured concrete such as exposed aggregate, sandblast
529 and/or colored concrete, or other decorative finishes.

530 Beveled metal siding, mirrored glass, vinyl siding and backlit awnings shall not be
531 used.

532 15. Roofs: The character of a roof is a major feature for a structure. The roof pitch, its
533 materials, size and orientation are all distinct features that should contribute to the
534 character of the building. Shadows created by traditional overhangs should
535 contribute to the perception of a building's scale. Roof designs should relate to the
536 building facade articulations. Accordingly:
537

- 538 a. A variety of roof types and configurations shall be used to add interest
539 and reduce perceived building bulk.
- 540
- 541 b. Use of sidewalk porticos and roof overhangs is allowed and encouraged.
542
- 543 c. Roof materials shall be in keeping with the character of the architectural
544 style of the building. Recommended roof materials include slate shingles,
545 asphalt and fiberglass shingles, metal standing seam or tiles.
546
- 547 d. Crickets or other snow guard devices should be placed in such a way
548 that they do not alter the form of the roof as seen from the street.
549
- 550 e. Decorative roof accessories such as cresting, ridge caps, and finials may
551 be used.
552
- 553 f. Roof-top amenities are allowed provided they do not create enclosed
554 (i.e., walled in) space. Examples of allowable elements include, but are
555 not limited to: landscape features, patio covers or other overhead shade
556 structures, plazas, fire pits, pools, game facilities, lounge seating/spaces,
557 etc.
558

559 16. Building Color(s):
560

- 561 a. A harmonious range of colors shall be used within the HCR Zone.
- 562 b. Neon or very bright colors (which have the effect of unreasonably setting
563 the building apart from other adjacent buildings on the street) shall not be
564 used or allowed within the zone.
- 565 c. Bright colors should be used only for trim and accents.
- 566 d. The TRC may recommend approval of bright colors if the use is
567 consistent with the building design and other design requirements.

568 17. Service Areas: See standards in Section 13.71

569 18. Mechanical Equipment: Ground and roof-top mechanical equipment such as
570 heating and air conditioning units, TV antennas and satellite dishes shall be
571 hidden or screened so as to minimize visual impacts. All noise emitting
572 equipment shall be placed so as to minimize noise impacts on nearby properties.

- 573 1. Lattice, open brick enclosures, or vegetation may be used to conceal
574 mechanical equipment. Screening material should be properly maintained. If
575 vegetation is used for screening, the mature size of the vegetation should be
576 considered so that equipment air flow will not be compromised.

577 2. All mechanical equipment shall be shown on the preliminary site plans
578 prepared for architectural review. The planning commission may recommend the
579 location, screening, and painting of such equipment as part of the project plan
580 review process.

581 3. Screening materials shall be designed to be compatible or complementary with
582 the building.

583 F. Fencing:

584 1. Only decorative solid walls (e.g., masonry, pre-poured concrete panel inserts,
585 etc.) or black, wrought-iron [including simulated wrought iron] fencing shall be
586 used upon any commercially used property(ies) within the HCR Zone.

587 2. Only decorative solid walls (e.g., masonry, pre-poured concrete panel inserts,
588 etc.) or black, wrought-iron [including simulated wrought iron] fencing shall be
589 used on/along the external boundary/property lines of land within the HCR Zone.

Chapter 13.100 APPENDIX A - ALLOWED USES

C = Conditional use P = Permitted use - = Not allowed SDMP = Site development master plan							
Use	HCR	ORD	C-1	C-2	HV	PO	R/M-U
Accessory Uses*							
Alcoholic beverage retail sales ¹⁴							See SDMP
Bar establishment	P22	C	-	C	-		
Bar establishment, equity	P22	C	-	C	-		
Bar establishment, fraternal	P22	C	-	C	-		
Brewery	P22	C	-	C	-		
Off premises	P	-	P	P	P		
On premises banquet and catering	P	C	-	C	P		
On premises beer retailer	P	P	-	P	P		
Restaurant - beer only	P	P	P	P	P		
Restaurant - full service	P	P	P	P	P		
Restaurant - limited service	P	P	P	P	P		
Single event permit	P	P	P	P	P	P	
Drive-through	C	P	C	P	-		
Family food production		-	-	-	-		
Flea market/farmers' market	P	-	P	P	P		
Guesthouse and/or caretaker quarters		-	-	-	-		
Home daycare/preschool		-	-	-	-	C3	
Home daycare/preschool, small		-	-	-	-	P4	
Home occupation	C	-	-	-	-		
Household pets	P	-	-	-	-		
Livestock, large		-	-	-	-		
Livestock, small		-	-	-	-		
Merchandise vending machine, outside	P	-	P	P	P		
Mobile food trailer	P18	P	P	P	P		
Mobile food truck	P18	P	P	P	P	C18	
Outside dining	C	C	C	C	C		
Outside display	P	-	P	P	P		
Outside storage		-	C	C	-		
Permanent cosmetics	P	P14	P14	P14	P14	C14	
Resource recycling collection		P8	P8	P8	-		
Seasonal sales	P13	P13	P13	P13	P13		
Short term rental		-	-	-	-		
Sportsman's kennel, cattery, animal hobby permit		-	-	-	-		
Stable, private		-	-	-	-		
Temporary buildings incidental to construction, & living quarters for security	P13	P13	P13	P13	P13	C13	
Temporary sales/use	P13	-	P13	P13	-		

Use	HCR	OR D	C- 1	C- 2	HV	PO	R/M- U
Primary Uses							
Agriculture:							See SDMP
Agriculture		-	P	P	-		
Entertainment and recreation:							See SDMP
Arcade		-	-	P	-		
Auditorium, exhibit hall, convention center		P	C	P	-		
Motion picture theater, live theater	P	-	P	P	-		
Private nonprofit recreational grounds and facilities		-	C	C	-	C	
Professional, fraternal and social association	P	-	P	P	-	P	
Recreation, commercial, indoor	P	-	P	P	-		
Recreation, commercial, outdoor	--	-	C	C	-		
Recreation, fitness center	P	-	P	P	P	C14	
Industrial and manufacturing:							See SDMP
Building materials sales and services	P	-	P	P	-		
Disinfecting and exterminating		-	-	C	-		
Educational and scientific research, medical/dental lab	P	P	P	P	-	P	
Landscaping installation and maintenance		-	P	P	-		
Light Manufacturing and Assembly	C	C	C	C	-		
Planned unit development:							See SDMP
Mixed-use planned unit development	P	-	C	C	C	C	
Nonresidential planned unit development	P	C	C	C	-	C	
Residential planned unit development		-	-	-	-		
Public:							See SDMP
Cemetery		-	-	-	-		
Charter school	P	-	-	-	-	P	
Educational facility, public		-	-	-	-		
Public use		-	-	-	-		
Quasi-public use		-	-	-	-		
Residential:							See SDMP
Bed and breakfast		-	P	P	P		
Dwelling:							
Live/work	P	-	-	-	-		
Multiple-family	P	-	p14	p14	P		
Single-family		-	-	-	-		
Two-family		-	-	-	-		
Group homes:							
Assisted living facilities, type I:							
Large	-	-	-	C	-		
Small		-	P	P	-		
Limited		-	P	P	-		
Assisted living facilities, type II:							
Large	-	-	-	C	-		
Small		-	P	P	-		
Limited		-	P	P	-		
Nursing home		-	-	-	-		

	Residential facilities for persons with a disability		-	-	-	P		
	Residential facility for elderly persons		-	-	-	-		
	Temporary lodging, hotel, motel, etc.	-	P	C	P	P		
Retail:								See SDMP
	Drugstore (pharmacy)	P	P	P	P	p16		
	Gas station	C	C	C	C	-		
	Groceries/food	P	C	P	P	-		
	Mobile food court		C	C	C	C		
	Motor vehicle sales, rental (new only)	-	-	-	C	-		
	Motorcycle sales, rental	-	-	-	P	-		
	Neighborhood market, large	P	-	P	P	P		
	Neighborhood market, small	P	-	P	P	P		
	Nursery, garden center		-	P	P	-		
	Recreational vehicles sales, rental		-	-	C	-		
	Restaurant	P	P	P	P	p16		
	Retail, general	P	C	P	P	p16		
	Sexually oriented business		C	-	-	-		
Services:								See SDMP
	Banking and credit	P	P	P	P	-	P	
	Commercial daycare, preschool	P12	p12	p12	p12	p12	C	
	Commercial kennel	-	-	C	C	-		
	Commercial stable (on lots of 1 acre or more)		-	-	-	-		
	Dry Cleaning ₁₅	C19	-	P	P	-		
	Educational facility, private	P	C	C	C	-	P	
	Equipment rental and leasing		-	P	P	-		
	Funeral home, crematory	-	-	P	P	-		
	Hospital	C	C	-	C	-		
	Laundry, self- service		-	P	P	p16		
	Medical, dental, and related health	P	-	P	P	P	P	
	Motor vehicle repair		-	C	P	-		
	Nonresidential treatment facility		-	-	-	-	C	
	Personal service	P	P	P	P	p16	C	
	Pet grooming/pet daycare	P	-	P	P	p16	C	
	Professional offices and business services	-	P	P	P	P	P	
	Reception center	C	-	P	P	-		
	Small engine repair, appliance, electrical, and machine repair		-	C	P	-		
	Veterinary services	P	-	P	P	-		
Transportation, communications, and utility facilities:								See SDMP
	Local, suburban and interurban transportation	P	P	P	P	-		
	Public parking	P	P	P	P	P	P	
	Radio and television broadcasting studio	C	C	C	C	-		
	Utility company, public	P	P	P	P	-	P	
	Utility facility company	P	P	P	P	-	P	
	Wireless telecommunications	SEE TELECOMUNICATION SECTION 13.83						

Notes:

* 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. Subject to 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.
(Ord. 2014-15, 8-21-2014; amd. Ord. 2015-17, 12-10-2015; Ord. 2016-03, 3-17-2016; Ord. 2018-06, 5-17-2018)
18. Subject to Section 13.76.770 "Mobile Food Businesses"
19. Drop off and pick up only
20. Indoor display, sales and service only
21. Restricted district only.
22. Subject to the following controls:
 - a. A minimum separation of 150' shall be maintained between the use and any residentially zoned or used property lying outside the boundary of the HCR Zone; and,
 - b. No outside music, entertainment or special events are, or shall be, permitted unless authorized by the City via issuance of a Special Events Permit or similar consent.

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Memorandum

To: Holladay City Council
From: City Staff
CC: Gina Chamness, City Manager
Date: October 1, 2020
Subject: Sidewalk Ordinance and Program Update - Policy Direction

City staff is reviewing the existing sections of the City ordinance and the sidewalk-related programs with the goals to (1) establish safe pedestrian facilities, prevent accidents, and minimize losses and (2) ensure the city ordinance reflects recommended pragmatic practices and current case law.

There are essentially three main categories of sidewalks this review effort aims to address:

- General sidewalk maintenance, repair and replacement.
- New development sidewalk requirements.
- Sidewalk gaps/fill-in and pedestrian corridor improvements.

The sections of City code that are under review include:

- 14.32 Sidewalk Use and Maintenance
- 14.32.005 Installation of Street Improvements Required
- 14.12.150 Exceptions (Standards for Roadway Development)
- 13.76.210 Off Site Improvements (Supplementary Regulations)
- 13.01.100 Improvements; Performance Bonds (General Provisions and Administration)
- Clean-up cross references

To aid in the drafting of updated language for the ordinance and the administrative program guidelines, City staff is seeking policy direction from the City Council on the following questions:

Q1. Does the City want to continue with the policy that adjacent property owners to sidewalks have the responsibility for snow and ice removal?

- a. Yes
- b. No

Q2. Does the City want to continue with the policy that adjacent property owners to sidewalks have the responsibility for sidewalk repairs and replacement? Based on current case law, the City has more responsibility for sidewalk repairs and replacement than previously understood.

- a. Yes
- b. No

Q3. If yes to 2, does the City want to continue to offer a 50/50 split grant, as currently outlined in the ordinance, and provide allocated funding for this purpose? Staff recommends budgeting \$25,000 for the 50/50 sidewalk program.

- a. Yes
- b. No

Q4. Should the City call-out the types of devices allowed or not allowed on sidewalks? Staff recommends that the ordinance includes language to prohibit self-propelled devices on sidewalks.

- a. Yes
- b. No

Q5. What sidewalk construction options should the City offer for new development?

- a. Dwelling occupancy restricted until improvements installed.
- b. Deferral Agreement, installation by property owner deferred until a City determined date.
- c. Deferral Agreement, 5-year deferred maximum installation date.
- d. Payment in lieu, owner pays to the City the determined cost of improvements for later installation.

Q6. Should the City distinguish between (1) corridors that include sidewalks and (2) corridors more conducive to alternative pedestrian improvements and facilities? The City of Holladay's adopted General Plan Pedestrian Network map delineates the community and neighborhood priority pedestrian corridors within the citywide pedestrian network. (Please reference the exhibit on page 4 of this memo.) Prioritization is largely based on school neighborhood access plans (SNAP), access to transit, support of the use of alternative transportation to employment centers, commercial and civic services, local and regional trail connections, access to parks and other public amenities. To support the City's goal to improve the pedestrian network, it may be helpful to identify the corridors that are conducive to sidewalk development or better

suited for alternative pedestrian improvements and facilities. City staff proposes dividing the City into roadway classifications and indicating the appropriate pedestrian improvement design for the area per the characteristics of the neighborhood, available right-of-way, etc.

- a. Yes
- b. No

Q7. Should the City continue to collect the fee in lieu for roadway or storm water improvements, such as curb and gutter, in areas where sidewalk is not conducive?

- a. Yes
- b. No

Q8. Should the City allow the collected fees to be used for alternative pedestrian improvements and facilities in areas where sidewalk is not conducive?

- a. Yes
- b. No

