



**PLANNING COMMISSION
MEETING AGENDA**
Tuesday, March 2nd 2021

In accordance with Executive Order issued by Governor Herbert Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to the infectious nature of the COVID-19 the Planning Commission of the City of Holladay will hold their regularly scheduled meeting by electronic means, with no physical location.

Interested parties are encouraged to watch the video stream of the meeting on the City of Holladay's Facebook page. Participation the *public hearings* portions of the meeting can be done in any of the following ways:

- Email your comments related to *public hearing items* to the Community and Economic Development Department during regular business hours; jteerlink@cityofholladay.com OR rhobbs@cityofholladay.com
 - During the meeting, go to www.zoom.us in your web browser and join the meeting:
Meeting ID is: TBA (check city website: www.cityofholladay.com prior to the meeting)
 - During the meeting, call Zoom on your telephone: 699-900-6833 or 346-248-7799 or 301-715-8592
Meeting ID is: TBA (check city website: www.cityofholladay.com prior to the meeting)
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AGENDA

- 5:30 PM WORK SESSION** – The Commission may discuss any or all agenda items. No decisions or voting to occur.
- 6:00 PM CONVENE ELECTRONIC MEETING** – Public Welcome & Chair Opening Statement

ACTION

1. ***Continued from 02/23/2021***
“Cannon Fitness Ent.” - Home Occupation C.U.P. – 4105 South Morningstar Dr. - (R-1-8)
Applicant Carol Cannon is seeking a conditional use permit approval to operate a person fitness training service from her residence as allowed in accordance with Holladay Ordinance §5.54.010 and 13.76.70. *File #21-2-02*

PUBLIC HEARING

2. **Zone Map Amendment, R-1-10 to R-2-8 – 4425 S. thru 4449 S. 2300 E. & 2327 E. thru 2359 E. 4500 S.**
Consideration and recommendation of a request by Jake Christensen, to amend the City of Holladay's Zoning Map for 1.59 acres of property from a currently designated zone, R-1-10 (one home per 10,000 sq ft), to R-2-8 (duplex per 8,000 sq ft). Application to be considered as per procedures as referenced Holladay Ordinance § [13.07.030](#) *File # 21-4-05*
3. **Ordinance Amendment – Holladay Crossroads Zone Landscaping Standards (13.77.050 and .060)**
Consideration and recommendation of updates to existing landscaping standards to include new requirements for new development and parking lots within the newly established Holladay Crossroads Zone. *File #13-4-02-2*

ADJOURN

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 Deseret News and others who have indicated interest.

DATE POSTED: *

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

**ORDER ON PUBLIC MEETINGS OF THE CITY OF HOLLADAY PLANNING
COMMISSION**

I, Jan Bradshaw, as the Chair of the City of Holladay Planning Commission, do hereby find and declare as follows:

1. Due to the Emergency conditions which currently exist in the State of Utah, and specifically in Salt Lake County and the City of Holladay as a result of the COVID-19 Pandemic, the holding of public meetings with an anchor location as defined in the *Utah Open and Public Meetings Act*, presents a substantial risk to the health and safety of those who may be present at the anchor location; and
2. The risk to those who may be present at an anchor location can be substantially mitigated by holding public meetings of the Planning Commission pursuant to electronic means that allow for public participation via virtual means; and
3. The City has the means and ability to allow virtual participation in the public meetings in accordance with the *Utah Open and Public Meetings Act*;

NOW THEREFORE, BASED UPON THE FOREGOING,

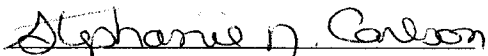
For thirty days from the date of this Order, meetings of the City of Holladay Planning Commission, shall be conducted by virtual means, without an anchor location.

DATED this 15th day of November, 2020.

By: _____

Jan Bradshaw, Chair

ATTEST:



Stephanie N. Carlson, MMC

City Recorder

Rules of the City of Holladay Planning Commission for Public Hearings

The Planning Commission Chair or Vice Chair is the Presiding Officer and will conduct the hearing.

1. **Introduction.** The Presiding Officer informs those attending of the procedure and order of business for the hearing.
2. **Staff Presentation.** City Staff briefly introduces the request that prompted the public hearing. The presentation shall not last more than five minutes.
3. **Sponsor Presentation.** If desired, the applicant or his/her representative may also make a presentation. The presentation shall not last more than fifteen minutes.
4. **Public Comment.** The Presiding Officer asks for public comment on the matter before the Commission. Comments are limited to three minutes and speakers are allowed to speak only once. Speakers are requested to:
 - (a) Complete the Citizen Comment Form
 - (b) Wait until recognized before speaking
 - (c) Come to the microphone and state their name and address for the record
 - (d) Be brief and to the point
 - (e) Not restate points made by other speakers
 - (f) Address questions through the Presiding Officer
 - (g) Confine remarks to the topic
 - (h) Avoid personalities

After each citizen has spoken, Commission members may ask questions of the participant before the Presiding Officer resumes or closes the hearing.

5. **Applicant Summation/Response.** Following citizen comment and questions by the Commission, the applicant shall be given an opportunity to give up to fifteen minutes summation and/or response prior to closing of the public hearing.
6. **Closing the Hearing.** If there is no further public comment, questions by Commission members, or final response by the applicant, the Presiding Officer shall conclude the hearing at least ten minutes in advance of a subsequently scheduled public hearing. The Commission may vote to extend the public hearing past the starting time of a subsequent public hearing.
7. **Consideration of Item.** At the close of the public hearing, the Commission shall consider the item, discuss its merits and vote on the matter or vote to continue it at a future meeting.



FILE# 21-2-02

"CANNON FITNESS" C.U.P - Home Occ.

ADDRESS:

4105 South Morningstar Dr

LEGAL DESCRIPTION: 16-34-483-013

LOT 144 SUNNYSIDE HEIGHTS

APPLICANT/REPRESENTATIVE:

City of Holladay Planning Commission

PROPERTY OWNER:

Carol Cannon

ZONING:

R-1-8

GENERAL PLAN DISTRICT:

Low Density Residential-Stable (LDR-S)

CITY COUNCIL DISTRICT:

District #2

PUBLIC NOTICE DETAILS:

500' Radius Mailer - 02/12/2021

REQUEST:

Conditional Use Permit

APPLICABLE REGULATIONS:

5.54.010
13.76.730

EXHIBITS:

Zone Map
Aerial
Applicant Narrative

STAFF:

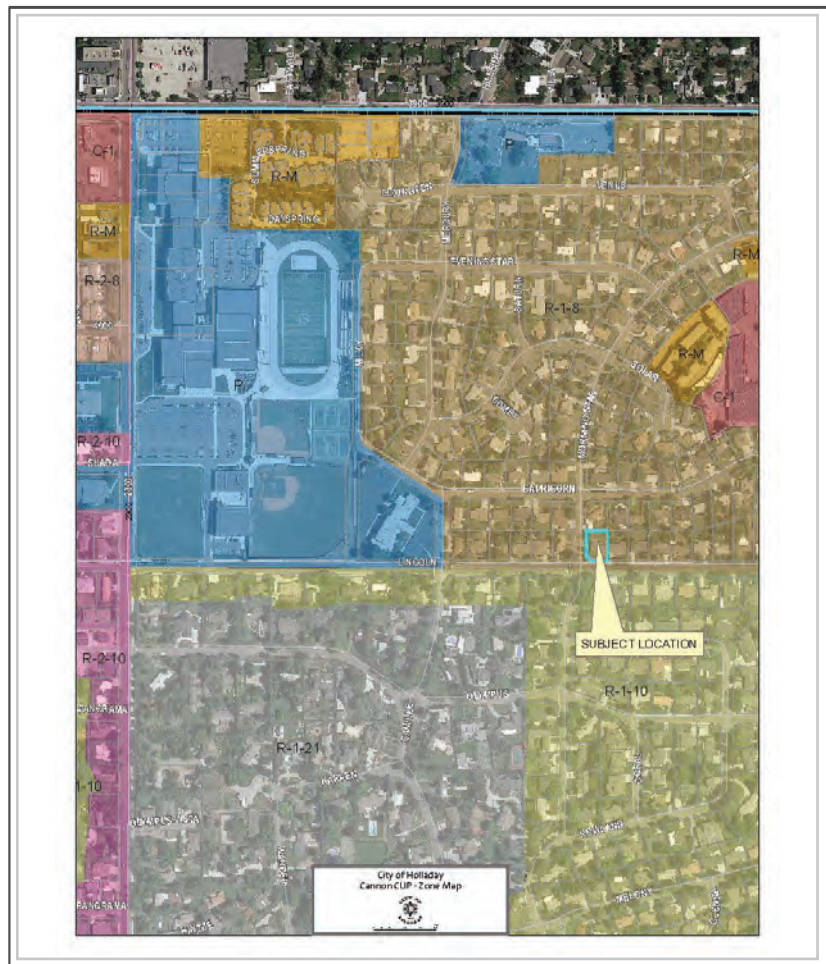
Jonathan Teerlink, City Planner

DECISION TYPE:

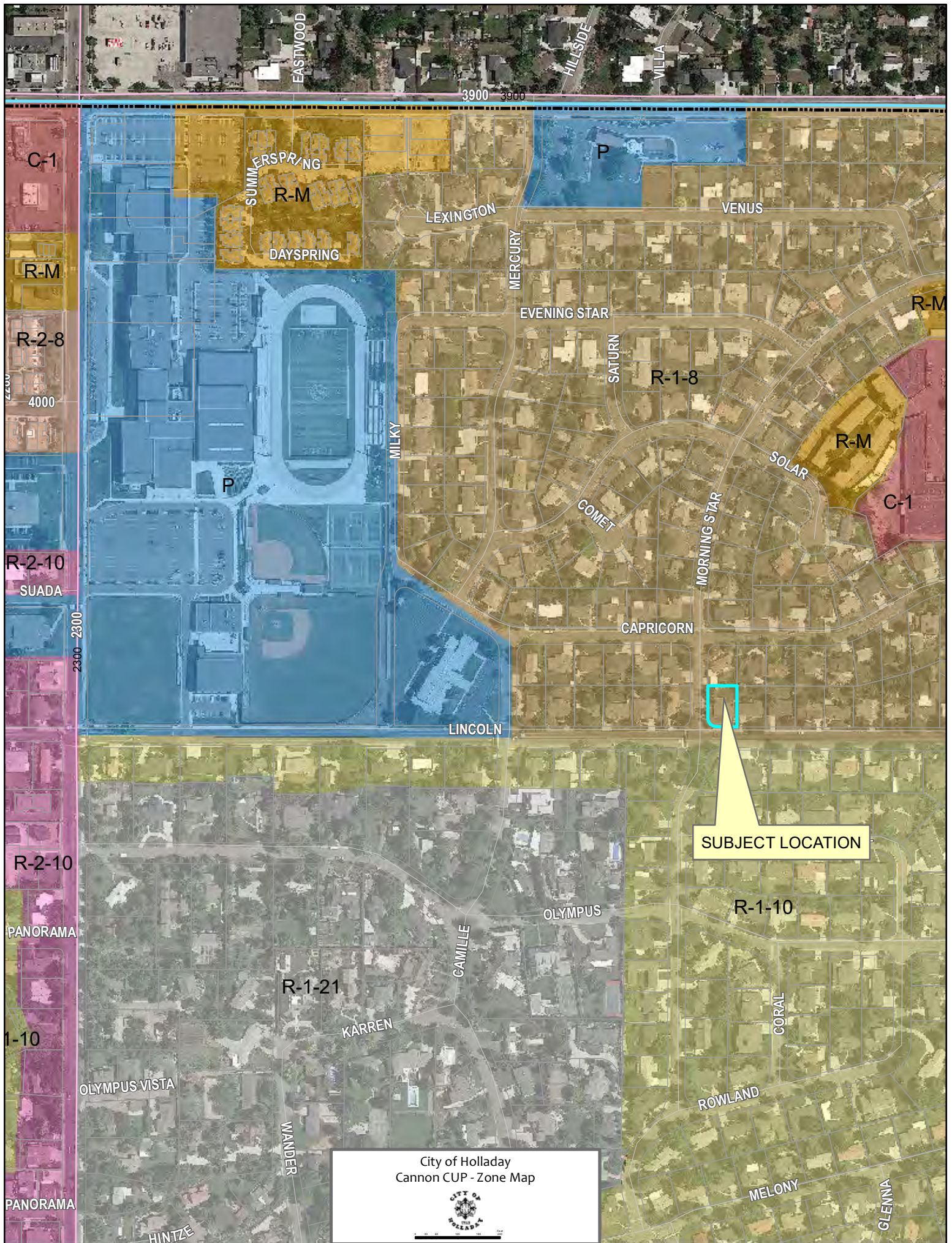
Administrative:

Public hearing required. PC shall make a motion of either, denial, approval or to continue. All motions require findings which support the decision. As directed by ordinance, applications shall be approved if the Land Use Authority finds Substantial Evidence of compliance with applicable requirements. Holladay Ord. 13.06.050.B2 and 13.08

SITE VICINITY MAP



Notes:



RICORN WY
CYNTHIA
REVOCABLE
8/20/2020

2556 E CAPRICORN WY
AMY S WOOD; JEREMY
D WOOD (JT)

2578 E CAPRICORN WY
CODY M BROWN;
JESSICA BROWN (JT)

2590 E CAPRICORN WY
JOHN H SMITH;
PATRICIA B SMITH (JT)

2602 E
CAPRICORN WY
BTB REV TR

MORNING STAR

LINCOLN LN
ST NOT
NOTIFIED

100 S MORNING STAR DR
COLIN D SANTOS;
KATHERINE J FETZER (JT)

1105 S MORNING STAR DR
JOSEPH N HENDERSON; CAROL
A CANNON-HENDERSON (JT)

2591 E LINCOLN LN
MATTHEW B FOULGER;
ANNE-MARIE J
FOULGER (JT)

2601 E LINCOLN LN
MATTHEW R KLEM;
JILL N KLEMIN (JT)

LINCOLN

4430 S MORNING STAR DR
ADAM R TORONTO;
JENNIFER TORONTO (JT)

4131 S MORNING STAR DR
ROBERT N FISCHER;
CHARLOTTE D FISCHER (JT)

2590 E LINCOLN LN
SOOK-MEI SHIMODA;
GALEN T SHIMODA (JT)

2604 E LINCOLN
MELINDA NIEL
JEAN B ROBERTS

City of Holladay
Cannon Aerial



0 100 200 300 Feet



Request: **Home Occupation Conditional Use Approval for a Home-Based Business:
“Cannon Fitness”**

Applicant: Carol Cannon
Address: 4105 E Morning Star Dr.
Zone: R-1-8 (Single-Family Residential, 8,000 sq. ft. min. property size)
File No: 21-2-02
Planner: Jonathan Teerlink

GOVERNING POLICIES/ORDINANCES:	13.76.730	Home Occupation (Regulations)
	13.100	Land Use Table (allowed as conditional)
	13.08.040	Conditional Uses
	05.54.010	Home Occupation (business license)

Item continued from February 23rd. Public Hearing has been closed.

REGULATIONS SUMMARY

Section 5.54.010 of the City of Holladay zoning code defines a business operated out of a home (i.e., a “Home Occupation”) as: *“Any use conducted entirely within a dwelling and carried on by one person residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the dwelling or property restricted for residential purposes”*.

Home-based businesses (HBB) that have customers or employees coming to the home are reviewed through the Conditional Use Permit process as “Home Occupations”. Subsequent to 2005 state legislative action, Conditional Uses are to be treated as allowable uses *, subject to possible imposition of “conditions” effectually designed to mitigate potential harmful impacts of said uses on adjoining properties or vice versa.

* “A conditional use must be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with standards that are contained in the ordinance. If there are no identifiable standards contained in the ordinance, there will be no basis for denying the permit.” (“Standards for Granting Conditional Use Permits”, ULCT, 2016)

The Planning Commission should focus on a proposed home occupation’s potential operational impact(s) on the neighborhood within which the business is proposed. As per 13.04.080, a conditional use should NOT:

1. Contribute to a detrimental concentration of existing nonconforming or conditional uses substantially similar to the use proposed within one-fourth (1/4) mile of the exterior boundary of the subject property;
2. Result in loss of privacy, objectionable views of large parking or storage areas; or views or sounds of loading and unloading areas; and
3. Encroach on or cause erosion of the bank of a river or stream, or direct runoff into a river or stream without approval by the appropriate storm water authority.

As home occupations in Holladay are reviewed in context of Conditional Use Standards (see H.C.C. § 13.08.040.F), any denial of the same requires careful and specific reasons to withstand court scrutiny.

And, while Conditional Use standards apply to home businesses, Holladay also has specific standards that appertain to Home Occupations -- as follows:

13.76.730: HOME OCCUPATION: REGULATIONS

- A. The business activity must be conducted entirely within a dwelling and carried on by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the dwelling or property for residential purposes.
- B. No home occupation license shall be required for businesses that:
 1. Do not have customers that come to the home;

2. Do not have employees who come to the home; and
 3. Do not have combined offsite impacts of the home based business and the primary residential use that exceed the impact of the residential use alone.
- C. There shall be no display of merchandise nor stock in trade, "stock in trade" being an item offered for sale which was not produced on the premises.
- D. The business shall not include the sale of commodities except those produced on the premises.
1. Original or reproductions of works of art designed or created by the artist operating a home occupation may be stored on the premises. "Reproductions of works of art" include such items as printed reproductions, casting and sound recordings.
 2. Commodities produced on the premises may be sold on the premises if the Planning Commission grants a conditional use permit for customers coming to the home.
- E. The home occupation shall not involve the use of an accessory building or yard space or activity outside the main building.
- F. The Community Development Director shall determine whether additional parking, in addition to the requirements of chapter 13.80 of this title is required for a home occupation and shall also determine the number and location of such additional parking spaces. (Ord. 2017-17, 6-15-2017)

TECHNICAL REVIEW COMMITTEE QUICK ANALYSIS & RECOMMENDATION

Property owner, Carol Cannon is requesting approval to license and operate a home-based "personal fitness" service. She intends on accepting 1-4 clients per session.

The Technical Review Committee (TRC) finds that the application for a conditional use permit allowing a home-based to be complete. The TRC recommends the PC to hold the required public hearing (as required 13.08.040). A neighborhood meeting is not required for this type of application and one has not been held in so far as Staff is aware. Public comments offered during the hearing should be considered within the context of the set approval standards mentioned above and may be used to form possible discussion points for generation of additional findings and/or conditions. Additional considerations or conditions, if any, should be applied carefully and reasonably as per 13.08.040.F. The Holladay TRC has provided their suggesting findings and conditions to consider....

Suggested Findings:

1. A Home Occupation with customers is an allowed use for this location subject to mitigation conditions; and,
2. The proposed business's operations are intended to be of low-impact --all procedures are proposed to occur within the home; and,
3. Property owner has not provided a parking plan for up to 4 cars at any given time
4. The proposed hours of operation for the business are also not proposed
5. It is not anticipated that traffic will not be a problem due to the small-scale nature of the service and that the property is located on a corner on a main road (Lincoln) and not interior to the block/neighborhood)
6. There are no outside employees proposed or allowed with the use (which will reduce the need for parking); and,
7. The use provides a desirable service to the community; and,
8. <Any other findings as may be determined by the Commission in its review of the application...>

Suggested Conditions of Approval:

1. Off street parking areas shall be maintained as available during business hours – no street parking allowed; and,
2. A business license shall be procured by the Applicant for the use and shall be maintained in active status while the business is in operation; and,
3. Operational permits and licensure are subject to review and revocation upon finding of non-compliance; and,
4. Provided clientele services shall be limited to a maximum of 4 persons per session; and,
5. Days and hours of operation limited to: daily 9am-9pm, <unless adjusted otherwise by the Commission>; and,
6. <Any other conditions as may be imposed by the Commission to promote the general health, safety and welfare of the neighborhood surrounding the Property...>

SUGGESTED MOTION FORMAT:

"I move that the Holladay Planning Commission approve the application for a Home Occupation for "Cannon Fitness" located at 4105 S Morningstar Drive, based upon findings 1-8* in the Staff report <and any other Commission stated findings> , contingent on Applicant's compliance with the following conditions... (see above for Staff suggested conditions)..."

From: [Robert Hobbs](#)
To: [Jonathan Teerlink](#)
Subject: FW: Carol Cannon
Date: Thursday, February 18, 2021 6:26:09 PM

Jon, fyi/use...

From: Mark Fankhauser <markfank@gmail.com>
Sent: Thursday, February 18, 2021 6:04 PM
To: Robert Hobbs <rhobbs@cityofholladay.com>
Subject: Carol Cannon

Hi Robert,

My name is Mark Fankhauser and I live at 4137 S Camille Street. I received the 2/12/2021 notice about the conditional approval for Carol Cannon. I support her request since she is a great neighbor and runs a great local business. Hopefully the other neighbors will help support her as well. Thank you for your consideration.

Mark Fankhauser

From: [Robert Hobbs](#)
To: [Jonathan Teerlink](#)
Subject: FW: concerns and questions about Carol Cannon's conditional use permit
Date: Monday, February 22, 2021 1:15:25 PM

fyi

From: AnneMarie Foulger <annefoulger@gmail.com>
Sent: Monday, February 22, 2021 1:12 PM
To: Robert Hobbs <rhobbs@cityofholladay.com>
Subject: concerns and questions about Carol Cannon's conditional use permit

Hello Mr. Hobbs, and Planning commission,

My name is Anne Foulger, and I am Carol Cannon's direct neighbor to the east. I appreciate your request for input regarding the business she intends to continue running out of her home.

Carol's home is on a corner of an intersection that is the busiest children walking to Driggs elementary school have to cross without a crossing guard. There are also no sidewalks here, so kids are already forced to walk on the shoulder of the road. Dozens of kids cross this corner to get to school between the hours of 8 and 9 am and 3 and 4 pm. It would be prudent and sensible that her business hours would exclude these busy times. Lincoln Lane is, unfortunately, already a street where drivers drive too fast. It would be prudent to limit hours in the interest of keeping our neighborhood quiet between the hours of 8 pm and 7 am.

Having cars parking on the street would also pose an impediment to kids walking safely in the neighborhood, so I hope the commission sees fit to have Carol's clients park in her driveway only. Carol has room for 4 cars in her driveway, so 4 would be a reasonable limit to the number of clients at a time. I am opposed to the increased street traffic that more clients would bring.

It is apparent from the website Carol has up (<https://www.myfitnutlife.net/>) that she intends not only to have group training in her home, but also to run a personal trainer school out of her home. I am very glad the commission is willing to limit the number of in-person clients/students she has at one time.

My biggest concerns are for the safety of my children, and other children in the neighborhood, I also have concerns regarding traffic and visibility, and ruining the feel of the neighborhood we bought a home in.

Thanks for your consideration of these concerns,
Anne Foulger
annefoulger@gmail.com

FILE# 21-4-05

ZONE MAP AMENDMENT - R-1-10 to R-2-8

ADDRESS:

Corner of 4500 S 2300 E

LEGAL DESCRIPTION: 6 Parcels total of 1.59 ac

22032520110000
22032520120000
22032520130000
22034010010000
22034010030000
22034010040000

APPLICANT/REPRESENTATIVE:

Jake Christensen

PROPERTY OWNER:

Mark and Sherrie Slusser

ZONING:

R-1-0

GENERAL PLAN DISTRICT:

Medium Density Residential-Two Units (MDR-T)

CITY COUNCIL DISTRICT:

District #5

PUBLIC NOTICE DETAILS:

newspaper; 02/17, mailer; 02/19

REQUEST:

Zone Map Amendment

APPLICABLE REGULATIONS:

13.07.030

EXHIBITS:

Staff report
Aerials
Zone map
District map
Applicant Narrative
Emailed public comment

STAFF:

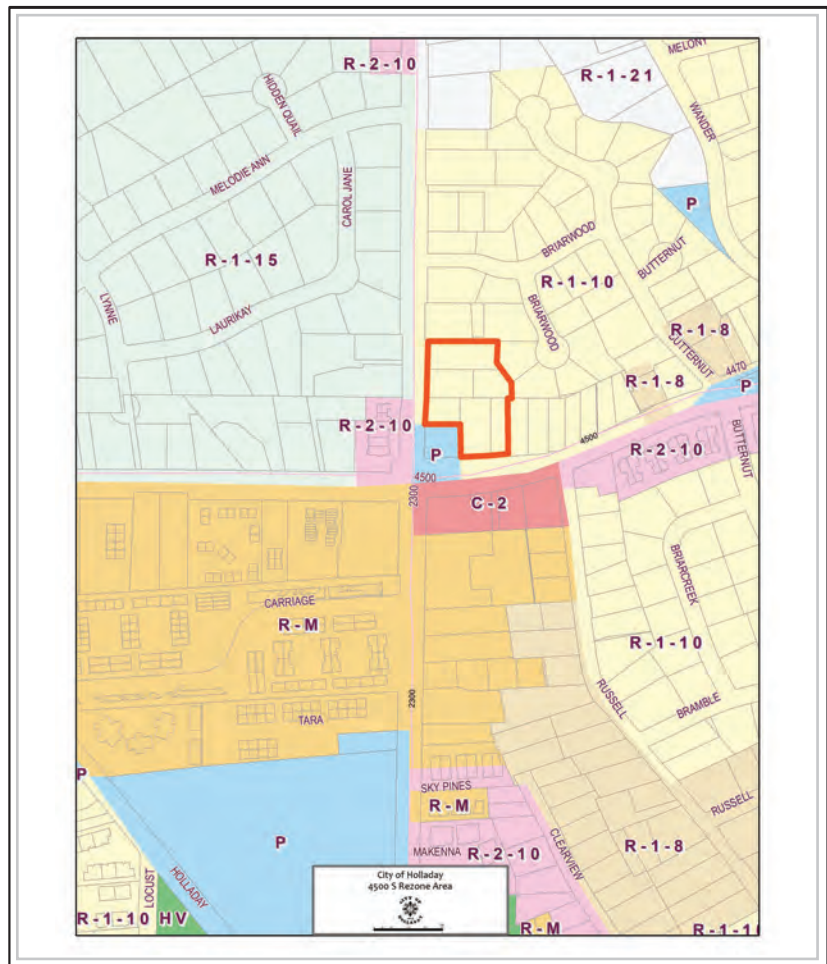
Jonathan Teerlink, City Planner

DECISION TYPE:

Legislative:

Public Hearing Required. PC shall make a recommendation to City Council to either approve or disapprove the request. All motions require findings which support the recommendation.
Holladay Ord. 13.06.050.F2,13.07

SITE VICINITY MAP



Notes:

NOTICE OF PUBLIC HEARING

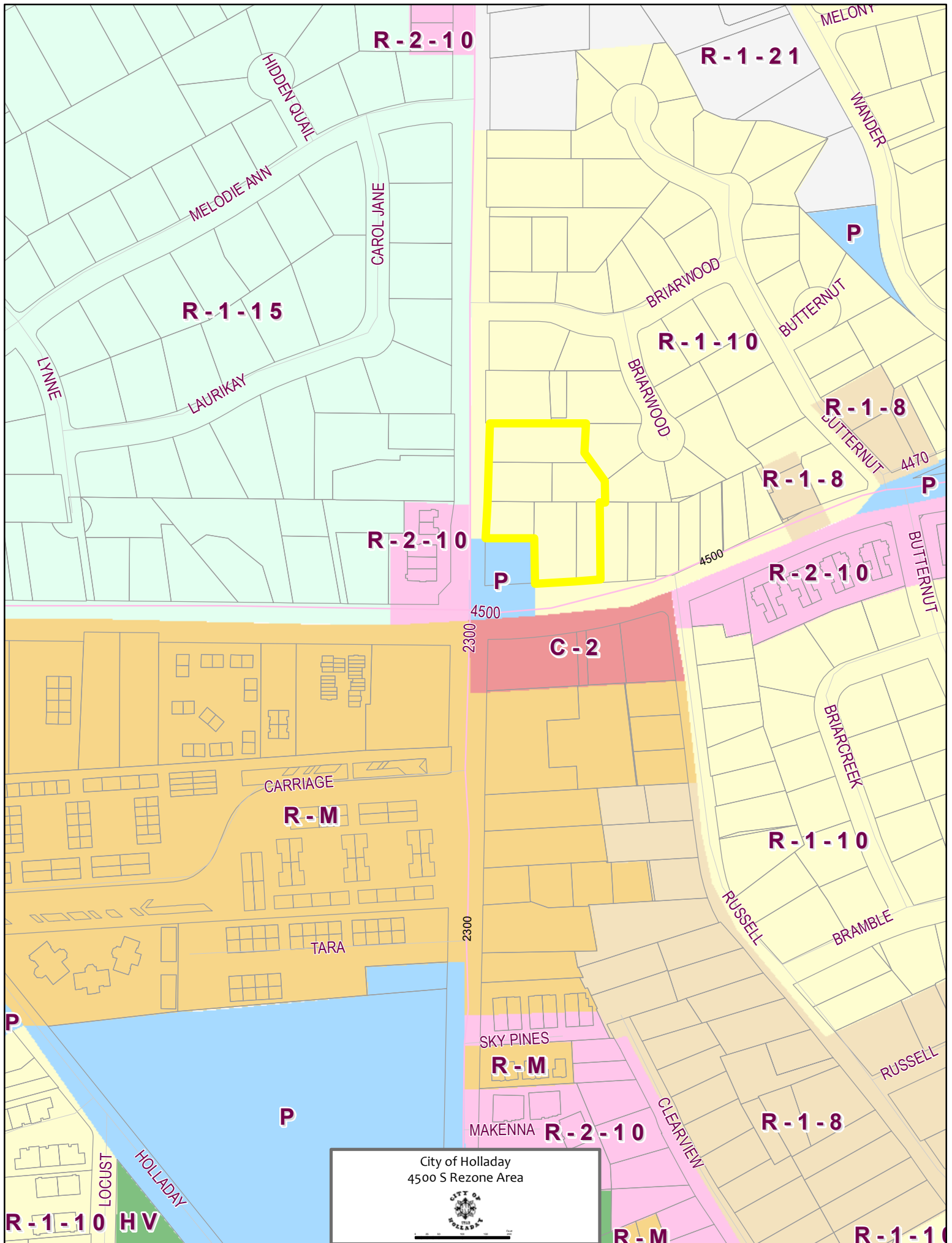
NOTICE IS HEREBY GIVEN that the Holladay City Planning Commission will hold a public hearing on Tuesday, the 2nd day of March 2021, as close to 6:00 P.M. as possible. This hearing will be conducted by electronic webinar via Zoom and streamed on Facebook. Participation links will be provided on the City's website prior to the meeting. The purpose of the hearing is to consider an amendment to the Holladay Zone Map from R-1-10 zone to R-2-8 for approximately 1.59 acres of property located at an address range of; 4425 South through 4449 South 2300 east and 2327 East through 2359 East 4500 South, Holladay Utah.

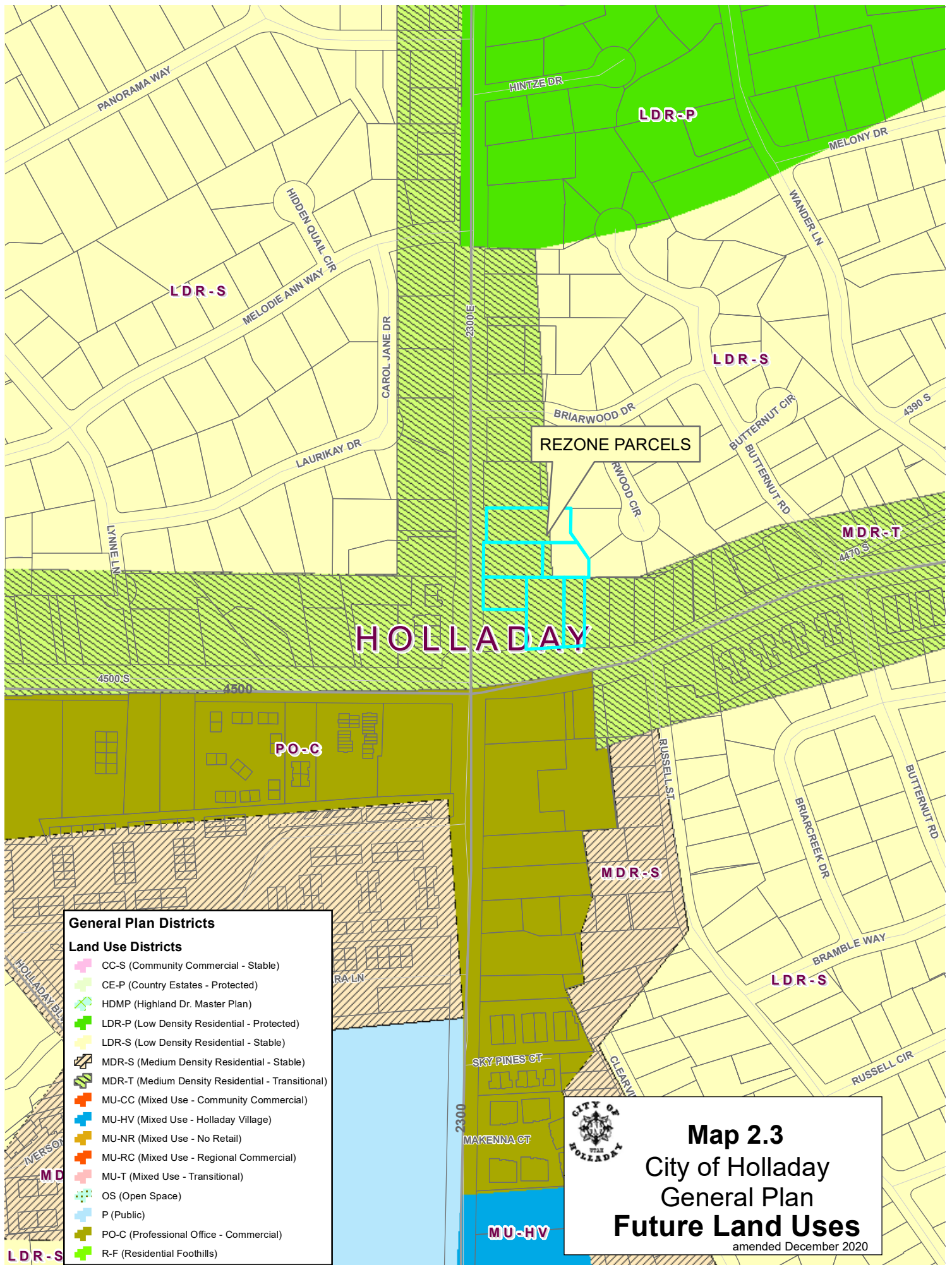
The proposal is available for public inspection on the City's website, www.cityofholladay.com or during regular business hours at the Holladay City offices, 4580 S 2300 E, Holladay, Utah, 84117.

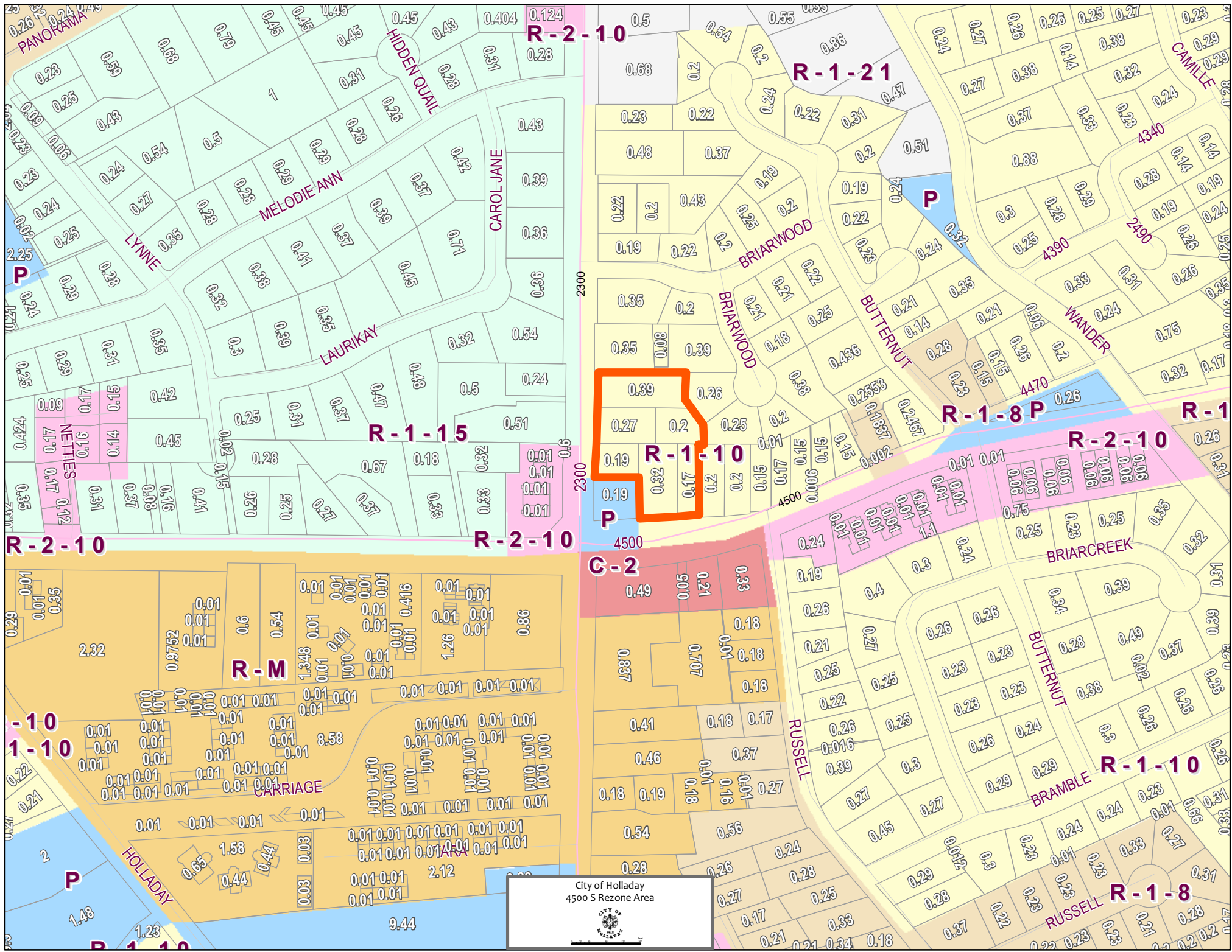
Dated this **day of **, 2021

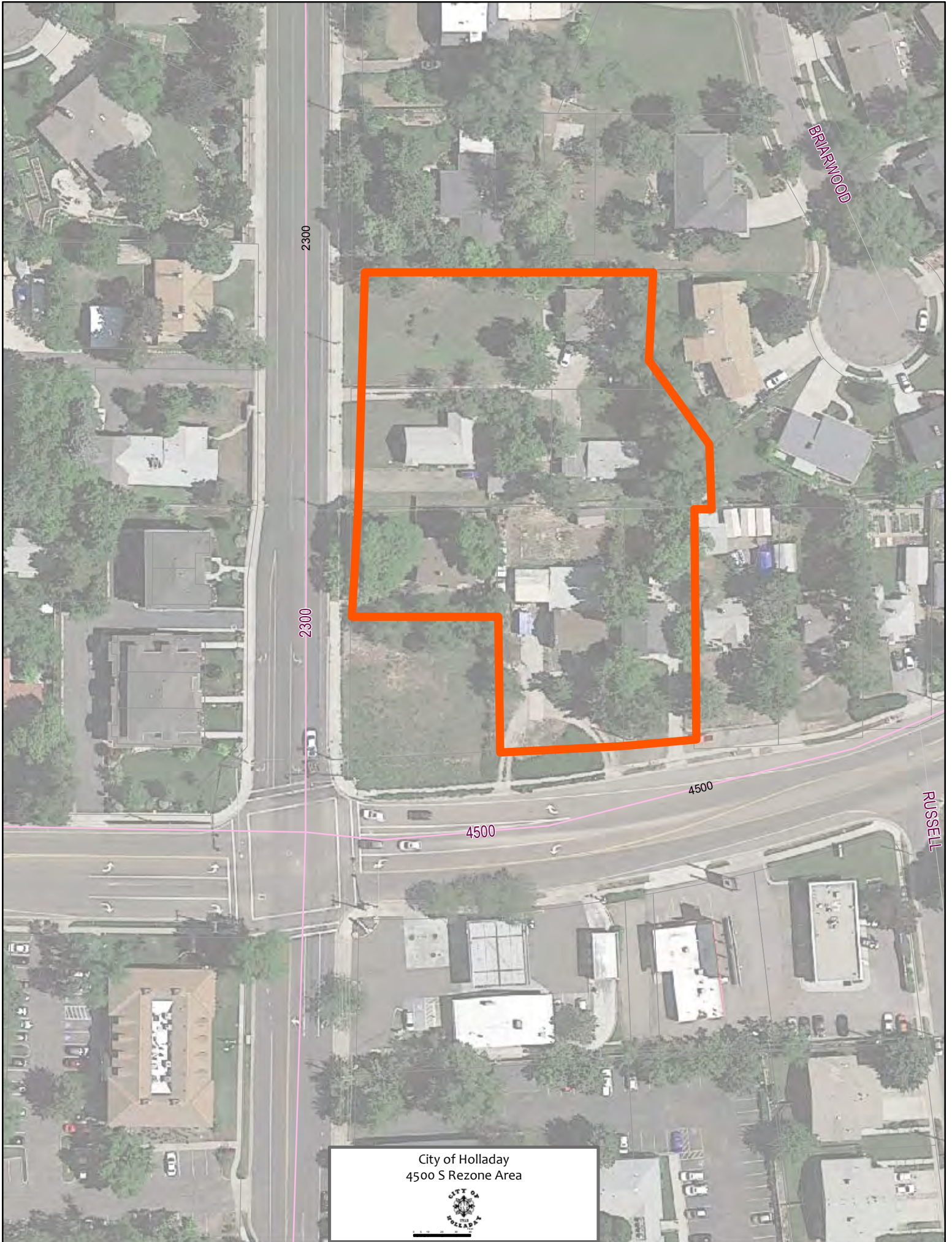
PUBLISHED BY ORDER OF THE HOLLADAY CITY PLANNING COMMISSION
LaNiece Davenport Community and Economic Development Director

ATTENTION: This notice was mailed 02/19/2021 by order of the Community and Economic Development Director, LaNiece Davenport to all residents within an area extending 500 feet from the subject property. If you know of anyone who may not have received a notice but may have an interest in the meeting, please pass along the information. If you are not the owner of your residence, please notify the owner regarding this matter. Thank you.









City of Holladay
4500 S Rezone Area





Request: **ZONE MAP AMENDMENT FROM R-1-10 to R-2-8**
Address: 4425 S. thru 4449 S. 2300 E. & 2327 E. thru 2359 E. 4500 S.
Applicant: Jake Christensen, Agent for property owners, Sherrie and Mark Slusser
Project: Residential Rezone – City of Holladay Zone Map Amendment
File No: 21-4-05
Notice: mailed notice – 02/19/2021, Newspaper notice – 02/17/2021
N’hood Mtg: Held 02/10/2021
Planner: Jonathan Teerlink

GOVERNING ORDINANCES: 13.07.030 AMENDMENT TO THE ZONE MAP
General Plan MEDIUM DENSITY RESIDENTIAL-TWO UNITS (MDR-T)

REQUIRED PLANNING COMMISSION ACTION

Public hearing to consider comment from residents regarding the proposal

Provide a recommendation of approval or denial to the City Council of a Proposal to Amend the Zone map (Legislative)

EXECUTIVE SUMMARY

Located at the corner of 4500 south and 2300 east, 6 properties owned by Sherrie and Mark Slusser. Their combined parcels comprise of **1.59 acres (69,264 sq ft)** and surround the vacant Salt Lake Public Utilities well site. This area is currently zoned for single-family homes on 10,000 sq ft lot sizes. As all the properties front either 4500 South (UDOT State Rd) and 2300 East (City Road) the General Plan designation of MDR-T is applied to guide future zoning changes. The application to rezone this property to R-2-8 is intended to facilitate a planned unit twin-home subdivision (PUD) by creating **8 twin homes** (16 homes) a density equivalency of approximately 10 units per acre.

REZONE APPROVAL STANDARDS: (13.07.030.G.2)

In reviewing a zone map amendment, the following factors are provided as to be strongly considered:

- a. *Whether the proposed amendment is consistent with goals, objectives and policies of the General Plan*
- b. *Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*
- c. *The extent to which the proposed amendment may adversely affect abutting properties; and*
- d. *The adequacy of facilities and services intended to serve the subject property, such as, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, environmental hazard mitigation measures, water supply, and wastewater and refuse collection.*

GENERAL PLAN APPLICATION/ANAYLSIS

Controlling and moderating change within established residential neighborhoods is a particularly important land use decision. As a legislative action, this decision is guided by the community standards given in the City of Holladay General Plan (GP) and is supported by the Title 13 of the Land Use Ordnances of Holladay. The GP includes recommended zones of various density patterns intended to accommodate change over time (i.e. growth) and to help match the vision and expectations of a given district/community.

As expected, local attention on current patterns of residential growth is occurring. Therefore, as the GP states, growth should be first accommodated by the utilization of current zoning and densities and then second, by rezoning. Zone changes in reaction to population growth should be carefully considered and applied to both accommodate a dire need for new housing and to ensure neighborhood compatibility, therefore preventing the destabilization of the existing neighborhoods and potential loss of established community character, to overall density or intensity.

According the Land Use Map 2.3 of General Plan this subject area lies within the General Plan District: MDR-T (Medium Density Residential-Two Units. Specifically, this district described as follows (Principle 1, pg16)

Medium Density Residential-Two Units (MDR-T)

Suggested Zones: R-1-4, R-2-8, R-2-10

*This district is intended to accommodate small-lot single family and **two-family attached unit development** with slightly higher densities than the LDR-S districts. New development should be accommodated through utilizing unclaimed density where possible. Proposed rezones within the suggested zone list may be appropriate where increased density will not destabilize the existing neighborhood.*

This rezone proposal is at the mid-density range of the three suggested zones. While considering the General Plan’s vision of compatibility, and “utilizing unclaimed density”, we must first establish the baseline density of the current zone and all other suggested zones within the MDR-T

	SINGLE FAMILY HOMES		TWIN HOMES (Two Family)	
	Min. Lot Size in Sq Ft. per single family detached home	Gross Density (u/acre)	Min. Lot Size in Sq Ft. per Two-Unit Duplex	Gross Density (u/acre)
69,264 sq ft				
R-1-10	10,000	4.36	n/a	n/a
R-2-10	6,250	6.97	10,000	4.36
(Proposed) R-2-8	5,000	8.71	8,000	5.44
R-1-4	4,000	10.89	n/a	n/a
Current Density	6 homes on 1.59 acres: 3.77 homes per acre or 11,576 sq ft per unit			
Proposed Density	16 homes on 1.59 acres: 10 homes per acre or 4,328 sq ft per unit			

REZONE PROPOSAL ANALYSIS

- *Property* – combined at 1.59 acres (69,260 sq ft) the gross density of the entire property exceeds the existing R-1-10 zone leaving no unclaimed available density at R-1-10
- *Access* – unlikely every duplex will be proposed to access onto 2300 east or 4500. The development will likely be service via private lane with one drive approach at each road.
- *Road Configuration and Traffic* –Average Daily Traffic (ADT) count: 12,719 for 2300 E. 14,739 for 4500 S.¹ Approval of this petition and subsequent subdivision, would lead to a net generated increase of 99 additional ADT (average 6.5 ADT per single-family household) or 6.78% increase to both of these major public roads. A deceleration lane will likely be required.
- *Density* – see chart above
- *Health and Safety* – If a rezone is approved, the proposed residential uses, will likely be services by a private, gated lane negligible impact on the health, safety or welfare of an existing single-family community.
- *Fire Protection and Access* – The applicant would be required to adhere to and provide access and fire protection measures as required by the Unified Fire Authority.
- *Other Site Issues* - Site design features such as street dedication, curb and gutter, storm drainage and water retention; landscaping and trees, etc. – are all items that will be required, but reviewed during a subdivision process, not during the rezone consideration.

TECHNICAL REVIEW COMMITTEE RECOMMENDATION

Staff recommends that the Planning Commission to allow the applicant time to present arguments for their petition and to also gather input from the public via required Public Hearing. Merits of the proposal should be discussed within the framework of points mentioned above (General Plan guidance). As legislative matters are often complex, staff recommends that this item may be continued to a later date for further discussion and final decision. However, if a recommendation to the City Council can be derived from tonight's discussion, a set of findings is required to accompany the motion, as per ordinance 13.07.030.G.2.

Recommendation of staff is in favor of the application as the proposed zone is one of those residential zones suggested by the General Plan's future land use district, MDR-T, established as a long-range envisioning and planning document generated by the City Council.

Staff urges the Commission again to moderate the discussion of the present application around the following points:

- Whether the proposed amendment is consistent with goals, objectives and policies of the General Plan*
- Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*
- The extent to which the proposed amendment may adversely affect abutting properties; and*
- The adequacy of facilities and services intended to serve the subject property, such as, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, environmental hazard mitigation measures, water supply, and wastewater and refuse collection.*

Additional discussion points:

- Do the similar densities of “Stegner Place” and the retail and office uses located across the street make up the “community character” of this location?
- As mentioned above, the property owner has exhausted the concept of “utilizing unclaimed densities” for 6 homes on 6 lots in the R-1-10 zone, However, have all other options to increase the property size been pursued –i.e. as suggested by the General Plan?

¹ <https://www.udot.utah.gov/connect/business/traffic-data/traffic-statistics/>

4500 South LLC
2150 South 1300 East, Suite 500
Salt Lake City, UT 84106
Office: (801) 990-2802

December 7, 2020

Holladay City Planning Department
4580 South 2300 East
Holladay, UT 84117

Re: Brief narrative supporting the zone map amendment

This assemblage is located within both the MDR-T 4500 South overlay zone, and the MDR-T 2300 East overlay zone. The proposed rezone to MDR-T is a recommended zone by the general plan and future land use map. This application proposes changing the zone from R-1-10 to R-2-8 for the following reasons:

- **Intensity of traffic.** This corner experiences the traffic of both 4500 South and 2300 East. UDOT publishes average daily trips on this street, and the combined total is approximately 26,500 cars passing by this property every day. As such, single family homes with private driveways that enter near the heavily trafficked intersection is not an ideal use.
- **Transitional quality of this location.** The corner of 4500 South and 2300 East is a highly visible and busy corner for the city and a gateway for cars and pedestrians coming and going from the Holladay Village/City Hall area. The general plan and future land use map have identified the need for transitional development in this area that buffers the single-family neighborhoods from the high-intensity uses adjacent to the property. The uses directly across the street from this property include a small economic area, multifamily developments and professional offices.
- **Revitalization of the Northern Gateway to Holladay Village.** This intersection is the northern gateway to the Holladay Village, and this assemblage is less than a 5-minute walk to the shopping and dining areas. Revitalization of old housing stock on this corner with beautiful landscaping and impressive, new, and architecturally interesting housing will improve the experience of residents and visitors coming to the area.

Letter in Support of Zone Change

Feb. 24, 2021

To Holladay City Officials:

Mark and I are the owners of the six properties on the northeast corner of 4500 South and 2300 East that are listed in the upcoming public hearing. We are not developers, but have lived here in Holladay for much of our married life. Over the past forty years, we have purchased each property, one by one, hoping that one day this corner would be built into something new and beautiful. We love the area and have been happy to see the Holladay village center emerge as a lovely place with shops and restaurants that we have enjoyed visiting from time to time.

We have been in regular contact with the development team, and we feel confident that whatever ends up being developed here will continue to provide good housing and a wonderful place for the new residents to raise their families for generations to come. We appreciate the work that you do every day for the city and wish you well. Please consider this letter, and other positive input from Holladay residents, and allow this zone change and new development to move forward.

Sincerely,

Mark and Sherrie Slusser
P.O. Box 91151
Salt Lake City, UT 84109

[Signature]
MICHAEL IVINS
 NOTARY PUBLIC - STATE OF UTAH
 COMMISSION # 706002
 COMM. EXP. 05-05-2023

Neighborhood Meeting Minutes

2300 East 4500 South
Taqueria 27 Meeting Room
February 1, 2021

Michael Beck

2361 East 4500 South

Michael expressed support for this amendment change, and felt that Holladay city had already zoned these properties to R-2-8 as of 2010 in the general plan. Expressed Interest in potentially selling his properties. Inquired about the development and potentially connecting into the new subdivision.

Randy Carpenter

4409 South 2300 East

Randy wanted to know what was happening at this site, and stated he was opposed to a high-density apartment complex or high-rise next to his property. He has lived in Holladay for a long time, but is selling his property in three years and expressed interest in sell to this subdivision if the price was right.

Jordan and Taryn Hoopes

4415 South, Briarwood Circle

Jordan and Taryn were generally supportive of new development. They had questions relating to what type of use would be on this property as they live nearby. They understood the need for new construction and were supportive of new houses as long as the plans were well thought out and evaluated. They felt that this they zone change may be appropriate for this property.

Chris and Erin Toomer

4405 South, Briarwood Circle

Moved to Holladay because it was more quiet and not as busy or under construction as other cities. Felt that Holladay needs more restaurants and somewhat supportive of new development; but felt that there are a lot of properties being redeveloped or under construction nearby his property and was concerned if there would be a large increase in density and construction activity.

Lyle and Karen Hardy

2388 East 4500 South

This couple owns the property across the street to the south, (the demolished property on 4500 south). They were curious about what new type of use was going to be built here. They expressed curiosity if this development could potentially help them get into a higher-density

zoning district, like the small economic zone that their property is adjacent to in order to increase their property values.

Woman in a Condo to the Southeast of the property

One woman in the subdivision to the southwest was curious about the process of development and the relationship between developers, city planning commission, and city council. She was curious what about how new development was initiated and the general process of what types of real estate can be built and how development moves through the city planning process.

Couple on Butternut

One couple that lives on Butternut was apprehensive of new development that is higher-density than the existing use, and inquired about access, and about subdivision parking. They understood that the property was being poorly maintained, but felt that was the property owner's responsibility. They asked if the renters in the houses had been notified that they may need to vacate the property. They were generally unsupportive of new, more dense development and had several questions as to what was allowed on this property and if this was similar to other developments that they had opposed in the past.

Unidentified Neighborhood Resident 1

One woman who lives to the west of the property was very unsupportive of "this apartment sh**", and expressed that developers of the multifamily complex built in 2007 located across the street at 4486 South 2300 East had lied to her about what they planned to do, and that the "bas**** city council" members at that time had approved it. She asked to know how parking would be mitigated, if we were going to lie about the grading and build higher than the zone allows. And expressed the concern that construction activity is "more than a nuisance".

Unidentified Neighborhood Resident 2

One man wanted to know if this was going to be an apartment complex, when he learned that this zoning would allow for twin homes (not apartments), he said that he was fine with that and stated that he would fight any apartment complex in this neighborhood, but was ok with twin homes and left after only a few minutes.

FILE# 13-4-03-2

ORDINANCE AMENDMENT - 13.77.050, .060

ADDRESS:

N/a

LEGAL DESCRIPTION: n/a

APPLICANT/REPRESENTATIVE:

City of Holladay

PROPERTY OWNER:

n/a

ZONING:

n/a

GENERAL PLAN DISTRICT:

Holladay Crossroads Small Area Master

CITY COUNCIL DISTRICT:

?

PUBLIC NOTICE DETAILS:

newspaper; 02/17, mailer; 02/19

REQUEST:

Ordinance Amendment

APPLICABLE REGULATIONS:

13.07.030 - Text Amedments

EXHIBITS:

Staff report
Draft Amendments

STAFF:

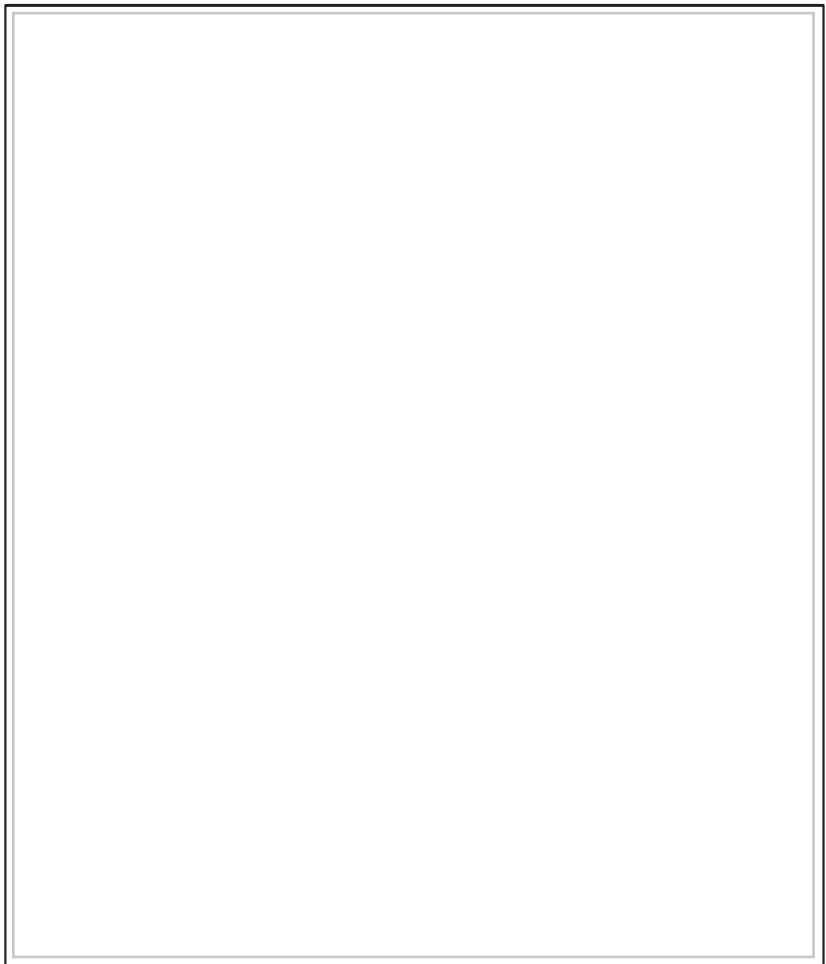
Robert Hobbs, Assoc. Planner

DECISION TYPE:

Legislative:

Public Hearing Required. PC shall make a recommendation to City Council to either approve or disapprove the request. All motions require findings which support the reccomendation. Holladay Ord. 13.06.050.F2,13.07

SITE VICINITY MAP



Notes:

PC TEXT AMENDMENT HEARINGS: 13.77 Landscaping

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Holladay Planning Commission will hold a public hearing on Tuesday, the 2nd day of March, 2021 as close to 6:45 P.M. as possible. This hearing will be conducted by electronic webinar via Zoom and streamed on Facebook. Participation links will be provided on the City's website prior to the meeting. The purpose of the hearing is to make recommendation on proposed amendments to Chapter 13.77, of the Holladay City Code, Land Use and Development Regulations, regarding consideration of landscaping requirements for parking lots and Holladay Crossroad Zone.

Information regarding this matter is available for public inspection and may be examined during regular business hours at the Holladay City offices, 4580 S 2300 E, Holladay, Utah, 84117.

Dated this * day of *, 2021

PUBLISHED BY ORDER OF THE HOLLADAY PLANNING COMMISSION
Stephanie Carlson
Holladay City Recorder

CC TEXT AMENDMENT HEARINGS: 13.77 Landscaping

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Holladay City Council will hold a public hearing on Thursday, the ____ day of ___, 2021 as close to 6:00 P.M. as possible, in the Holladay City Council Chambers, 4580 S 2300 E, Holladay, Utah. The purpose of the hearing is to consider proposed amendments to Chapter 13.77 of the Holladay City Code, Land Use and Development Regulations, regarding consideration of landscaping requirements for parking lots and Holladay Crossroad Zone.

Information regarding this matter is available for public inspection and may be examined during regular business hours at the Holladay City offices, 4580 S 2300 E, Holladay, Utah, 84117.

Dated this * day of *, 2021

PUBLISHED BY ORDER OF THE HOLLADAY CITY COUNCIL
Stephanie Carlson
Holladay City Recorder



CITY OF HOLLADAY
Planning Commission
Hearing of March 02, 2021
Item # 3

Request: **Ordinance Amendment(s) Review and Recommendation(s)**
Project: H.C.C. Section 13.77 (Landscaping) Text Amendment(s) & HCR Zone Draft Text Revision(s)
Applicant: City of Holladay
File No: 21-04-09
Planner: Robert Hobbs

GOVERNING ORDINANCE(S): 13.07.030 Text Amendment Requirements

REQUIRED PLANNING COMMISSION ACTION (Legislative):

Review and Issue a Recommendation to the Mayor & City Council regarding draft code changes to: a) the current HCR Zone draft text; and, b) Holladay City Code §§ 13.77.050 & 060.

SUMMARY

Commissioners, during the process of reviewing the draft HCR Zone's proposed language, the City Council sought the Tree Committee's input regarding the landscaping provisions thereof. Accordingly, Staff met with the Committee and Councilman Durham on February 5th and reviewed said landscape standards. After reaching varying conclusions about how the text might be improved to better shade parking lots, Staff redlined the affected areas of the draft code to reflect the Committee and Staffs' consensus of opinion(s).

In later sharing the possible adjustments with City administration and legal counsel, it was thought that such changes were better made via execution of a separate, small code amendment to Sections 13.77.050 & 060 of Holladay's laws -- to be prepared and reviewed expeditiously (on the heels of the HCR Zone's probable enactment). In conjunction with that effort, the proposed HCR Zone landscape standards are now purposed to be [entirely] removed from the HCR draft (formerly Sections 13.66.080.C & D. thereof), save for reference to Section 13.77, and, the code amendment workup attached to this memorandum reviewed for passage/codification.

TECHNICAL REVIEW COMMITTEE ANALYSIS:

Proposed that parking lots (save those areas directly fronting buildings) be provided with parking lot tree planters (sized and shaped to match adjoining parking spaces' dimensions) at "endcap" positions and in "interrupt" positions no farther apart than ninety-feet (90'). Within said planters, one Class II tree to be chosen from Holladay's approved tree species pick list/selection guide is to be planted. TRC having reviewed tree size and species options in cooperation with the City's Tree Committee has determined that the afore-stated scheme is suitable for implementation in the new HCR Zone. Alternative approaches to hardscape shading (including different parking lot planter types and tree calipers and species were explored as part of the code drafting effort aimed at revising the HCR Zone text language and Section 13.77 of current code.

RECOMMENDATION:

If the Commission is amiable to the recommended code revisions, that you/they vote to recommend them favorably to the Mayor & Council [with any desired edits], and, that the fact that the landscaping language that they entail is being [or has been], correspondingly, removed from the HCR Zone's draft text be acknowledged aloud.

1 **13.77.050: MINIMUM LANDSCAPING REQUIREMENTS BY ZONE:**

2 The following requirements are the minimum landscaped area required by each zone except
3 where modified by the Planning Commission as an administrative relief allowed by
4 section [13.77.130](#) of this chapter:

5 A. Single-Family Residential Zones (FR, R-1):

6 1. Within one year of the adoption of this chapter the entire front yard and side yard
7 abutting to a street of developed lots in Residential Zones shall be landscaped and maintained.

8 2. The front yard of all lots on which buildings are located shall be landscaped within one
9 year of the date of the issuance of a final certificate of occupancy or final inspection.

10 B. Multiple-Family Residential Zones (R-2, R-M): The minimum landscaping coverage in
11 percent for all lots in the Multi-Family Zones are as follows:

12 1. A minimum of forty percent (40%) of the total site shall be landscaped.

13 2. A minimum landscaped buffer averaging five feet (5') wide as required by
14 section [13.77.070](#) of this chapter shall be provided along the side and rear property lines.

15 C. Office, Research Park And Development Zone (O-R-D):

16 1. A minimum of thirty percent (30%) of the total site shall be landscaped.

17 2. A minimum landscaped buffer averaging five feet (5') wide as required by
18 section [13.77.070](#) of this chapter shall be provided along the side and rear property lines.

19 3. Where a side or rear yard abuts a residential use or Residential Zone boundary the
20 entire setback area shall be landscaped.

21 D. Neighborhood Commercial Zone (NC):

22 1. All front setback areas and the side setback areas which abut a public street on corner
23 lots shall be landscaped.

24 2. A minimum landscaped buffer averaging five feet (5') wide as required by
25 section [13.77.070](#) of this chapter shall be provided along the side and rear property lines.

26 E. PO, C-1 And C-2 Commercial Zones:

27 1. The front setback area and the side setback area which faces on a street on corner lots
28 shall be landscaped.

29 2. A minimum landscaped buffer averaging five feet (5') wide as required by
30 section [13.77.070](#) of this chapter shall be provided along the side and rear property lines.

31 F. Residential Office Zone (RO):

32 1. The first twenty feet (20') in depth of the front setback and/or front yard shall be
33 landscaped.

34 2. Other setback areas which abut a public street shall be landscaped.

35 3. A minimum landscaped buffer averaging five feet (5') wide as required by
36 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 subsection [13.71.080K](#), "Buffer Standards For Proposed Development Abutting Residential Property Not In The HV Zone", of this title.

H. Holladay Crossroads Zone (HCR): General Property Landscaping (Non-Parking Lot): Landscaping shall only be required in buffer areas where an HCR zoned property abuts a residentially zoned property, and, in parking lots as specified above. Notwithstanding, in cases where a use is conditionally approved by the Planning Commission to be emplaced in the HCR Zone, the Commission may require emplacement of additional property landscaping. All landscaping installed in the HCR Zone shall comply with relevant planting and maintenance regulations that govern landscaping and buffering in section 13.77 of this title -- as well as the Tree Canopy Sustainability Ordinance's standards.

H. I. Other P, R/M-U, and LU 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. (Ord. 2019-03, 2-28-2019)

13.77.060: PARKING LOT/STRUCTURE LANDSCAPING:

A. Purpose: The purpose of perimeter and internal parking lot landscaping is to soften and mitigate the visual effect of a large expanse of asphalt. Landscaping can also reduce summer heat gain in parking areas and define pedestrian ways.

B. Hardscape Parking Areas: Landscaping in hardscape parking areas, in all zones save the HCR Zone, shall meet the following minimum requirements:

TABLE 13.77.061

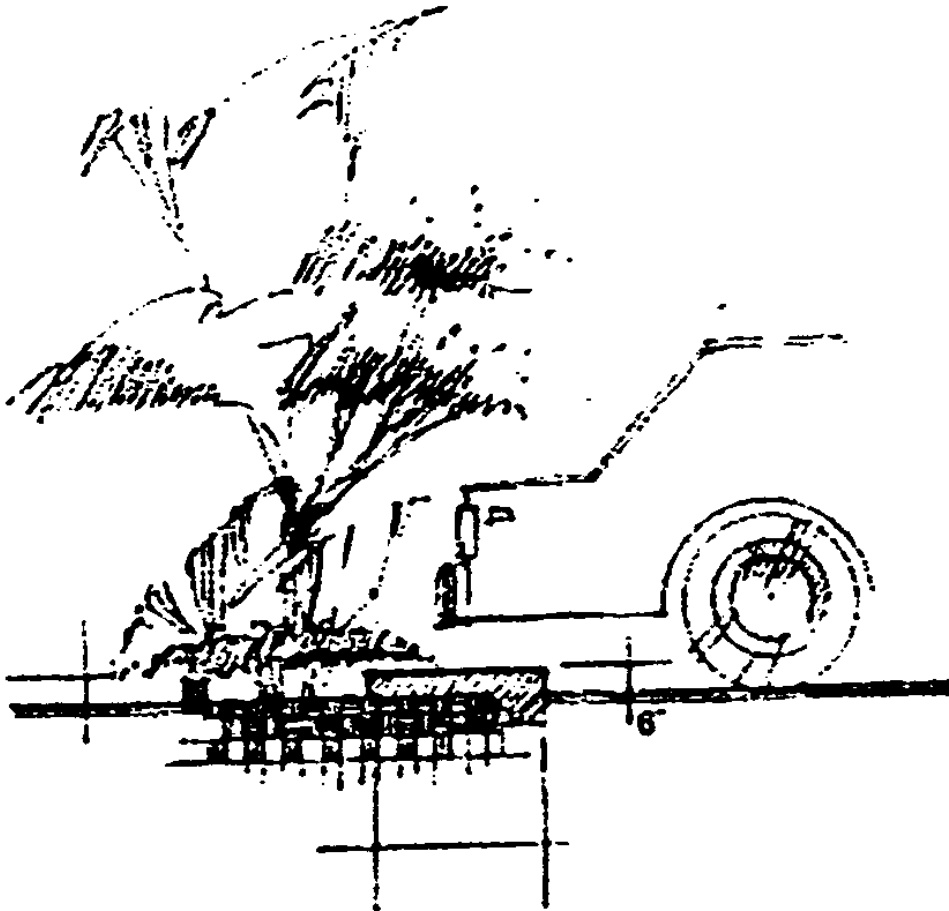
Size Of Parking Area	Percent Landscaped
Less than 15,000 sq. ft.	5
15,000 sq. ft. and larger	7.5

1. One tree within the hardscape parking area shall be planted for every ten (10) parking stalls. The distribution of the trees shall maximize shading during summer months. All landscaped areas shall be separated from the parking surface by at least a six inch (6") high curb.

2. All grade level parking should be separated from the street and screened from pedestrian view by landscaping. The landscaping must include shrubs and trees, be located on private property and be wide enough to maintain the plant material and screen the view.

3. All parking and landscaped areas shall be separated from the parking surface by at least a six inch (6") high curb.

72 4. All landscaped and pedestrian areas shall be protected from encroachment by parked
73 cars. Eighteen inch (18") wide wheel stops (as measured outward from the paved or planted
74 area) should be constructed for all nonparallel parking stalls.



75
76 C. Parking Structures: The parking structures must be screened with live plant material
77 reasonably acceptable to the community development director that is intended to hide or
78 obscure the sides of the structures from public view. (Ord. 2013-22, 9-5-2013)

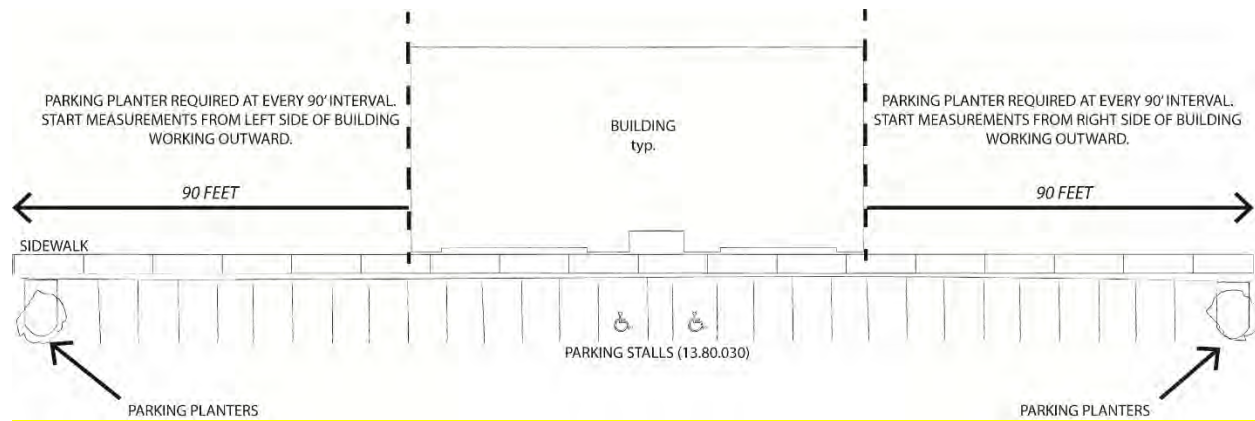
79 D. HCR Hardscape Landscaping Standards: All new or refurbished parking lots or portions
80 thereof within the HCR Zone, shall comply with following standards:

81 a. Interior Parking Lot Planters: Interior parking lot planters (designed as per Figure
82 13.66.5) are, and shall be, required within parking rows/banks in accordance with the
83 following provisions:

84 (1) Landscape Planter Lot Planter(s) Spacing: Parking lot planter interrupts
85 shall be located 1) at the endcap(s) of parking banks; and, 2) where parking
86 banks contain more than ten spaces in a row, planters shall be placed in
87 intervals not to exceed ninety feet (90') such that within said parking bank(s)
88 every 10th stall shall be substituted with a planter. Exception: Any parking
89 bank/row located immediately fronting/against any principal commercial or

multiple-family residential building on a property and between the limits/span of its exterior side walls, such placement in front of the building is, and shall be, optional. In other words, if a parking bank abuts the front entry area of non-single-family residential building and extends past the outside walls of that building, then planters shall be required where any continuous ninety-foot (90') parking space intervals are found past the end/side walls. Refer to the following illustration (Figure 13.66.4):

FIGURE 13.66.4 BUILDING FRONTAGE PARKING LOT PLANTER APPROPRIATION



(2) **Parking Bank Interrupt Style Landscape Planters' Content(s):** Each single interior interrupt style planter shall contain one 1.5-inch caliper deciduous, single-trunk(ed) Class II shade tree selected from Holladay's "Tree Selection Guide for Planting Trees and Shrubs". (Double-headed planters shall contain one (1) tree per planter [two trees in total]). 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 shall also be, correspondingly, 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 (Figure 13.66.5):

FIGURE 13.66.5 PARKING LOT [SINGULAR] PLANTER DESIGN ILLUSTRATION



(5) Landscaping Irrigation, Generally, all landscaping emplaced in conjunction with newly or re-developing parking lot areas shall be irrigated where at all possible with an efficiently designed drip sprinkler system. Said system will be designed to minimize watershed onto adjoining public right(s) of way.

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