

**NOTICE OF A MEETING OF THE
CITY OF HOLLADAY CITY COUNCIL
THURSDAY, APRIL 17, 2014**

**COUNCIL CHAMBERS
4580 S 2300 E
HOLLADAY, UTAH 84117**

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

PUBLIC NOTICE IS HEREBY GIVEN that the Holladay Municipal Council will hold a City Council meeting in the Council Chambers beginning at **6:00 p.m.** It is possible that a member of the Council will be participating by electronic means. The Council Chambers shall serve as the anchor location. *In an effort to conserve resources, the Council has gone paperless. Council Members will be using a variety of electronic devices during the meeting.*

6:00 p.m. Council Meeting

AGENDA

- I. **Welcome** – Mayor Dahle
- II. **Pledge of Allegiance**
- III. **Public Comments**
The public is invited to address the City Council on any subject for three minutes, five minutes for a group spokesperson, additional time allotted at the discretion of the Chair. 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
- IV. **Public Hearing on Proposed Financing to Fund Purchase of .84 acres on the SW Corner of 6200 S and Holladay Blvd (Cotton Bottom) for Public Use**
- V. **Consideration of Resolution 2014-09 Adopting the Master Plan for Highland Dr.**
- VI. **Consideration of Resolution 2014-11 Amending the Allocations for CDBG Funding for the 2014-15 Fiscal Year**
- VII. **Consideration of Ordinance 2014-05 Amending Title 13 of the City Code by Adding Section 13.50 Residential Office Zone (RO)**
- VIII. **Council Reports**
- IX. **Other Business**
- X. **Adjourn City Council Meeting and Convene to a Council Work Meeting**
 - a. 7:00 pm- **Presentation by UTA**

- b. **Discussion on Previous Public Hearing regarding Financing**
- c. **Discussion on Proposed PUD Ordinance**
- d. **Annexation Update**
- e. **Discussion Regarding Potential Initiation of Rezone Petitions at Various Locations**
- f. **Discussion on Transportation Prioritization & Financing**
- g. **Calendar** – *schedule of upcoming meetings*
 - April & May Meeting Schedule
 - April 26 – City Clean-up
- h. **Other Business** – *as may properly be introduced*

XI. *Closed Session pursuant to Utah Code Section 52-4-204 & 205 to Discuss Personnel Issues, Potential Litigation and Property Acquisition and Disposition – (If needed)*

XII. *Adjourn Work Meeting*

All details regarding the agenda may be found online at www.cityofholladay.com

On Friday, April 11, 2014 at 12:30 pm a copy of the foregoing notice was posted in conspicuous view in the front foyer of the City of Holladay City Hall, Holladay, Utah. A copy of this notice was faxed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. A copy was also faxed or emailed to the Salt Lake County Council, Cottonwood Heights City and Murray City pursuant to Section 10-9-103.5 of the Utah Code. The agenda was also posted at City Hall, Holladay Library, City internet website at www.cityofholladay.com and state noticing website at <http://pmn.utah.gov>.

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 users should call 7-1-1.

Dated this 11th day of April, 2014

Stephanie N. Carlson, MMC
Holladay City Recorder

CITY OF HOLLADAY

RESOLUTION NO. 2014-_____

**A RESOLUTION AMENDING THE ALLOCATIONS FOR CDBG
FUNDING FOR THE 2014-2015 FISCAL YEAR.**

WHEREAS, the City of Holladay (the “City”) was allocated \$66,133 in CDBG funding from Salt Lake County for the 2014-2015 fiscal year; and

WHEREAS, City has funds from prior years that need to be reallocated and re-directed.

WHEREAS, said amount represents a reduction in funds in the amount of 0.7 percent from previous years’ funding; and

WHEREAS, the City Council held a public hearing on March 6, 2014, pursuant to published notice, to receive citizen input on the proposed projects that were received; and

WHEREAS, the City Council has determined that it is in the best interest, safety and welfare of Holladay citizens to expend the funding for the good of its low to moderate income citizens; and

WHEREAS, these funds will not become available for expenditure until July 1, 2014.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Holladay the following amounts as indicated in *Exhibit A* are granted to the respective non-profit and governmental entities.

PASSED AND APPROVED this 17th day of April, 2014.

HOLLADAY CITY COUNCIL

By: _____
Robert Dahle, Mayor

[SEAL]

VOTING:

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

ATTEST:

Stephanie N. Carlson, MMC
City Recorder

DEPOSITED in the office of the City Recorder this 17th day of April, 2014.

RECORDED this 17th day of April, 2014.

2014-15 Community Development Block Grant Applications				
Total Grant: \$66,133				
Applicant	Amount Requested	2014-15 Funding	Notes	Project
Alliance House - Transitional Hsg Units	816.55	816.55	public facility	Remodel project creating 10 new housing units
Boys & Girls Club - HVAC	3,523.00	3,523.00	public facility	Energy efficiency upgrade (HVAC system)
The Haven - structural improvements	5,000.00	5,000.00	public facility	modernize & upgrade apt. units
Odyssey House - Adult Residential Program	8,146.30	8,146.30	public facility	Boiler system retrofit
Odyssey House - Transitional Housing	5,557.80	5,557.80	public facility	Parking lot repaving
Refugee & Immigrant Center - HVAC	552.00	552.00	public facility	HVAC replacements
South Valley Sanctuary - Kitchen	415.00	415.00	public facility	shelter kitchen
South Valley Sanctuary - Playground	1,231.00	1,231.00	public facility	playground upgrade for safety and to add equipment for children w/disabilities
Road Home - Shelter Parking Lot Fencing	961.00	961.00	public facility	parking lot fencing/gates
Road Home - Transitional Housing	786.00	786.00	public facility	repair & maintenance to transitional housing unit
UT Microenterprise Loan Fund	4,434.00	4,434.00	economic development	fund loans
ASSIST	5,000.00	5,000.00	housing	emergency home repairs
CDC - Critical Home Needs Program	25,000.00	25,000.00	housing	rehabilitation loan program
City of Holladay Accessibility Improvements (BSA)	5,177.00	5,177.00	ADA	ADA improvements
City of Holladay - housing program	\$40,269.06	40,269.06	housing	Housing Rehab Program - project pending
TOTAL	\$106,868.71	\$106,868.71		
	<u>Reallocation</u>		<u>Funding available</u>	
	\$369.00	planning	\$66,133.00	
	\$8,089.17	valley services	\$40,735.71	
	\$9,613.64	Assist	\$106,868.71	
	\$21,654.00	CDD	-\$106,868.71	
	\$9.90	CAP	\$0.00	
	\$500.00	EyeCare for Kids		
	\$500.00	BBBS		
TOTAL	\$40,735.71	Funds to Reallocate		

Facts Regarding the Possible Purchase of the Cotton Bottom Inn

In late 2013, the owners of the Cotton Bottom Inn listed for sale their property and business, consisting of three lots, totaling 0.84 acres, on the southwest corner of Holladay Boulevard at 6200 South. The owners of the Cotton Bottom Inn decided to sell their private property on the open market. The City did not initiate the sale.

Because of the importance of the location, being both a key gateway into the City of Holladay and the entrance to the city's adjacent Knudsen Park property, the City has entered into a Real Estate Purchase Contract (REPC) to purchase the Cotton Bottom Inn.

Real Estate negotiations are protected from public disclosure under the Utah Open Meetings Act. The Holladay City Attorney opined that the terms of the REPC are confidential under State Law until closing. There is an exemption if both parties consent to the disclosure. Permission to disclose the purchase price was received on April 8th.

After the property was publicly listed for sale on the Multiple Listing Service (MLS) at \$1,750,000, the city offered a fair-market value purchase price of \$875,000. That offer has been accepted and is scheduled to close by May 1st. No condemnation proceeding were or are contemplated.

There is no legal requirement to hold a public hearing on this purchase. Because of the timing and considering this purchase was not included in the current budget, the City Council decided in the interest of transparency to hold a courtesy hearing to inform the public of why the Council entered into the contract to purchase.

Land Use

The General Plan for the area shows the surrounding area as Open Space. Over the last decade, Holladay has purchased 8.31 acres of adjoining land to create Knudsen Park. The existing Tuscany and Franc's restaurants are across the street to the east. There is one private residence, located two lots to the south.

See *Figures 1 and 2 below* for an aerial and plan view of the area.

The City Council decided to purchase the property in order to incorporate some or all of the Cotton Bottom Inn's acreage into the park and control how the land will be developed if it is not used for a public purpose.

This is a one-time opportunity to expand Holladay's limited open space and trail system. Other than City Hall Park, Knudsen Park is Holladay's only public park. (There are other pocket parks, including Stratton Park, Olympus Pines Park, and a strip of land on 45th South at Butternut. The Big Cottonwood Regional Park on Murray-Holladay Road is a County facility.)

The Cotton Bottom Inn is the site of the historic Knudsen General Store which is why the area is still called Knudsen Corner. The site is a key entryway into Holladay and is the gateway into Knudsen Park. The City Council felt it important that the corner be developed properly, regardless of the eventual future use. To achieve that control, it was necessary to first own the land.

What is included?

The land, all improvements, and the business are included. The tavern liquor license to sell beer is not included.

What happens to the Cotton Bottom Inn?

Holladay is in discussion with the current owner to lease the business back until such time as the City decides to redevelop the parcel. We also have the option of closing the business or selling the rights to the business to be operated elsewhere by someone in the private sector.

Possible Future Uses

Park and Open Space: Some or all of the land could be combined with the adjoining parcels already owned by Holladay for Knudsen Park. An approved Master Plan for Knudsen Park has been adopted by the City Council Appendix J - Knudsen Park - [Phase 1](#) and [Phase 2](#). (Click to load or go online to: www.cityofholladay.com/planningzoningmap.masterplan.html.)

Trails: The unbuildable area along the east bank Big Cottonwood Creek could be used to create a trail connection from 6200 South into Knudsen Park. That trail would continue through Knudsen Park, connect to Cottonwood Heights's existing Old Mill Trail, which leads to the mouth of Big Cottonwood Canyon at Wasatch Blvd and the Bonneville Shoreline Trail.

Fire Station: The City Council and the United Fire Authority have recognized for some time that Holladay needs a second fire station somewhere in the south side of Holladay. The City had already been seeking a location in the area for a fire station when the Cotton Bottom Inn was listed for sale. Presently, Holladay pays Cottonwood Heights approximately \$150,000 annually to provide supplementary fire service to Holladay from UFA Station 110 on Fort Union Blvd. When Holladay eventually builds a second fire station, that annual expense would not be needed. More importantly, response times for fires and medical emergencies would be reduced.

Sold to Private Developer: Some or all of the land could be sold back to a private developer, should the City Council determines that it is not needed for a public purpose.

Public Uses: Combining the public use aspects of the existing Knudsen Park and a new fire station creates a unique opportunity to add a mix of public facilities, such as parking for a trail head, restrooms, etc, as a public complex that is staffed 24 hours a day.

Schedule

The REPC is set to close by May 1st and the City Council intends to vote on the funding for the purchase on Thursday April 24, 2014 during the council meeting starting at 6 pm.

Funding

At the request of the City Manager, Zions Bank has proposed a taxable lease/purchase financial instrument to enable the purchase.

At closing, the title to the property would be fully vested and owned outright by the City of Holladay. Zions Bank would fund the purchase price in exchange for a 20-year lease agreement. The lease rate would be approximately 3.4 percent with closing costs of \$3,000. There is no prepayment penalty; it could be repaid at any time, without penalty.

Other Revenue Sources

The taxable aspect of the lease/purchase agreement would allow Holladay to lease the business back to the private sector. The proceeds from the business lease would be used to reduce the lease payments to Zions Bank.

The rights to the Cotton Bottom Inn as a business entity are included in the REPC. The business could be leased or sold outright by Holladay and the proceeds applied to reducing the lease.

Holladay owns a one-acre lot east of the Intermountain Christian Church in the Millrock Technology Park. The lot was originally intended to be the site of a second fire station. With the development in the area, the City and the UFA decided that a more suitable location should be found. That one-acre lot is intended to be sold and the proceeds used to procure the site for a second fire station. Those funds could be applied to the Cotton Bottom Inn purchase, if the site is used for a new fire station.

For More Information

Contact City Manager Randy Fitts, Mayor Rob Dahle, or your Council Member for more information or express your views on purchasing the Cotton Bottom Inn.

Randy Fitts, City Manager
rfitts@cityofholladay.com
801-272-9450

Rob Dahle, Mayor
rdahle@cityofholladay.com
801-272-9450

City Council Members

Sabrina Petersen, District 1

spetersen@cityofholladay.com

801-859-9427

Lynn Pace, District 2

lpace@cityofholladay.com

801-535-6613

Patricia Pignanelli, District 3

ppignanelli@cityofholladay.com

801-455-3535

Steve Gunn, District 4

sgunn@cityofholladay.com

801-386-2605

Jim Palmer, District 5

jpalmer@cityofholladay.com

801-274-0229

Aerial View of Cotton Bottom Properties outlined in yellow adjacent to Holladay's Knudsen Park property outlined in green.



Figure 1. Aerial View

Cotton Bottom Property Highlighted in Yellow shown in relation to Knudsen Park Master Plan

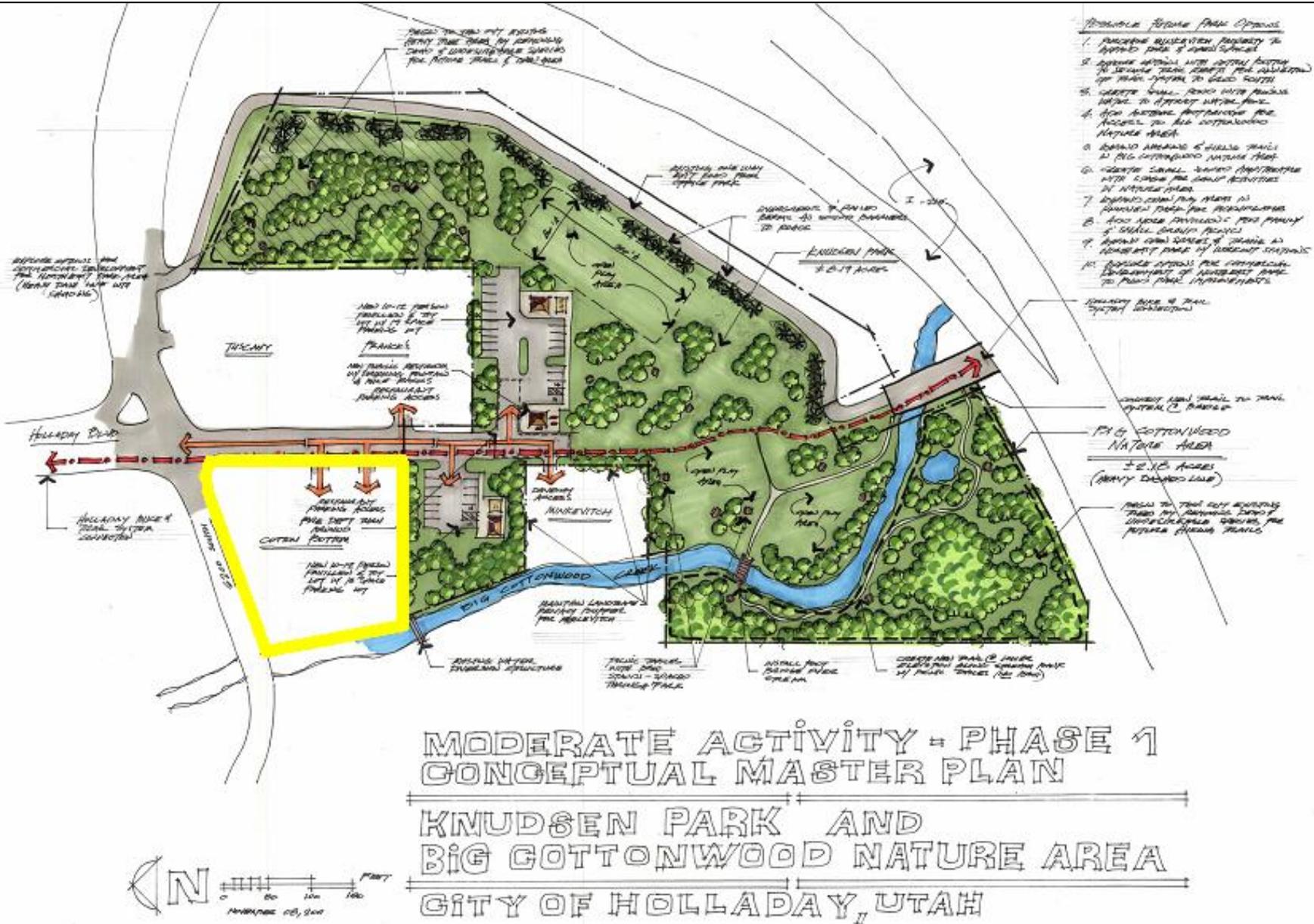


Figure 2. Master Plan View

1
2
3
4
5
6
7
8
9
10
11
12
13
14

CITY OF HOLLADAY GENERAL PLAN

APPENDIX K

HIGHLAND DRIVE MASTER PLAN

Initially Adopted February, 2012

Recommended Amendments, Planning Commission July 2013

DRAFT

Version 2.0 Adopted ____ 2014

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

Prepared by:

City of Holladay Planning Commission

Lori Khodadad, Chair
Spence Bowthorpe
Les Chatelain
John Garver
Chris Jensen
Matthew Snow
Brad Wright

Community Development Department

Paul Allred, Community Development Director
Richard Whiting, City Planner
Patricia Hanson, Consultant
Josh Deifel and Jason Bond, Planning Interns

City Council

Dennis Webb, Mayor (2013)
Robert Dahle, Mayor (2014)
Sabrina Petersen, District 1
Lynn Pace, District 2
Patricia Pignanelli, District 3
Steve Gunn, District 4
J. James Palmer, Jr., District 5

1 **I. HIGHLAND DRIVE MASTER PLAN**

2 This Appendix (K) to the City’s General Plan creates a Highland Drive Master Plan
3 (HDMP). This plan recognizes the continued evolution of the area surrounding Highland
4 Drive as part of the City’s lifecycle. While acknowledging the inevitability of growth and
5 change, the HDMP seeks to create policies that achieve balance between the constant
6 pressure for development and the protection of those characteristics that make this area and
7 the City of Holladay a unique and special place.
8

9 This plan recognizes that the historic development pattern along the Highland Drive corridor
10 includes the full range of uses from large lot single family residential to regional
11 commercial nodes. For ease of communication and for the purposes of this document,
12 Highland Drive and its associated properties will be considered in three segments. Each
13 segment has unique history, land use development patterns, streetscape characteristics and is
14 controlled by different jurisdictions.
15

16 1. Segment A: 3900 South to Arbor Lane (North end);
17 Holladay controls the east side of Highland Drive to Murray Holladay Rd. and both sides
18 from there south to Arbor Lane. The street is currently developed with right-of-way widths
19 ranging from 80 feet to 106 feet. Land use patterns are primarily commercial and multi-
20 family residential developments.
21

22 2. Segment B: Arbor Lane to Van Winkle Expressway (Middle section);
23 Both sides of Highland Drive are within Holladay City and this segment is controlled
24 exclusively by the City. The street has a future planned right-of-way width of 80 feet. Land
25 use patterns are primarily single-family residential with limited commercial and higher-
26 density (not high-density) single and multi-family residential developments interspersed
27 throughout the segment.
28

29 3. Segment C: Van Winkle Expressway to City boundary at I-215 (South end);
30 Holladay controls the east side of Highland Drive in this area. The street is currently
31 developed with a 106 foot right-of-way width. Land use patterns are exclusively
32 commercial development. The west side of the road is in Murray City. UDOT manages this
33 section.

34 **II. HISTORY**

35 Over many years, Highland Drive in Holladay has
36 transformed from a quiet neighborhood street with roots in
37 residential settlement and farming to a very busy major
38 roadway. High traffic volume and increasing intensity of
39 land-use has eroded the number of single family homes along
40 Highland Drive south of Murray Holladay Road and virtually
41 eliminated the same along the northern segment of the street.



1 **III. CORE COMMUNITY VALUES AND GOALS**

- 2 1. Ensure the ongoing safety of Holladay residents, visitors and the general welfare of
- 3 the community.
- 4
- 5 2. Promote safe and efficient road design, pedestrian safety and safe pathways to
- 6 schools, parks, churches, recreational and commercial areas.
- 7
- 8 3. Implement land use planning and new development that does not compromise the
- 9 quality of life of residents whose property is adjacent to or accessed from Highland Drive.
- 10
- 11 4. Expand public transit to minimize pollution, congestion, energy waste and encourage
- 12 linkages to commercial areas where appropriate.
- 13
- 14 5. Protect existing trees where feasible while promoting planting of new trees.
- 15
- 16 6. Where feasible and appropriate within the context of financial realities, implement
- 17 “Complete Streets” concepts.
- 18
- 19 7. Dialogue and input between area residents, the City, and developers, regarding
- 20 potential impacts of new development proposals is of utmost importance. To that end,
- 21 continued commitment to ample public notice and a thorough public process is both
- 22 necessary and desirable.
- 23
- 24 8. As a major entrance into Holladay, Highland Drive must present a pleasant and
- 25 welcome feeling to visitors so they recognize they are in a special and unique City.

26 **IV. IMPLEMENTATION STRATEGIES**

27 **A. Land Use and Zoning**

28 Infill opportunities are limited, open spaces and energy resources are diminishing. The Plan
29 suggests new zoning patterns along Highland Drive.

30 **1. Segment A:**

31 Existing zoning in this segment has developed a
32 healthy mix of commercial and higher density
33 residential uses. Any changes to the current zoning
34 patterns should be considered only if the new zoning
35 will enhance the existing uses and strengthen the
36 whole City.



*Café Madrid- 5244 S Highland Dr- 2011
Example of application of “NC” zone principles.*

37
38
39



ERROR: stackunderflow
OFFENDING COMMAND: ~

STACK:

CITY OF HOLLADAY

RESOLUTION NO. 2014-09

**A RESOLUTION AMENDING APPENDIX K, OF THE CITY OF
HOLLADAY GENERAL PLAN, HIGHLAND DRIVE (CORRIDOR)
MASTER PLAN.**

WHEREAS, the Office of the Mayor and the City Council have requested that an update to the City's General Plan pertaining to Highland Drive be conducted to investigate the future land use patterns;

WHEREAS, said Master Plan was submitted for additional review by the City's Planning Commission in mid-year 2013; and

WHEREAS, said Planning Commission has reviewed said Master Plan, and has conducted a public hearing on the 16th day of August, 2013 recommending its approval and amendment by the Municipal Council;

WHEREAS, the Municipal Council conducted a public hearing on the 10th day of October, 2013 to consider the opinions and viewpoints of the citizens of the Community;

WHEREAS, this matter has been subject to extensive Council discussion and citizen participation since 2009; and

WHEREAS, the adoption of the Highland Drive Master Plan will give direction for future municipal councils and the citizens of the community for a vision of what it may become.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Holladay that the Highland Drive Master Plan, formerly the Highland Drive Corridor Master Plan attached as Exhibit A, is hereby adopted as Appendix K (Amended) as to the General Plan.

PASSED AND APPROVED this 6th day of March, 2014.

HOLLADAY CITY COUNCIL

By: _____
Robert Dahle, Mayor

[SEAL]

VOTING:

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

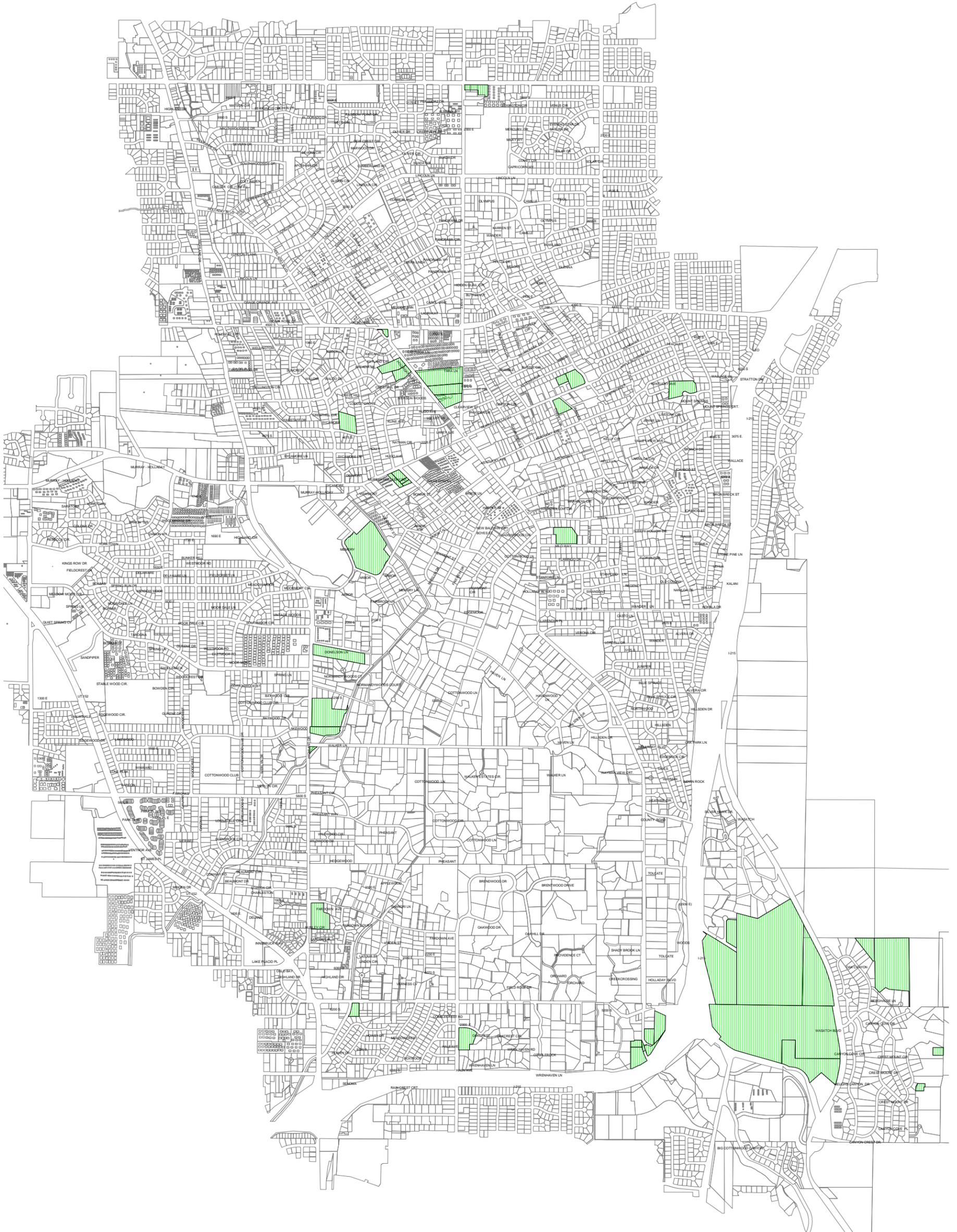
ATTEST:

Stephanie N. Carlson, MMC
City Recorder

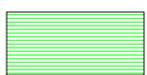
DEPOSITED in the office of the City Recorder this 6th day of March, 2014.

RECORDED this 6th day of March, 2014.

PUBLIC/QUASI-PUBLIC PROPERTIES



1:22000



**Public/Quasi Public Properties
Not Currently in the Public Zone**

Chapter 13.78

PLANNED UNIT DEVELOPMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56

- 13.78.010: Scope of Approval:
- 13.78.020: Purpose:
- 13.78.030: Planned Unit Development Defined:
- 13.78.040: Submission, Review and Approval; Site Plan and Permit:
- 13.78.050: Minimum Area:
- ~~13.78.060: Grading and Drainage Plans:~~
- 13.78.060: Land Use Amendment Required When:
- 13.78.070: Development Ownership:
- 13.78.080: Effect on Adjacent Properties:
- ~~13.78.090: Preservation of Open Space:~~
- 13.78.100: Landscaping, Fencing and Screening Requirements:
- 13.78.110: Signs and Floodlighting:
- ~~13.78.130: Site Plan Requirements:~~
- ~~13.78.140: Fees:~~
- 13.78.120: Construction Limitations:
- ~~13.78.160: Plan Review at Public Meeting:~~
- 13.78.130: Scope of Planning Commission Action:

13.78.010: **SCOPE OF APPROVAL:** Provision of a planned unit development by this chapter in no way guarantees a property owner the right to exercise the provisions of the planned unit development. Planned unit developments shall be approved by the planning commission as a conditional use only if, in its judgment, the proposed planned unit development fully meets the intent and purpose, and requirements of the land use ordinance and the general plan.

13.78.020: **PURPOSE:**

A. The purpose of planned unit development is to permit flexibility in land use, allow diversification in the interrelationships of various uses and structures with their sites and thus offer an alternative to conventional development. The application of planned unit development concepts is intended to encourage unique neighborhoods, high quality housing, exceptional design, additional open space, and facilities compatible with the present living environment in the city ~~as described by the general plan~~. Ensuring compliance with the purpose of this section protects the health, safety and public welfare of the future inhabitants of, or visitors to, the planned unit development. At the same time, securing the advantages of ~~large-scale~~ imaginative site planning for residential, commercial development or combinations thereof, as well as maximizing the energy utilization efficiency of the project. The objective is to preserve existing greenery and significant trees on site. The planned unit development process should create unique benefits for both the property owner and the city even though it does not allow additional density greater than standard residential subdivision development. Applicants must justify to the planning commission why the project would be better for the community than a project developed as the underlying zoning would normally allow. Development under the planned unit development process is a privilege that must be earned by the developer, not a right that must be granted by the planning commission.

B. Through the flexibility of the planned unit development regulations, the city seeks to achieve any of the following specific objectives:

- 1. Combination and coordination of architectural styles, building forms, building materials, and building relationships;
- 2. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;

- 1 3. Preservation of buildings which are architecturally or historically significant or contribute
- 2 to the character of the city;
- 3
- 4 4. Use of design, landscape, or architectural features to create a pleasing environment;
- 5
- 6 5. Inclusion of special development amenities that are in the interest of the general public;
- 7
- 8 6. Elimination of blighted structures or incompatible uses through redevelopment or
- 9 rehabilitation;
- 10
- 11 7. Inclusion of affordable housing with market rate housing;
- 12
- 13 8. Utilization of "green" building techniques in development;
- 14
- 15 9. Efficiency in the utilization of valuable or other natural land resources; or
- 16
- 17 10. Increased public safety, health and welfare.

18
19 **13.78.030: PLANNED UNIT DEVELOPMENT DEFINED:**

- 20
- 21 A. "Planned unit development", for the purpose of this chapter, means a coordinated, integrated
- 22 design for development of residential, nonresidential, commercial, or a combination of such uses.
- 23
- 24 B. "Residential planned unit development", for the purpose of this chapter, means an integrated
- 25 design for development of primarily residential uses but may include some mixed, nonresidential
- 26 uses.
- 27
- 28 C. "Nonresidential planned unit development", for the purpose of this chapter, means an integrated
- 29 design for development of commercial uses which does not include any residential component.
- 30
- 31 ~~D. The planning commission may waive or vary one or more of the land use regulations To allow~~
- 32 ~~flexibility and initiative in site and building design other than use regulations overall building~~
- 33 ~~height regulations, and density and location in accordance with an approved plan and imposed~~
- 34 ~~general requirements as specified in this chapter. A planned unit development may be:~~
- 35 ~~1. The development of compatible land uses arranged in such a way as to provide desirable~~
- 36 ~~living environments that may include private and common open spaces for recreation, circulation~~
- 37 ~~and/or uses;~~
- 38 ~~2. The conservation of historic development patterns; and~~
- 39 ~~3. Creation of areas for multiple uses that are of benefit to the neighborhood.~~

40
41 **13.78.040: SUBMISSION, REVIEW AND APPROVAL; SITE PLAN AND CONDITIONAL USE**

42 **PERMIT:**
43 Residential planned unit developments may be allowed by planning commission approval in any residential
44 zoning district. Nonresidential planned unit developments may be allowed by planning
45 commission approval in any nonresidential zoning district. An approved planned unit development
46 shall consist of a final approval letter and a final approved site plan. A planned unit development
47 permit shall not be granted unless the planned unit development meets the use limitations of the
48 zoning district in which it is to be located and meets the density and other limitations of such
49 districts. Compliance with the regulations of this chapter does not excuse the developer from the
50 applicable requirements of the subdivision regulations, except as modifications thereof are
51 specifically authorized in the approval of the application for the planned unit development. The
52 permit shall be considered in two (2) parts:

- 53 A. Preliminary Approval: Preliminary approval subject to the public hearing provisions of section
- 54 13.06.030 of this title; and
- 55 B. Final Approval: Final approval based on construction drawings and specifications in general accord with
- 56 that granted preliminary approval. (Ord. 2012 15, 9 20 2012)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55

A. Allowed by Zone: Planned unit developments are allowed as per Chapter 13.100, Appendix A, of this title.

B. Three-step Review of site plan: A planned unit development site plan shall be considered in three steps as required by Chapter 13.08.010 of this Title:

C. Submission Requirements:

1. *The applicant shall initially submit a standard subdivision design, using the minimum lot size, width, and setback dimensions required by the zone, to calculate the allowable number of dwellings (density) for the development.*

2. The applicant shall submit a planned unit development site plan for the total area within the proposed development as required by Chapter 13.03 of this title.

a. The site plan shall show, where pertinent:

i. The use or uses, dimensions, sketch elevations and locations of proposed structures;

ii. Dimensions and locations of areas to be reserved and developed for vehicular and pedestrian circulation, parking, public uses such as schools and playgrounds, landscaping, and other open spaces;

iii. Architectural drawings and sketches outlining the general design and character of the proposed uses and the physical relationships of the uses; and

iv. Such other pertinent information such as, residential density, coverage and open space characteristics as may be necessary to make a determination that the proposed arrangement of buildings and uses makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this Title.

b. An explanation of how the proposed planned unit development satisfies the purposes set forth in Section 13.78.020 of this Chapter.

c. If the planned unit development is to be developed on a phase basis, each phase shall be of such size, composition and arrangement that its construction, marketing and operation is feasible as a unit independent of any subsequent phases.

D. Waiver of Zone District Regulations: To allow flexibility and initiative in site and building design, the planning commission may waive or vary one or more of the land use regulations as required by the zone in which the planned unit development is proposed, other than:

1. use regulations;

2. overall building height regulations, including graduated height restrictions, and;

3. density.

E. Limitations: A conditional use permit shall not be granted unless the planned unit development meets the use limitations of the zoning district in which it is to be located and meets the density and other limitations of such districts.

F. Compliance with the Subdivision Regulations: Compliance with the regulations of this chapter does not excuse the developer from the applicable requirements of the subdivision regulations, as required by Chapter 13.11 of this title, except as modifications thereof are specifically authorized in the approval of the application for the planned unit development.

1 G. *Planning Commission:* The planning commission may approve, approve with conditions, or deny
2 a planned unit development based upon written findings of fact according to each of the following
3 standards. It is the responsibility of the applicant to provide written and graphic evidence
4 demonstrating compliance with the following standards:

5
6 1. *Planned Unit Development Objectives:* The planned unit development shall meet the
7 purpose statement for a planned unit development (section 13.78.020 of this chapter) and will
8 achieve at least one, and preferably more, of the objectives stated in said section;
9

10 2. *Master Plan and Zoning Ordinance Compliance:* The proposed planned unit
11 development shall be:

12
13 a. Consistent with any adopted policy set forth in the future land use map applicable to the
14 site where the planned unit development will be located, and

15
16 b. Allowed by the zone where the planned unit development will be located or by another
17 applicable provision of this title.

18
19 3. *Compatibility:* The proposed planned unit development shall be compatible with the character of
20 the site, adjacent properties, and existing development within the vicinity of the site where the use
21 will be located. In determining compatibility, the planning commission shall consider:

22
23 a. Whether the street or other means of access to the site provide the necessary
24 ingress/egress without materially degrading the service level on such street/access or any adjacent
25 street/access;

26
27 b. Whether the planned unit development and its location will create unusual pedestrian or
28 vehicle traffic patterns or volumes that would not be expected, based on:

29
30 (1) Orientation of driveways and whether they direct traffic to major or local streets, and,
31 if directed to local streets, the impact on the safety, purpose, and character of these streets;

32
33 (2) Parking area locations and size, and whether parking plans are likely to encourage
34 street side parking for the planned unit development which will adversely impact the reasonable
35 use of adjacent property;

36
37 (3) Hours of peak traffic to the proposed planned unit development and whether such
38 traffic will unreasonably impair the use and enjoyment of adjacent property.

39
40 c. Whether the internal circulation system of the proposed planned unit development will be
41 designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and
42 pedestrian traffic;

43
44 d. Whether existing or proposed utility and public services will be adequate to support the
45 proposed planned unit development at normal service levels and will be designed in a manner to
46 avoid adverse impacts on adjacent land uses, public services, and utility resources;

47
48 e. Whether appropriate buffering or other mitigation measures, such as, but not limited to,
49 landscaping, setbacks, building location, sound attenuation, odor control, will be provided to
50 protect adjacent land uses from excessive light, noise, odor and visual impacts and other unusual
51 disturbances from trash collection, deliveries, and mechanical equipment resulting from the
52 proposed planned unit development; and

53
54 f. Whether the intensity, size, and scale of the proposed planned unit development is
55 compatible with adjacent properties.
56

13.78.050: **MINIMUM AREA:**

A. No residential planned unit development in the R-1-4, R-1-8, R-1-10, R-1-15, R-2-8, R-2-10 or R-M zone shall have an area less than three (3) acres. B. No residential planned unit development in the R-1-21, R-1-43, R-1-87 or forestry and recreation zones shall have an area less than five (5) acres. C. No nonresidential planned unit development shall have an area of less than five (5) acres.

A planned unit development proposed for any parcel or tract of land under single ownership or control in certain zoning districts shall have a minimum net lot area as set forth in table 13.78.050.1 of this section.

TABLE 13.78.050.1

<u>Zone Type</u>	<u>Designation</u>	<u>Minimum Area</u>
<u>Forestry and recreation zone</u>	<u>FR-0.5</u>	<u>1.5 acre</u>
<u>Forestry and recreation zone</u>	<u>FR-1</u>	<u>3 acres</u>
<u>Forestry and recreation zone</u>	<u>FR-2.5</u>	<u>7.5 acres</u>
<u>Forestry and recreation zone</u>	<u>FR-5</u>	<u>15 acres</u>
<u>Forestry and recreation zone</u>	<u>FR-10</u>	<u>30 acres</u>
<u>Forestry and recreation zone</u>	<u>FR-20</u>	<u>60 acres</u>
<u>Single Family Residential zone</u>	<u>R-1-4</u>	<u>12,000 SF</u>
<u>Single Family Residential zone</u>	<u>R-1-8</u>	<u>24,000 SF</u>
<u>Single Family Residential zone</u>	<u>R-1-10</u>	<u>30,000 SF</u>
<u>Single Family Residential zone</u>	<u>R-1-15</u>	<u>45,000 SF</u>
<u>Single Family Residential zone</u>	<u>R-1-21</u>	<u>1.5 acre</u>
<u>Single Family Residential zone</u>	<u>R-1-43</u>	<u>3 acres</u>
<u>Single Family Residential zone</u>	<u>R-1-87</u>	<u>4 acres</u>
<u>Multi-family Residential zone</u>	<u>R-2-8</u>	<u>24,000 SF</u>
<u>Multi-family Residential zone</u>	<u>R-2-10</u>	<u>30,000 SF</u>
<u>Multi-family Residential zone</u>	<u>R-M</u>	<u>12,000 SF</u>
<u>Commercial zone</u>	<u>C-1</u>	<u>no minimum</u>
<u>Commercial zone</u>	<u>C-2</u>	<u>no minimum</u>

~~13.78.060: GRADING AND DRAINAGE PLANS: A grading and drainage plan shall be submitted to the planning commission with the application.~~

13.78.0760: **LAND USE AMENDMENT REQUIRED WHEN:** A planned unit development which will contain uses not permitted in the zoning district in which it is to be located will require a change of zoning district and shall be accompanied by an application for a land use amendment. ~~except that any residential use shall be considered a permitted use in a planned unit development which allows residential uses and shall be governed by design and other requirements of the planned unit development permit; provided, further, that in single family zones, only single family dwellings may be allowed in the planned unit development.~~

13.78.0870: **DEVELOPMENT OWNERSHIP:** The development shall be in single, partnership, or corporate ownership, or under option to purchase by an individual or a corporate

1 entity at the time of application, or the application shall be filed jointly by all owners of the
2 property.

3
4 13.78.0980: **EFFECT ON ADJACENT PROPERTIES:** The planning commission shall
5 require such arrangement of structures and open spaces within the site development plan, as
6 necessary, to assure that adjacent properties will not be adversely affected.

7
8 A. *Height and Intensity:* Height and intensity of buildings and uses shall be arranged around the
9 boundaries of the planned unit development to be compatible with existing adjacent developments
10 or zones. However, unless conditions of the site so warrant, buildings located on the periphery of
11 the development shall be limited to a maximum height of two (2) stories. All structures in the
12 planned unit development shall comply with the graduated height restrictions of the underlying
13 zone.

14
15 B. *Area, Width, Yard and Coverage:* Lot area, lot width, yard and coverage regulations shall be
16 determined by approval of the site plan and shall meet the requirements of the underlying zone
17 wherever possible.

18
19 C. *Density:* ~~Density of dwelling units per acre shall be the same as allowed in the zone in which the~~
20 ~~planned unit development is located. Residential planned unit developments shall not exceed the~~
21 ~~density limitation of the zoning district where the planned unit development is proposed. Density~~
22 ~~calculation for any residential planned unit development shall comply with 13.78.040 C.1. The~~
23 ~~calculation of planned unit development density may include open space that is provided as an~~
24 ~~amenity to the planned unit development. Public or private roadways located within or adjacent to~~
25 ~~a planned unit development shall not be included in the planned unit development area for the~~
26 ~~purpose of calculating density except as allowed by section 15.28.020 of this code.~~

27
28 ~~13.78.100990: **PRESERVATION OF OPEN SPACE:** Preservation, maintenance and ownership of~~
29 ~~required open spaces within the development shall be accomplished by:~~

30
31 A. ~~*Dedication of Land:* Dedication of the land as a public park or parkway system;~~

32
33 B. ~~*Granting Easement:* Granting to the city a permanent open space easement on or over the private~~
34 ~~open spaces to guarantee that the open space remain perpetually in recreational use with~~
35 ~~ownership and maintenance being the responsibility of the owner or an owners' association~~
36 ~~established with articles of association and bylaws which are satisfactory to the city; or~~

37
38 C. ~~*Compliance with Condominium Ownership Act:* Compliance with the provisions of the~~
39 ~~condominium ownership act 1, which provides for the payment of common expenses for the~~
40 ~~upkeep of the common areas and facilities.~~

41
42 13.78.44090: **LANDSCAPING, FENCING AND SCREENING REQUIREMENTS:** Landscaping,
43 fencing and screening related to the uses within the site and as a means of integrating the proposed
44 development into its surroundings shall be planned and presented to the planning commission for
45 approval, together with other required plans for the development.

46
47 13.78.420 100: **SIGNS AND FLOODLIGHTING:** The size, location, design and nature of signs, if any,
48 and the intensity and direction of area floodlighting shall be detailed in the application.

49
50 ~~13.78.130: **SITE PLAN REQUIREMENTS:** The applicant shall submit a planned unit development plan~~
51 ~~for the total area within the proposed development. If the planned unit development is to be~~
52 ~~developed on a phase basis, each phase shall be of such size, composition and arrangement that its~~
53 ~~construction, marketing and operation is feasible as a unit independent of any subsequent phases.~~
54 ~~The general site plan shall show, where pertinent:~~

55
56 A. ~~The use or uses, dimensions, sketch elevations and locations of proposed structures;~~

~~B. Dimensions and locations of areas to be reserved and developed for vehicular and pedestrian circulation, parking, public uses such as schools and playgrounds, landscaping, and other open spaces;~~

~~C. Architectural drawings and sketches outlining the general design and character of the proposed uses and the physical relationships of the uses; and~~

~~D. Such other pertinent information, including, but not limited to, residential density, coverage and open space characteristics shall be included as may be necessary to make a determination that the contemplated arrangement of buildings and uses makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this chapter. (Ord. 2012-15, 9-20-2012)~~

~~13.78.140: FEES: See title 3 of this code for the planned unit development and subdivision fees. (Ord. 2012-15, 9-20-2012)~~

13.78.150110: **CONSTRUCTION LIMITATIONS:**

A. *Compliance with Plan:* Upon approval of a planned unit development, construction shall proceed only in accordance with the ~~plans~~ site plan, subdivision, conditional use permit, and all specifications approved by the planning commission, and in conformity with any conditions attached by the commission to its approval.

B. *Amendments:* Amendments to approved plans and specifications for a planned unit development shall be approved by the planning commission and shown on the approved plans.

~~C. Building Permit: The building inspector or any other city department shall not issue any permit for any proposed building, structure, activity or use within the project unless such building, structure, activity or use is in accordance with the approved development plan and any conditions imposed in conjunction with its approval.~~

~~D. Certificate Of Occupancy: The community development director shall issue a certificate of occupancy for any building or structure upon its completion in accordance with the approved development plan.~~

~~13.78.160: PLAN REVIEW AT PUBLIC MEETING:~~

~~Preliminary development plans, including site plan (buildings, open space, parking, landscaping, pedestrian and traffic circulation), building elevations and general drainage and utility layout with topography shall be submitted for the purpose of staff analysis and planning commission review at a regularly scheduled meeting. (Ord. 2012-15, 9-20-2012)~~

13.78.170120: **SCOPE OF PLANNING COMMISSION ACTION:** In carrying out the intent of this chapter, the planning commission shall consider the following principles:

A. *Qualified Design Team:* It is the intent of this chapter that site and building plans for a planned unit development shall be prepared by a designer or team of designers having professional competence in urban planning as proposed in the application. The planning commission shall require the applicant to engage such a qualified designer or design team.

B. *Minimum Control Intended:* It is not the intent of this chapter that control of the design of a planned unit development by the planning commission be so rigidly exercised that individual initiative be stifled and substantial additional expense incurred; rather, it is the intent of this section that the control exercised be the minimum necessary to achieve the purpose of this chapter.

DRAFT

1
2
3
4
5
6
7

C. *Decision of Planning Commission; Appeal:* ~~The planning commission may approve or disapprove an application for a planned unit development.~~ In approving an application, the commission may attach such conditions as it may deem necessary to secure compliance with the purposes set forth in this title. The action of the planning commission may be appealed to the city council as allowed by Section 13.08.040H of this Title.

1 **Additional changes required with this amendment.**

2

3 Chapter 13.100

4 **APPENDIX A- ALLOWED USES**

5

	All FR	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/ R-2-10	R-M	O-R-D	P	NC	C-1	C-2	HV	R/M-U	LU
<u>Planned Unit Development</u>	=	=	=	=	=	=	=	=	<u>C</u>	<u>C</u>	-	See SDMP	See <u>chapter 13.63</u> of this title
Nonresidential planned unit development	-	-	-	-	C	<u>C</u>	-	-	<u>C</u>	<u>C</u>	-		
Residential planned unit development	C	C	C	C	C	-	-	-	-	-	-		

6

CHAPTER 13.50

RESIDENTIAL OFFICE ZONE- RO

SECTIONS:

- 13.50.010: Purpose
- 13.50.020: Residential Office Zone (RO) Established
- 13.50.030: Primary Uses
- 13.50.040: Accessory Uses
- 13.50.050: General Development Standards
- 13.50.060: Setbacks
- 13.50.070: Buffer Standards for Development Abutting a Residential Property
- 13.50.080: Parking and Access Requirements:
- 13.50.090: Storage and Display Areas
- 13.50.100: Screening
- 13.50.110: Lighting
- 13.50.120: Landscaping
- 13.50.130: Perimeter Wall
- 13.50.140: Public Improvements
- 13.50.150: General Maintenance
- 13.50.160: Hazardous Activities
- 13.50.170: Signs
- 13.50.180: Review by the Design Review Board
- 13.50.190: Design Guidelines

13.50.010: PURPOSE: The purpose of the Residential Office (RO) zone is to allow for the reuse of those properties which have frontage on busy streets only where residential use is no longer economically feasible. This zone is intended as a transition between established residential neighborhoods and the existing commercial developments along these corridors. RO rezone applications must establish a clear justification for implementation of this zone over other land use alternatives for the property in question and the general vicinity.

Primarily, the RO zone standards are designed to preserve existing housing stock by allowing the conversion of residential properties to such nonresidential uses that have less impact on the surrounding properties than typical commercial uses. The conversion of a single family home to a small professional office or other nonresidential use is a less intrusive type of development when compared to new construction and is better able to maintain the existing residential character of the streetscape. While, new construction is potentially allowed in the RO zone, it should be the exception, not the rule, and new structures and uses within this zone must be compatible in scale and character with surrounding residential development.

13.50.020: RESIDENTIAL OFFICE ZONE (RO) ESTABLISHED: The following zone is established:

- A. Residential Office Zone (RO): The purpose of the RO zone is to set standards for areas where restricted and limited, small scale, non-retail, low impact office uses are allowed adjacent to residential areas.
- B. Rezone Requests: In evaluating any re-zone application for this zone, preference shall be given to those properties which:
 - 1. Have frontage on Highland Drive, Murray Holladay Road (west of 2300 East) or 1300 East.

2. Occur within a General Plan District of either Professional Office, Office/Residential, Commercial, or are within the Highland Drive Master Plan area, and;

3. Will result in an upgrade of the building and/or site.

C. Use and Site Plan Approvals: Conditional use permits and site plan approvals for developments in the RO zone shall be made by the Planning Commission as allowed by section 13.08.040 and 13.08.080 of this title.

13.50.030: PRIMARY USES:

A. The permitted and conditional uses allowed in Residential Office (RO) zones shall be as set forth in chapter 13.100, "Appendix A - Allowed Uses", of this Title. Any primary land use not shown as a permitted or conditional use in chapter 13.100, "Appendix A - Allowed Uses", of this Title shall be prohibited.

B. Combined Uses: Any combination of uses may be established within the same building or on the same lot or parcel. If any of the proposed uses is a conditional use, that use shall be reviewed and approved by the Planning Commission as required by section 13.08.040 of this Title.

13.50.040: ACCESSORY USES: Permitted and conditional uses set forth in chapter 13.100, "Appendix A - Allowed Uses", of this Title shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such primary uses allowed by chapter 13.100, "Appendix A - Allowed Uses", of this Title.

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 residential office (RO) zones are as set forth in chapter 13.100, "Appendix A - Allowed Uses", of this Title.

D. Accessory uses and buildings customarily incidental to a permitted or conditional use may be allowed in the Residential Office (RO) zones, provided the total footprint square footage of all accessory buildings does not exceed the maximum square footage as allowed in section 13.14.110 this Title.

13.50.050: GENERAL DEVELOPMENT STANDARDS:

A. Development standards in the RO zones shall be as follows:

TABLE 13.50.051

STANDARD	
Lot area	No minimum
Lot width	No minimum
Lot frontage	No minimum
Maximum impervious surface coverage	60 percent ¹
Maximum aboveground square feet	New construction- 3,500 per main building
	Existing structures –No limit

1

2

3

4

1. The total percent impervious coverage may be increased through the use of approved permeable or porous surfaces no more than an additional ten percent (10%) as allowed in section 13.5014.200 of this Chapter.

5

6

7

B. Development of lots on a private driveway (flag lot), as defined by Section 13.04.040 of this code, is prohibited in the RO zone. No intervening development between the street and any main building on a lot in the RO zone shall be allowed.

8

TABLE 13.50.052

MAXIMUM BUILDING HEIGHT	
<u>Lot Area In Square Feet</u>	<u>Maximum Height In Feet</u>
<u>Less than 15,000</u>	<u>32</u>
<u>Over 15,001 15000 and above</u>	<u>35</u>

9

10

11

13.50.060: SETBACKS:

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

A. Purpose: The spacing of buildings and structures away from property lines and rights-of-way play an important part in the look and feel of a neighborhood. The Residential Office (RO) zone standards are intended to allow small nonresidential development along busy streets while maintaining the look and feel of the street's original residential character. Setbacks should be influenced by compatibility with the surrounding residential uses while allowing flexibility for requirements associated with nonresidential development such as parking, security lighting and trash disposal. As with the residential zones, setbacks should vary proportionally depending upon the size and shape of the properties and also upon the type of the existing and proposed land use. In some instances setbacks should be uniform assuming there is a specific desired outcome for the setback, such as protection of views, public safety, economic development, etc. In other instances, variability and flexibility of setback may produce equally important outcomes such as the protection of natural features, aesthetically pleasing streetscapes, creativity in architectural design, and retention of fragile housing stock or other important goals.

28

29

30

31

32

33

B. Implementation: Averaging of setbacks in all yard areas shall be allowed. Variations across the setback line may not exceed fifteen percent (15%) of the minimums required. Calculation of the average shall require at least ten (10) equally spaced measurements across any one "building line", as defined in section 13.04.040 of this Title, and shown in figure 13.14.051 of this Title.

34

35

36

37

38

C. Setbacks: Setbacks for new structures within the RO zone shall be as shown on table 13.05.051 13.50.061.

TABLE 13.50.061

Setback	Setback
<u>Side - abutting commercial property line</u>	<u>See section 13.14.056</u>
<u>Side - abutting residential property line</u>	<u>See section 13.14.056</u>
<u>Rear - abutting commercial property line</u>	<u>See section 13.14.052</u>
<u>Rear - abutting residential property line</u>	<u>See section 13.14.052</u>
<u>Front</u>	<u>See section 13.14.054</u>
<u>Corner side abutting a public street</u>	<u>20 Ft.</u>

39

1 **13.50.070: BUFFER STANDARDS FOR DEVELOPMENT ABUTTING A RESIDENTIAL**
 2 **PROPERTY:** The following additional development standards shall apply to all
 3 developments and redevelopments within the RO zone:

- 4
 5 A. Building height shall not exceed the design envelope created by starting at a point eight
 6 feet (8') above the ground at the residential property line and then sloping along a plane
 7 at a forty five degree (45°) angle toward the center of the lot.
 8
 9 B. For developments in the RO zone, a five foot (5') wide landscaped buffer strip shall be
 10 provided abutting and parallel to the perimeter wall as required by Chapter 13.77 of this
 11 title.

12
 13 **13.50.080: PARKING AND ACCESS REQUIREMENTS:** Parking in the RO zones shall be
 14 exempt from the provisions of Chapter 13.80 of this Title unless otherwise specified by the
 15 standards of this section.

- 16 A. Parking Required: There shall be provided at the time any building or structure is erected
 17 or enlarged or increased in capacity, or any use is established, off street parking spaces
 18 for automobiles in accordance with the requirements in this chapter.
 19 B. The number of parking spaces required for any use(s) allowed by in the RO zone shall
 20 be:
 21 1. One (1) space for each employee.
 22 2. One (1) space for each customer at the business(s) during the peak business
 23 hour, and
 24 3. Up to a maximum of four stalls per 1,000 square feet (4/1,000 SF) of leasable
 25 space in any main building.
 26
 27 C. The number of access points along public rights of way should be minimized. On corner
 28 sites, access points shall be located as far from the corner as reasonably possible and in
 29 no case less than forty feet (40') from the intersection of the asphalt lines.
 30
 31 D. Vehicular circulation shall be designed to preclude the intrusion of traffic directly into
 32 residential areas.
 33
 34 E. No parking may be located within the first twenty (20) feet of a front setback area or
 35 within the corner side setback area which faces on a street.
 36
 37 F. No parking shall be located in such a manner as to allow direct backing into oncoming
 38 traffic.
 39
 40 G. The maximum driveway width for developments in the RO zone is twenty-five feet (25') at
 41 the property line.
 42
 43 H. All parking for the use(s) allowed on a parcel or lot in the RO zone shall be located on the
 44 same lot or parcel as the use.
 45
 46 I. All required parking stalls shall meet the parking design standards in section 13.80.030 of
 47 this Title.

48
 49 **13.50.090: STORAGE AND DISPLAY AREAS:**

- 50
 51 A. Storage areas shall be paved with hard surface paving (unless otherwise approved by
 52 the Planning Commission) and screened with opaque fencing and/or landscaping at least
 53 six feet (6') in vertical height at the time of planting.

1
2 B. No outside displays (either permanent or temporary) shall be permitted.

3
4
5 **13.50.100: SCREENING:**

6
7 A. *Trash Enclosures:*

8
9 1. No commercial type dumpsters or trash enclosures are allowed in the RO zone.

10
11 2. All waste and trash shall be secured and disposed of in the same manner as a
12 single-family residence.

13
14 B. *Mechanical Equipment:* All noise emitting equipment shall be placed so as to minimize
15 noise, and visual impact on nearby properties and streets.

16
17 C. *Utility Lines:* All new utility lines such as electric, telephone, CATV, or other similar lines
18 servicing individual sites shall be placed underground. Utility lines necessary within the
19 property shall be placed underground. All utility lines shall be placed underground in new
20 construction projects that require building permits and site redesign. All junction and
21 access boxes shall be located to the side or the rear of the building unless public safety
22 concerns dictate otherwise. All utility pads shall be shown on the project plan. Any utility
23 connections, meter boxes, etc., shall be integrated with the architectural elements of the
24 project plan.

25
26 **13.50.110: LIGHTING:**

27
28 A. *Intent:* is the intent of this subsection to encourage lighting practices and systems that
29 minimize light pollution, glare and light trespass, conserve energy and resources, and
30 maintain nighttime safety and utility while ensuring the enjoyment of a starry night for all
31 members of the community.

32
33 All site lighting shall be shielded and/or directed in such a manner that it illuminates only
34 the user's premises and does not spill over into neighboring residential areas so as to
35 interfere with the peaceful enjoyment of the residential properties.

36
37 B. *Site Illumination Plan:* A site illumination plan shall be submitted with each site plan
38 review application which includes:

39
40 1. All proposed exterior lighting in relation to existing and proposed buildings, trees,
41 landscaping, parking areas;

42
43 2. Proposed mounting height and placement of all exterior lighting fixtures.

44
45 3. Compliance with the adopted International Building Code standards.

46
47 C. *Lighting Installations:* Lighting installations shall include timers, dimmers and/or sensors
48 to reduce overall energy consumption and eliminate unneeded lighting.

49
50 D. *Architectural Feature Lighting:* Architectural feature lighting including wall washers
51 spotlights are permitted. All building entrances should be well lit to provide inviting access
52 and safety.

53
54 E. *Nonconforming Fixtures:* Except where otherwise noted, all outdoor lighting fixtures
55 existing and legally installed and operative before the effective date of this Title are
56 exempt from the requirements of this subsection. Whenever a nonconforming fixture is

1 replaced, upgraded or moved, the replacement fixture shall meet the requirements of this
 2 Title.

3
 4 13.50.120: **LANDSCAPING:** All uses in the RO zone shall comply with the provisions
 5 governing landscaping and buffering in Chapter 13.77 of this Title.

6
 7 13.50.130: **PERIMETER WALL:**

8
 9 A. The project area may be required to have a screened privacy fence along all rear and
 10 side yards not fronting on a public street, which abut a residential zone or a residential
 11 use.

12
 13 B. This requirement may be waived by the planning commission upon a determination that
 14 the fence is not necessary to buffer the abutting use. Such screening shall not be located
 15 in the required setback from a public street.

16
 17 13.50.140: **PUBLIC IMPROVEMENTS:**

18
 19 A. The developer of the project shall be responsible for the dedication and improvement of
 20 all off site public improvements that do not presently exist according to the width of the
 21 ultimate right of way, as called out in the roadway classification map of the Holladay city
 22 general plan. If a property has multiple street frontages, improvements are required along
 23 all streets. Such improvements shall include, but are not limited to: curb, gutter, sidewalk,
 24 streetlights, drive approaches, waterways, road base, asphalt, striping, streetscape,
 25 storm drainage, fire hydrants, water mains, laterals, piping of irrigation ditches and flood
 26 control systems, fencing of canals, extension of water lines, appurtenances and sewer
 27 lines, removal of utility lines out of the right of way (with the exception of traditionally
 28 buried lines such as sewer, water, and natural gas transmission lines), etc.

29
 30 B. All required improvements shall be designed and installed by the developer according to
 31 the Holladay City standard specifications for public works construction and approved by
 32 the city engineer and city public works director.

33
 34 13.50.150. **GENERAL MAINTENANCE:** Property (including all buildings, landscaping,
 35 fences, walls, drives, parking lot surfacing and striping, signs, or other structures) shall be
 36 maintained in good repair and in accordance with the approved site plan for the project.
 37 Rights of way and pavements shall be kept true to line and grade and in good repair.
 38 Drainage ditches shall be kept clean and free of any obstructions.

39
 40 13.50.160: **HAZARDOUS ACTIVITIES:** No land or building devoted to uses authorized by this
 41 chapter shall be used or occupied in any manner so as to create noxious or objectionable
 42 fire, explosive or other hazards; noise or vibration, smoke, dust, or other form of air
 43 pollution, heat, cold, dampness, glare, electrical or other disturbance, liquid or solid
 44 refuse or waste, or other substance, condition or element in such a manner or in such an
 45 amount as to adversely affect the surrounding area or adjoining premises.

46
 47 13.50.170: **SIGNS:** All signs in the RO zone shall comply with the regulations in chapter
 48 13.82 of this Title.

49
 50 13.50.180: **REVIEW BY THE DESIGN REVIEW BOARD:**

51
 52 A. *Application:* The conceptual design of any application for development located in the RO
 53 zone which requires approval by the planning commission shall be reviewed by the DRB
 54 as provided in this section.

1 B. *Scope:* A DRB review and recommendation is required for the following development in
 2 the RO zone:

- 3 1. All new building construction;
- 4 2. Any remodeling which increases the floor area of an existing building, or;
- 5 3. Any exterior remodeling, as defined by the International Building Codes ,of an
 6 existing main building.

7
 8 C. *Submissions:* An application subject to design review shall include all of the
 9 requirements of section 13.03.040H of this title, following:

- 10 1. site plan,
- 11 2. building sections,
- 12 3. exterior elevations,
- 13 4. photographs of the subject or abutting properties,
- 14 5. perspective drawings,
- 15 6. description of building materials,
- 16 7. color samples,
- 17 8. exterior lighting designs,
- 18 9. fence plans,
- 19 10. signs,
- 20 11. landscaping plans.

21
 22 D. *Recommendation:* The DRB shall review the proposed conceptual design plan for
 23 compliance with the RO design guidelines set forth in section 13.50.190 of this chapter.
 24 At the conclusion of the review, the DRB shall make a recommendation to the Planning
 25 Commission to accept the design concept as submitted, provisionally accept the design
 26 concept subject to plan revisions necessary to achieve compliance with the design
 27 guidelines, or continue design concept for preparation of a new design concept if the
 28 concept is substantially out of compliance with the design guidelines.

29
 30 **13.50.190: DESIGN GUIDELINES:**

31
 32 A. *Purpose:* The purpose of this section is not to restrict architectural freedom in new
 33 buildings, nor choose any one specific architectural style for any particular property or
 34 street but to address the appropriate design, size and scale of a structure given its
 35 context within the surrounding neighborhood. Two (2) factors influence the perception of
 36 mass and scale of a structure: the physical relationship of the structure to the size of the
 37 adjacent structures and the physical distance between structures.

38
 39 B. *Limitation:* To avoid any large, continuous building mass of uniform height, no portion of
 40 any new building shall continue more than forty feet (40') horizontally without a minimum
 41 of an eighteen inch (18") break in the roofline and/or an articulated architectural element
 42 such as overhangs, projections, insets, material and textural changes, or other
 43 architectural elements used to create shadow patterns along the elevation of the building.
 44 The maximum length of any blank wall uninterrupted by windows, doors or architectural
 45 detailing at the first floor level shall be fifteen feet (15').

46
 47 C. *Second Story Locations:* Second story portions of a building shall be designed with
 48 adjacent structures in mind. Reduction in the overall scale of the building can be
 49 accomplished by the use of varied upper story setbacks, providing significantly larger
 50 setbacks for the entire structure and/or placement of the major portion of the second
 51 story over the rear portion of the first story.

52
 53 D. *Facade Embellishment:* Any building wall visible from a public right of way shall
 54 incorporate architectural design embellishments which are compatible with other publicly
 55 visible parts of the building. Embellishments dividing the facade visually may include
 56 windows, a recessed entrance or other appropriate variations as approved by the DRB.

1
2 E. *Window and Door Designs:* Windows and doors shall be used to define the character of
3 buildings by giving scale to the building and providing visual interest to the composition of
4 individual facades. Distinct window and door designs should be used to help define
5 building styles. There must be provided at least one operable building entrance per
6 elevation that faces a public street.

7
8 F. *Awnings and Canopies:* Awnings and canopies should contribute to the architectural
9 theme and shall be integrated within the building design. Awnings should be constructed
10 of traditional materials and located over windows and doors. Backlit awnings are
11 prohibited.

12
13 G. *Building Materials:* Building exteriors shall be constructed from high quality and durable
14 materials. It is important that the materials and colors will weather well and need minimal
15 maintenance.

16
17 1. Acceptable exterior finish materials include the following:

18 a. Painted, stained or weathered wood siding such as, 4-S shingles, board and
19 batten and clapboard;

20 b. Artificial wood siding such as painted cementitious fiberboard;

21 c. Brick or natural stone;

22 d. EIFS (synthetic stucco) (not more than 50 percent of all exterior finished surfaces);

23 e. Stucco;

24 f. Synthetic stone; and

25 g. Architectural finish or decorative faced concrete masonry units (CMUs).

26
27 2. Materials not listed above shall be prohibited unless determined to be part of a strong
28 architectural design theme as approved by the Planning Commission after review by the
29 DRB.

30
31 H. *Roofs:* The character of a roof is a major feature for a structure. The roof pitch, its
32 materials, size and orientation are all distinct features that should contribute to the
33 residential character of the building. Shadows created by traditional overhangs should
34 contribute to the perception of a building's scale. Roof designs should relate to the
35 building facade articulations.

36
37 Roof materials should be in keeping with the character of the architectural style of the
38 building. Recommended roof materials include slate shingles, asphalt and fiberglass
39 shingles, metal standing seam or tiles. Crickets or other snow guard devices should be
40 placed in such a way that does not alter the form of the roof as seen from the street.

41
42 I. *Remodeling or Additions:* Remodeling or additions to residential buildings shall be
43 allowed only if the residential character of the exterior is maintained. Building additions
44 shall consist of materials, color and exterior building design consistent with the existing
45 structure.

46

REQUIRED AMENDMENTS TO OTHER SECTIONS

13.04.040: DEFINITION OF TERMS:

~~SIGN, MONUMENT: A sign supported by a fixed, permanent frame support in the ground. A freestanding sign which is attached directly to the ground and supported by a base, the width of which should be at least 50 percent (50%) of the width of the sign.~~

LIVE/WORK: A building or spaces within a building used jointly for a primary commercial or manufacturing use as allowed by the zone and a residential use where the residential use of the space is secondary or accessory to the primary use as a place of work.

13.03.040: SUBMISSIONS REQUIREMENTS FOR ALL OTHER LAND USE APPLICATIONS:

H. Review by the Design Review Board: For any land use application that requires review by the Design Review Board under the provisions of this Title the following shall be submitted:

1. A conceptual site plan as required by subsection 13.03.030 A of this chapter;
2. building sections,
3. exterior elevations,
4. photographs of the subject or abutting properties,
5. perspective drawings,
6. description of building materials,
7. color samples,
8. exterior lighting designs,
9. fence plans,
10. signs,
11. landscaping plans.

13.05.070: DESIGN REVIEW BOARD:

J. Powers and Duties:

1. When a land use application is submitted for development in the HV and RO zones, and determined to be complete by the TRC, the DRB shall review the application as provided in section 13.71.020 of this title.
2. The DRB may recommend to the planning commission amendments to this title regarding development in the HV and RO zones.

13.08.160: PROJECTS IN THE RESIDENTIAL OFFICE DEVELOPMENT ZONE: For development and review procedures see chapter 13.50 of this title.

13.08.170: OTHER APPLICATIONS NOT LISTED:

13.11.020: ZONES ESTABLISHED:

For the purpose of this Title, the city is divided into the following classes of zones:

Forestry and recreation zone FR-0.5

Forestry and recreation zone FR-1

Forestry and recreation zone	FR-2.5
Forestry and recreation zone	FR-5
Forestry and recreation zone	FR-10
Forestry and recreation zone	FR-20
Residential zone	R-1-4
Residential zone	R-1-8
Residential zone	R-1-10
Residential zone	R-1-15
Residential zone	R-1-21
Residential zone	R-1-43
Residential zone	R-1-87
Residential zone	R-2-8
Residential zone	R-2-10
Residential zone	R-M
Office, research park and development zone	O-R-D
Residential Office zone	RO
Public use zone	P
Neighborhood commercial zone	NC
Commercial zone	C-1
Commercial zone	C-2
Limited use zone	LU
Regional/mixed-use zone	R/M-U
Holladay Village zone	HV
Foothills and canyons overlay zone	FCOZ

DRAFT

13.82.210: SIGNS ALLOWED:

Signs allowed, by zone, shall be as set out in the following chart:

Signs Allowed In The RO Zone				
Sign	Size	Height	Location	Other
Awning/canopy	Maximum 5% of a wall area may be covered with an awning or canopy, and 50 % of an awning or canopy may be covered with graphics.			Attached to building. May not extend above top of facade. Primary graphics on face or street side of structure. Must count toward the maximum overall wall signage allowance*. May not be backlit.

Signs Allowed In The RO Zone				
Sign	Size	Height	Location	Other
Monument	1 per lot, 24 square feet maximum.	5 feet maximum	Must be located in a landscaped area no less than twice the area of the sign allowed.	May be externally illuminated but must comply with lighting requirements of section 13.50.110 of this Title.
Real estate	6 square feet maximum	3 feet maximum when freestanding	On private property	Only 1 sign allowed per lot. Signs must be removed within 7 days of the sale or lease of the property in question
Wall*	Maximum 5% percent of one wall area visible to a principal or minor arterial street.		Attached to a building. May not extend above the building parapet, soffit, eave line or roof of the building	Signs not allowed on elevations exposed to residential properties. Brushed metal letters, reverse pan channel or pan channel letters only. May be illuminated but must comply with lighting requirements of section 13.50.110 of this Title.

13.100: **APPENDIX A**

Table of Allowed Uses

C=Conditional Use P= Permitted Use - = not allowed

	RO Zone
AGRICULTURE	
Agriculture	-
INDUSTRIAL & MANUFACTURING	
Building Materials Sales and Services	-
Disinfecting & Exterminating	-
Educational & Scientific Research, Medical/Dental Laboratories	C
Landscaping Installation & Maintenance	-
Manufacturing	-
Self-Service Storage	-
TRANSPORTATION, COMMUNICATIONS, & UTILITY FACILITIES	
Public Parking	-
Local, Suburban and Interurban Transportation	-
Radio & Television Broadcasting Studio	-
Utility Company, Public	-
Utility Facility Company	-
Wireless Telecommunications	-
RETAIL	
Alcoholic Beverage Retail Sales:	-
Brewery	-

Club, Equity	-
Club, Fraternal	-
Club, Dining	-
Club, Social	-
Off- Premise	-
On-Premise Banquet and Catering	-
On- Premise Beer Retailer	-
Restaurant - Full Service	-
Restaurant- Limited Service	-
Special Event Permit	-
Drug store (Pharmacy)	-
Gas Station	-
Groceries/Food	-
Motorcycle Sales, Rental	-
Motor Vehicle Sales, Rental (new only)	-
Neighborhood Market, Large	-
Neighborhood Market, Small	-
Nursery, Garden Center	-
Recreational Vehicles Sales, Rental	-
Restaurant	-
Retail, General	-
Sexually Oriented Business	-
SERVICES	
Banking & Credit	-
Commercial Daycare, Preschool	-
Commercial Kennel	-
Commercial Stable (on lots of one [1] acre or more)	-
Dry Cleaning ¹⁵	-
Educational Facility, Private	<u>C</u>
Equipment Rental & Leasing	-
Funeral Home, Crematory	-
Hospital	-
Laundry, self-service, Alteration & Apparel Repair	-
Medical, Dental, & Related Health	-
Motor Vehicle Repair	-
Nonresidential Treatment Facility	-
Permanent Cosmetics	-
Personal Service	-
Pet Grooming/Pet Daycare	-
Professional & Business Services	<u>C</u>
Reception Center	-
Small Engine Repair, Appliance, Electrical, & Machine Repair	-
Veterinary Services	-
ENTERTAINMENT & RECREATION	
Arcade	-

Auditorium, Exhibit Hall, Convention Center	-
Motion Picture Theater, Live Theater	-
Private Nonprofit Recreational Grounds & Facilities	-
Professional, Fraternal & Social Association	-
Recreation, Commercial, Indoor	-
Recreation, Commercial, Outdoor	-
Recreation, Fitness Center	-
RESIDENTIAL	
Bed & Breakfast	C
Dwelling,	-
Multiple-family	-
Single-family	-
Two-family	-
GROUP QUARTERS:	-
Assisted Living Facilities-Type I	-
Large	-
Small	-
Limited	C
Assisted Living Facilities-Type II	-
Large	-
Small	-
Limited	C
Nursing Home	-
Residential Facilities for Persons with a Disability	-
Residential Facility for Elderly Persons	-
Live/Work	P
Temporary Lodging, Hotel, Motel, etc.	-
PUBLIC	
Cemetery	-
Charter School	-
Educational Facility, Public	-
Public Use	-
Quasi-Public Use	-
Accessory Uses*	
Drive-through	-
Family Food Production	-
Flea Market/Farmers Market	-
Guest house and/or caretaker quarters	-
Home Daycare/Preschool,	-
Home Daycare/Preschool, Small	-
Home Occupation	-
Household pets	-
Livestock, large	-
Livestock, small	-

Merchandise Vending Machine, outside	-
Outside Dining	-
Outside Display	-
Outside Storage	-
Resource Recycling Collection	-
Seasonal Sales	-
Short term rental	-
Sportsman' Kennel/Animal Hobby Permit	-
Stable, Private	-
Temporary buildings incidental to construction, incl. living quarters for security	-
Temporary Sales/Use	-
Miscellaneous Uses	
Non-Residential Planned Unit Development	-
Residential Planned Unit Development	-

DRAFT