

**NOTICE OF MEETING OF THE
CITY OF HOLLADAY CITY COUNCIL
THURSDAY, FEBRUARY 2, 2017**

**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**
Any person wishing to comment on any item not otherwise on the agenda may address the Council during the public comment period. Approach the microphone and give your name and address for the record. Comments should be limited to three minutes or five minutes for a group spokesperson, additional time may be 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. **Consideration of Ordinance 2017-04 Amending the Zoning Map for Property Located at 5697 S Highland Dr. from R-1-43(one, single-family home per one acre) to R-2-8 (one duplex per eight thousand square feet –OR- one, single-family home per five thousand square feet) (for the purpose of a three-lot, detached single family subdivision)**
- V. **Consideration of Ordinance 2017-05 Imposing Temporary Zoning Regulations Relating to the Calculation of Setbacks in Residential Zones Within the City**
- VI. **Authorization to Create a Plan for Deer Mitigation**
- VII. **Discussion on Possible Resolution to Report Internet Use Sales Tax by Council Members**
- VIII. **Consent Agenda**

a. Approval of Minutes - Nov. 17 & Dec. 1, 2016 and Jan. 5, 2017(council & Legislative mtg)

IX. ***City Manager Report – Gina Chamness***

X. ***Council Reports & District Issues***

XI. ***Recess to RDA Meeting***

XII. ***Reconvene City Council in a Work Meeting***

a. Discussion on Encroachment Issues with Harmons

b. Update on Website and the City's Use of Social Media

c. Calendar – *schedule of upcoming meetings*

February Meetings - Feb. 9 & 16

RDA Meeting – Feb. 2 & March 2

March Meetings – 2 & 23

April Meetings – 6, 13 & 20

ULCT MidYear Conference – April 6-7

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

XV. ***Adjourn***

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

On Monday, January 30, 2017 at 10:30 am 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 emailed 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. The agenda was also posted at the 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 number is (801)270-2425 or call Relay Utah at #7-1-1

Dated this 30th day of January, 2017.

Stephanie N. Carlson, MMC
Holladay City Recorder

CITY OF HOLLADAY

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLADAY AMENDING ZONING MAP OF THE CITY REGARDING THE PROPERTY LOCATED AT APPROXIMATELY 5697 S. HIGHLAND DRIVE FROM R-1-43 TO R-2-8.

WHEREAS, the authorized property owner had filed an application to rezone certain real property located at approximately 5697 S. Highland Drive, Holladay, Utah from R-1-43 to R-2-8; and

WHEREAS, the proposed zoning map amendment is consistent with the general plan; and

WHEREAS, the Planning Commission of the City of Holladay has considered the proposed request, has held a public hearing and has made a recommendation of approval to the City Council regarding the zoning map change; and

WHEREAS, a public hearing was held by the City Council on January 26, 2017 pursuant to proper statutory notices required by law; and

WHEREAS, it appearing to be in the best interest of the City of Holladay and the inhabitants thereof that the property be rezoned and that the zoning map be amend to designate the property in the R-2-8 Zone District;

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

Section 1. Rezoning. The zoning map of the City of Holladay is hereby amended to designate the subject property as R-2-8. Said property is located at approximately 5697 S. Highland Drive, Holladay, Utah and is more fully described as set forth in Exhibit A, attached hereto and incorporated herein by reference.

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

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

PASSED AND APPROVED this ___ day of January, 2017.

By: _____
Robert Dahle, Mayor

[SEAL]

VOTING:

Lynn H. Pace	Yea	___	Nay	___
Mark H. Stewart	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 ___ day of _____, 2017.

RECORDED this ___ day of _____, 2017.

CITY OF HOLLADAY

ORDINANCE NO. 2017-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLADAY IMPOSING TEMPORARY ZONING REGULATIONS RELATING TO THE CALCULATION OF FRONT YARD SETBACKS FOR RESIDENTIAL DEVELOPMENT.

WHEREAS, the City Council of the City of Holladay finds that in certain recent residential development circumstances, errors have been made in the calculation of front yard setbacks; and

WHEREAS, due to the nature of the City’s current regulations regarding the calculation of required setbacks, errors in the calculation of existing setbacks are likely to lead to further errors in new calculations; and

WHEREAS, the City Council finds that the potential for further errors and compromised setback calculations presents a compelling countervailing public interest that supports the imposition of regulations altering the method of calculating setbacks prior to full consideration and recommendation by the Planning Commission and that the adoption of this Temporary Zoning Regulation is necessary and is authorized pursuant to the provisions of *Utah Code Ann.* §10-9a-504;

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

Section 1. Adoption. The following Ordinance is hereby enacted and adopted to read in its entirety as follows:

Title. This Ordinance shall take effect without codification and may be cited as the “2017 Temporary Front Yard Setback Calculation for Residential Uses Ordinance” of the City of Holladay.

Findings. Pursuant to *Utah Code Ann.* §10-9a-504, the City Council of the City of Holladay hereby finds that the health, safety, welfare and convenience of the public and the residents of the City will be promoted and enhanced by adopting this Ordinance imposing temporary regulations governing the calculation of front setbacks for residential uses within the City. The City Council hereby finds that such regulations are necessary and desirable to provide for a short period of study and assessment regarding the calculation of front setbacks for residential uses.

Temporary Regulations. The following regulations will read as follows for a one hundred and eighty (180) day period following adoption of this Ordinance:

For front yard setbacks in residential zones:

A. No new permit may be issued until a calculation has been done to determine if any errors have been made on any of the other properties located within the averaging area (typically the two homes on either side of the subject property).

B. A front yard setback worksheet (showing the measurements for the setbacks on the neighboring properties and how the front yard setback for the new home was calculated) must be prepared, signed and placed in the file before any permit is issued.

C. For homes where the front yard setback was determined to be calculated incorrectly, the front yard setback averaging will be calculated based upon what the correct setback should have been (rather than what was actually built).

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

Section 3. Effective Date. This Ordinance shall be effective for a period of one hundred and eighty (180) days unless it is repealed by the City Council, and for the protection of the Public Welfare, this Ordinance shall become effective immediately upon passage and posting.

PASSED AND APPROVED this 2nd day of February, 2017.

By: _____

Robert Dahle, Mayor

[SEAL]

VOTING:

Lynn H. Pace	Yea	___	Nay	___
Mark H. Stewart	Yea	___	Nay	___
Sabrina R. Petersen	Yea	___	Nay	___
Patricia Pignanelli	Yea	___	Nay	___
Steven H. Gunn	Yea	___	Nay	___
Mayor Robert Dahle	Yea	___	Nay	___

ATTEST:

Stephanie N. Carlson, MMC
City Recorder

DEPOSITED in the office of the City Recorder this ___ day of _____, 2017.

RECORDED this ___ day of _____, 2017.