



HOLLADAY CITY COUNCIL SUMMARY REPORT

MEETING DATE:

AGENDA ITEM:

TITLE: Amendments to 13.040 and 13.100.010- Separation of Dining Clubs

SUBMITTED BY: Planning Commission

SUMMARY:

This matter was remanded back to the Commission from the Council, after the Commission recommended denial of the original proposal. In particular, Councilmember Pace felt that a more in-depth discussion was warranted regarding the unintended consequences of allowing an unlimited number of these alcohol uses to be established in one area, particularly in the Village zone. The original recommendation set a 300 Ft. separation but Councilmember Pace feels this may not be the best way to separate these uses. He has suggested that one per "block face" might be a better regulation. Therefore, the attached draft uses that language

RECOMMENDATION:

The Planning Commissioners discussed at length, this proposal. They reviewed their earlier discussions and noted Councilmember Pace's concerns. Commissioner Carter in particular, is concerned that any imposed use regulations should be tied to the specific land use impacts that would be generated by the use itself. He feels that the regulation of alcohol is best done by the DABC and the law enforcement community, not the land use regulations. They were not convinced that having multiple dining club uses would be a negative impact to the Village and agreed that limiting the opportunity for another such business to locate in the Village would not be in the best interest of the community.

The matter was opened for public comment. One citizen commented that he was delighted by the new businesses in the Village and supported the inclusion of more restaurants like the Copper Onion. After the public hearing was closed the Commissioners voted unanimously to recommend denial of the amendment.

CONTACT PERSON: Paul Allred

EXHIBITS:

- Draft text
- PC minutes

13.04.040: DEFINITIONS OF TERMS:

For the purpose of this title the following terms have the following meanings:

BLOCK FACE: One side of a street between two consecutive intersections, such as one side of a city block.

13.100.010: TABLE OF ALLOWED USES:

C	=	Conditional use	P	=	Permitted use
-	=	Not allowed	SDMP	=	Site development master plan

Use	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8, R-2-10	RM	O-R-D	P	RO	NC	C-1	C-2	HV	R/M-U	LU
Accessory Uses*														
Alcoholic beverage retail sales ¹⁴														
Brewery	-	-	-	-	-	C	-	-	-	-	C	-		
Club, dining	-	-	-	-	-	C	-	-	-	-	C	P ¹⁸		
Club, equity	-	-	-	-	-	C	C	-	-	-	C	-		
Club, fraternal	-	-	-	-	-	C	-	-	-	-	C	-		
Club, social	-	-	-	-	-	C	-	-	-	-	C	-		
Off premises	-	-	-	-	-	-	-	-	P	P	P	P		
On premises banquet and catering	-	-	-	-	-	C	P	-	-	-	C	P		
On premises beer retailer	-	-	-	-	-	P	P	-	-	-	P	P		
Restaurant - full service	-	-	-	-	-	P	P	-	P	P	P	P		
Restaurant - limited service	-	-	-	-	-	P	P	-	P	P	P	P		
Special event permit	-	P	P	P	P	P	P	-	P	P	P	P		
Drive-through	-	-	-	-	-	P	-	-	-	C	P	-		
Family food production	P ¹	P ¹	P ¹	-	-	-	-	-	-	-	-	-		
Flea market/farmers' market	-	-	-	-	-	-	P	-	-	P	P	P		
Guesthouse and/or caretaker quarters	C ⁹	C ⁹	C ⁹	-	-	-	-	-	-	-	-	-		
Home daycare/preschool	C ³	C ³	C ³	C ³	C ³	-	-	-	-	-	-	-		
Home daycare/preschool, small	C ⁴	P ⁴	P ⁴	P ⁴	P ⁴	-	-	-	-	-	-	-		
Home occupation	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	-	-	-	-	-	-	-		
Household pets	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	-	-	-	-	-	-	-		
Livestock, large	P ¹	-	P ¹	-	-	-	-	-	-	-	-	-		
Livestock, small	P ¹	P ¹	P ¹	-	-	-	-	-	-	-	-	-		
Merchandise vending machine, outside	-	-	-	-	-	-	-	-	-	P	P	P		
Mobile food trailer	-	-	-	-	-	P	P ¹⁷	-	-	P	P	P		
Mobile food truck	-	-	-	-	-	P	P ¹⁷	-	-	P	P	P		
Outside dining	-	-	-	-	-	C	C	-	C	C	C	C		
Outside display	-	-	-	-	-	-	-	-	C	P	P	P		
Outside storage	-	-	-	-	-	-	-	-	-	C	C	-		
Permanent cosmetics	-	-	-	-	C ¹⁴	P ¹⁴	-	-	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴		
Resource recycling collection	-	-	-	-	-	P ⁸	P ⁸	-	P ⁸	P ⁸	P ⁸	-		
Seasonal sales	-	-	-	-	-	P ¹³	P ¹³	-	P ¹³	P ¹³	P ¹³	P ¹³		
Short term rental	-	-	-	C ⁶	C ⁶	-	-	-	-	-	-	-		

See chapter 13.63 of this title

Sportsman's Kennel, Cattery, Animal Hobby permit	P ¹¹	P ¹¹	P ¹¹	-	-	-	-	-	-	-	-	-	-		
Stable, private	-	-	P ¹	-	-	-	-	-	-	-	-	-	-		
Temporary buildings incidental to construction, including living quarters for security	C ¹³	C ¹³	C ¹³	C ¹³	C ¹³	P ¹³	P ¹³	-	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³		
Temporary sales/use	-	-	-	-	-	-	P ¹³	-	-	P ¹³	P ¹³	-	-		

Notes:

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

1. See section 13.76.240, "Animal and Fowl Restrictions", of this title.
2. See section 13.76.715, "Bed And Breakfast", of this title.
3. See section 13.76.720, "Home Daycare/Preschool", of this title.
4. See section 13.76.725, "Home Daycare/Preschool, Small", of this title.
5. See section 13.76.730, "Home Occupation", of this title.
6. See section 13.76.735, "Short Term Rental", of this title.
7. Reserved.
8. See section 13.76.750, "Resource Recycling Collection Facility", of this title.
9. See section 13.14.110, "Accessory Buildings", of this title.
10. Provided the area is not in a watershed area.
11. Subject to title 8, "Animals", of this code.
12. See section 13.76.260, "Commercial Daycare/Commercial Preschool Facilities", of this title.
13. See sections 13.76.250, "Temporary Sales/Seasonal Sales Permit", and 13.76.501, "Temporary Uses", of this title.
14. When accessory to a permitted or conditional use.
15. Subject to well source protection ordinance.
16. May not exceed 10,000 square feet of gross floor area.
17. By contract with public entity only.
18. Only one (1) such use shall be allowed per block face as defined in Section 13.04.040 of this title.