

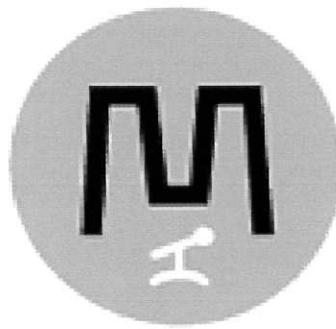
MURRAY
CITY COUNCIL

Council Meeting

6:30 p.m.

Call to Order

Pledge of Allegiance



MURRAY
CITY COUNCIL

Council Meeting Minutes

Murray City Municipal Council

Chambers

Murray City, Utah

The Murray City Municipal Council met on Tuesday, June 18, 2019 at 6:30 p.m. for a meeting held in the Murray City Center Council Chambers, 5025 South State Street, Murray, Utah.

Council Members in Attendance:

Dave Nicponski, Chair	District #1
Dale Cox, Vice Chair	District #2
Jim Brass	District #3
Diane Turner	District #4
Brett Hales	District #5

Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Jennifer Heaps	Communications & Public Relations Director
Craig Burnett	Police Chief	Brenda Moore	Controller/Acting Finance Director
Danny Astill	Public Works Director	Jon Harris	Fire Chief
Kim Fong	Library Director	Kim Sorensen	Parks & Recreation Director
Jim McNulty	Community & Economic Development (CED) Manager	Melinda Greenwood	Community & Economic Development (CED) Director
Robert White	IT Director	Wendell Coombs	City Treasurer
Nate Plaizier	Finance Division	Phyllis Wall	Treasurer Division
Caren Lopez	Finance Division		
Citizens			

Opening Ceremonies

Call to Order – Mr. Brass called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Danny Astill, Public Works Director

Approval of Minutes

Council Meeting – June 4, 2019

MOTION: Ms. Turner moved to approve the minutes. The motion was SECONDED by Mr. Hales. Voice vote taken, all "ayes."

Special Recognition

1. Murray City Council Employee of the Month, Janet Rowland, CSR Billing Editor, Utility Billing.

Staff Presentation: Brett Hales, Councilmember and Brenda Moore, Finance and Administration Director

Mr. Hales said the Council started the Employee of the Month Program because they felt it was important to recognize the City's employees. He presented Ms. Rowland with a certificate, a \$50 gift card and told her that her name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Ms. Rowland for all she does for the City.

Ms. Moore spoke about Ms. Rowland's job duties and her willingness to step-up, help and learn other's jobs during staffing shortages in her department.

Citizen Comments – Comments are limited to 3 minutes unless otherwise approved by the Council.

Nan Weber – 2020 Census Recruiter

Ms. Weber spoke about the importance of the 2020 Census. She explained the census helps our community grow by providing funds for roads, schools, hospitals and business development. The census provides valuable data and determines the number of representatives Utah has in Washington D.C.

Ms. Webber noted there are census jobs available. The 2020 Census will have an office in the area of 2100 South and 300 West. They are looking for address canvassers and enumerators. Anyone who is interested in applying for a job with the 2020 Census can apply at www.2020census.gov/jobs.

Consent Agenda

Mr. Brass asked that all items be voted on together; no objections were made.

1. Consider confirmation of the Mayor's appointment of Dustin P. Lewis to the Murray Library Board of Trustees representing District 2 for a three-year term to expire June 30, 2022.
2. Consider confirmation of the Mayor's reappointment of Sage Fitch to the Murray Library Board of Trustees representing District 3 for a three-year term to expire June 30, 2022.
3. Consider confirmation of the Mayor's reappointment of Brent Gardner to the Murray Library Board of Trustees representing District 4 for a three-year term to expire June 30,

2022.

4. Consider confirmation of the Mayor's appointment of David Hunter to the Murray City Center District Design Review Committee to fill a vacated position for a term that expires January 1, 2020.

MOTION: Ms. Turner moved to adopt the Consent Agenda. The motion was SECONDED by Mr. Nicponski.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

Public Hearings

Staff and sponsor presentations and public comment will be given prior to Council action on the following matters.

1. Consider an ordinance amending the City's Fiscal Year 2018 – 2019 Budget.

Staff Presentation: Brenda Moore, Finance and Administration Director

Ms. Moore said this item was discussed during the June 4, 2019 Committee of the Whole Meeting and it is the final budget adjustment for the 2018-2019 budget.

The Fire Department had some unanticipated retirements. Due to those retirements and minimum staffing needs, they have incurred higher than normal overtime costs. The Fire Department's budget is being increased by \$100,000.

The Water Department installed meters on previously unmetered sprinkling systems in the Cemetery. The new meters, along with the adoption of the tiered water billing and a price increase, caused a substantial increase in the water expense for the Cemetery. The Parks Department is having the same problem due to an increase in water rates and the new tiered water billing system.

The Fiscal Year 2018-2019 Budget received state alcohol money for the Police Department but did not allow them to spend it. This amendment will authorize the Police Department to spend that money.

Ms. Moore noted that the Capital Improvement Fund will be receiving over \$2,700,000 for various road projects from the Salt Lake County Choice Transportation Grants and

\$1,000,000 from the Utah Department of Transportation for the 5600 South State Street to Van Winkle Project.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

MOTION: Mr. Cox moved to adopt the ordinance. The motion was SECONDED by Mr. Hales.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

2. Continued from June 4, 2019

Consider an ordinance adopting the transfer of monies from enterprise funds to other city funds.

Staff Presentation: Brenda Moore, Finance and Administration Director

Ms. Moore said this ordinance will allow the city to transfer 8% of the revenue from the Enterprise Fund to the General Fund. It is a return on Murray City's investment on having its own power, water, garbage, and wastewater facilities.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

MOTION: Mr. Hales moved to adopt the ordinance. The motion was SECONDED by Ms. Turner.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

3. Continued from June 4, 2019

Consider an ordinance adopting the Final 2019 – 2020 Fiscal Year Budgets for Murray City

including the Library Fund Budget. Brenda Moore presenting.

Staff Presentation: Brenda Moore, Finance and Administration Director

Ms. Moore said the budget is balanced and she will make one adjustment for the certified tax rate once that is adopted.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

MOTION: Ms. Turner moved to adopt the ordinance. The motion was SECONDED by Mr. Cox.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

4. Consider an ordinance amending the Murray City Standard Land Use Code and Sections 17.146.040, 17.152.030, 17.160.030, 17.168.050F, and 17.173.030 of the Murray City Municipal Code relating to indoor farming.

Applicant: Chihan Kim

(See Attachment 1 for slides used during this presentation)

Staff Presentation: Jim McNulty, CED Manager

Mr. McNulty said this item was discussed at the June 4, 2019 Committee of the Whole meeting. Mr. McNulty showed some pictures of examples of vertical farming and explained how indoor farming works. He noted that vertical farming uses a hydroponic system and does not use pesticides.

Mr. McNulty said the location the applicant is looking at having a vertical farm in is located at 158 East 4500 South and is currently zoned Commercial Development. The city is looking at allowing as a conditional use in five different zoning districts throughout the city including the Mixed-Use zone (M-U), the Manufacturing General zone (M-G), Commercial Development zone (C-D), Transit Oriented Development zone (TOD), and Business Park zone (B-P).

Chihan Kim - Applicant

Mr. Kim said he has been planning to start a business like this for a long time. He explained the benefits of indoor farming, such as they do not have to use pesticides. He spoke about the types of fruits and vegetables he was going to grow in this building such as lettuce,

micro-greens, strawberries, and other plants.

Mr. Brass opened the public hearing was open for public comments.

Steve Sprouse – Murray City, Utah

Mr. Sprouse asked Mr. Kim how, and if, he recycles water in his indoor farm. He also asked him if he uses commercial fertilizers. He told Mr. Kim he thinks his idea is wonderful.

Mr. Brass closed the public hearing.

Mr. Kim said they do not use soil so they only use water and nutrients.

MOTION: Mr. Nicponski moved to adopt the ordinance. The motion was SECONDED by Mr. Hales.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

Business Items

1. Consider an ordinance adopting the rate of tax levies for the fiscal year commencing July 1, 2019 and ending June 30, 2020.

Staff Presentation: Brenda Moore, Finance and Administration Director

Ms. Moore said the certified tax rate has dropped to .002249%. Due to some modest growth in the city, the General Fund is predicted to receive about \$92,763 more in property tax this year than last year and the Library Fund is predicted to receive \$26,564.

MOTION: Ms. Turner moved to adopt the ordinance. The motion was SECONDED by Mr. Cox.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

2. Consider a resolution approving a Public Entity Resolution authorizing certain employees to access and transact with City Public Treasurer's Investment Fund (PTIF) accounts.

Staff Presentation: Brenda Moore, Finance and Administration Director

Ms. Moore said the State Treasurer's Investment Fund requires that as the city removes people who can transfer money in and out of the PTIF, those changes are approved by the City Council.

The change being presented tonight is removing Danyce Steck and adding Brenda Moore.

MOTION: Mr. Hales moved to adopt the resolution. The motion was SECONDED by Ms. Turner.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

3. Consider a resolution approving a Pass Through Funds Agreement between Murray City ("City") and the Utah Department of Transportation ("UDOT") for highway improvements to 5600 South from State Street to Van Winkle.

Staff Presentation: Danny Astill, Public Works Director

Mr. Astill said at the end of the legislative session the city was considered to receive some one-time money for a transportation project. The city identified that project and one of the last bills of the 2019 session, SB-268 allocated \$1,000,000 to the city for that project.

MOTION: Mr. Nicponski moved to adopt the resolution. The motion was SECONDED by Mr. Hales.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

4. Consider a resolution authorizing an Interlocal Cooperation Agreement between Salt Lake County and the City for prisoner transportation to and from the Murray City Municipal Justice Court.

Staff Presentation: G.L. Critchfield, City Attorney

Mr. Critchfield said this resolution authorizes an agreement with the Salt Lake County Sheriff's Office to transport prisoners to and from the Justice Court. The city has had an agreement with them before, they've done a great job, and the city would like to continue working with them.

MOTION: Mr. Nicponski moved to adopt the resolution. The motion was SECONDED by Mr. Cox.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

5. Consider a resolution approving an agreement between the City, the Redevelopment Agency of Murray City, and Salt Lake Neighborhood Housing Services DBA NeighborWorks Salt Lake. Melinda Greenwood and Jim McNulty presenting.

Staff Presentation: Melinda Greenwood, Community and Economic Development Director

Ms. Greenwood said the city has had a long-standing relationship with NeighborWorks Salt Lake. They do work with Murray City hoping to provide affordable housing programs within the city. They use dedicated affordable housing funds from the city's RDA and utilize CDBG funds that come through the city. Ms. Greenwood said the city is excited to continue a relationship with them.

MOTION: Ms. Turner moved to adopt the resolution. The motion was SECONDED by Mr. Hales.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye

Mr. Brass Aye

Motion passed 5-0

Mayor's Report and Questions

Mayor Camp went over the following items:

- This week is "Utah Workplace Safety Week," and today, Worker's Compensation Fund held their safety awards luncheon. Murray City was one of about a dozen entities that were recognized for excellence in their workplace safety program. Mayor Camp expressed his appreciation to Jordan Knight for the great job he does with the city's workplace safety program and to the city's employees who are very safety conscious.
- One of the hydro units that was down is now working. The other one is being inspected and should start working again soon.
- The production of "Joseph and the Amazing Technicolor Dreamcoat" begins this Thursday at the Amphitheater and runs through June 26, 2019. Tickets are available through the Parks Office. The schedule for all the summer arts productions is available on the city's website.

Adjournment

The meeting was adjourned at 7:16 p.m.

Jennifer Kennedy, City Recorder

Attachment 1

CITY COUNCIL MEETING

June 18, 2019



Murray City Land Use Ordinance
Text Amendment - Indoor Farming



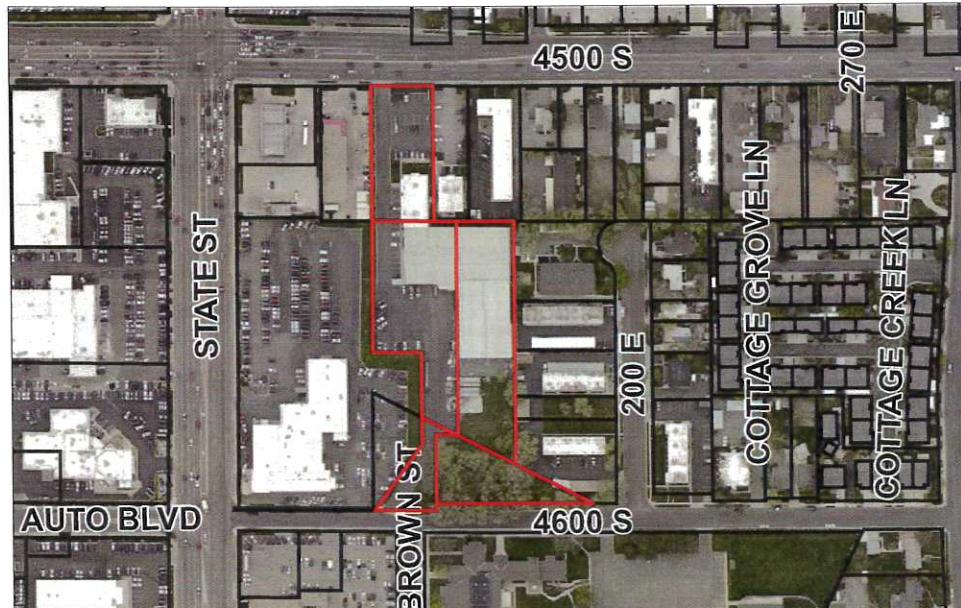
Examples of vertical farming

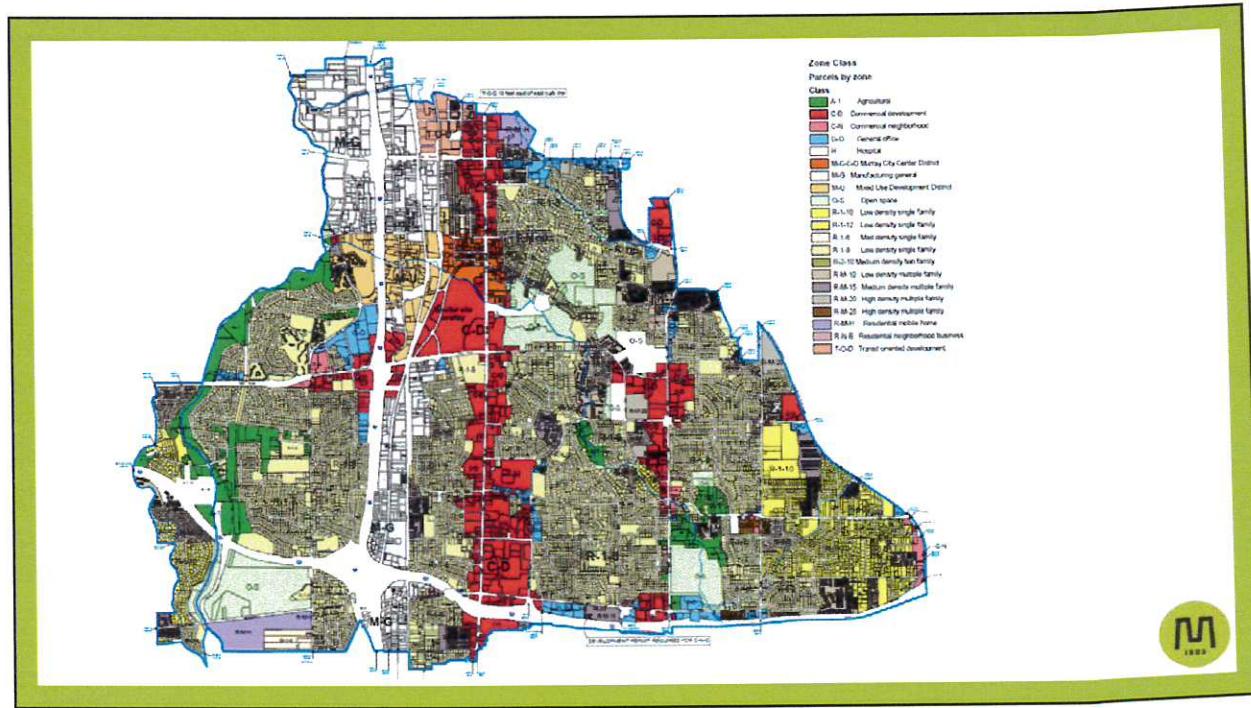
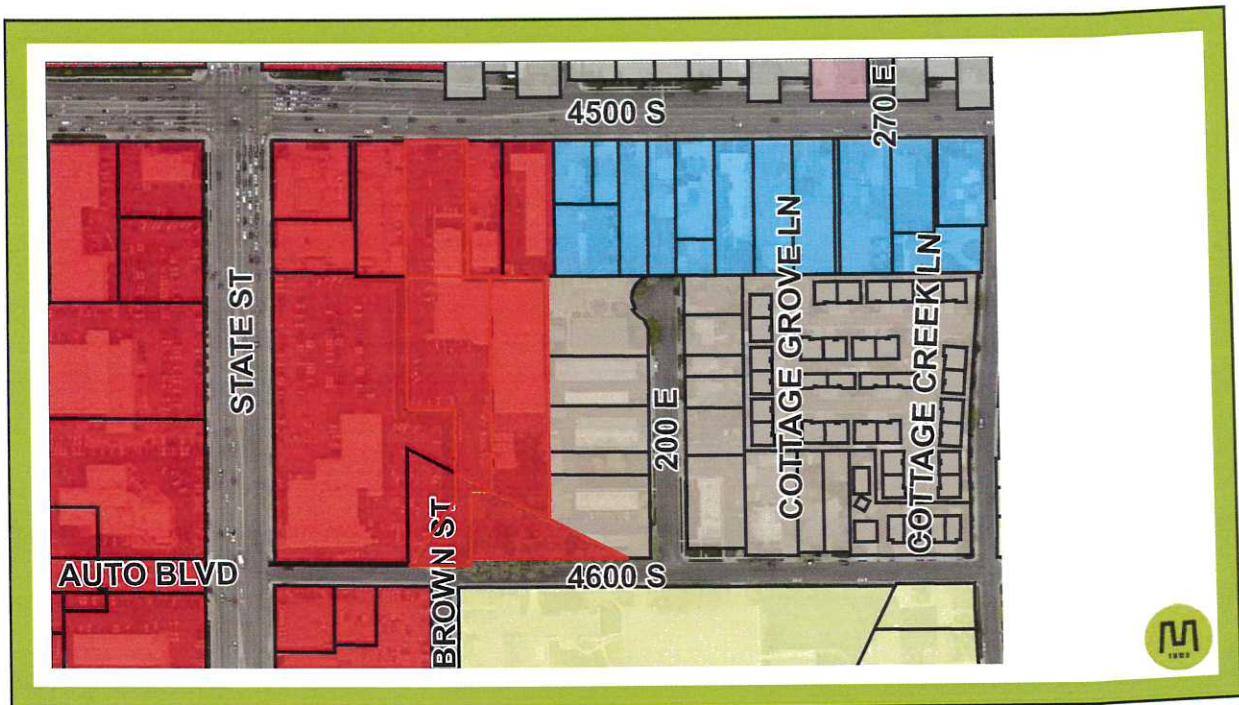


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Non-soil based crops grow at south Philadelphia vertical farming operation Metropolis Farms. (Philadelphia City Council/Flickr)







Looking southeast at the property. This is the side facing onto 4500 South.



Looking northeast at the rear side of the property



Findings

- i. The addition of Indoor Farming to retail and manufacturing zones has the potential to support adaptive re-use of existing buildings and infrastructure, and to revitalize underutilized industrial and retail areas of the city.
- ii. The addition of Indoor Farming to retail and manufacturing zones is in keeping with the goals and objectives of the Murray City General Plan.
- iii. The addition of Indoor Farming to retail and manufacturing zones as well as to the mixed-use zones can have a positive impact on public health by providing more efficient, local, year-round access to fresh vegetables.
- iv. The addition of Indoor Farming to retail and manufacturing zones can have a positive impact on the local economy, providing jobs and fresh local produce for restaurants and grocers.



Planning Commission Recommendation

On May 2, 2019, City staff recommended that the Planning Commission hold a public hearing and forward a recommendation of APPROVAL to the City Council to add **Land Use Category #8121**, Indoor Farming to the Murray City Standard Land Use Code as well as adding **Land Use #8121** to the following sections of City Code:

- 17.146.040, (M-U, Mixed Use Zone);
- 17.152.030, (M-G, Manufacturing General Zone);
- 17.160.030, (C-D, Commercial Development Zone);
- 17.168.050(F), (TOD, Transit Oriented Development Zone); and
- 17.173.030 (B-P, Business Park Zone)

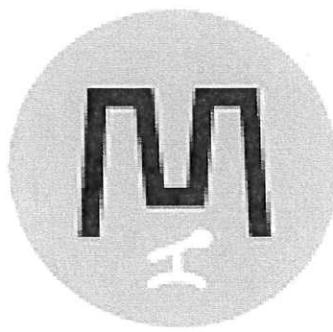
On May 2, 2019, the Planning Commission held a public hearing and forwarded a recommendation of APPROVAL to the City Council for the proposed text amendment.



City Staff Recommendation

City staff is recommending that the City Council APPROVE the proposed amendment to allow Indoor Farming in the Standard Land Use Code, as well as amending Title 17 of the Land Use Ordinance.





MURRAY
CITY COUNCIL

Special
Recognition #1



MURRAY

Police Department

**Employee of the Month, Tyson Wendel,
Police Officer/Patrol Division**

Council Action Request

Council Meeting

July 16, 2019

Department Director Chief Burnett	Purpose of Proposal <ul style="list-style-type: none">• City Council Employee of the Month Award Action Requested <ul style="list-style-type: none">• Informational only. Attachments <ul style="list-style-type: none">• Employee of the Month Recognition Form Budget Impact <ul style="list-style-type: none">• None Description of this item
Presenter Chief Burnett and Brett Hales	
Required Time for Presentation	
Is This Time Sensitive No	Tyson has worked for Murray City Police for two and a half years. He has many positive interactions with the community and is always willing to help and take on extra shifts. Tyson was recently awarded the Medal of Distinction by Chief Burnett for his actions during the rescue of a child at Murray Park.
Approval: N/A	
July 3, 2019	

EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

DATE:

Police

07/02/2019

NAME of person to be recognized:

Submitted by:

Tyson Wendel

Craig Burnett

DIVISION AND JOB TITLE:

Police Officer/Patrol Division

YEARS OF SERVICE:

2.5

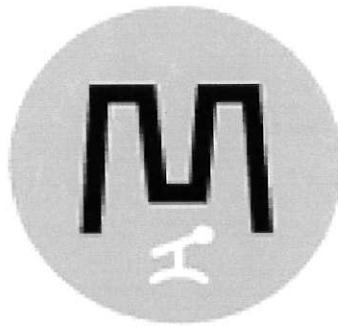
REASON FOR RECOGNITION:

Officer Tyson Wendel has been with the Murray City Police Department since September of 2016. He is working as a patrol officer where he has been noted having many positive interactions with the community. He is always willing to help, taking on extra shifts when he's not working his assigned shift. Tyson is also a member of the Utah Army National Guard Unit.

He was recently awarded the Medal of Distinction by Chief Burnett for actions taken in the rescue of a child at Murray Park. Tyson does an exceptional job serving the community of Murray City and is an asset to the Police Department.

COUNCIL USE:

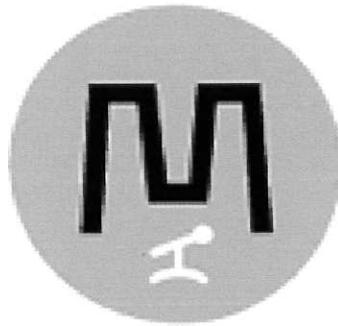
MONTH/YEAR HONORED July 16, 2019



MURRAY
CITY COUNCIL

Citizen Comments

Limited to three minutes, unless otherwise approved by Council



MURRAY
CITY COUNCIL

Public Hearing #1

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 16th day of July, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to amending the Zoning Map from the R-1-8 (Low Density Single Family) zoning district to the R-1-6 (Single-Family Low/Medium Density Single Family) zoning district for the property located at 770 East Vine Street, Murray, Utah.

The purpose of this hearing is to receive public comment concerning the proposed amendment to the Zoning Map as described above.

DATED this _____ day of _____, 2019.

MURRAY CITY CORPORATION

Jennifer Kennedy
City Recorder

DATE OF PUBLICATION: July 5, 2019

ORDINANCE NO. _____

AN ORDINANCE RELATING TO LAND USE; AMENDS THE ZONING MAP FOR THE PROPERTY LOCATED AT 770 EAST VINE STREET, MURRAY CITY, UTAH FROM THE R-1-8 (LOW DENSITY SINGLE FAMILY) ZONING DISTRICT TO THE R-1-6 (LOW/MEDIUM DENSITY SINGLE-FAMILY) ZONING DISTRICT. (Sunny Vines/Bryan Muriel)

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL AS FOLLOWS:

WHEREAS, the owner of the real property located at 770 East Vine Street, Murray, Utah, has requested a proposed amendment to the zoning map to designate the property in an R-1-6 (Low/Medium Density Single-Family) zone district; and

WHEREAS, it appearing that said matter has been given full and complete consideration by the City Planning and Zoning Commission; and

WHEREAS, it appearing to be in the best interest of the City and the inhabitants thereof that the proposed amendment of the zoning map be approved.

NOW, THEREFORE, BE IT ENACTED:

Section 1. That the Zoning Map and the zone district designation be amended for the following described property located at 770 East Vine Street, Murray, Salt Lake County, Utah from R-1-8 (Low Density Single Family) to R-1-6 (Low/Medium Density Single Family):

Beginning at a point in Vine Street which point is South 0°35' West 322.4 feet from the county Monument located in the intersection of 5600 South Street and said Vine Street, which point is also located North 1016.82 feet and East 264 feet from the Southeast corner of the Northeast Quarter of Section 18, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 122.24 feet, more or less to the North line of that property described in deed recorded in Book 466, Page 323, in the office of the Salt Lake County Recorder; thence West 202.5 feet; thence North 122.24 feet, more or less, to a point due West of the point of beginning; thence East 202.5 feet to the point of the beginning.

Less and excepting therefrom any portion lying within the bounds of a dedicated street.

Parcel Number 22-17-151-005

Section 2. This Ordinance shall take effect upon the first publication and filing

of copy thereof in the office of the City Recorder.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 16th day of July, 2019.

MURRAY CITY MUNICIPAL COUNCIL

Dave Nicponski, Chair

ATTEST:

Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this _____ day of _____, 2019.

D. Blair Camp, Mayor

ATTEST:

Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the _____ day of _____, 2019.

Jennifer Kennedy, City Recorder

collect all the material to build the facility and that he refers to it as an indoor plant factory and plans to grow vegetables and some fruits like strawberries that will benefit from the omission of herbicides.

The meeting was opened for public comment. There was no public comment for this agenda item and the public comment portion for this item was closed.

Mr. Woodbury made a motion that the Planning Commission forward a recommendation of approval to City Council for a text amendment adding Land Use Category #8121, Indoor Farming to the Murray City Standard Land Use Code, and adding Land Use #8121 to Sections 17.146.040, (M-U, Mixed Use Zone), 17.152.030, (M-G, Manufacturing General Zone), 17.160.030, (C-D, Commercial Development Zone) 17.168.050 F, (TOD, Transit Oriented Development Zone), and 17.173.030 (B-P, Business Park Zone) of the Murray City Land Use Ordinance as proposed by Community Development Staff in this report.

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.

A Scot Woodbury
A Phil Markham
A Maren Patterson
A Sue Wilson
A Lisa Milkavich
A Ned Hacker

Motion passed 6-0.

SUNNY VINES – 770 East Vine Street, Zone Map Amendment from R-1-8 to R-1-6, – Project # 19-051

Bryan Muriel was present to represent this request. Jared Hall reviewed the location and request for an amendment to the Murray City Zoning Map for the property located at 770 East Vine Street from R-1-8, Single Family Residential to R-1-6, Single Family Residential. Mr. Hall explained that the property has a legal non-conforming duplex in the front and behind the duplex there is a rear building. The property owner has requested to use the rear building for a rental unit. Unfortunately, Staff is unable to support the request. However, the applicant wished to formally submit the request contrary to Staff's recommendation. The rear building was previously constructed as a garage or residence and was not built with any approvals or permits. The City can't establish it as a legal non-conforming residence. The applicants initially thought if they were able to subdivide the property by way of a Flag Lot Subdivision, they could use it legally as a residence. Staff informed them that there are too many variances required to appropriately subdivide it into a Flag Lot. The applicants then suggested that if they are able to rezone it to R-1-6 there would be a reduction in the number of variances needed. Again, Staff informed them that a rezone would not bypass the need for all of the variance previously mentioned. The immediate properties that abut the subject property are zoned R-1-8, but some R-1-6 zoning does exist nearby. The Future Land Use Map supports R-1-8 and R-1-6 Zoning but, if R-1-6 Zoning were to be allowed for this property, Staff would consider it as spot zoning because the property would represent an isolated zone in between a different zoning designation. Therefore, it is believed that the R-1-6 is less than the R-1-8 zone in this case. In addition, the proposed rezone conflicts with the purpose of the General

Plan in that the purpose of a Low-Density Zone in this area is to create and preserve the existing, detached, single-family feel of the neighborhood. In contrary, the intent of the proposed zone change is to create a situation where a third building on the same lot becomes usable, where the lot is already legal non-conforming. Mr. Hall further explained that several variances would still be needed to support the zone change and why Staff can't support the proposed application. Mr. Hall stated firstly, that the existing non-conforming duplex sits right against the south property line and would still require a variance even if the zone was changed. Secondly, if the intent is to create a Flag Lot, the rear building would be required to be located directly behind the duplex, because it is not, this proposal would require a variance as well. Thirdly, if a Lot Line adjustment were to be done to place the rear building on it's own lot, it would require a rear yard variance, a side yard variance on the north side and a front yard variance because it is too close to the dwelling unit in front of it. In summary, even if a zone change were granted for this property, it would still be out of compliance with the proposed zone and need several variances to grant the use of the rear building as a residence. Based on the information presented in this report, application materials submitted and the site review, Staff recommends that the Planning Commission forward a recommendation of Denial to the City Council for the requested amendment as outlined in the Staff report.

Mr. Woodbury referenced a picture on the overhead monitor and asked if residential properties are permitted to have a dumpster like the one shown and if so, should it be screened. Mr. Hall replied, typically residential properties are not allowed to have a dumpster for everyday use, and since the dumpster is not allowed, screening it would not make any difference. Mr. Woodbury asked if there is a commercial use on the property due to the large building or garage shown in the picture. Mr. Hall stated that he is not aware that there is a commercial use happening on the property and is not aware when or for what purpose the building originated. Mr. Markham asked if the lot was adjusted to separate the buildings would the utilities need to be separated as well, and are they currently separated or together. Mr. Hall answered yes, utilities would need to be separated if they are different lots. The applicant can address how the utilities are currently arranged.

Bryan Muriel, 1819 East 2100 South, stated he has briefly read Staff's findings and recommendations. Mr. Muriel wondered if this application gets denied now, what would the City like him to do with the property. Mr. McNulty replied that at this time we are only able to address the rezone proposal, not what could possibly be developed on the property. Mr. Muriel stated that the back building has separate metering and gas connections and believes when the previous owner built the building, the intent was to split it into a top and bottom duplex. Mr. Hall stated that the request of what can be done on the property can't be addressed by the Planning Commission, but the City does not necessarily have a specific request for what should be developed. We do want the property to be in compliance and if there were a way for us to go through a zone change that would allow the request and make it compliant, Staff would support it; however, this isn't the case. Hypothetically, if the zone change were approved by the Planning Commission and City Council, in no way would the approvals make it any easier to allow the property to be subdivided. The property would still need six variances. None of which would qualify for a hardship under State Codes rules. We have to find that there is something unique about the geography of this property that would not allow them to meet setback requirements. Hardships can't come from the built environment for reasons like the home was built too close, or a home was built that was not supposed to be built. Staff would have to recommend denial on each of the variances and it is assumed that the Hearing Officer would as well, it is not foreseeable that a Flag Lot could ever be approved here. In the situation that we are in now, the building needs to be an accessory structure to

the duplex, or it needs to be abandoned and removed. Acceptable accessory uses include a garage, storage or shop space.

Ms. Wilson stated that she referenced the County Assessors website and that the rear building was never delineated on the property by the County. Mr. Hall stated that's because there is no permit for it and the county is not aware of it. Thus, the building was built without a permit and required inspections.

The meeting was opened for public comment.

Allan DeMann, 5693 South 675 East, stated he procured land from a neighboring property that he is currently cleaning up and making it better for the neighborhood. Mr. DeMann stated he is aware that the buildings are on the property lines and thinks the property is a bit of an eyesore. Mr. DeMann does not support a higher density, but would like to see some improvements made to clean up the property and addressed in a long-term situation.

The public comment portion for this item was closed.

Mr. Markham stated that it is clear that this property has a lot of issues and rezoning it may only address one or two of the multitude. Rezoning is not appropriate because it will impact the residential neighborhood even further.

Ms. Patterson made a motion to forward a recommendation of denial to the City Council for the requested amendment to the Zoning Map designation for the property located at 770 East Vine Street from R-1-8, Single-Family Residential to R-1-6, Single-Family Residential.

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.

A Maren Patterson
A Phil Markham
A Scot Woodbury
A Sue Wilson
A Lisa Milkavich
A Ned Hacker

Motion passed 6-0.

Mr. Hacker explained that the recommendation has been denied and will go to City Council for further review and suggested that the applicant continue to speak to the neighbors about cleaning up the property and City Staff to see what else could be done with the property.

OTHER BUSINESS

Mr. McNulty stated that the next Planning Commission meeting will be on May 16, 2019.

Mr. Markham made a motion to adjourn. Seconded by Ms. Woodbury.

A voice vote was made, motion passed 6-0.



TO: Murray City Planning Commission

FROM: Murray City Planning Division Staff

DATE OF REPORT: April 25, 2019

DATE OF HEARING: May 2, 2019

PROJECT NAME: Sunny Vines Rezone

PROJECT NUMBER: 19-051

PROJECT TYPE: Zone Map Amendment

APPLICANT: Bryan Muriel

PROPERTY ADDRESS: 770 East Vine Street

SIDWELL #: 22-23-401-003

EXISTING ZONE: R-1-8

PROPOSED ZONE: R-1-6

PROPERTY SIZE: .48 acres

I. REQUEST:

The applicant is requesting approval for an amendment to the Murray City Zoning Map for the subject property from R-1-8, Single Family Residential (8,000 square foot lot minimum) to R-1-6, Single Family Residential (6,000 square foot lot minimum). The applicant proposes to amend the Zoning Map to support a potential application for a flag lot subdivision of the property.

II. BACKGROUND AND REVIEW

1. *Project Location:*

The subject property is a .48-acre lot located on the west side of Vine Street south of 5600 South and the Murray City Cemetery.

2. *Surrounding Land Uses & Zoning:*

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	residential, single family	R-1-8
South	residential, single family	R-1-8
East	quasi-public, church	R-1-8
West	residential, single family	R-1-8

3. *Analysis:*

Background of the Request

The subject property is recognized by Murray City as a legal, but non-conforming two-dwelling (duplex) property in the R-1-8 Zone. There is another building located to the rear of the non-conforming duplex on the property which the applicant hopes to use as a third dwelling unit. There are no permits or entitlements related to this third building. The applicant hopes to apply for and record a Flag Lot subdivision that will separate the rear building from the non-conforming duplex, and thereby to make it usable as a dwelling. The written statements in the application indicate that it is his belief that if the zoning is changed from R-1-8 to R-1-6, it may be more likely that the subdivision can be approved because it will require fewer variances. It is important to note that this is not the case. Despite some lesser requirements of the R-1-6 Zone, to approve a flag lot subdivision would require several variances. For example, the rear building has little to no setback from both the north and west property lines, requiring variances. The rear building would be located too close to the non-conforming duplex, resulting in the need for a front yard setback variance. The proposed rear lot would have to be a minimum of 7,500 square feet exclusive of the required 28' access, requiring the lot line to be placed immediately adjacent to the rear wall of the non-conforming duplex, requiring another variance and violating Building Codes. Finally, the non-conforming duplex would also require a side-yard variance for the south property line. Staff could not support granting any of the described variances because they are all the result of the placement of buildings, which cannot represent a hardship under the Utah State Code that governs variances.

Zoning Districts & Allowed Land Uses

- Existing: The existing R-1-8 Zone allows for single family residential development and accessory uses associated with them, with minimum lot sizes of 8,000 square feet. Public and quasi-public uses such as schools, libraries, churches, and utilities are allowed subject to Conditional Use approval.
- Proposed: The proposed R-1-6 Zone allows for single family residential development and accessory uses associated with them, with minimum lot

sizes of 6,000 square feet. Public and quasi-public uses such as schools, libraries, churches, and utilities are allowed subject to Conditional Use approval.

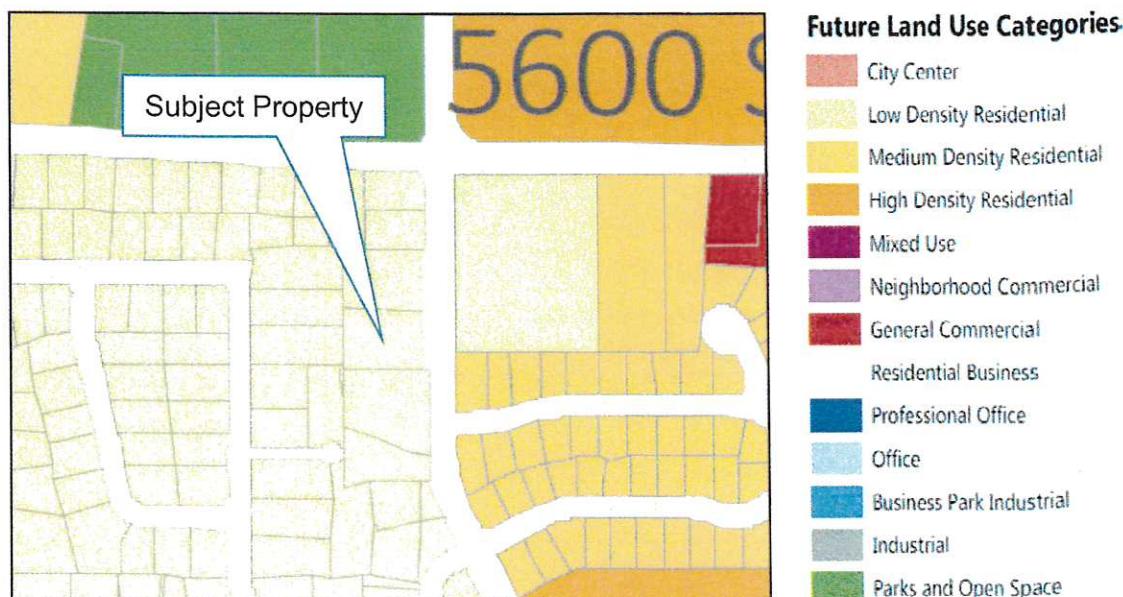
General Plan & Future Land Use Designations

Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for all properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These "Future Land Use Designations" are intended to help guide decisions about the zoning designation of properties.

The subject property is currently designated as "Low Density Residential". Low Density Residential is intended to encourage residential development which is single-family detached in character. The overall density range anticipated is between 1 and 8 dwelling units per acre. Corresponding zoning designations include the A-1, R-1-12, R-1-10, R-1-8, R-1-6, and R-2-10 zones. Both the existing and the proposed zoning designations correspond to the Future Land Use Map, however; the applicant's intended purpose in seeking the change of zoning conflicts with the purpose of "encouraging residential development with is single-family detached in character".

Compatibility

The prevailing designation of properties and of development in the surrounding area is Low Density Residential. All adjacent properties are zoned R-1-8, although there are twin-home lots in the R-1-6 Zone to the east.



Staff finds that although the request to amend the Zoning Map complies with the Future Land Use Map, it represents an inappropriate and isolated request which

is in conflict with the purposes of the General Plan to promote residential development that is single family and detached in nature.

III. CITY DEPARTMENT REVIEW

A Planning Review Meeting was held on April 15, 2019 where the application was reviewed by City Staff. The following comments were received:

- The City Engineer supports maintaining the existing R-1-8 Zone.
- The Water & Sewer Department had no comments.
- The Building Division had no comments.
- The Fire Department noted that any change should meet all Building and Fire Codes.
- The Power Department had no comments.

Comments from the various representatives of City departments are carefully considered as Planning Division Staff prepares recommendations for the Planning Commission.

IV. PUBLIC INPUT

Public notices were sent to neighboring property owners, and a notice of the Public Hearing was posted on the subject property. As of the date of this report, no public input has been received by Planning Division Staff.

V. ANALYSIS & CONCLUSIONS

A. Is there need for change in the Zoning at the subject location for the neighborhood or community?

The Future Land Use Map currently identifies the subject property as "Low Density Residential". This designation supports a rezone to R-1-12, R-1-10, R-1-6, or R-2-10. Considering the Future Land Use Map designation and the surrounding land use patterns and zoning, Staff finds no compelling need for a change in the zoning of this property.

B. If approved, how would the range of uses allowed by the Zoning Ordinance blend with surrounding uses?

The requested change would not impact the allowed range of uses, but it cannot be ignored that the lack of setbacks between buildings and from property lines as well as the un-permitted building are inappropriate and wholly out of character with the surrounding land uses. Changing the zoning as requested will not alleviate those problems, and Staff finds the request inappropriate because it represents an attempt to further entrench a use that was not permitted (the un-permitted rear building as a dwelling unit.)

C. What utilities, public services, and facilities are available at the proposed location? What are or will be the probable effects the variety of uses may have on such services?

Staff would not expect adverse direct impacts to utilities, public services, or facilities to result from a change to the R-1-6 Zone.

VI. FINDINGS

1. The rezoning of the property to R-1-6 is supported by the Future Land Use Map designation of Low Density Residential, however; the applicant's intended purpose in seeking the change of zoning conflicts with the purpose of "encouraging residential development with is single-family detached in character".
2. The requested rezoning has been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan. While the Future Land Use Map would support the rezone, the property would represent an isolated parcel zoned differently from all those surrounding it.
3. The proposed amendment to the Zoning Map from R-1-8 to R-1-6 is not in harmony with the established pattern of zoning and development surrounding the subject property.
4. The rezone has been requested in support of potential requests for several inappropriate variances and a subdivision that Staff cannot support. Staff finds that if approved, the variances and subdivision would have negative impacts to the surrounding properties.

VII. STAFF RECOMMENDATION

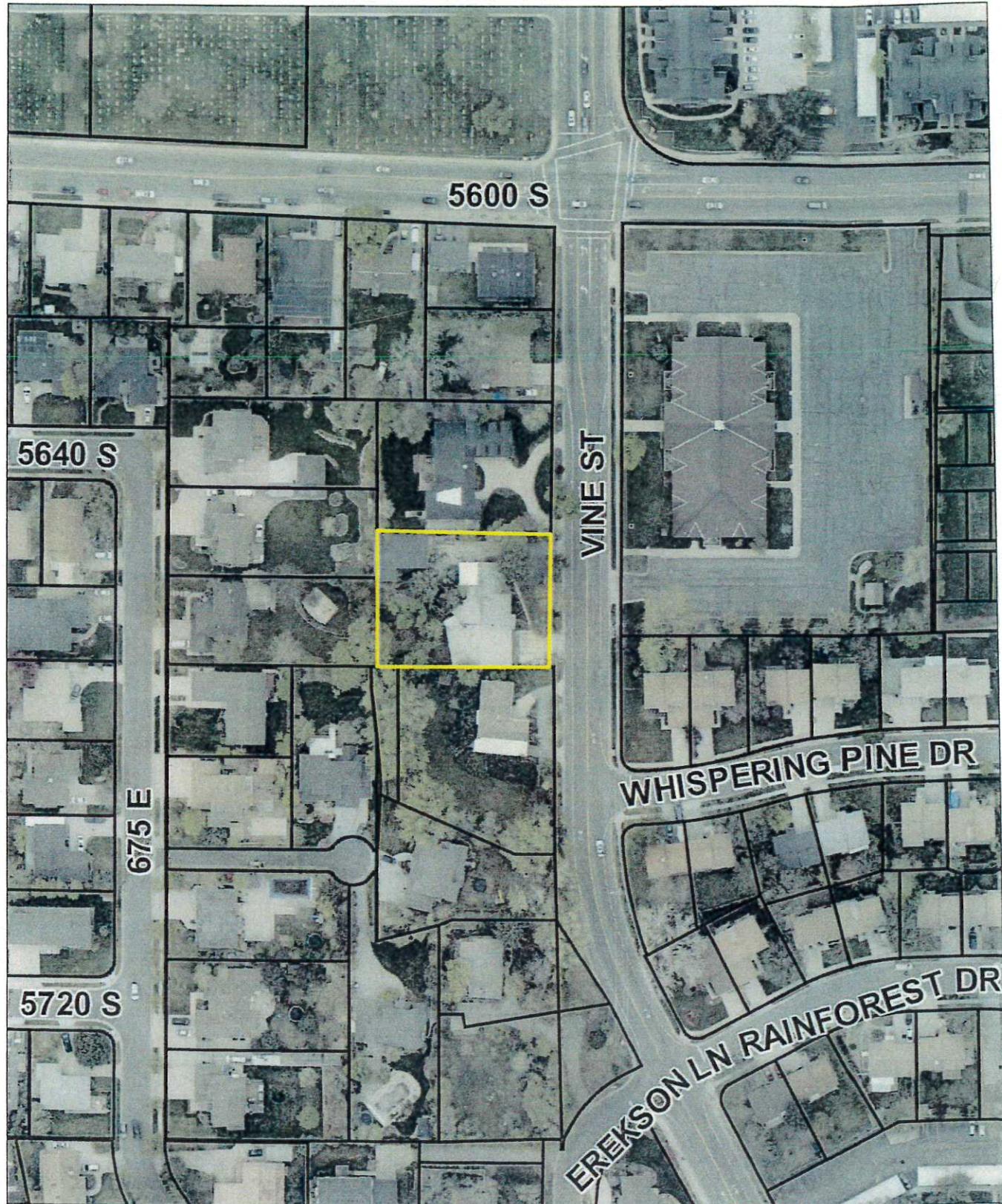
Based on the background, analysis, and the findings in this report, Staff recommends that the Planning Commission forward a recommendation of DENIAL to the City Council for the requested amendment to the Zoning Map designation for the property located at 770 East Vine Street from R-1-8, Single-Family Residential to R-1-6, Single-Family Residential.

Jared Hall
Planning Division Supervisor
801-270-2427
jhall@murray.utah.gov

Site Information



770 East Vine Street





April 18, 2019

NOTICE OF PUBLIC HEARING

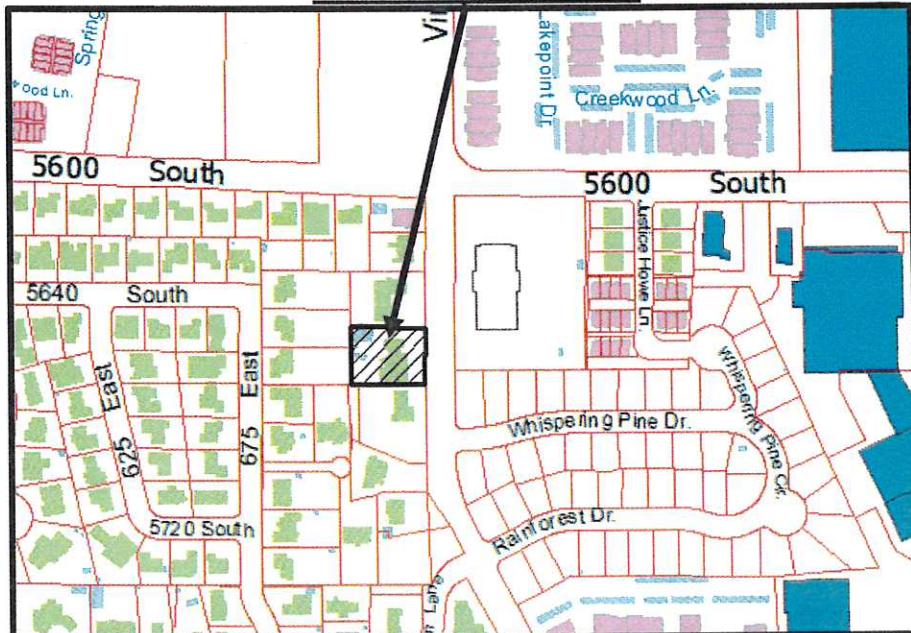
This notice is to inform you of a Planning Commission Hearing scheduled for Thursday, May 2, 2019 at 6:30 p.m., in the Murray City Municipal Council Chambers, 5025 South State Street.

Representatives of Sunny Vines are requesting a Zone Map Amendment from R-1-8 (single family residential 8,000 sq.ft minimum lot size) to R-1-6 (single family residential 6,000 sq.ft. minimum lot size) for the property addressed 770 East Vine Street.

This notice is being sent to you because you own property within the near vicinity. Comments at the meeting will be limited to 3 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. If you have questions or comments concerning this proposal, please call Susan Nixon, with the Murray City Community Development Division at 801-270-2420, or e-mail to snixon@murray.utah.gov.

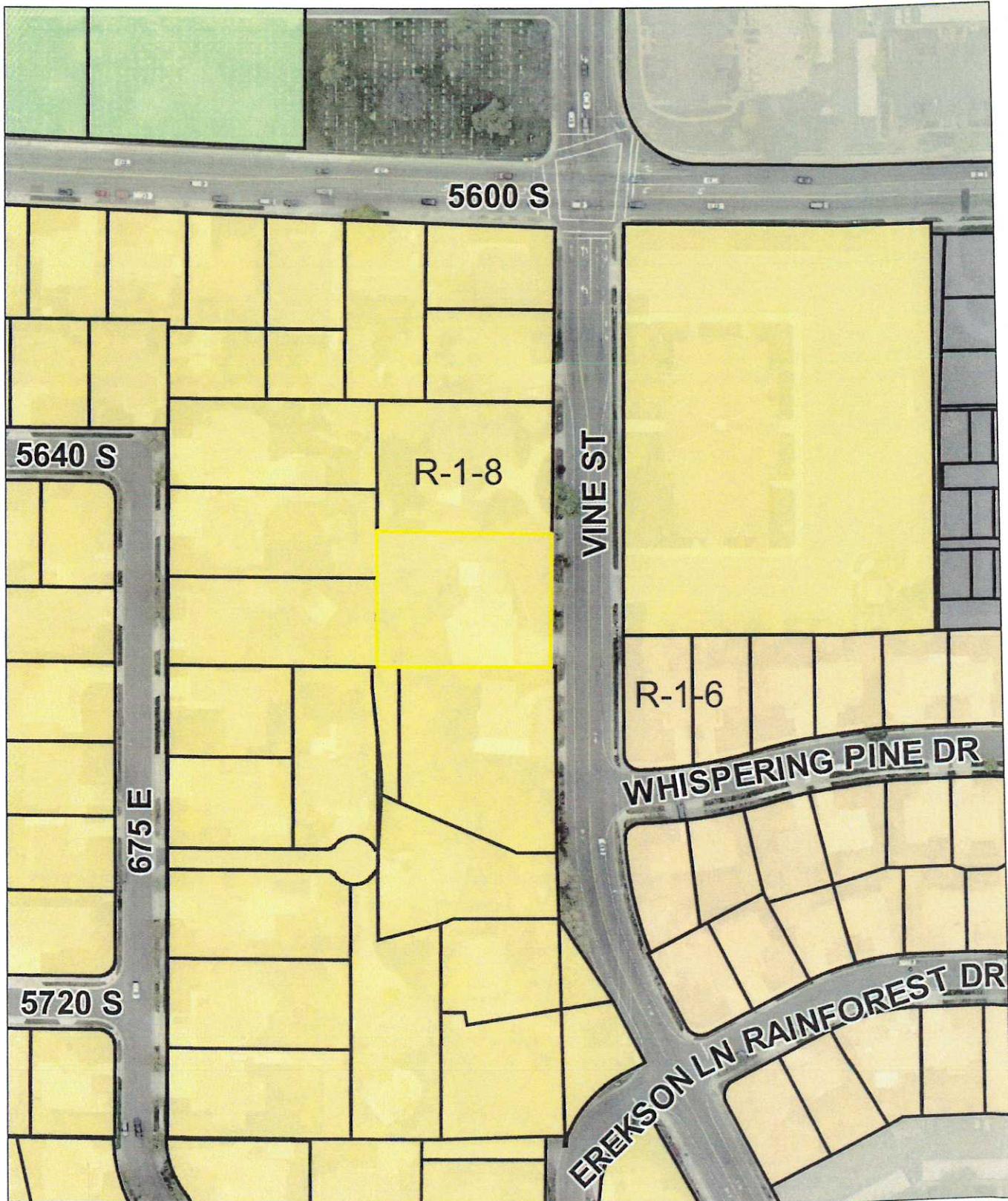
Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

770 East Vine Street





770 East Vine Street



MURRAY CITY CORPORATION
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 2nd day of May, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to Zone Map Amendment from R-1-8 to R-1-6 for the property located at:770 East Vine Street, in Murray City, Salt Lake County, State of Utah.

MURRAY CITY CORPORATION
Jared Hall, Manager
Community & Economic Development

4770 S. 5600 W.
WEST VALLEY CITY, UTAH 84118
FED.TAX I.D.# 87-0217663
801-204-6910

Deseret News

Utah
Media
Group

The Salt Lake Tribune

PROOF OF PUBLICATION CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS ACCOUNT NUMBER

MURRAY CITY RECORDER, 9001341938

5025 S STATE, ROOM 113

DATE

MURRAY, UT 84107

4/22/2019

ACCOUNT NAME

MURRAY CITY RECORDER,

TELEPHONE ORDER # / INVOICE NUMBER

8012642660 0001251274 /

PUBLICATION SCHEDULE

START 04/21/2019 END 04/21/2019

CUSTOMER REFERENCE NUMBER

PH - Sunny Vines Rezone

CAPTION

MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY G

SIZE

31 LINES 1 COLUMN(S)

TIMES TOTAL COST

3 57.08

FILE COPY

*Sunny Vines Rezone
#19-051*

MURRAY CITY
CORPORATION
NOTICE OF
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 2nd day of May, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to Zone Map Amendment from R-1-8 to R-1-6 for the property located at 770 East Vine Street, in Murray City, Salt Lake County, State of Utah.

MURRAY CITY
CORPORATION
Jared Hall, Manager
Community & Economic Development
1251274 UPAXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that on the 2nd day of May, 2019, at the hour of 6:30 p.m. of said day in the Council FOR MURRAY CITY RECORDER, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 04/21/2019 End 04/21/2019

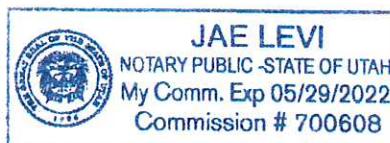
DATE 4/22/2019

SIGNATURE 

STATE OF UTAH)

COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 21ST DAY OF APRIL IN THE YEAR 2019
BY LORAINNE GUDMUNDSON.



Application Materials

ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

- Zoning Map Amendment
- Text Amendment
- Complies with General Plan

Yes No

Project # 19-051

Subject Property Address: 770 E Vine St. Murray, UT 84107

Parcel Identification (Sidwell) Number: 22-17-151-005-0000

Parcel Area: 0.48 acres Current Use: Legal non-conforming 2 family dwelling

Existing Zone: R-1-8 Proposed Zone: R-1-6

Applicant

Name: Bryan Muriel

Mailing Address: 861 w. Fremont Ave.

City, State, ZIP: SLC, UT 84104

Daytime Phone #: 801-243-3482 Fax #: N/A

Email address: bryanwithelevate@gmail.com

Business or Project Name: Sunny Vines

Property Owner's Name (If different): Zacarias Muriel

Property Owner's Mailing Address: 1819 E. 2100S.

City, State, Zip: SLC, UT 84106

Daytime Phone #: 801-541-6193 Fax #: N/A Email: zcbt99@yahoo.com

Describe your reasons for a zone change (use additional page if necessary):

Due to placement of the main property, it will make it difficult to apply for a flag lot for the existing property with R-1-8 zoning. An approval of a R-1-6 would alleviate variances that we would otherwise have to get with R-1-8.

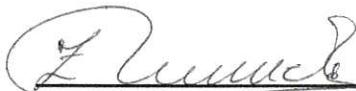
Authorized Signature:



Date: 4-10-19

Property Owners Affidavit

I (we) ZACARIAS MURIEL, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.



Owner's Signature

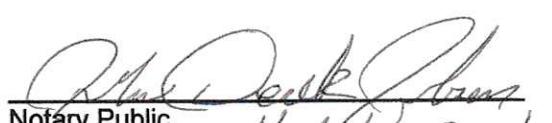
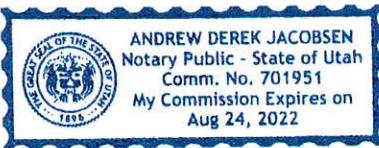
Owner's Signature (co-owner if any)

Subscribed and sworn to before me this 6th day of April, 2019.

State of Utah

§

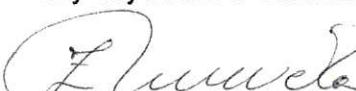
County of Salt Lake



Andrew Derek Jacobson
Notary Public
Residing in Salt Lake County
My commission expires: 8-24-2022

Agent Authorization

I (we), ZACARIAS MURIEL, the owner(s) of the real property located at 770 E Vine St., in Murray City, Utah, do hereby appoint Bryan Muriel, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize Bryan Muriel to appear on my (our) behalf before any City board or commission considering this application.



Owner's Signature

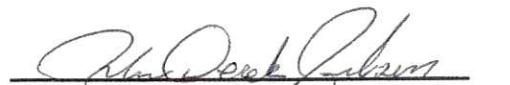
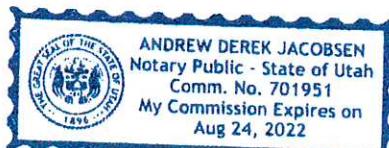
Owner's Signature (co-owner if any)

On the 6th day of April, 2019, personally appeared before me Zacarias Muriel the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

State of Utah

§

County of Salt Lake



Andrew Derek Jacobson
Notary Public
Residing in Salt Lake County
My commission expires: 8-24-2022

V. Street 623

11969707
12/30/2014 2:57:00 PM \$10.00
Book - 10285 Pg - 8729
Gary W. Ott
Recorder, Salt Lake County, UT
OLD REPUBLIC TITLE SO JORDAN
BY: eCASH, DEPUTY - EF 1 P.

WHEN RECORDED MAIL TO:

Zacarias Muriel
770 East Vine Street
Murray Utah 84107

1412623JS

Space Above This Line Reserved For Recording Use

WARRANTY DEED

Zacarias Muriel

GRANTOR

for the sum of TEN DOLLARS and other good and valuable consideration hereby CONVEYS and WARRANTS to

Zacarias Muriel, a married person

GRANTEE

the following tract of land in Salt Lake, County, State of UTAH, to-wit

Beginning at a point in Vine Street which point is South 0°35' West 322.4 feet from the county Monument located in the intersection of 5600 South Street and said Vine Street, which point is also located North 1016.82 feet and East 264 feet from the Southeast corner of the Northeast Quarter of Section 18, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 122.24 feet, more or less to the North line of that property described in deed recorded in Book 466, Page 323, in the office of the Salt Lake County Recorder; thence West 202.5 feet; thence North 122.24 feet, more or less, to a point due West of the point of beginning; thence East 202.5 feet to the point of beginning.

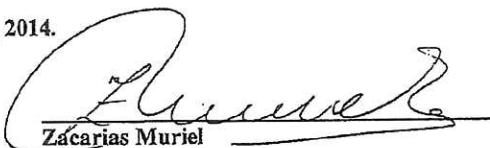
Less and excepting therefrom any portion lying within the bounds of a dedicated street.

TAX ID NUMBER FOR PROPERTY:

22-17-151-005

Subject to any easements, restrictions and rights of way appearing of record and enforceable in law and subject to general property taxes for the year 2014 and thereafter.

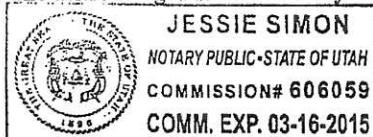
WITNESS the hand of grantor, this December 30, 2014.



Zacarias Muriel

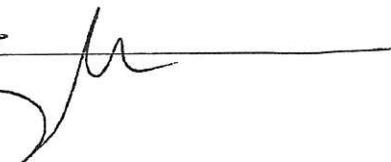
STATE OF UTAH
COUNTY OF Salt Lake

On this 30th day of December, 2014, before me personally appeared Zacarias Muriel, signor of the foregoing instrument, who acknowledged that he/she/they executed the same.



Notary Public

File No.: 1412623JS



Beginning at a point in Vine street which point is South $0^{\circ}35'$ West 322.4 feet from the county Monument located in the intersection of 5600 South Street and said Vine Street, which point is also located North 1016.82 feet and East 264 feet from the Southeast corner of the Northeast Quarter of Section 18, Township 2 south, Range 1 East, Salt Lake Base and Meridian, and running thence South 122.24 feet, more or less to the North line of that property described in deed recorded in Book 466, Page 323, in the office of the Salt Lake County Recorder; thence West 202.5 feet; thence North 122.24 feet, more or less, to a point due West of the point of beginning; thence East 202.5 feet to the point of beginning.

Less and excepting therefrom any portion lying within the bounds of a dedicated street.

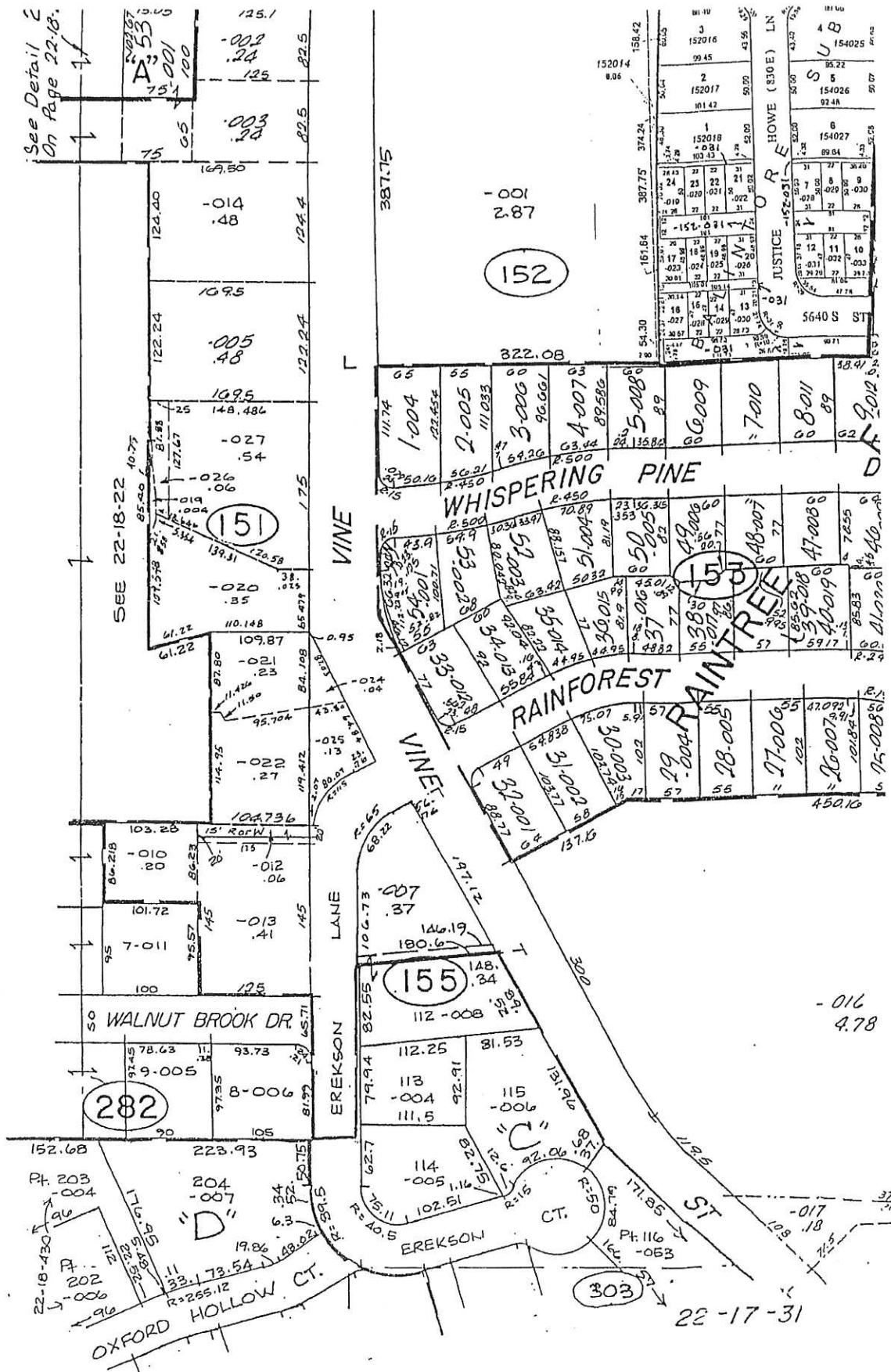
SALT LAKE CO.
W $\frac{1}{2}$ NW $\frac{1}{4}$ SEC. 17 T. 2 S. R.I.E.

SCALE: " = 100

22-17-1

SALT LAKE COUNTY *Gray*
PREPARED BY SA.

See Detail
On Page 22-18.



SUNNY VINES
P/C 5/2/19
Project #19-051
300' radius + affected entities

Alan L Demann;
Winifred C Demann (Jt)
5693 S 675 E
Murray UT84107

Ashley Moffitt
757 E Whispering Pine Dr
Murray UT84107

Amy T Moore; Dosten L Moore (Jt)
700 E 5600 S
Murray UT84107

Bonnie M. Thomas
5684 S 675 E
Murray UT84107

Brandy C Nikodim
738 E Whispering Pine Dr
Murray UT84107

Bobbie M Johnson
Po Box 571887
Murray UT84157

Colby Shelton; Dee Anna Shelton (Jt)
663 E 5640 S
Murray UT84107

Corp Of South Cottonwood Ward
of Ch of JC Of LDS
50 E Northtemple St #2225
Salt Lake City UT84150

Cody Johnson
5696 S 675 E
Murray UT84107

Daniel Clark; Mary A Clark (Jt)
5719 S 675 E
Murray UT84107

Denis W Stoddard;
Laurel Stoddard (Jt)
5664 S 675 E
Murray UT84107

D&AR Trust
676 E 5600 S
Murray UT84107

Dick A Berti; Sharon L Finley (Jt)
749 E Rainforest Dr
Murray UT84107

Djse Rv Tr; Dle Rv Tr
332 E 6220 S
Murray UT84107

Derek Bailey; Andrea Bailey (Jt)
756 E Vine St
Murray UT84107

Duane K Hansen; Linda Hansen (Jt)
712 E 5600 S
Murray UT84107

Frank Harris Trust
6959 S 825 E
Midvale UT84047

DLS Trust
5641 S 675 E
Murray UT84107

John S. Poulsom; Lorraine S. Poulsom
688 E 5600 S
Murray UT84107

Kimberly L Castaneda
756 E Whispering Pine Dr
Murray UT84107

Hassan A Soweidan; Ali H Soweidan (Jt)
5691 S 675 E
Murray UT84107

M R Carlston Family Trust
5736 S Ridge Creek Rd
Murray UT84107

Nathan L Nickels
675 E 5640 S
Murray UT84107

Lorraine Poulsom
688 E 5600 S
Murray UT84107

Nancy D Beckstrand;
Barbara B Greaves (Jt)
5672 S 675 E
Murray UT84107

Sandra Peel
5679 S 675 E
Murray UT84107

Murray City Corp
5025 S State St
Murray UT84107

Richard P Oconnor; Patricia L Oconnor
750 E Vine St
Murray UT84107

Scott B Finlinson;
Carrie C Finlinson (Jt)
5701 S 675 E
Murray UT84107

RC Tr
741 E Whispering Pine Dr
Murray UT84107

Thomas G Carmichael; Patricia E Sierra
Rojas (Jt)
5707 S 675 E
Murray UT84107

Tracy Jessen; Zachary D R Jessen (Jt)
740 E Whispering Pine Dr
Murray UT84107

Sherri P Davis
5663 S 675 E
Murray UT84107

Trust Not Identified
739 E Whispering Pine Dr
Murray UT84107

Trust Not Identified
755 E Whispering Pine Dr
Murray UT84107

Trust Not Identified
8438 S Escalante Dr
Sandy UT84093

Trust Not Identified
5703 S 675 E
Murray UT84107

Zacarias Muriel
770 E Vine St
Murray UT84107

Trust Not Identified
5653 S 675 E
Murray UT84107

P/C AGENDA MAILINGS
“AFFECTED ENTITIES”
Updated 11/2017

UTAH TRANSIT AUTHORITY
ATTN: PLANNING DEPT
PO BOX 30810
SLC UT 84130-0810

CHAMBER OF COMMERCE
ATTN: STEPHANIE WRIGHT
5250 S COMMERCE DR #180
MURRAY UT 84107

SALT LAKE COUNTY
PLANNING DEPT
2001 S STATE ST
SLC UT 84190

DOMINION ENERGY
ATTN: BRAD HASTY
P O BOX 45360
SLC UT 84145-0360

CENTRAL UTAH WATER DIST
355 W UNIVERSITY PARKWAY
OREM UT 84058

SANDY CITY
PLANNING & ZONING
10000 CENTENNIAL PRKwy
SANDY UT 84070

MILLCREEK
Attn: Planning & Zoning
3330 South 1300 East
Millcreek, UT 84106

UDOT - REGION 2
ATTN: MARK VELASQUEZ
2010 S 2760 W
SLC UT 84104

TAYLORSVILLE CITY
PLANNING & ZONING DEPT
2600 W TAYLORSVILLE BLVD
TAYLORSVILLE UT 84118

MURRAY SCHOOL DIST
ATTN: ROCK BOYER
5102 S Commerce Drive
MURRAY UT 84107

GRANITE SCHOOL DIST
ATTN: KIETH BRADSHAW
2500 S STATE ST
SALT LAKE CITY UT 84115

COTTONWOOD IMPRVMT
ATTN: LONN RASMUSSEN
8620 S HIGHLAND DR
SANDY UT 84093

HOLLADAY CITY
PLANNING DEPT
4580 S 2300 E
HOLLADAY UT 84117

UTOPIA
Attn: JAMIE BROTHERTON
5858 So 900 E
MURRAY UT 84121

WEST JORDAN CITY
PLANNING DIVISION
8000 S 1700 W
WEST JORDAN UT 84088

MIDVALE CITY
PLANNING DEPT
7505 S HOLDEN STREET
MIDVALE UT 84047

UTAH POWER & LIGHT
ATTN: KIM FELICE
12840 PONY EXPRESS ROAD
DRAPER UT 84020

JORDAN VALLEY WATER
ATTN: LORI FOX
8215 S 1300 W
WEST JORDAN UT 84088

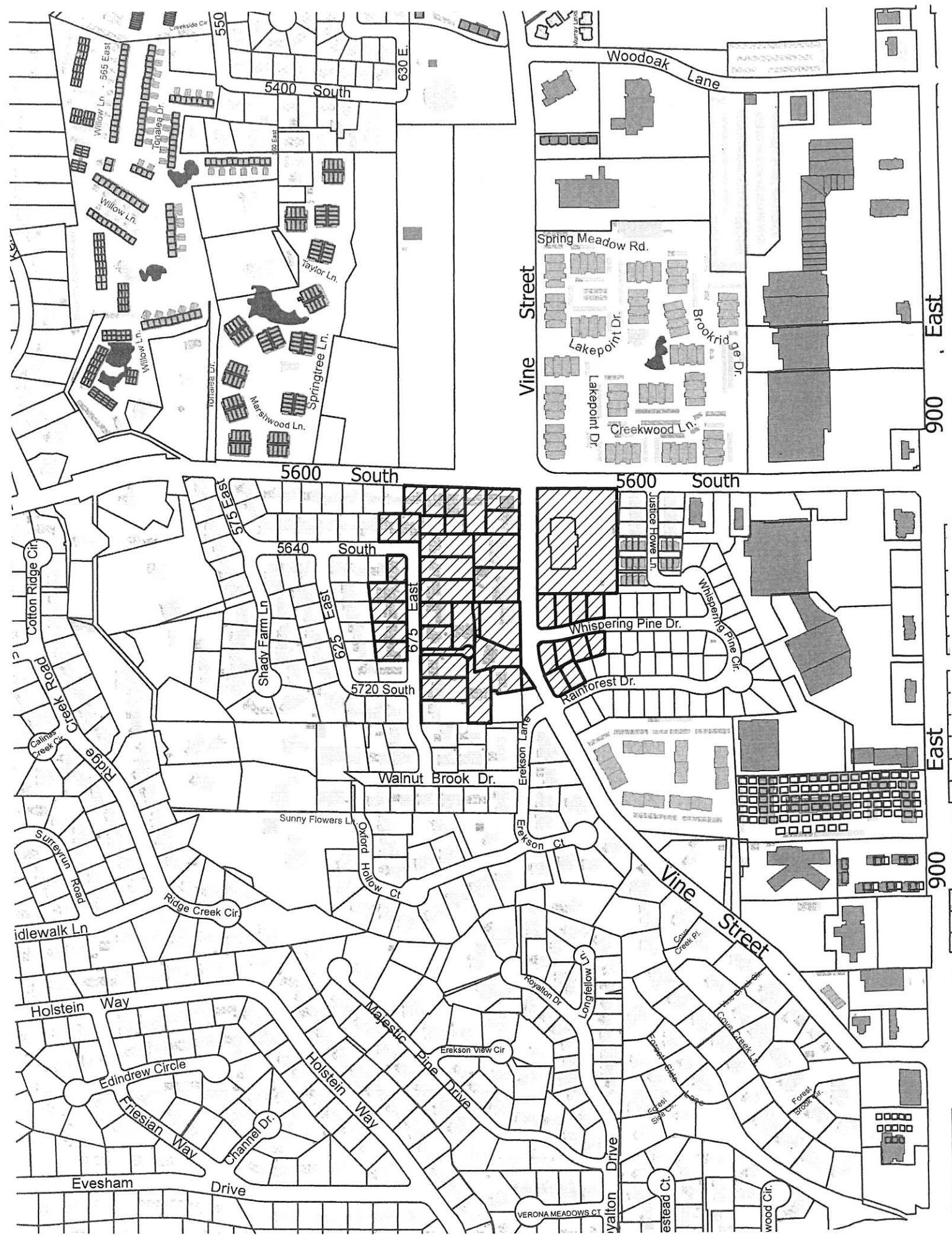
COTTONWOOD HEIGHTS CITY
ATTN: PLANNING & ZONING
2277 E Bengal Blvd
Cottonwood Heights, UT 84121

COMCAST
ATTN: GREG MILLER
1350 MILLER AVE
SLC UT 84106

GENERAL PLAN MAILINGS:

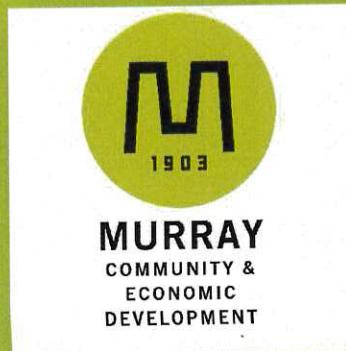
~~WASATCH FRONT REG CNCL
PLANNING DEPT
295 N JIMMY DOOLITTLE RD
SLC UT 84116~~

~~UTAH AGRC
STATE OFFICE BLDG #5130
SLC UT 84114~~



PLANNING COMMISSION MEETING

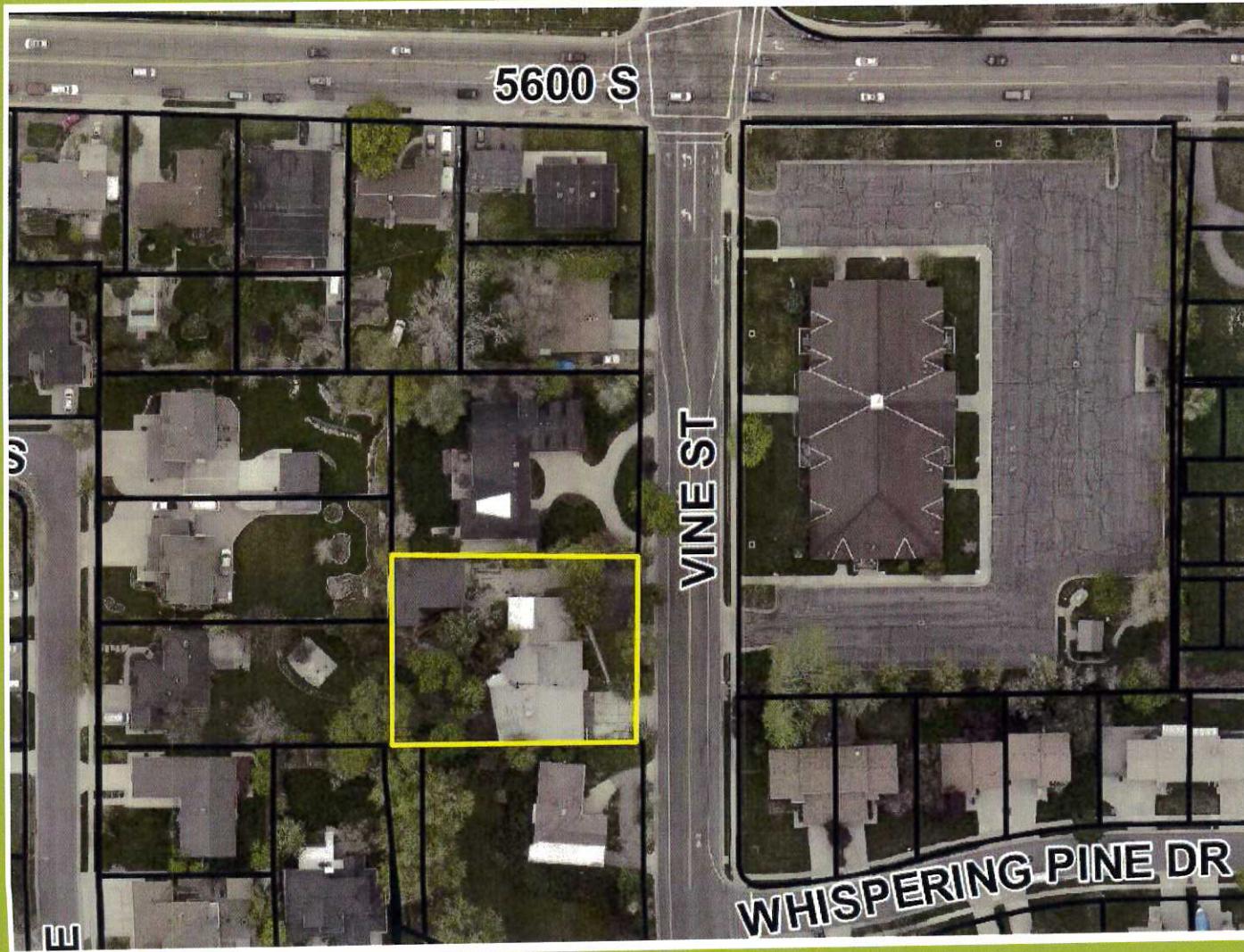
May 2, 2019

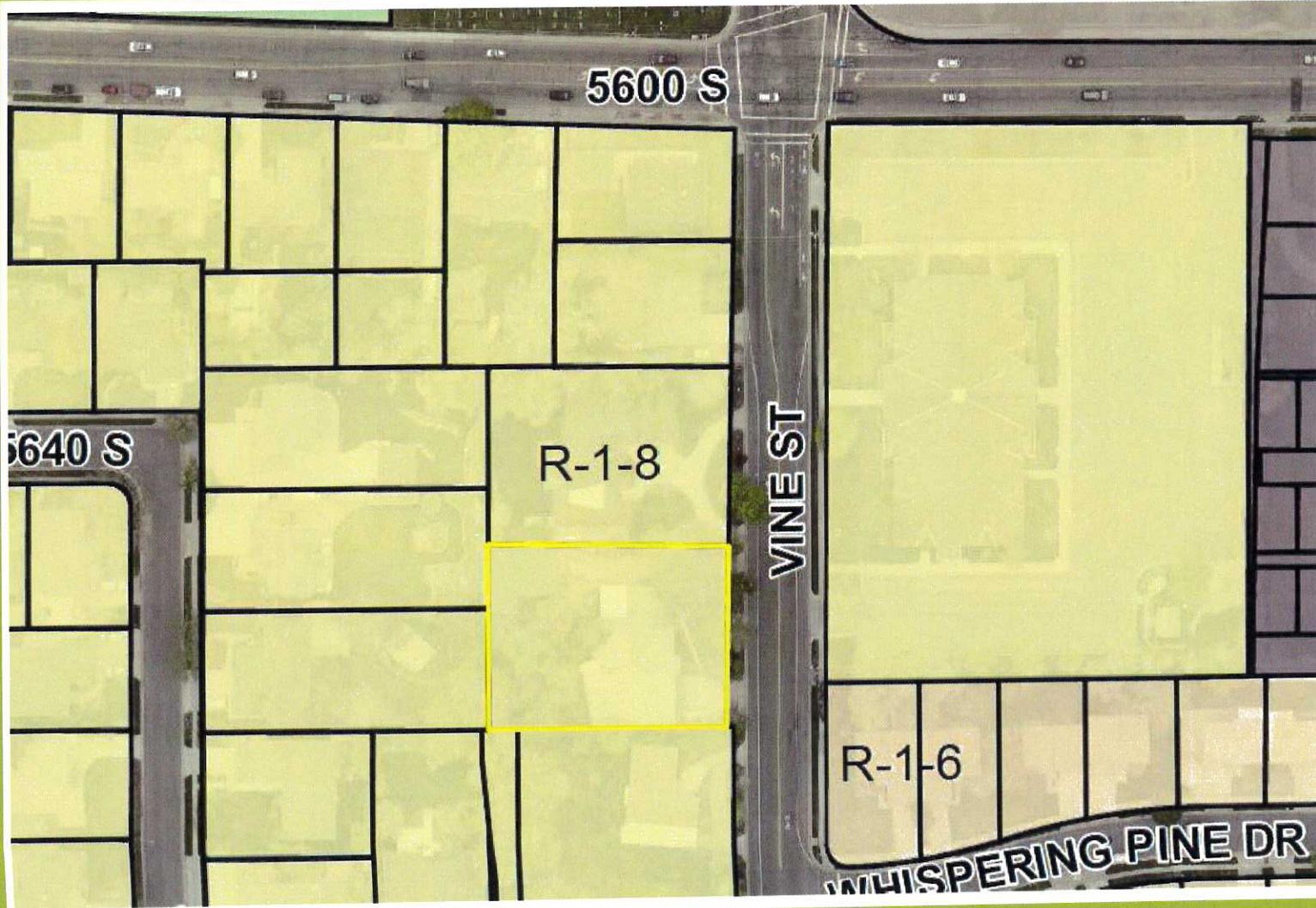


Sunny Vines Zone Map Amendment from R-1-8 to R-1-6

770 East Vine Street

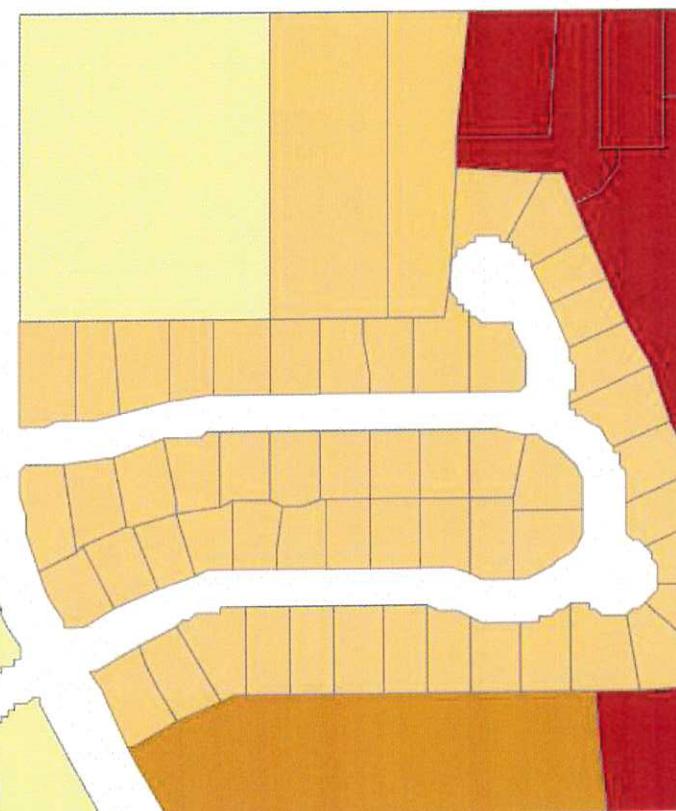






5600 S

Future Land Use Categories



- City Center
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Mixed Use
- Neighborhood Commercial
- General Commercial
- Residential Business
- Professional Office
- Office
- Business Park Industrial
- Industrial
- Parks and Open Space

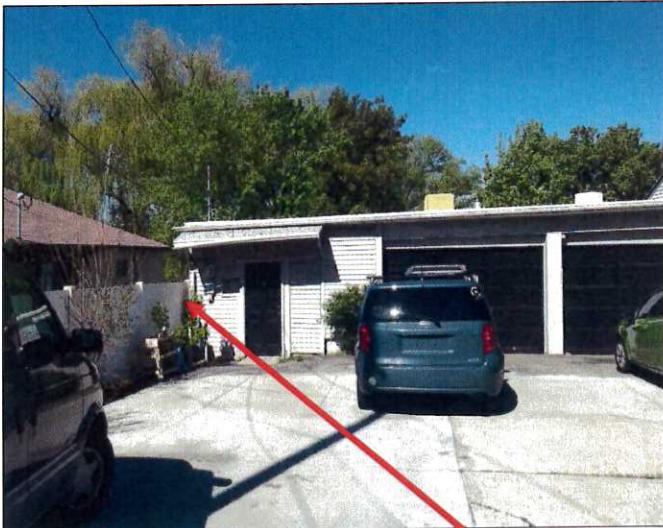
Future Land
Use Map





Looking west across Vine Street at the subject property.





Looking west at the south property line. The duplex building appears to be located directly on the property line, with no setback.



In addition to a variance for front yard setbacks, any subdivision would also require a variance to the rear yard setback requirement, and to the side yard setback on the north property line.



Looking west at the rear building. Given the location of the duplex and the rear building, any subdivision between them would require variances to the rear setback of the duplex and the front setback of the rear building.



Findings

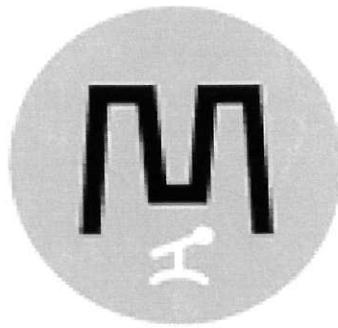
1. The rezoning of the property to R-1-6 is supported by the Future Land Use Map designation of Low Density Residential, however; the applicant's intended purpose in seeking the change of zoning conflicts with the purpose of "encouraging residential development with is single-family detached in character".
2. The requested rezoning has been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan. While the Future Land Use Map would support the rezone, the property would represent an isolated parcel zoned differently from all those surrounding it.
3. The proposed amendment to the Zoning Map from R-1-8 to R-1-6 is not in harmony with the established pattern of zoning and development surrounding the subject property.
4. The rezone has been requested in support of potential requests for several inappropriate variances and a subdivision that Staff cannot support. Staff finds that if approved, the variances and subdivision would have negative impacts to the surrounding properties.



Staff Recommendation

Staff recommends that the Planning Commission forward a recommendation of DENIAL to the City Council for the requested amendment to the Zoning Map designation for the property located at 770 East Vine Street from R-1-8, Single-Family Residential to R-1-6, Single-Family Residential.





MURRAY
CITY COUNCIL

New Business Item #1



MURRAY

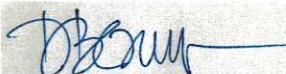
Council Action Request

City Attorneys Office/ Finance and Admin

Public Safety Officer and Firefighter Line-of-Duty Death Act Compliance

Committee of the Whole and Council Meeting

Meeting Date: July 16, 2019

Department Director G.L. Critchfield	Purpose of Proposal Discuss/consider approving a resolution to participate in the Local Public Safety and Firefighting Surviving Spouse Trust Fund
Phone # 801-264-2640	Action Requested Discussion in Committee of the Whole; Decision in Council Meeting
Presenters G.L. Critchfield	Attachments Resolution; Agreement; Certificate of Eligible Employees
Required Time for Presentation 10 Minutes	Budget Impact The cost will begin at approximately \$13,490 annually. We have currently 142 qualifying employees. The cost of participation is \$95 per employee.
Is This Time Sensitive Yes	Description of this Item Line-of-Duty Death Benefit. In 2015 the State legislature passed the Public Safety Officer and Firefighter Line-of-duty Death Act ("Act"). The Act was subsequently amended in 2016, 2017, and 2018. Health Care Premium: The Act allows a surviving spouse of a fallen peace officer or firefighter (who dies in the line-of-duty) to remain eligible for health care coverage under the City's group health plan as if the surviving spouse was an employee of the City. The City is required to pay 100% of the health plan premium until the spouse is eligible for Medicare. Coverage for a surviving child lasts until the child is 26 years old.
Mayor's Approval 	
Date July 1, 2019	

Continued from Page 1:

Trust Fund Participation: The Act also requires the City to participate in the Local Public Safety and Firefighter Surviving Spouse Trust Fund. Participation requires (1) entering into a cost-sharing agreement with the Commissioner of the Department of Public Safety, (2) submitting a "Certificate of Eligible Employees" and (3) paying the annual premium (set by the Local Public Safety and Firefighter Surviving Spouse Trust Fund Board of Trustees).

In the event of a line-of-duty death, the City pays the health plan premium for the surviving spouse (and child(ren)) for the first 12 months and then the City may seek reimbursement from the Trust Fund until the City's obligation ends (until the surviving spouse is eligible for Medicare and until a child(ren) is 26 years of age).

Trust Fund Nonparticipation: The City's continued participation in the Trust Fund is contingent on paying the annual premium. If the City does not participate in the Trust Fund or fails to pay the annual premium, the City is then obligated to pay the entire health plan premium until a surviving spouse is Medicare eligible and a child(ren) is 26 years of age.

RESOLUTION NO. _____

A RESOLUTION APPROVING THE LOCAL PUBLIC SAFETY AND FIREFIGHTER SURVIVING SPOUSE TRUST FUND COST-SHARING AGREEMENT BY AND BETWEEN MURRAY CITY AND THE COMMISSIONER OF THE UTAH DEPARTMENT OF PUBLIC SAFETY, JESS L. ANDERSON.

WHEREAS, in the event of a line-of-duty death of a public safety officer or firefighter, state law allows, pursuant to Utah Code Ann. §53-17-201, the surviving spouse and child(ren) to remain eligible for health care coverage under the City's group health plan as if the surviving spouse was an employee of the City; and

WHEREAS, the City is required to pay 100% of the premium costs for health care for a surviving spouse and child(ren); and

WHEREAS, the health benefit remains in effect until a surviving spouse is eligible for Medicare and until a surviving child(ren) reaches the age of 26; and

WHEREAS, the Local Public Safety and Fire Fighter Surviving Spouse Trust Fund ("Trust Fund") has been established to help share the burden of this potential health insurance cost across multiple agencies; and

WHEREAS, if the City participates in the Trust Fund, then the health care coverage costs may be reimbursed beginning 13 months after the line-of-duty death so long as the City submits the annual premium in a timely manner; and

WHEREAS, the State has prepared a cost-sharing agreement to formalize the City's participation in the Trust Fund and the requirements and responsibilities of each Party; and

WHEREAS, Murray City desires to participate in the Trust Fund to support its public safety officers and firefighters; and

WHEREAS, it is in the City's best financial interests to enter into the cost-sharing agreement in the event such a tragic incident should occur; and

WHEREAS, adoption of the cost-sharing agreement is in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council that:

1. It approves and adopts the Local Public Safety and Fire Fighter Surviving Spouse Trust Fund Cost-Sharing Agreement attached hereto.

2. Mayor D. Blair Camp is hereby authorized to execute the Agreement on behalf of the City and act in accordance with its terms.

3. This resolution shall take effect immediately upon passage.

DATED this _____ day of _____, 2019.

MURRAY CITY MUNICIPAL COUNCIL

Dave Nicponski, Chair

ATTEST

Jennifer Kennedy, City Recorder

**LOCAL PUBLIC SAFETY AND FIREFIGHTER SURVIVING SPOUSE TRUST FUND
COST-SHARING AGREEMENT**

THIS COST-SHARING AGREEMENT is authorized by Section 53-17-301 of the Utah Code, and R698-8 of the Utah Administrative Code, and is made effective [DATE], by and between Jess L. Anderson, Commissioner, Utah Department of Public Safety and [agency name, administrator name, office address and phone number]

THE PARTIES ENTER THIS AGREEMENT on the basis of the following facts, understandings and intentions:

A. In the event of a line of duty death of a member, the participating agency is required, pursuant to 53-17-201 of the Utah Code, to provide health coverage for the surviving spouse and for a child of the member until the child reaches the age of 26.

B. The participating agency is required to pay 100% of the premium costs for health coverage for surviving spouse and children.

C. Beginning 13 months after the line of duty death, the participating agency is eligible for reimbursement for the health coverage costs from the Local Public Safety and Firefighter Surviving Spouse Trust Fund for costs incurred after July 1, 2018.

D. In the event the participating agency fails to submit the annual premium in a timely manner the participating agency may not be eligible for reimbursement of health coverage costs for a surviving spouse or children.

E. The participating agency is not eligible for reimbursement of health coverage costs for a line of duty death that occurs during a period of time when the agency is not a participating agency.

F. A participating agency that elects to participate in the trust fund shall be eligible for reimbursement of health coverage costs for a surviving spouse or children for a line of duty death that occurs on or after July 1, 2005, as long as annual premium payments are current.

G. The provisions found in Utah Administrative Rule R698-8 govern this agreement.

NOW, THEREFORE, in consideration of the premises and the mutual covenants of the parties hereto, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. Payment of Annual Premiums. The participating agency agrees to pay an annual premium as established by the Local Public Safety and Firefighter Surviving Spouse Trust Fund Board of Trustees. The annual premium shall be based upon the number of members employed by the participating agency, and shall be submitted by the participating agency no later than June 30th each year to the Department of Public Safety Attn. Trust Fund, PO Box 141775, Salt Lake City UT 84114.

2. Eligible Members. The participating agency agrees to furnish to the Department of Public Safety, Attn. Trust Fund annually, with payment of the annual premium, the number of eligible members for whom an annual premium is being paid as of March 31st. The participating agency expressly authorizes the Utah Retirement Systems (URS) to provide to the Utah Department of Public Safety or the Local Public Safety and Firefighter Surviving Spouse Trust Fund Board of Trustees aggregate totals of the participating agency's active employees participating in a retirement system under Utah Code Title 49, Utah State Retirement and Insurance Benefit Act covering public safety and firefighter members, as requested for auditing purposes. Premiums paid by an agency for members who are not eligible for reimbursement from the fund are non-refundable.

3. Reimbursement of Shared Costs. The Commissioner agrees to reimburse the participating agency on an annual basis for the costs of health coverage for an eligible surviving spouse and children from the Local Public Safety and Firefighter Surviving Spouse Trust Fund. A request for reimbursement of health coverage costs shall be submitted to the Department of Public Safety, Attn. Trust Fund by June 30th of each year on a form approved by the Board, in addition to a statement provided by the group health plan that includes the agency's cost for health coverage for the surviving spouse and children of the fallen officer.

4. Books and Records. The Department of Public Safety shall maintain appropriate and accurate books of account and records relating to eligible members, annual premiums paid by a participating agency and reimbursement of health coverage costs from the Local Public Safety and Firefighter Surviving Spouse Trust Fund under this Agreement, and such books of account and records shall be accessible for inspection by representatives of the participating agency at any time during normal business hours. Except in the ordinary course of business of the Department of Public Safety shall use reasonable efforts to keep confidential any and all information they may obtain from time to time in connection with the services they render under this Agreement.

5. Term. This Agreement shall commence on the Effective Date and shall be coterminous providing that annual premiums are kept current by the participating agency.

6. Binding Nature of Agreement. This Agreement shall be binding upon and inure to the benefit of the parties hereto as provided in this Agreement.

7. Entire Agreement. This Agreement contains the entire agreement and understanding among the parties hereto with respect to the subject matter hereof, and supersedes all prior and contemporaneous agreements, understandings, inducements and conditions, express or implied,

oral or written, of any nature whatsoever with respect to the subject matter hereof. This Agreement may not be modified or amended other than by an agreement in writing.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.

Commissioner of Public Safety

**Utah Department of Public Safety/
Local Public Safety and Firefighter
Surviving Spouse Trust Fund Board,
Chair**

By: _____

**Agency Administrator,
Human Resources Director
Murray City Corporation**

By: _____
Robyn Colton

Murray City Corporation

By: _____
D. Blair Camp, Mayor

ATTEST:

APPROVED AS TO FORM:

Jennifer Kennedy, City Recorder

G.L. Critchfield, City Attorney

LOCAL PUBLIC SAFETY AND FIREFIGHTER SURVIVING SPOUSE TRUST FUND
Certification of Eligible Employees

(mail to: Department of Public Safety, Attn. Trust Fund,
Box 141775, Salt Lake City UT 84114)

Agency Name: _____

Administrator Name: _____

Office Address: _____

Phone Number: _____

I certify that there are a total of _____ active employees participating in a retirement system under Utah Code Title 49, Utah State Retirement and Insurance Benefit Act covering public safety and firefighter members employed by the above mentioned agency as of March 31, 2019 ____.

This following paragraph applies only if your agency is currently not part of the Utah State Retirement Systems (URS).

I understand that if the above referenced agency does not cover the public safety officers or firefighters in a retirement system under Utah Code Title 49, Utah State Retirement and Insurance Benefit Act, the agency may elect to participate in the Local Public Safety and Firefighter Surviving Spouse Trust Fund by a resolution adopted by the agency. Under this election, I certify that there are a total of _____ active public safety officers and firefighters as defined in Senate Bill 206 passed in the 2018 Legislative General Session.

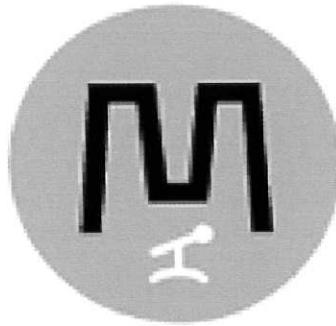
I understand the Utah Department of Public Safety may confirm the number of active public safety and firefighter employees of the above mentioned agency participating with URS. I further understand that premiums paid to the Local Public Safety and Firefighter Surviving Spouse Trust Fund for ineligible employees are non-refundable.

Administrator Signature: _____ Date: _____

If an invoice is required to process a payment please check this box and provide an e-mail address for the electronic invoice.

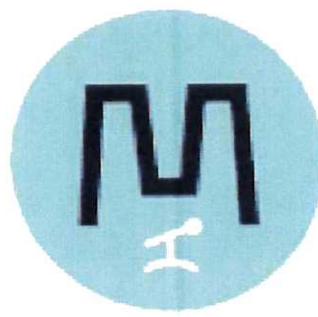
Yes, please send me an electronic invoice

Please send the electronic invoice to:



MURRAY
CITY COUNCIL

Mayor's Report And Questions



MURRAY
CITY COUNCIL

Adjournment