

MURRAY
CITY COUNCIL

Council Meeting September 17, 2019



Murray City Municipal Council

Notice of Meeting

September 17, 2019

Murray City Center

5025 South State Street, Murray, Utah 84107

Meeting Agenda

4:15 p.m. **Committee of the Whole** - Conference Room #107
Dave Nicponski conducting

Approval of Minutes

Committee of the Whole – Tuesday, May 21, 2019

Discussion Items

1. Discussion on Neighborhood Sidewalk Repairs – Brett Hales (15 minutes)
2. Text Amendments to the Mixed-Use Zone – Melinda Greenwood and Jared Hall (15 minutes)
3. Medical Cannabis Regulations, Chapter 17.43 – Melinda Greenwood and Jim McNulty (15 minutes)
4. General Plan Amendments/Zone Map Amendments – Briant Farnsworth (5 minutes)
5. Utah Transit Authority Update – Carlton Christensen (20 minutes)

Announcements

Adjournment

The Council Meeting may be viewed live on the internet at <http://murraycitylive.com/>

6:30 p.m. **Council Meeting** – Council Chambers
Dave Nicponski conducting.

Opening Ceremonies

Call to Order
Pledge of Allegiance

Approval of Minutes

Council Meeting – August 27, 2019

Special Recognition

1. Murray City Council **Employee of the Month, Paul Adams, Firefighter/Paramedic** - Assistant Chief Chad Pascua and Brett Hales presenting.

Citizen Comments

Comments will be limited to three minutes, step to the microphone, state your name and city of residence, and fill out the required form.

Consent Agenda

1. Consider confirmation of the Mayor's reappointment of **Mildred Horton** to the Murray City History Advisory Board for a three-year term to expire August 1, 2022.
2. Consider confirmation of the Mayor's appointment of **Lynette Lloyd** to the Murray City History Advisory Board for a three-year term to expire August 1, 2022.
Mayor Camp presenting.

Public Hearings

Staff and sponsor presentations, and public comment prior to Council action on the following matters.

1. Consider an ordinance relating to land use; amends the Zoning Map for the property located at 284 East 4500 South, Murray City, Utah from the G-O (General Office) Zoning District to the C-D (Commercial Development) Zoning District. Melinda Greenwood presenting; Hidden Treasurers/Dana Williams applicant.
2. Consider an ordinance amending Sections 17.82.050, 17.82.080, and 17.82.090 of the *Murray City Municipal Code* related to small wireless facilities. Melinda Greenwood presenting.
3. Consider an ordinance related to land use; amends the General Plan to include a Small Area Plan for the Murray Central Station area. Melinda Greenwood presenting.
4. Consider an ordinance relating to land use; amends the General Plan from Commercial to Mixed Use for the property located at 4670 South 900 East, Murray City, Utah. Melinda Greenwood presenting; Kimball Associates applicant.

Business Items

None scheduled.

Mayor's Report and Questions

Adjournment

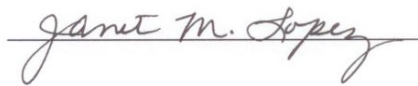
NOTICE

Supporting materials are available for inspection in the City Council Office, Suite 112, at the City Center, 5025 South State Street, Murray, Utah, and on the Murray City internet website.

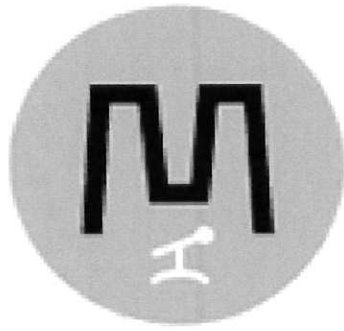
SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST TO THE OFFICE OF THE MURRAY CITY RECORDER (801-264-2663). WE WOULD APPRECIATE NOTIFICATION TWO WORKING DAYS PRIOR TO THE MEETING. TTY is Relay Utah at #711.

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speaker phone. The speaker phone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

On Friday, September 13, 2019, at 9:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov and the state noticing website at <http://pmn.utah.gov>.

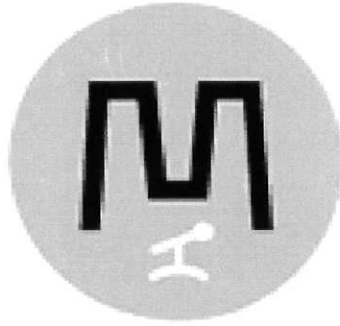
A handwritten signature in cursive script, reading "Janet M. Lopez", written over a horizontal line.

Janet M. Lopez
Council Executive Director
Murray City Municipal Council



MURRAY
CITY COUNCIL

Committee of the Whole



MURRAY
CITY COUNCIL

Committee of the Whole Minutes



MURRAY
CITY COUNCIL

DRAFT

MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, May 21, 2019 in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

Council Members in Attendance:

Dale Cox – Vice Chair	District #2
Diane Turner	District #4
Brett Hales	District #5

Council Members Excused:

Dave Nicponski - Chair	District #1
Jim Brass	District #3

Others in Attendance:

Doug Hill	Chief Administrative Officer	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Jackie Coombs	UAMPS	Kim Sorensen	Parks & Rec. Director
Jennifer Heaps	Comm. & PR Director	Pattie Johnson	Council Office
Rob White	IT Director	Danny Astill	Public Works Director
Bruce Turner	Power – Operations Manager	Danny Hansen	IT
Jon Harris	Fire Chief	Greg Bellon	Power – Asst. Gen. Mgr.
Lori Edmunds	Cultural Arts Director	Jordan Knight	Risk Manager
Teresa Brunt	Int. Mountain Medical Center	Kat Martinez	Resident

Mr. Cox called the Committee of the Whole meeting to order at 5:15 p.m. He noted Mr. Brass, Mr. Nicponski, and Mayor Camp as excused, due to out of town city business. Mr. Hill would sit in for Mayor Camp.

Approval of Minutes - Mr. Cox asked for comments or a motion on the minutes from:

- Committee of the Whole – February 19, 2019

Ms. Turner moved approval. Mr. Hales seconded the motion. (Approved 3-0)

Discussion Items

Murray City Power Department Quarterly Report – Blaine Haacke

UAMPS (Utah Associated Municipal Power Systems) representatives provided a status update and timetable review about the short- and long-term project, known as the UAMPS Carbon Free Power Project, or SNRs (small nuclear reactors). Mr. Haacke confirmed council members were previously aware of Murray's token of interest in the exploratory and investigative process of licensing of the resource located in Idaho; however, a decision was now required, as to whether the city would increase interest and involvement – or back out. In addition, city staff considered the resource a positive addition to the city's portfolio, with well-suited cost-effective numbers, and dispatchability. The plant is considered a quick-to-react plant; when resources like solar and wind cannot function, due to thick cloud cover or lack of wind, SNR access provides fast moving power generation– unlike other power plants.

As UAMPS members, Murray was allowed access to the new energy during Phase One, along with specific criteria for attaining funding from the DOE (Department of Energy). Initially, the city looked to attain 1MW (megawatt) of the renewable energy; however, if subsidies and grants are to be obtained, an increase is required. Mr. Haacke noted 1MW was about 2% of the city's required energy load; very little. By increasing that amount to 5MW, the city could take full advantage of government and grant funding, and when necessary attain 7% of the city's energy requirement.

Council members were encouraged to ask questions regarding the new resource, as UAMPS representatives discussed and reviewed the project using a power point. (See Attachment #1) The following key aspects were noted:

- NuScale's groundbreaking work for developing the new technology started with support from the DOE that included a \$226 million, 50/50 cost share agreement, with continued support for getting the site developed. The plant consists of 12, 60MW electric reactors, independently generated inside one facility. The project would be located on 40 acres of land, would produce a total number of 720MW, avoids carbon-based fuel, and federal government regulations; the high dense energy, leaves a small environmental footprint.
- NuScale's design certification process occurred with the help of the NRC (Nuclear Regulatory Commission). Tremendous progress was made last year, after years of discussion between the NRC and NuScale, before an application for certification was submitted. Due to revolutionary technology, confirmed by the NRC, no backup power would be required. For example, power grid access is typically necessary for most power plants, to safely shutdown and start-up. However, this new technology does not require it, because of the quick ability to ramp modules up, and down, when other resources fail.
- The emergency planning zone is an evacuation zone required for all NR's in the country. It is usually a mandatory 10-mile radius. However, given the inherent safety of the technology, a fence line around the facility is considered efficient. It was stressed that this was a testimony of safe technology. The resource has little impact on the environment and surrounding community, which is comparatively not a huge population.
- The price target was initially \$65 per MWh (megawatt hour); however, the current price looks to be \$55 per MWh, which would be competitive with natural gas pricing. Colorado, California, Washington State, and New Mexico are other states that recently passed legislation for clean renewable targets and favor nuclear energy

as a role in de-carbonization. The UAMPS project caused utility interest from other states that might consider participating in the project also. The resource option would not be exposed to future government regulations, CO2 compliance costs, and would be monitored for fitting-in-with the potential western fuel markets.

- The development of Phase One with a \$6 million budget, is still under a 100% reimbursement agreement if participants decide not to move forward, by terminating the project. Therefore, another key decision would be required in September of 2019. All remaining phases are unchanged until August of 2021, after NRC licensing, and prior to construction. Cost estimates for the SNR would be revised by NuScale throughout all phases of the project, which would be complete in 2027.
- The city currently participates and utilizes energy from two coal fired power plants; the San Juan project, which is scheduled to close by 2022 leaving a void of approximately 8MW; and the Hunter plant, most likely scheduled to close by 2030, bringing the total megawatt shortage to 25. Since the SNR plant is not ready until 2027, energy must be replaced to meet city loads. To hedge against future load needs, UAMPS representatives suggested a total of 15MW as a good starting spot for the city. It was noted that Murray was one of the first members in the Hunter project in the 80's, with foresight to cover community needs and low cost energy pricing, therefore, the same outlook for the SNR and its benefits should be considered as long-term stability for Murray, for the next 40 years.
- In summary, the SNR is not a provision for new growth but considered a replacement project with plenty of room for additional renewable resources, with an overall balanced portfolio of non-carbon base generation. The city would still have emergency back up with gas turbines located in the city for fail safe energy should the grid be lost, and as coal resources are vanishing.

Ms. Turner noted the emergency planning zone and asked how far the distance was from the facility to the fence line. UAMPS representatives confirmed the fence line borders 40 acres of land, which constituted the emergency planning zone that did not extend out from the site location itself.

Mr. Cox asked if reactors would be centered in the middle of 40 acres. UAMPS confirmed the siting process was still underway for future core facilities, but all associated buildings would be located somewhere within the fence line; an administrative building would be located outside the fence line. The entire site is 880 square miles, so several locations would be considered for siting several facilities. In addition, UAMPS reported they are working sensitively as good neighbors, with the Shoshone-Bannock Tribe, who see the land as their ancestral hunting grounds. A positive relationship was reported so far.

Mr. Hales noted the site area west of Idaho Falls. UAMPS representatives confirmed the location 60 miles in-between Idaho Falls and Blackfoot, north of Pocatello; also, nearby are Army, Navy and other top-secret military properties.

Ms. Turner asked about cooling procedures using water. It was explained that independent engineers analyzed three possible principal-types of cooling that could be deployed at the site: wet cooling, which is the most water intensive and a traditional method; hybrid, which is less water; and dry cooling, which utilizes the least amount of water. Various costs and benefit analysis were considered for all three technologies, as related to operations and water acquisition, for the 40-year life span of the project; it was determined that dry cooling would most likely be used at the project. Fine tuning all associated costs for dry cooling would be completed in 60 days.

Mr. Haacke reported as UAMPS members, the city was presently looking at energy from a large-scale solar project as well. UAMPS representatives confirmed a 60MW solar utility grid resource located in southeastern Utah, where preliminary plans are for Murray to attain 5MW.

Ms. Turner expressed concern about hidden costs associated with the SNR project; she appreciated careful monitoring to ensure costs would be exactly as conveyed, and affirmed if costs became exceedingly high, she recommended terminating the agreement. Ms. Coombs confirmed off-ramp opportunities for that reason.

Mr. Haacke provided a brief update on the recent Navajo project to supply power to a reservation in the four-corners area. Four Murray power crewmembers participated in the nation-wide, six-week effort. After two days, Murray employees installed four half-mile transmission lines to power four homes that previously had no power; they also installed 110 power poles and power lines extending a total of 10 miles. Mr. Turner appreciated the opportunity to participate in the much-needed project and confirmed residents were overjoyed with the results, which took four, 20-hour days to complete.

Murray City Risk Management Report – G.L. Critchfield and Jordan Knight

Mr. Knight provided an overview regarding his responsibilities as risk manager, shared a power point explaining the Murray Risk Management Program that included pie and bar charts, various graphs and information to explain nationwide trend comparison, and increasing trends in the city. (See Attachment #2 for details.) The following outlines his review:

- Mission of the Risk Department.
- Murray City insurance summary and total cost.
- Accountability.
- Data.
- Liability claims – Including associated count and cost.
- Subrogation recoveries.
- Workers Compensation claims – Including associated count and cost.
- Program Foundation – Including city policy and procedure organization.
- Risk Fund.

Mr. Knight explained the risk program is built upon data; since data drives the direction of program actions, incident reporting procedures, and natural data tracking is most significant. In addition, a proper risk tolerance is the foundation of the program, where the city's assumed risk is based on certain factors, such as, knowing what action to take, and how much risk and exposure should be taken, as opposed to, how much money should be spent on insurance premiums. All key elements come from management support, and accountability, as well as, having a strong Risk Committee in place that includes continued policy training, which uphold the risk program.

He said currently, the Risk program is doing well, however, goals are important, and much work is still needed; there is a push to get the Risk Committee up and running to create additional policies and schedule more trainings.

Ms. Turner wondered what was meant by creating more policies, and asked what policies were needed. Mr. Knight explained he and city attorneys worked closely with Mayor Camp's office to come up with new policies; drafted upon what is unique to Murray City, services the city offers, and exposures that would help control risk.

Mr. Hales wondered if it was procedures that were needed, as opposed to 'more policies' - because it was the overall duty of the council to approve city policies recommended by the Mayor and staff.

Mr. Critchfield clarified, for example, in the area of safety, procedures are to be established; however, policies referred to in the Risk Program apply to certain administrative departments, and general policies that apply to specific city employees. For example, the vehicle policy.

Ms. Turner asked whether the program ensured policies were enforced or created. Mr. Critchfield confirmed some policies were not in place that needed to be established. And, through a Risk Committee, he expected policies to filter down and be enforced with accountability.

Mr. Hill noted a past conversation about the travel policy for city employees. He confirmed a policy clarifying what would happen when an employee rented a vehicle for traveling on city business. A policy of this nature would address questions about whether car insurance was required on behalf of the employee, in case of an accident, to protect the city's interest.

Mr. Hales requested a quarterly update in the future from the Murray Risk Management Program. All council members agreed the information was insightful. Mr. Knight appreciated his staff and credited them for good accomplishments.

County TRCC Funds Contribution – Kim Sorensen and Lori Edmunds.

Mr. Hill explained the city submitted a TRCC (tourism, recreation, culture and convention) grant request for attaining cultural facilities financial assistance to remodel the Murray Theater. The city owns the theater and desires to restore the building for public use. As a result, the city received the grant. The council would consider the resolution during tonight's council meeting related to the contract agreement with Salt Lake County to receive grant funds and raise matching dollars according to grant fund provisions. Mr. Sorensen and Ms. Edmunds noted the following grant information:

- Grant type – Reimbursement.
- Total grant funding = \$3.6 million.
- What the city budgeted for the project this year = \$1 million.
- Estimated cost to refurbish = \$7.3 million.
- Matching amount needed = \$2.7 million.

Mr. Sorensen confirmed the city would begin fund raising to meet required matching funds. An RFP is currently out to hire a design architect, and he anticipated the hiring process would take approximately 6 months. An update would be given once proposals were reviewed.

Ms. Edmunds added once the overall cost for the architect was known, the city would approach various private donors for contributions. Involving the community to donate would provide a personal level of giving for the future venue, as well.

Announcements: Ms. Lopez made several announcements related to coming events for the council members.

Adjournment: 6:15 p.m.

Pattie Johnson
Council Office Administrator II

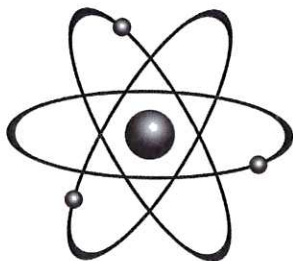
ATTACHMENT #1

PLANNING FOR THE FUTURE

**MURRAY CITY COUNCIL
WORK SESSION
MAY 21, 2019**

1

WHAT IS THE CFPP?



- NuScale Technology
 - Pressurized Light Water Reactor
 - 12 - 60 MW NuScale Power Modules (NPM)
 - 720 MW Gross
- Location
 - 40 acres
 - Idaho National Laboratory in Southeastern Idaho
- Transmission Access
 - PacifiCorp
 - Bonneville Power
 - Idaho Power Company



2

ON-GOING ANALYSES

DOE Site Lease

- Site characteristics pursuant to NRC guidelines

Sho-Ban Consultation

- UAMPS has briefed the Tribes on its site selection process and has received feedback based on the Tribes' interest

Steam Cycle Cooling

- Wet, evaporative cooling; 21,000 acre-feet
- Dry, air cooled condensers; 2,000 acre-feet
- BOD is evaluating the economics of each, decision expected this summer

Economic Impact Report (REDI)

- Estimated 3,356 construction jobs
- Estimated 300 + direct operational jobs
- 80% of workforce can be trained from existing workforce



5

COST AND VALUE PROPOSITION

- Contractual not-to-exceed \$55 per MWh (\$2018\$)
 - Competitive with NGCC at current natural gas prices
 - Fits within the 100% clean power generation bills passed by California, Washington, and New Mexico
 - Market based response to GHG, eliminates need for Federal Regulation
 - Complements Electric Market Regulation (ISO/RTO)

6

6

ATTACHMENT #2

MURRAY CITY

Risk Management



Risk Management Program



“The Discipline That Allows An Entity To Succeed.”

MISSION

Create a safe working environment for all employees.

Cultivate and promote a safe atmosphere for the surrounding community.

Protect the assets and financial interests of the City from potential loss and liability.



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
March 2019 <i>(22 Incidents / 31 Days)</i>					1	2
3	4 Property Subrogation (Cemetery)	5	6 WC Injury (Fire)	7 General Liability (Water) Property Subrogation (Water)	8 WC Injury (Police) General Liability (Water)	9
10 Property Subrogation (Power)	11 Property Subrogation (Power) Property Subrogation (Power)	12	13	14 Property Subrogation (Power) Property Subrogation (Power) WC Injury (Fleet)	15 General Liability (Power)	16
17	18	19	20 Auto Liability (Fire) General Liability (Heritage Center)	21	22	23
24 Property Subrogation (Power) WC Injury (Fire)	25 Auto Liability (Police) WC Injury (Police)	26 Auto Liability (Fire) WC Injury (Water)	27 General Liability (Engineering)	28	29	30
31						

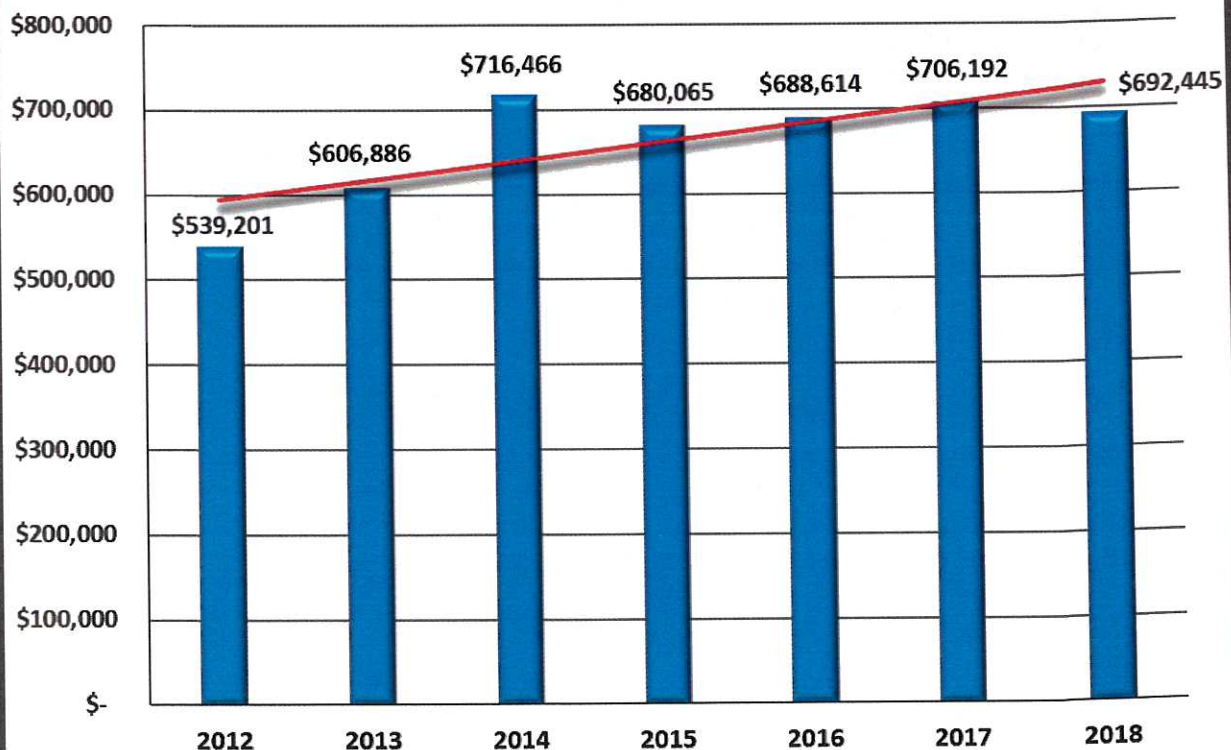
Murray City Insurance Summary

(8 Insurance Policies / 1 Bond)

#	Policy	Carrier	Premium	Limit	Deductible
1)	Workers Comp	WCF	\$ 294,137	Statutory	\$ -
2)	General Liability	States RRG	\$ 182,791	\$10M	\$ 250,000
3)	Property	AFM	\$ 169,414	\$202M	\$ 25,000
4)	Crime	Travelers	\$ 4,000	\$1M	\$ 50,000
5)	Auto - Physical Damage	Great American	\$ 14,160	\$9M	\$ 25,000
6)	Auto - Overnight Parked	Great American	\$ 8,755	\$8M	\$ 25,000
7)	Cyber	Travelers	\$ 15,547	\$2M	\$ 25,000
8)	Pollution	Homeland	\$ 2,184	\$1M	\$ 1,000
9)	Treasurer's Bond	Travelers	\$ 1,457	\$2M	\$ -

\$692,445

Total Cost of Insurance

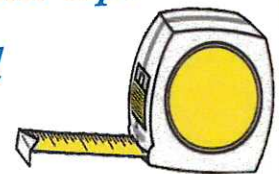


DATA

- ❖ The Foundation Of The Risk Program.
- ❖ Determines The Program's Direction & Actions.

A Program Is Only As Good As The Data It's Built Upon

What Gets Measured, Gets Improved

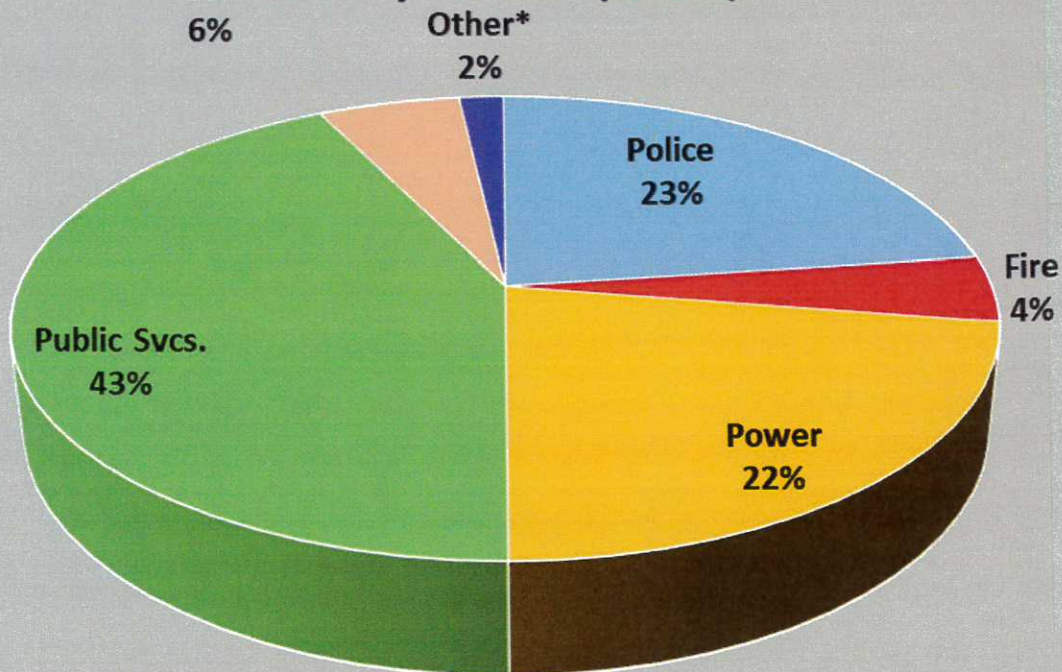


Liability Claims (Count)

Year	Citywide	Police	Fire	Power	Public Svcs.	Golf	Other*
2014	124	25	8	27	56	6	2
2015	108	22	5	23	50	4	4
2016	101	21	0	34	39	6	1
2017	117	34	8	19	42	9	5
2018	128	31	5	26	59	7	0
Total	578	133	26	129	246	32	12
Avg.	116	27	5	26	49	6	2

*Other = Library; Court; CED; ADS

Liability Claims - (Count)

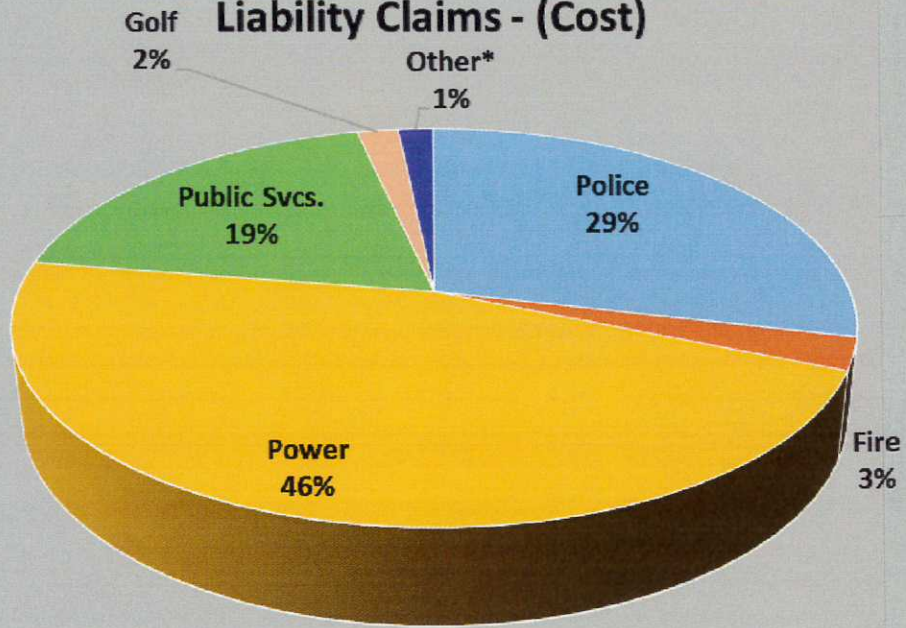


Liability Claims (Cost)

Year	Citywide	Police	Fire	Power	Public Svcs.	Golf	Other*
2014	\$ 211,736.00	\$ 60,842.00	\$ 13,195.00	\$ 116,927.00	\$ 18,442.00	\$ 1,847.00	\$ 483.00
2015	\$ 236,948.96	\$ 54,667.00	\$ 2,285.96	\$ 127,209.00	\$ 50,877.00	\$ 1,307.00	\$ 603.00
2016	\$ 163,307.00	\$ 30,744.00	\$ -	\$ 100,174.00	\$ 22,518.00	\$ 3,271.00	\$ 6,600.00
2017	\$ 131,014.00	\$ 55,378.00	\$ 3,400.00	\$ 22,467.00	\$ 38,009.00	\$ 5,011.00	\$ 6,749.00
2018	\$ 172,163.00	\$ 61,113.00	\$ 5,155.00	\$ 55,436.00	\$ 44,532.00	\$ 5,927.00	\$ -
Total	\$ 915,168.96	\$ 262,744.00	\$ 24,035.96	\$ 422,213.00	\$ 174,378.00	\$ 17,363.00	\$ 14,435.00
Average	\$183,033.79	\$52,549	\$4,807	\$84,443	\$34,876	\$3,473	\$2,887.00

*Other = Library; Court; CED; ADS

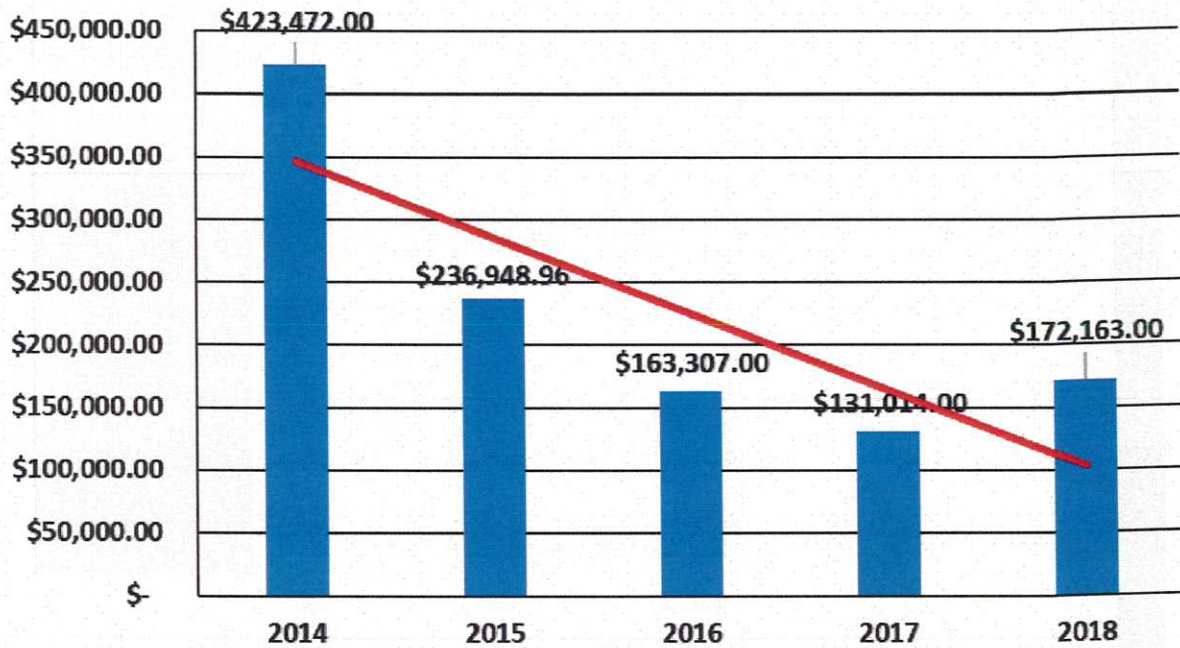
Liability Claims - (Cost)



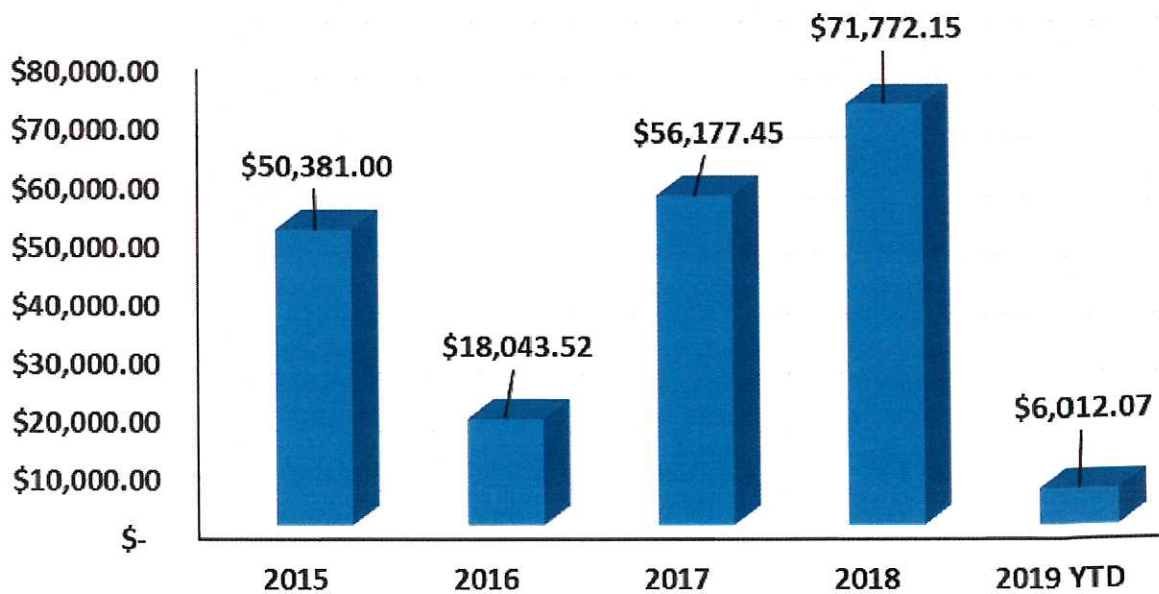
Liability Claims - Citywide (Count)



Liability Claim Cost (\$)



Subrogation Recoveries

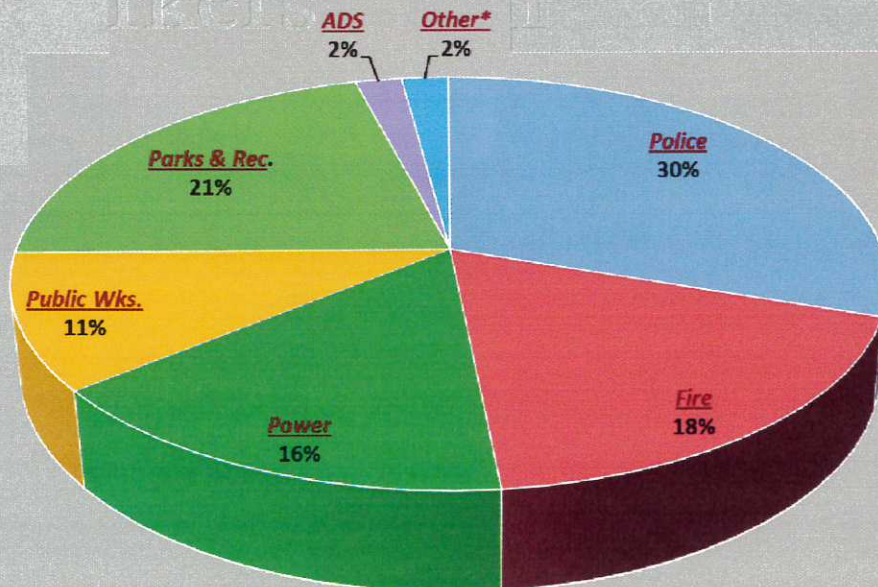


Workers Comp Claims (Count)

NUMBER OF WORKERS COMPENSATION CLAIMS								
	City	Police	Fire	Power	Public Wks.	Parks & Rec.	ADS	Other*
2014	39	14	6	7	2	8	1	1
2015	40	12	5	5	5	12	0	1
2016	41	12	12	3	4	9	1	0
2017	46	12	7	11	7	7	0	2
2018	32	10	6	5	3	6	2	0
Total	198	60	36	31	21	42	4	4
Avg.	40	12	7	6	4	8	1	1

* "Other" = HR; Finance; Attorney; Court; Library

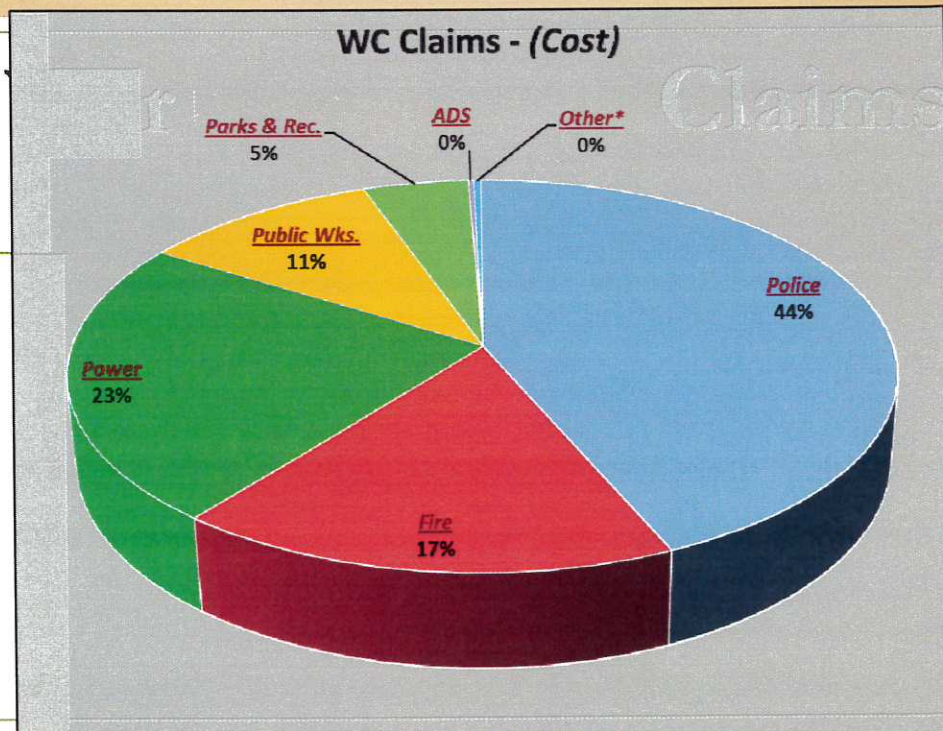
WC Claims - (Count)



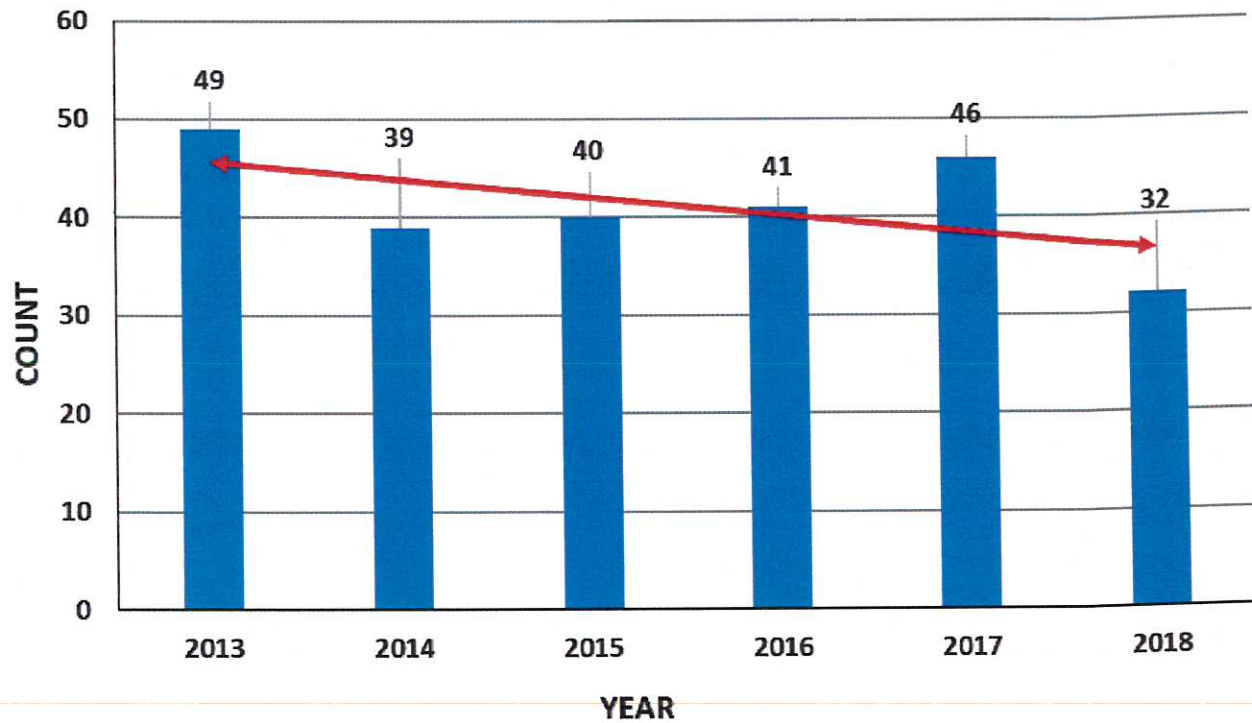
Workers Comp Claims (Cost)

TOTAL INCURRED COST OF WORKERS COMPENSATION CLAIMS								
	City	Police	Fire	Power	Public Wks.	Parks & Rec.	ADS	Other*
2014	\$ 258,415.23	\$ 112,079.00	\$ 20,211.33	\$ 105,958.00	\$ 1,522.10	\$ 18,497.32	\$ 147.48	\$ -
2015	\$ 69,196.98	\$ 35,549.00	\$ 19,488.00	\$ 2,745.46	\$ 3,316.97	\$ 6,636.73	\$ -	\$ 1,460.82
2016	\$ 179,482.85	\$ 90,833.00	\$ 65,539.00	\$ 13,711.80	\$ 6,313.21	\$ 2,780.84	\$ 305.00	\$ -
2017	\$ 177,891.67	\$ 63,844.30	\$ 11,844.80	\$ 36,623.36	\$ 63,558.65	\$ 1,179.56	\$ -	\$ 841.00
2018	\$ 21,259.00	\$ 5,779.00	\$ 3,445.00	\$ 5,374.00	\$ 690.00	\$ 4,633.00	\$ 1,338.00	\$ -
Total	\$ 706,246	\$ 308,084	\$ 120,528	\$ 164,413	\$ 75,401	\$ 33,727	\$ 1,790	\$ 2,302
Avg.	\$ 141,249	\$ 61,617	\$ 24,106	\$ 32,883	\$ 15,080	\$ 6,745	\$ 358	\$ 460

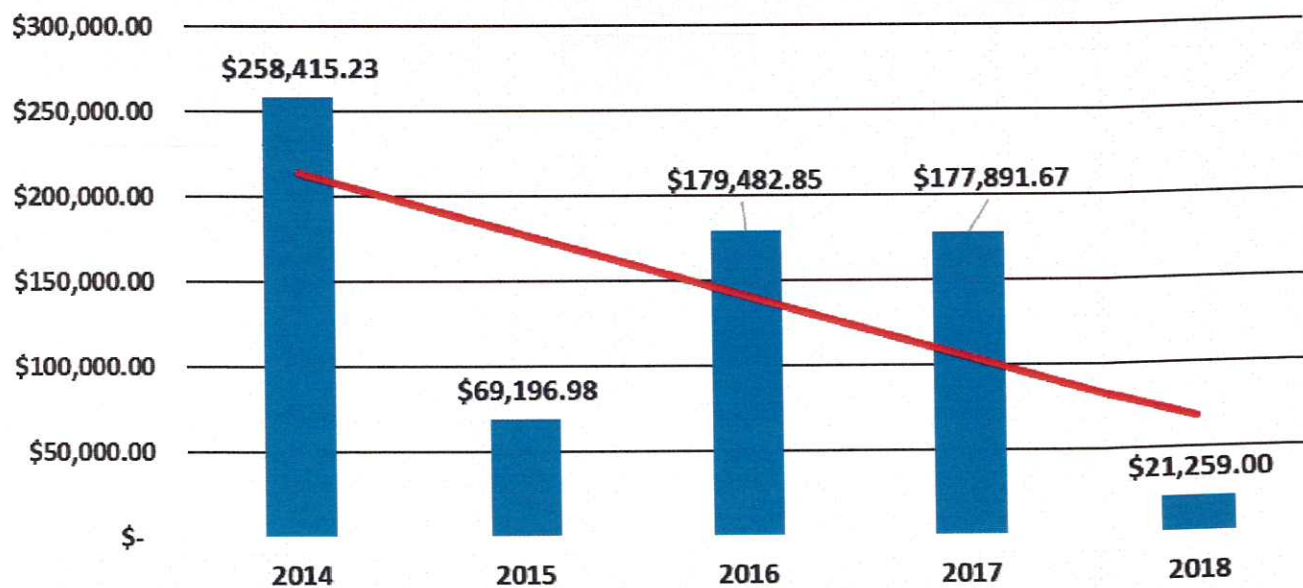
* "Other" = HR; Finance; Attorney; Court; Library



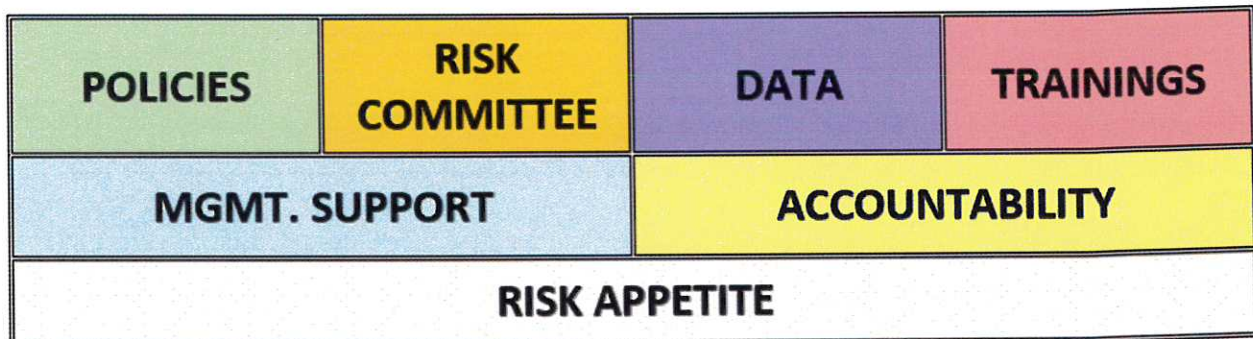
Workers Comp Claims



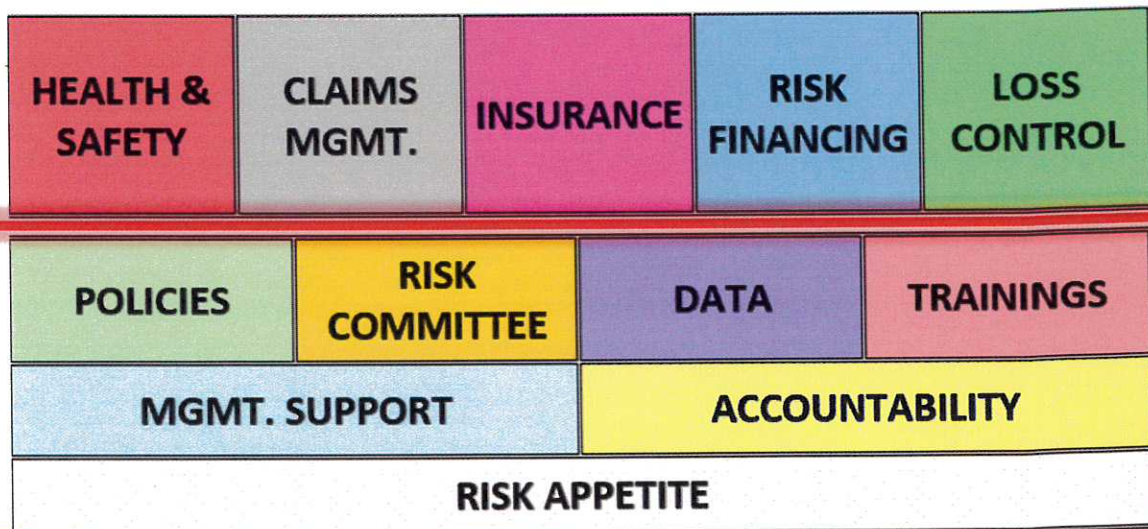
Workers Comp. Cost (\$)



Program Foundation



Program Foundation



Risk Program

**HEALTH &
SAFETY**

**CLAIMS
MGMT.**

INSURANCE

**RISK
FINANCING**

**LOSS
CONTROL**

POLICIES

**RISK
COMMITTEE**

DATA

TRAININGS

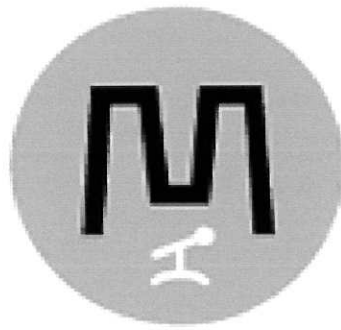
MGMT. SUPPORT

ACCOUNTABILITY

RISK APPETITE

Questions

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MURRAY
CITY COUNCIL

Discussion Item #1



MURRAY

Murray City Council

Neighborhood Sidewalk Repairs

Council Action Request

Committee of the Whole: September 17, 2019

**Department
Director**

Janet M. Lopez
Phone #801-264-2622

Presenters
Brett Hales

**Required Time for
Presentation**

15 minutes

**Is This Time
Sensitive**

Yes

Approval:

September 10, 2019

Purpose of Proposal

- Review of sidewalk condition in District 5

Action Requested

- Discussion on how to take care of necessary sidewalk repairs.

Attachments

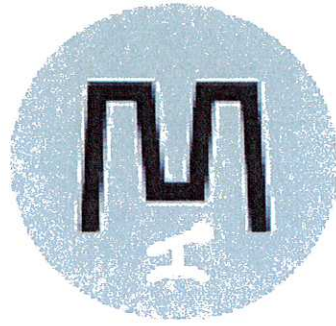
- None.

Budget Impact

- FY 2020 Class C Roads - \$360,000 budgeted

Description of this item

- Discussion on responding to citizen requests for sidewalk repair that have been delayed for several years.



MURRAY
CITY COUNCIL

Discussion Item #2



MURRAY


Community & Economic Development

Text Amendments to the Mixed Use Zone

Council Action Request

Council Meeting

Meeting Date: September 17, 2019

Department Director Melinda Greenwood Phone # 801-270-2428 Presenters Melinda Greenwood, Jared Hall Required Time for Presentation 10 Minutes Is This Time Sensitive No Mayor's Approval 	Purpose of Proposal Text amendments to certain sections of the M-U, Mixed Use Zone. Action Requested Approval of Text Amendment Attachments PowerPoint Presentation Draft Ordinance Budget Impact None Description of this Item <p>Staff presented proposed amendments to the M-U Zone to the Planning Commission at a public hearing on August 15, 2019. The proposed changes have been designed to assure that the requirements of the zoning are supporting a good mixed use development that is appropriate for the areas of the city where they occur. The proposed amendments to the M-U Zone can be placed into five categories:</p> <p><u>Definitions:</u> Horizontal Mixed-Use (a project where all or some of the commercial and residential components are provided in separate buildings within the same project), Transit Station (any 1 of the 3 rail stations in Murray), and Vertical Mixed Use (a project where the commercial and residential components are located within the same buildings).</p> <p><u>Density Gradient:</u> The current M-U Zone does not limit the density of multi-family residential components in projects.</p>
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Continued from Page 1:

The proposed amendments include a decrease in allowed density corresponding to increased distance from the Transit Stations.

<u>Project Location</u>	<u>Maximum Allowed Density</u>
Within ¼ mile of station	up to 100 units per acre
Within ½ mile of station	up to 80 units per acre
Within 1 mile of station	up to 50 units per acre
More than 1 mile from station	up to 40 units per acre

Required Commercial Components in mixed use projects: The current ordinance requires that a minimum of 75% of the ground floor of all residential buildings be developed as non-residential, and not related to residential uses in the project (i.e., the project's swimming pool or leasing office). The rule applies to the entire footprint of all buildings in a project. In larger projects some buildings will not have frontage on streets, limiting viable commercial space on the ground floors. Staff has proposed that within ½ mile of a transit station, commercial development must occupy 75% of the ground floor of residential buildings that face public streets, with a minimum depth of 40'. For projects outside ½ mile, the commercial development must occupy 50% of those ground floors.

Master Site Plans: The proposed amendments include a requirement for Master Site Plan approval for larger (5 acres and up) projects and horizontal mixed use projects. Master Site Plans will include analysis of building orientation, the provision of central features and outdoor spaces, and a memorandum of understanding to govern the installation of improvements and the construction of the project.

Parking: Currently, where projects propose parking that exceeds the minimum requirements by more than 110%, that additional parking can only be provided within parking structures or within buildings - not as surface parking. Staff proposes amending that allowance for additional parking without the requirement of structured parking to 125% of the minimums.

FINDINGS

- The proposed amendments are in keeping with the objectives of the Murray City General Plan.
- The proposed amendments are necessary to facilitate quality mixed use development and to assure that proposed developments are appropriate for the areas of the City in which they occur.

RECOMMENDATION

Based on the findings and positive Planning Commission recommendation on August 10, 2019, Staff recommends APPROVAL.

COMMITTEE OF THE WHOLE

September 17, 2019



LAND USE TEXT AMENDMENTS
Section 17.146
M-U (Mixed Use) Zone



Added Definitions

TRANSIT STATION: Refers to one of the three rail stations located in Murray City's boundaries; the Murray North Station, Murray Central Station, and Fashion Place West Station.

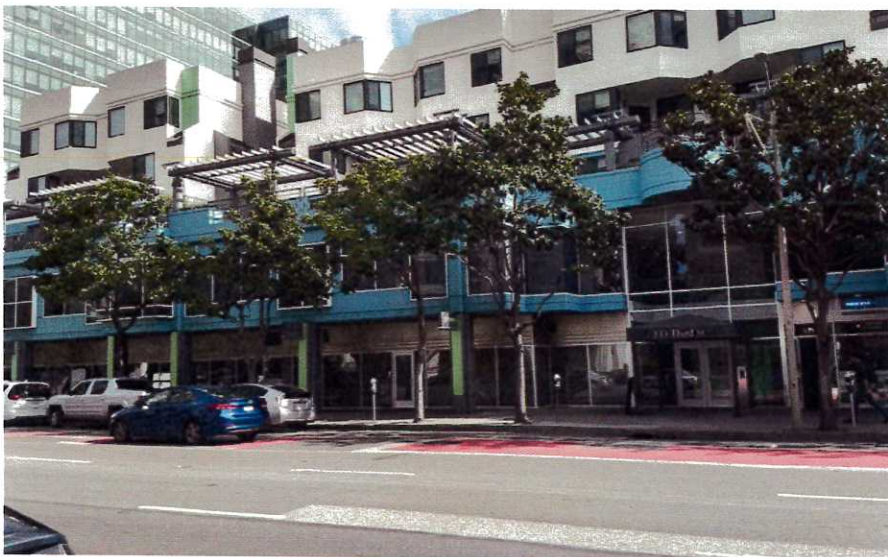
HORIZONTAL MIXED USE: A mixed-use project in which all or some of the commercial and residential components are provided in separate buildings on the same parcel or on contiguous parcels included together in a Master Site Plan.



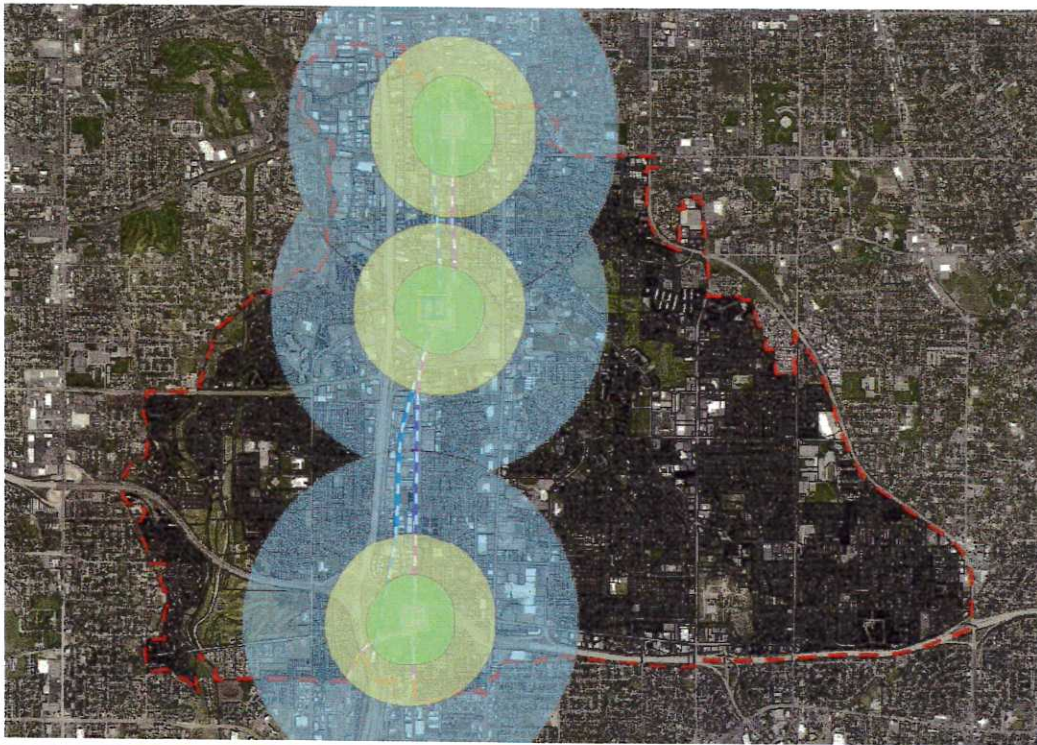
The Uptown District
San Diego, California



VERTICAL MIXED USE: A mixed-use project in which the commercial components are provided within the same buildings with the residential components.



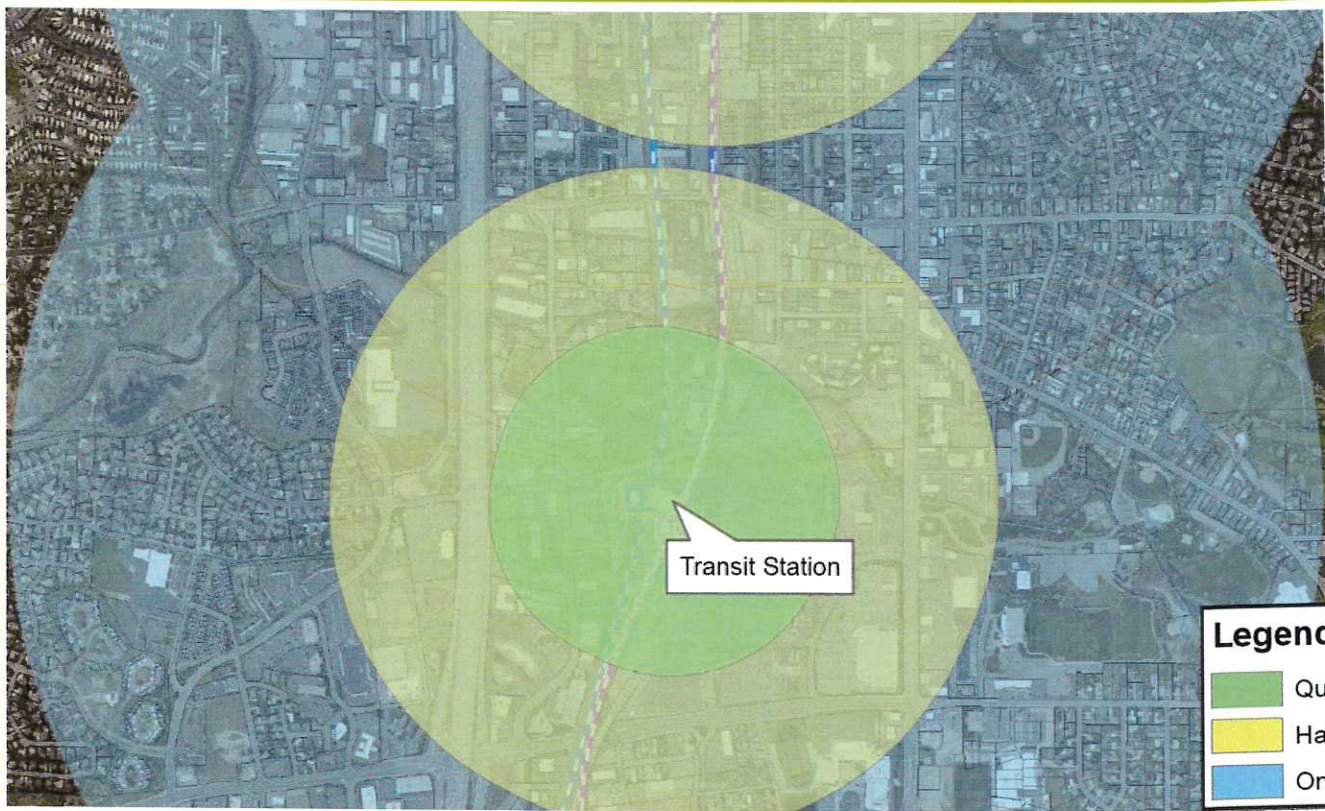
Density Gradient



Legend

- Quarter Mile M-U
- Half Mile M-U
- One Mile M-U





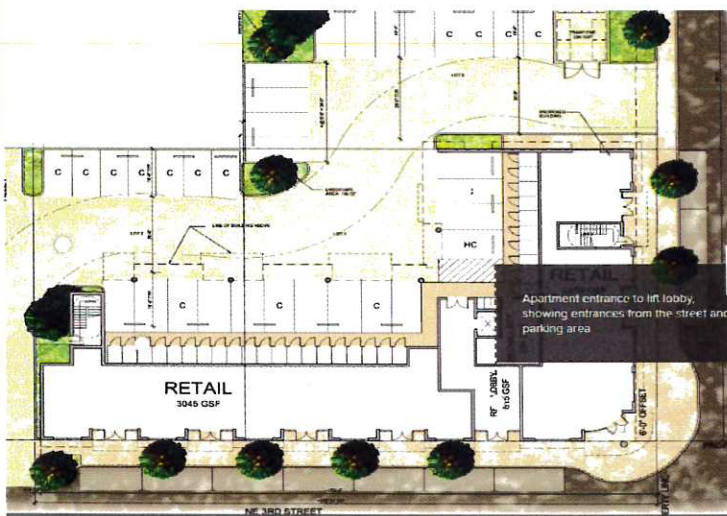
Transit Station

Legend

- Quarter Mile M-U
- Half Mile M-U
- One Mile M-U

Vertical Mixed Use, Commercial Requirement

Vertical Mixed Use within one-half mile of a Transit station: Commercial development must occupy 75% of the ground floor of residential buildings that face public streets with a minimum depth of 40 feet. More than one-half mile from a transit station commercial required at 50%.



Horizontal Mixed Use, Commercial Requirement

Horizontal Mixed Use: Commercial development equal to the square footage of an area measured as 75% of the *public frontage of the project area*, at a depth of 40 feet.



1.44 acre project site

290 ft. frontage

8,700 ft² commercial required



6.34 acre project site

362 ft. frontage

10,860 ft² commercial required



Master Site Plan – Building Orientation

1. Building Orientation. Commercial and residential buildings in the same project should primarily be oriented to face public and private streets and accesses, and not parking lots. The orientation of commercial buildings in mixed use projects should consider the residential components of the project and facilitate convenient access to them.



Master Site Plan – Central Feature

2. Central Feature. A prominent, centrally located feature such as a park, plaza, or other gathering place should be provided to unify the residential and commercial uses of the project. This location should include features and amenities to encourage public use and activity, with convenient access from both residential and commercial components of the development.



Master Site Plan – Outdoor Spaces

3. Outdoor Spaces. To the extent possible, buildings should be designed to form outdoor spaces such as courtyards, plazas, and terraces that can integrate the components of the development. Pedestrian walkways linking the components of the development with these outdoor spaces and the public streets should be developed. Where possible, the potential linkages to existing and future adjacent developments should be considered.



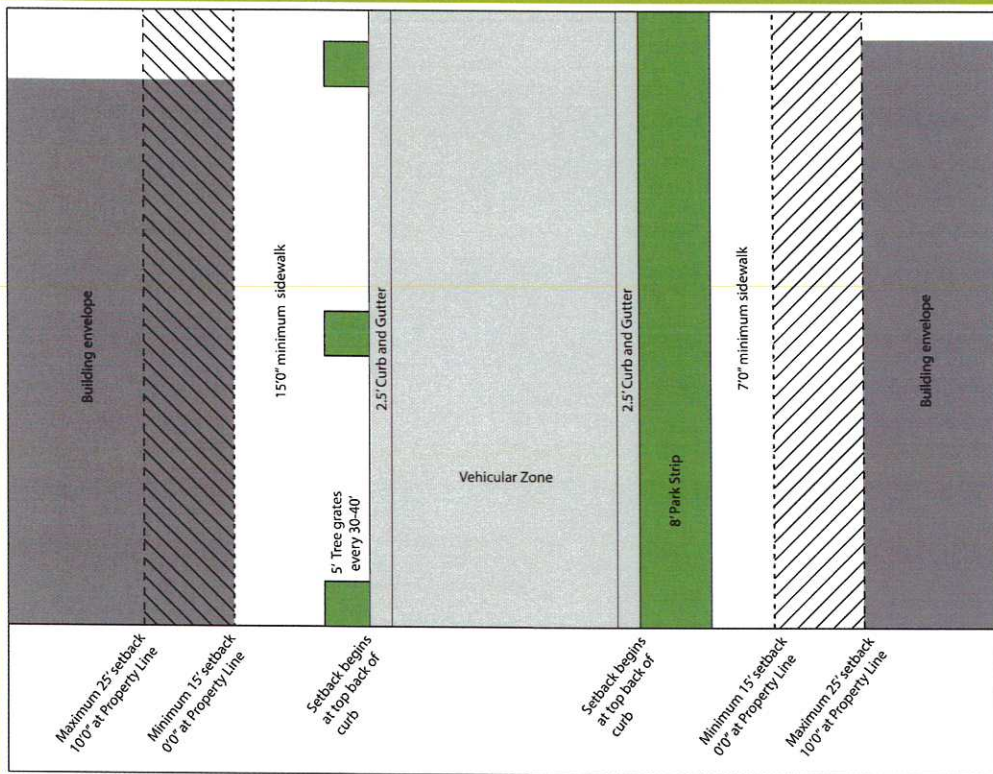
Parking

- B. If more than twenty five percent (25%) of the off street parking is provided in surface parking lots, the **minimum** parking shall be:
1. For residential units with two (2) bedrooms or fewer, 1.5 stalls per unit.
 2. For residential units with more than two (2) bedrooms, 1.85 stalls per unit.
 3. ~~When the off~~For all office ~~and retail uses~~uses or net usable square footage is unknown, off street parking will be calculated at ~~threeone~~ parking stalls for each ~~two hundred sixty five (265) one thousand (1,000)~~ square feet of net usable office area or retail floor area.
 4. All medical, dental and related office uses will require one off street parking stall for each two hundred sixty five (265) square feet of net usable office area.
 5. All other office uses will be calculated at the ratio of three (3) off street parking stalls for each one thousand (1,000) square feet of net usable floor area.
 6. Retail use parking shall be calculated at the rate of one parking space for each two hundred sixty five (265) square feet of net usable floor area.
- D. Parking in excess of one hundred ~~ten twenty-five~~ percent (~~110~~125%) of the minimums outlined above may only be provided in parking structures or within the envelope of the building.



Building Setbacks and Access Improvements

B.A. The front setback for ~~main~~ buildings facing public or private streets, excepting courtyards and plazas, shall be between fifteen feet (15') and twenty five feet (25') ~~from the back of curb and gutter.~~ Buildings with setbacks between fifteen feet (15') and eighteen feet (18') must utilize recessed entrances. Up to fifty percent (50%) of the front setback may be greater than twenty five feet (25') if the additional front setback is developed as a courtyard or plaza. ~~Main b~~Buildings may have detached components within a courtyard or plaza if the uses in the detached component enhance activity on the courtyard or plaza. (insert figure a., illustration of public and private setbacks)



Setback and Access Improvements figure to be added to code.





Findings

- i. The proposed amendments are in keeping with the objectives of the Murray City General Plan.
- ii. The proposed amendments are necessary to help facilitate quality mixed use development and to assure that proposed developments are appropriate for the areas of the city in which they occur.



Staff Recommendation

Based on the findings and a positive recommendation from the Planning Commission at the August 15, 2019 meeting, Staff recommends that the City Council **APPROVE** the proposed amendments to the Murray City Land Use Ordinance Section 17.146, Mixed Use, M-U Zoning.



Chapter 17.146

MIXED USE DEVELOPMENT DISTRICT M-U

17.146.010: PURPOSE:

The purpose of a Mixed Use Development District is to encourage pedestrian oriented design, promote development and protect the public health, safety and welfare. The district encourages compact, mixed use development. Carefully planned mixed uses, including neighborhood oriented commercial and restaurant space, provide increased opportunities for pedestrian activity. It is established to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities. The district is facilitated by site and community design standards that:

- A. Encourage high quality, compact development and increase the number of residents and workers within walking distance of transit opportunities;
- B. Encourage a mix of high quality residential, office, commercial, live-work, open space, entertainment, recreation, public and institutional land uses;
- C. Revitalize areas proximate to transit stations;
- D. Improve the urban design in the area;
- E. Encourage active community life within a framework of attractive and welcoming buildings and usable open spaces;
- F. Coordinate the urban design and streetscape elements in order to create a distinct visual quality for the area;
- G. Manage parking and access in a manner that enhances pedestrian safety, pedestrian mobility and quality urban design;
- H. Encourage structured parking, new roads and public open spaces to enhance the design and function of the built environment;
- I. Encourage a safe, attractive and comfortable environment for the pedestrian and bicyclist by providing public open spaces, public pedestrian walkways, wide sidewalks, bike lanes, street furniture, pedestrian scale lighting, street trees and other appropriate amenities;
- J. Encourage conservation of resources and optimal use of public infrastructure toward a sustainable community;

- K. Require property owners, developers, architects, and contractors to use a mix of high quality, durable, low maintenance building materials for projects in this zoning district. (Ord. 10-04 § 2)

17.146.020: DEFINITIONS:

FLOOR AREA RATIO (FAR): Shall be calculated as the gross floor area of all buildings on a lot or parcel, divided by the lot area.

HORIZONTAL MIXED USE: A mixed-use project in which all or some of the commercial and residential components are provided in separate buildings on the same parcel or on contiguous parcels included together in a Master Site Plan.

PRINCIPAL STREET: The street with higher traffic volume.

TRANSIT STATION: Refers to one of the three rail stations located in Murray City's boundaries; the Murray North Station, Murray Central Station, and Fashion Place West Station.

VERTICAL MIXED USE: A mixed-use project in which the commercial components are provided within the same buildings with the residential components.

XERISCAPING: An attractive, sustainable landscape based on sound horticultural practices, which shows evidence of care. This method is beneficial especially for arid and semiarid climates and utilizes water conserving techniques (as the use of drought tolerant plants, mulch, and efficient irrigation). (Ord. 10-04 § 2)

17.146.030: PERMITTED USES:

- A. A use not specifically designated is prohibited. The inclusion of a major heading includes all subcategories listed under the major heading unless otherwise excepted.
- B. The following uses are permitted in the district (where square foot limits are specified, they shall apply to individually operating businesses, not to the entire property):

<u>Use No.</u>	<u>Use Classification</u>
1100	Household units (except 1110, 1112, 1114, 1115, 1116, 1121, 1122; no density limit; condominiums by conditional use permit only). <u>Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.</u>

1210	Residential facility for disabled persons.
1210	Residential facility for elderly persons (see chapter 17.32 of this title).
1241	Retirement homes, independent living or congregate care.
1300	Residential hotels and apartment hotels.
1511	Hotels.
4100	Railroad, rapid rail transit, and street railway transportation.
4601	No fee parking lots and garages (except surface parking lots not associated with a permitted use).

4602	Commercial parking lots and garages on a fee basis (except surface parking lots not associated with a permitted use).
4710	Telephone communications (except 4712).
4730	Radio communications.
4740	Television communications.
4750	Radio and television communications, combined.
4760	Recording and sound studios.
4800	Utilities (offices, lines and right of way only; except 4812, 4813, 4822, 4823, 4832, 4842, 4843, 4845, 4850, 4861, and 4874).
4920	Transportation services and arrangements (with no more than 5 employees in no more than 2,500 square feet; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
5210	Building materials, tile (no outside storage; not to exceed 12,000 square feet).
5220	Heating and plumbing equipment (no outside storage; not to exceed 12,000 square feet).
5230	Paint, glass, and wallpaper (no outside storage; not to exceed 12,000 square feet).
5240	Electrical supplies (no outside storage; not to exceed 12,000 square feet).
5251	Hardware (no outside storage; not to exceed 12,000 square feet).
5254	Janitorial supplies (no outside storage; not to exceed 12,000 square feet).
5255	Building maintenance materials (no outside storage; not to exceed 12,000 square feet).
5256	Swimming pool supplies (no outside storage; not to exceed 12,000 square feet).
5310	Department stores (not to exceed 40,000 square feet unless floor area ratio (FAR) of 1.0 is met).
5320	Mail order houses (deliveries and shipping only during normal business hours; not to exceed 12,000 square feet).
5330	Variety stores (not to exceed 40,000 square feet unless FAR of 1.0 is met).

5350	Direct selling organizations (deliveries and shipping only during normal business hours; no outside storage; not to exceed 20,000 square feet).
5390	General merchandise (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5400	Food stores (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5600	Apparel and accessories (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5700	Furniture, home furnishings, and equipment (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5810	Eating places (drive-through sales to be allowed by conditional use permit; not to exceed 20,000 square feet).
5910	Drug and proprietary (not to exceed 12,000 square feet).
5920	Liquor, package (state store).
5930	Antiques and secondhand merchandise (except 5935, 5938 and construction materials; not to exceed 20,000 square feet).
5940	Books, stationery, art, and hobby supplies (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5950	Sporting goods, bicycles, and toys supplies (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5969	Garden supplies (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5970	Jewelry (not to exceed 12,000 square feet).
5990	Miscellaneous retail trade (not to exceed 12,000 square feet).
6100	Finance, insurance, and real estate (except 6112, payday loan services, 6123, 6124, and 6141 surety bail bonding) (not to exceed 40,000 square feet unless FAR of 1.0 is met).
6213	Dry cleaning (in no more than 7,500 square feet; no outside storage).
6216	Self-service laundries.
6218	Rug cleaning and repair (in no more than 7,500 square feet; no outside storage).
6220	Photographic services.

6230	Beauty and barber services.
6241	Funeral home.
6250	Apparel repair, alteration, and cleaning, shoe repair services (except 6256).
6290	Personal services (except 6293, 6294).
6310	Advertising services (office only; no outside storage).
6320	Consumer credit reporting services.
6330	Duplicating, mailing, stenographic, and office services.
6340	Dwelling and building services (office only, except 6342, 6345).
6350	News syndicate services (office only).
6360	Employment services.
6390	Business services (office only, except 6394 and 6397).
6420	Electrical appliance repair and service (except 6421 and 6426; in no more than 12,000 square feet; no outside storage).
6493	Watch, clock, jewelry repair, engraving.
6496	Locksmiths and key shops.
6498	Saw, knife, lawn mower and tool sharpening (in no more than 5,000 square feet; no outside storage).
6499	Miscellaneous small item repair (in no more than 5,000 square feet; no outside storage).
6500	Professional services (office only, except 6513 and 6516).
6600	Contract construction services (office and indoor storage only; no outside storage; not to exceed 12,000 square feet).
6700	Governmental services (except 6714, 6740, 6750, and 6770).
6800	Educational services.

6900	Miscellaneous service organizations.
7100	Cultural activities and nature exhibitions (except 7124).
7210	Entertainment assembly (except 7213).
7220	Sports assembly (except 7223 and 7224).
7230	Public assembly.
7391	Penny arcades and other coin operated amusements.
7395	Card rooms.
7396	Dance halls, ballrooms (includes dance clubs).
7397	Billiard and pool halls.
7399	Other amusements (office only).
7413	Tennis courts.
7414	Ice skating.
7417	Bowling alleys.
7420	Playgrounds and athletic areas.
7425	Athletic clubs, bodybuilding studios.
7432	Swimming pools and schools.
7451	Archery range (indoor only).
7492	Picnic areas.
7600	Parks (public and private).

8221	Veterinarian services (completely enclosed within a building).
8224	Pet grooming (completely enclosed within a building).

(Ord. 16-41: Ord. 10-04 § 2)

17.146.040: CONDITIONAL USES:

The following uses and structures are permitted in the district only after a conditional use permit has been approved by the planning commission and subject to the terms and conditions thereof:

<u>Use No.</u>	<u>Use Classification</u>
1140	Condominium, low rise or garden type (no density limit) . <u>Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one-mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.</u>
1150	Condominium, high rise (no density limit) . <u>Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.</u>
1210	Rooming and boarding houses (no density limit) . <u>Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.</u>
1515	Transient apartments rented by day or week (no density limit) . <u>Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as</u>

	<u>a straight line between the closest points of the project and the property upon which the transit station is located.</u>
2000	Manufacturing industries (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3220	Glass and glassware (pressed or blown; in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3250	Pottery and related products (except 3251 and 3255; trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3500	Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3900	Miscellaneous manufacturing (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
5100	Wholesale trade (except 5110, 5120, 5150, 5162, 5169, 5170, 5181, 5182, 5185, 5191, 5192, 5193, 5198, 5199 firearms and ammunition, charcoal, livestock and poultry feed, farm supplies, hay; in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
5813	Short order eating places with no product specialty, auto oriented (drive-in or drive-through establishments, etc.).
5820	Drinking places alcoholic beverages.
6516	Skilled nursing, convalescent and rest home facilities. (Does not include asylums.)

6516.1 Assisted living facilities.

(Ord. 16-41: Ord. 10-04 § 2)

17.146.050: AREA, WIDTH, FRONTAGE AND YARD REGULATIONS:

~~A. All main buildings shall front a public street. For developments with multiple buildings on one parcel, the main building shall front on the public street with secondary buildings fronting on private driveways.~~

~~B.A.~~ The front setback for ~~main~~ buildings facing public or private streets, excepting courtyards and plazas, shall be between fifteen feet (15') and twenty five feet (25') **from the back of curb and gutter**. Buildings with setbacks between fifteen feet (15') and eighteen feet (18') must utilize recessed entrances. Up to fifty percent (50%) of the front setback may be greater than twenty five feet (25') if the additional front setback is developed as a courtyard or plaza. ~~Main b~~Buildings may have detached components within a courtyard or plaza if the uses in the detached component enhance activity on the courtyard or plaza. (insert figure a., illustration of public and private setbacks)

~~C.B.~~ The courtyard or plaza area shall be deemed to be a part of the front setback of the building.

~~D.C.~~ Buildings located on a corner lot shall front on both streets.

~~E.D.~~ All front setback areas shall be landscaped in accordance with applicable sections of this title.

~~F.E.~~ Parking and/or driveways are not permitted in the front setback area of any building. Drive-thru lanes and other accesses may be approved in front setback areas as part of a Master Site Plan if the Planning Commission finds that the purposes and other requirements of the M-U Zone are met.

~~F.~~ When located within one-half mile of a transit station, commercial uses shall occupy a minimum of 75% of the width of the ground floor of a building facing a public street. When located more than one-half mile from a transit station, commercial uses shall occupy a minimum of 50% of the width of the ground floor of a building facing a public street. When located on the ground floor of the same building, the commercial uses must extend forty feet (40') in depth. The balance of the ground floor may be occupied by residential uses, including parking. Residential use on the ground floor is limited to twenty five percent (25%) of the ground floor square footage in the project. The balance of the ground floor square footage must be used by the commercial or light industrial uses allowed in this zoning district. Horizontal Mixed Use projects shall provide a minimum commercial square footage component equal to an area calculated as 75% of the project frontage on the public street and forty feet (40') in depth. For projects which comprise multiple parcels, square footage shall be calculated based on total project frontage on the public street. ~~square footage.~~

~~G.~~ A Master Site Plan approved by the Planning Commission is required for Horizontal Mixed Use Developments and Mixed Use developments located on a parcel or combination of parcels

greater than five (5) acres. In addition to the requirements of this zone, the Planning Commission shall address the following when considering the Master Site Plan:

1. Building Orientation. Commercial and residential buildings in the same project should primarily be oriented to face public and private streets and accesses, and not parking lots. The orientation of commercial buildings in mixed use projects should consider the residential components of the project and facilitate convenient access to them.

2. Central Feature. A prominent, centrally located feature such as a park, plaza, or other gathering place should be provided to unify the residential and commercial uses of the project. This location should include features and amenities to encourage public use and activity, with convenient access from both residential and commercial components of the development.

3. Outdoor Spaces. To the extent possible, buildings should be designed to form outdoor spaces such as courtyards, plazas, and terraces that can integrate the components of the development. Pedestrian walkways linking the components of the development with these outdoor spaces and the public streets should be developed. Where possible, the potential linkages to existing and future adjacent developments should be considered.

4. Memorandum of Understanding. Mixed Use developments that require a Master Site Plan shall be approved in conjunction with a Memorandum of Understanding (MOU) between Murray City and the developer. The MOU shall govern requirements for the timing of the installation of improvements, performance on construction of critical development components, and shall further memorialize the requirements for development of the several buildings and parcels as contained in the Master Site Plan and other project approvals.

- H. Maintenance buildings, trash collection and recycling areas, storage and service areas, mechanical equipment and loading docks shall not be permitted in the front setback of any building. Single or ganged utility meters or other service equipment may be located in the front setback of any building, provided there are site constraints which preclude their access in a location elsewhere on site, and they are screened and approved by the city.
- I. The side lot area between non-adjoining buildings and the property line shall be developed as parking, plaza, landscaped open space, or a landscaped walkway with access to the sidewalk. Where parking is located in the side lot area adjacent to a property boundary a five foot (5') wide landscaping area will be required along all property lines not occupied by drive accesses.
- J. A parking structure fronting on a street shall have a front setback of between fifteen feet (15') and twenty five feet (25') from the back of curb and gutter. The parking structure front setback shall not

be less than the setback of the main building. The face of the structure abutting the street shall have building materials compatible with the main buildings on the same or adjoining property. The area between the sidewalk and the parking structure shall have a minimum of ten feet (10') of landscaping or shall provide window treatment consistent with subsection 17.146.070B of this chapter.

- K. Surface parking lots shall have a minimum setback of between fifteen feet (15') and twenty five feet (25') from the curb. Surface parking shall be located to the side or behind the building. The area between the sidewalk and the parking lot shall have a minimum of ten feet (10') of landscaping. The remainder of the area between the required landscaping and parking shall be a combination of plazas, artwork, fountains, and pedestrian ways. In no case shall the parking be set back from the street less than the building.
- L. There shall be a minimum fifty foot (50') setback from the top of the bank of Little Cottonwood Creek, Big Cottonwood Creek and the Jordan River.

~~Parking structures shall be included in the floor area ratio (FAR) calculation. (Ord. 10-04 § 2)~~

17.146.060: HEIGHT REGULATIONS:

- A. Height Restrictions: There are no height restrictions in the district except as provided herein. The height of a structure located within one hundred feet (100') of the nearest boundary of a residential zone district may not exceed fifty feet (50'). Beyond one hundred feet (100'), the building height may increase one foot (1') of height for each additional one foot (1') of setback from the residential zone district.

B. Measurement Of Distances:

1. For purposes of this section, the width of public or private roadways shall be included in computing setback distances. For example, if a roadway is located on the boundary of a residential zoning district, the measurements required under this section shall be made from the property line of that roadway which is nearest the residential use or zone. Otherwise, the measurement shall be made from the residential zoning district boundary.
2. Setback distances to structures located pursuant to this section shall be measured from the nearest residential zoning district boundary, except as otherwise provided in this section, to the nearest exterior wall of the structure.
3. Where residential zoning is separated from the mixed use zone by a federal interstate highway the height restrictions of this chapter shall not apply.

- C. Authority: Nothing in this section shall be construed to limit the authority of the planning commission or community and economic development staff to review building materials, design elements and other aesthetic considerations as it deems proper to mitigate or modify the visual impact of the height of buildings upon surrounding land uses. (Ord. 10-04 § 2)

17.146.070: BUILDING REQUIREMENTS:

- A. Walls, partitions and floor/ceiling assemblies separating dwelling units from each other or from public or service areas shall have a sound transmission class (STC) of not less than fifty (50) for airborne noise.
- B. Blank walls shall not occupy over fifty percent (50%) of a principal frontage. Nonresidential buildings and structures shall not have a section of blank wall exceeding thirty (30) linear feet without being interrupted by a window, entry, pilaster, or similar element. All development shall provide ground floor windows on the building facade and adjacent to a public or private street, including private pedestrian only streets, parks, paths, or courts. Darkly tinted windows and mirrored windows which block two-way visibility are prohibited as ground floor windows.
- C. All buildings fronting on a street shall have at least one public entrance per use or business which fronts on the street.
- D. All buildings and structures shall be maintained in good condition.
- E. Water conserving plumbing fixtures shall be used. Such fixtures shall include, but are not limited to, dual flush toilets and low volume showers and lavatories which cannot be adjusted or modified. (Ord. 10-04 § 2)

17.146.080: PARKING REGULATIONS:

- A. For buildings that exceed four (4) stories in height, at least ~~seventy five~~fifty percent (~~75~~50%) of the parking shall be located within the exterior walls of the building or in a parking structure that is within seven hundred fifty feet (750') of the main building. For the purposes of this chapter, building height is determined by measuring the vertical distance from the average of the finished ground level adjoining the building at the exterior wall to a flat roof deck or, for sloped roofs, to the average height of the highest roof surface. Pursuant to section 17.76.080 of this title, the height limitations shall not apply to architectural screening for mechanical equipment, church spires, and decorative tower elements.
- B. If more than twenty five percent (25%) of the off street parking is provided in surface parking lots, the **minimum** parking shall be:
 - 1. For residential units with two (2) bedrooms or fewer, 1.5 stalls per unit.
 - 2. For residential units with more than two (2) bedrooms, 1.85 stalls per unit.
 - 3. ~~When the off~~For all office and retail uses~~uses or net usable square footage is unknown~~, off street parking will be calculated at ~~three one~~three parking stalls for each ~~two hundred sixty five~~one thousand (1,000) square feet of net usable office area or retail floor area.
 - 4. ~~All medical, dental and related office uses will require one off street parking stall for each two hundred sixty five (265) square feet of net usable office area.~~
 - 5. ~~All other office uses will be calculated at the ratio of three (3) off street parking stalls for each one thousand (1,000) square feet of net usable floor area.~~

~~6. Retail use parking shall be calculated at the rate of one parking space for each two hundred sixty five (265) square feet of net usable floor area.~~

- C. If seventy five percent (75%) or more of the off street parking is provided within the main buildings or within parking structures with two (2) or more floors, the minimum parking shall be:
1. For residential units with two (2) bedrooms or fewer, 1.125 stalls per unit.
 2. For residential units with more than two (2) bedrooms, 1.4 stalls per unit.
 3. When the office uses or net usable square footage is unknown, off street parking will be calculated at one parking stall for each three hundred fifty (350) square feet of net usable office area or retail floor area.
 4. All medical, dental and related office uses will require one off street parking stall for each three hundred fifty (350) square feet of net usable office area.
 5. All other office uses will be calculated at the ratio of two and one-fourth (2.25) off street parking stalls for each one thousand (1,000) square feet of net usable floor area.
 6. Retail use parking shall be calculated at the rate of one parking space for each three hundred fifty (350) square feet of net floor area.
 7. On street parking adjacent to the development parcel shall not count toward the minimum parking required by this chapter.
- D. Parking in excess of one hundred ~~ten-twenty-five~~ percent (~~40~~125%) of the minimums outlined above may only be provided in parking structures or within the envelope of the building.
- E. Off street parking will not be permitted in any fire lane, aisle space or front yard setback areas except as allowed by this chapter.
- F. Comply with off street parking dimensional standards as found in [chapter 17.72](#) of this title.
- G. Shared parking is permitted and encouraged in the mixed use zone. Parking spaces shall be located within one thousand feet (1,000') of the property served by the spaces.
- H. For properties within one-fourth ($\frac{1}{4}$) mile of an existing transit stop, minimum required parking shall be reduced by ten percent (10%). (Ord. 14-12: Ord. 10-04 § 2)

17.146.090: LANDSCAPING REGULATIONS:

- A. Water conserving landscape designs shall be used. All landscaping must be irrigated and planted with substantial live plant material or appropriate xeriscape for the purpose of buffering, screening and beautifying the site, and comply with applicable landscape requirements found in [chapter 17.68](#) of this title, except lawn shall not be required as stated in subsection [17.68.040A1a](#) of this title. At plant maturity the landscaping should represent, as a minimum standard, compatibility with

surrounding developed properties and uses and must be permanently maintained by the owner or occupants.

- B. Landscaping adjacent to a residential zoning boundary line will require a minimum landscaping buffer of ten feet (10') in width from the boundary line on the nonresidential side of the property excluding the fence, and curb wall if located adjacent to off street parking.
- C. Parking lots abutting a property line shall be screened by a minimum ~~ten-five~~ foot (5'10') wide landscape area as outlined in subsection [17.146.050](#) of this chapter.
- D. Sustainable landscaping including xeriscape species and innovative water recycling or irrigation systems is encouraged. All landscape plans must be approved by the city's urban forester. (Ord. 10-04 § 2)

17.146.100: LOADING AND SERVICE AREAS:

- A. Trash collection and recycling areas, service and storage areas, mechanical equipment and loading docks shall be screened on all sides so that no portion of such areas is visible from the adjacent public streets or alleys and adjacent properties. Screening shall have a minimum height of eight feet (8') and may include accessory buildings, shrubbery and plantings, decorative walls, solid fences, screen panels, doors, topographic changes, buildings or any combination of the above.
- B. No more than two (2) loading docks per individual use; loading docks are not to be located in building frontage. (Ord. 10-04 § 2)

17.146.110: OPEN SPACE:

- A. Fifteen percent (15%) of the land area of each development shall be developed as landscaping, courtyards, plazas, or walkways, except any areas used for drainage retention with a slope greater than three to one (3:1) will not qualify as open space. Amenity areas provided in conjunction with multi-family uses will qualify as open space.
- B. Each development shall have a system of pedestrian walkways and sidewalks that provide easy connections between the building entrances, neighboring building entrances, sidewalks, parking areas, open space and public trails. (Ord. 10-04 § 2)

17.146.120: ACCESS IMPROVEMENTS:

- A. Construction of new buildings or renovations of existing buildings shall include construction and installation of the adjacent sidewalks, park strips and other landscaping, curbs, gutters, lighting, and street furniture as required in this chapter.
- B. For developments that do not include a commercial use on the ground floor, improvements within the rights of way for public streets shall include, but not be limited to, the following:

1. Seven foot (7') wide paved sidewalks with an eight foot (8') landscaped park strip adjacent to the curb and gutter or fifteen foot (15') paved sidewalk with five foot (5') tree wells adjacent to the curb as approved by the city engineer and the planning commission.
 2. Street trees shall be spaced between thirty feet (30') and forty feet (40') on center as approved by the City. Landscaping and tree grates to be approved by the City.
 3. Street lighting shall be spaced between ninety feet (90') and one hundred ten feet (110') as approved by the City.
- C. For developments that include a commercial use on the ground floor, or unless otherwise approved by the City, improvements within the rights of way for public streets shall include, but not be limited to, the following:
1. Seven foot (7') wide paved sidewalks with nine foot (9') wide adjacent on street parallel parking (including gutters). Forty foot (40') landscape planters shall be installed between every two (2) to three (3) parallel parking spaces and shall include the following:
 - a. The forty foot (40') ~~wide~~ landscaping planters shall have one streetlight, two (2) trees, and shrubs to provide a minimum ground coverage of fifty percent (50%) at time of planting;
 - b. Landscape planter trees shall have branching beginning no less than six feet (6') above the ground and shrubs not exceeding a height of three feet (3');
 - c. Streetlights shall be placed at the center of every landscaping planter with the nearest shrubs being located a minimum of four feet (4') from every light pole;
 - d. Street trees shall be located fourteen feet (14') from center street lighting;
 - e. Street planters shall be flared at a minimum forty five degree (45°) angle in order to facilitate ease of access for the adjacent parallel parking spaces;
 - f. Additional ground cover shall be provided as necessary in order for landscape planters to have a minimum of fifty percent (50%) ground cover at time of planting.
 2. Parking must be located a minimum of thirty feet (30') from intersecting rights-of-way or drive accesses.
 3. Street trees shall also be located in park strip areas not utilized as landscape planters and shall be spaced every thirty feet (30') to forty feet (40') on center.
 4. Street lighting within landscape planters and all other park strip areas shall be spaced every ninety feet (90') to one hundred ten feet (110') on center and as approved by the City. Street lighting shall be residential in character with an overall height not to exceed twelve feet (12') as measured from the base to the top of the pole luminary. Street lighting shall comply with all other City street lighting specifications.
- D. The following public improvements are required for all developments within the Mixed Use Zoning District:
1. Benches shall be provided and spaced as approved by the City.
 2. Bicycle racks shall be placed on every development as follows:

- a. The minimum number of bicycle parking spaces for any use shall be five percent (5%) of the vehicular parking spaces required for such use, up to a maximum of twelve (12) spaces;
- b. In all cases where bicycle parking is required, no fewer than two (2) shall be provided;
- c. All proposed bicycle racks shall be clearly shown on the site plan indicating location;
- d. Bicycle parking spaces shall be:
 - (1) At least two feet by six feet (2' x 6') per bicycle;
 - (2) Designed to have sufficient space, to be a minimum of twenty four inches (24"), beside each parked bicycle to allow access. This access may be shared by adjacent bicycles. Racks shall be installed a minimum of twenty four inches (24") from any wall or other obstruction;
 - (3) Located to prevent damage to bicycles by vehicles, etc.;
 - (4) In a convenient, visible, lighted area;
 - (5) Located so as not to interfere with pedestrian movements;
 - (6) As near the principal entrance(s) of the building as practical;
 - (7) Located to provide safe access to and from the street;
 - (8) Designed to allow each bicycle to be supported by its frame;
 - (9) Designed to allow the frame and wheels of each bicycle to be secured against theft;
 - (10) Anchored to resist rust or corrosion, or removal by vandalism;
 - (11) Designed to accommodate a range of bicycle shapes and sizes and facilitate easy locking without interfering with adjacent bicycles. (Ord. 16-28)

17.146.130: LIGHTING STANDARDS:

- A. Street and sidewalk lighting shall meet adopted City light design standards.
- B. Illumination levels shall not exceed IESNA recommended standards.
- C. Lighting shall be provided for pedestrian ways that is appropriately scaled to walking. Light standards shall not be taller than sixteen feet (16'). However, light standards adjacent to State Street or 4500 South (major arterial roadways), as well as Vine Street and 4800 South (major collector roadways) are allowed up to twenty three feet (23') in height. Light standard height will be reviewed on a case by case basis by City staff.
- D. Lighting shall be shielded and directed downward to prevent any off site glare.

- E. All site lighting luminaires will conform to IESNA "cutoff" or "sharp cutoff" classification. City staff will provide additional details as needed.
- F. An amber lamp color (3,000 Kelvin), or other color in consultation with the Power Department can be used for a project.
- G. For property owner installed private lighting, metal halide and induction lamp sources may be used subject to approval by the City Power Department and CED staff. Building facade lighting must be shielded and directed downward to avoid light trespass and illumination of the night sky. (Ord. 18-22)

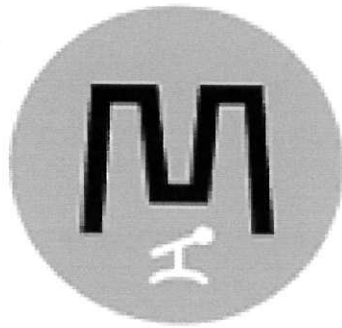
17.146.140: STORAGE OF COMMERCIAL VEHICLES:

No trucks, motor vehicles or commercial trailers having a gross vehicle weight rating of more than twelve thousand (12,000) pounds shall be stored or parked outdoors on any lot or parcel within the M-U Zone, nor shall any contracting and/or earthmoving equipment be stored or parked outdoors on any lot or parcel within the M-U Zone. (Ord. 18-22)

17.146.150: NONCONFORMING USES AND DEVELOPMENTS:

Nonconforming uses shall be allowed to continue and expand in accordance with [chapter 17.52](#) of this title. Establishment of permitted or conditional uses on properties that are nonconforming in relation to building or parking setback, landscaping, or other site development standards shall not be required to bring the site into conformance with the standards of this chapter until the cost of improvements or renovations to a property or site exceeds fifty percent (50%) of the assessed value of the buildings on the property.

Applications for renovations or improvements to properties that are nonconforming in relation to development standards shall include a calculation of the cost of the improvements. (Ord. 18-22)



MURRAY
CITY COUNCIL

**Planning Commission
Packet
M-U Amendment
September 17, 2019**

LAND USE ORDINANCE TEXT AMENDMENT - Section 17.146 – M U Zone (Mixed Use)
Text Amendments Project – #19-106

Mr. Hall presented the proposed Text Amendment to Section 17.146 of the Land Use Ordinance for the Mixed Use Zone and explained that Murray City has three zones that are considered Mixed Use; Murray City Center District (MCCD), Transit Oriented Development (TOD) and the Mixed Use Zone (M-U). "Mixed Use" can be applied to any zoning that allows both commercial and residential uses. Mr. Hall explained that we are proposing several changes to accommodate the difficulties that we have encountered in several projects over the years with regulations in the Mixed Use Zone. The proposed amendments create the need for three new definitions, the first definition is; Transit Station, which refers to any of the three transit stations located in Murray City which are Fashion Place West, Murray Central and the Murray North. The second added definition is; Horizontal Mixed Use, which is a single property in which any component of that property has a separate building that is commercial and other buildings that are residential, and all are arranged horizontally. The third definition is; Vertical Mixed Use which is a project where commercial components are provided within the same building with the residential components. Mr. Hall explained that a Density Gradient was also added. Currently multi-family condos and apartments are allowed without any density limits which was applied to accommodate the needs of locations directly related to the Transit Station. Because a recent zone change was approved to expand the M-U Zone further from the transit station it creates a need to add a density limit. Without easy access to public transit further from a transit station it is harder to justify those kinds of unlimited density that could have the potential to seriously impact to community, traffic and parking. Staff's recommendations for the proposed limited density are; up to 80 units per acre when within one-half mile away from a transit station, up to 50 units per acre when further than one-half mile away from a transit station and up to 40 units per acre if it's when further than one mile from a transit station. In a Mixed Use project, a higher density is allowed because the people that are living in those zones have more access to services that otherwise they would travel to. Those densities increase the closer to a transit station the project is located. Ms. Milkavich asked if these changes will be applied to the TOD and MCCD zones. Mr. Hall Explained that our General Plan designates a Mixed Use land use designation and within that designation there are three corresponding zones; TOD, MCCD and Mixed Use. The proposed changes will only affect the Mixed Use Zone at this time.

Mr. Hall explained the way that the proposed changes will require commercial components within Mixed Use projects and stated that a Mixed Use Zone is not a Multi-Family High Density Zone, it's a Mixed Use Zone that requires both commercial and residential uses. For a Vertical Mixed Use project within one-half mile of a transit station it is recommended that commercial development must occupy 75% of the ground floor footprint of residential buildings that face public streets. Ms. Milkavich wondered if the changes are being proposed because it's difficult for potential developers to provide the required commercial component within the allowances of the code. Mr. Hall explained yes, it can be especially difficult for a project with buildings that are designed to sit deep on a property because there is less street frontage. The current code inhibits the potential redevelopment that we need, and our current code requirements are not very common among other cities. In a Horizontal Mixed Use, we recommend that the commercial component be provided in separate buildings or on contiguous parcels as well as build a commercial square foot development that is equal to an area that is 75% of the frontage measured 40 feet deep. In addition, if there are multiple properties involved or sites larger than 5-acres we are proposing a Master Site Plan requirement. There are 4 components to the Master Site Plan which are; building orientation, central feature, open spaces, and memorandum of understanding. Mr. Hall explained the four

components of the Master Site Plan requirements and stated that the first component is; Building Orientation, which states that wherever possible all residential and commercial buildings should orient toward public streets. The second component is; Central features which are important in horizontal projects and projects larger than 5-acres. The central feature ties the project together, forces developers to look at how the buildings are related and provide ways for the site to interact as a whole. The third component is; Outdoor Space which provides a link from the residential to the commercial aspects of a development as well as provides outdoor spaces that make it easier for project residents and other pedestrians to access the commercial areas. The last component is the Memorandum of Understanding which can be likened to a Development Agreement which ensures the Master Site Plan is followed, and commercial components are built creating a true Mixed Use development. Mr. Hall explained the proposed changes to the parking requirements and stated that we will disregard the current parking requirement of 1 space per 265 square feet of useable office or retail space and instead use the proposed requirement of 3 spaces per 1,000 square feet of net usable floor area for all office and retail uses. The proposed change aligns with industry standards and makes more sense to developers who are familiar with the proposed calculation. In addition to that change we are also proposing to disregard the current requirement that if parking exceeds 110% of the minimums it can only be provided in parking structures. Instead we propose to increase the allowance for extra parking up to 125% of the minimum. The current parking codes have the possibility to impose unreasonable parking standards on smaller business uses such as smaller scale restaurants and could require them to install expensive structured parking. The proposed increase will make it easier for smaller infill projects to be able to meet the parking standards of the M-U Zone. Mr. Hall explained the changes to building setbacks and stated that frontage measurements are taken from the back of the curb and gutter. These measurement requirements are different in this zone than any other zone in Murray. The code now includes an illustrated graphic to help define this set back, and help people understand the code. Mr. Nay added that on street parking has recently been added to code to utilize the front setback space and it works well with this proposed change. Mr. Hall stated that Staff is open to suggestions if the Planning Commission has any additional ideas, changes, or additions.

Mr. Hall concluded by stating that the proposed amendments and objectives are in keeping with the Murray City General Plan. One of the objectives of the General plan is to encourage a form-based development pattern at smaller commercial nodes and to support multiple nodes of access and mobility. The strategies applied to meet this objective are to create a neighborhood Mixed Use Zone designation and support it with form-based development and design guidelines.

Mr. Smallwood used the Home 2 Suites building as an example to demonstrate the new proposed calculations and how to determine the required retail space in a Mixed Use project and stated if a building just like this were to be built under the standards of Section 17.146 it would require 16,726 sq. ft. of retail space on the bottom floor. However, under the newly proposed ordinance it would require only 10,500 feet. When developers initially meet with Staff to propose a new development and they are informed how much retail space they are required to have by code, they are skeptical whether or not they will be able to find retailers to fill so much space, and some have chosen not to pursue development in Murray.

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.

Ms. Wilson asked if we could also apply a density limit for classifications 1210 and 1515 pertaining to Rooming and Boarding Houses, and Transient Apartments rented by the Day or week. Mr. Hall replied that it may be appropriate to do so, and Staff will work on updating these uses as well. Mr. Woodbury asked if Tiny Houses would pertain to this type of density. Mr. Hall replied that they do not fall into these categories and they are actually classified as Single-Family detached homes.

Mr. Nay asked, in Staff's opinion, what the difference is between an apartment and Condominium and why densities would matter more or less in one or the other. Mr. Hall explained that they matter exactly the same. There is no difference in density. Under Utah law one can be owned by the occupant and the other can't. Mr. Nay asked if an owner-occupied unit versus a transient use has any physical impact on Zone. Mr. Hall replied that he does not believe that the ownership style effects those outcomes as much as the unit size. For example, around Transit Stations we mostly see one and two-bedroom units being built. In a Mixed Use Development outside of one mile of a transit station you might see as high as three and four-bedroom units.

Ms. Milkavich inquired about the restriction for darkly tinted windows, and mirrored windows which block two-way visibility are prohibited as ground floor window coverings and stated that she has seen wraps and mural type stickers as window covering and wondered if our code should also prohibit these as well. Mr. Hall stated that shade devices are permitted, and we do allow up to 50% of windows that are in retail business to be covered by signs. What the code is trying to prohibit is reflective, uninviting architecture like spandrel glass that does not improve the activity on the street.

Mr. Nay directed the discussion to walkability, area width, frontage and yard regulation and stated he noticed that the drive-thru use has been added into the Horizontal-Mixed Use Zone. Mr. Hall replied yes, that it could be possible to permit a drive-thru in that zone but would require the submittal of a Master Site Plan to determine if it would be appropriate and meet the codes of the M-U Zone. Mr. Nay asked where on a development site we would like to see them located. Mr. Hall stated that we would rather see them in the 20 foot of frontage on a busier street and not located in a place separating them from the use. Mr. Nay stated that in his opinion it is not appealing to see drive-thru's from the State Street frontage. Also, if a pedestrian is going to walk down State Street to go to one of our restaurants they would need to cross through a drive-thru blocked queue of cars to access the building because it is in the street frontage. Mr. Hall stated that he would rather not prohibit the possibility of allowing a drive through in those areas and instead leave it up to the design of a specific site. If the drive-thru needs to be located in the street frontage, I would rather look at the Master Site Plan and see if it would work rather than disallowing them all together. Mr. Nay replied that he would like to caution Staff with allowing this type of change in the MCCD because this type of development should not be allowed there. Mr. Hall agreed that it may be less appropriate in the Down-Town Zone. This is the first of many zone changes for this area and it is something we need to consider when writing updated codes in the future. Mr. Nay asked if Staff has any thoughts about putting a parking cap on a project so it will only go up to 125% on a four acre development. On a 20 acres property the 125% maximum could allow a large amount of the site to be developed into a vast parking area. Mr. Hall stated that might be best applied to the off-street code, and that Staff will look into it further because it also raises a concern about parking on a smaller development. Mr. Nay commented that he thinks Staff did a good on and he likes the changes.

Ms. Wilson made a motion to send a recommendation of approval to the City Council for the

proposed amendments to Murray City Land Use Ordinance section 17.146, mixed Use, M-U Zoning.

Seconded by Mr. Nay.

Call vote recorded by Mr. Hall

 A Sue Wilson
 A Travis Nay
 A Scot Woodbury
 A Phil Markham
 A Lisa Milkavich
 A Ned Hacker

Motion passed 6-0

Mr. Hall added that Staff will look over the suggested changes and apprise the Planning Commission aware of the changes as it goes forward to City Council.

OTHER BUSINESS

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

 A Sue Wilson
 A Travis Nay
 A Scot Woodbury
 A Phil Markham
 A Lisa Milkavich
 A Ned Hacker

Motion passed 6-0

The meeting was adjourned at 8:07 p.m.

Jared Hall, Supervisor
Planning Division Manager



MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Melinda Greenwood, Director
Building Division 801-270-2400
Planning Division 801-270-2420

TO: Murray City Planning Commission

FROM: Jared Hall, CED Supervisor

DATE OF REPORT: August 8, 2019

DATE OF MEETING: August 15, 2019

PROJECT NAME: Amendments to Section 17.146, Mixed-Use Zone

PROJECT NUMBER: 19-106

PROJECT TYPE: Land Use Ordinance Text Amendment

APPLICANT: Murray City Community & Economic Development

I. REQUEST:

The Murray City Community & Economic Development Department is proposing amendments to Section 17.146 of the Land Use Ordinance, the Mixed-Use Zone. The proposed amendments address issues related to parking, the scale of required ground-floor commercial, residential density in mixed use projects, and differentiate between vertical and horizontal mixed use development as well as those developments located near a transit station and those located in other areas of the City.

II. STAFF REVIEW AND ANALYSIS

Background

The Murray City Land Use Ordinance contains three zones that can be considered "Mixed Use" designations: The Transit Oriented Development, TOD Zone, the Murray City Center District, MCCD Zone, and the Mixed Use, M-U Zone. The TOD Zone has been applied to properties around the Murray North TRAX Station in the Fireclay area. The MCCD Zone has been applied to 100 acres of the City's downtown and was created and implemented to focus redevelopment efforts there. The M-U Zone has been applied to the area around the Murray Central Station, and west of I-15 between Vine Street and 4800 South.

The Murray City General Plan adopted in 2017 recognizes that new commercial development may often contain a high-density, multi-family component. Staff


and the Planning Commission relied on statements from the General Plan when considering and supporting a change of zoning from C-D, Commercial to M-U, Mixed-Use in a recent application. The statement was taken from Section 5-16 of the General Plan identifying the "General Commercial" future land use category.

GENERAL COMMERCIAL

While this designation is primarily for larger retail destinations, including regional shopping centers and stand-alone big box, it may also include mixed-use developments that are mainly commercial in nature and use. High density, multi-family residential complexes will only be considered as part of a larger master-planned mixed-use development. Smaller-scale medium density residential projects may be considered for neighborhood or community node areas.

Corresponding zone(s):

- C-D, Commercial development



One objective of the General Plan listed on page 5-19 calls for the City to encourage form based development patterns at the commercial nodes (like the subject of the rezone application) and lists a specific strategy of creating a "neighborhood mixed-use zone".

OBJECTIVE 3: ENCOURAGE A FORM-BASED DEVELOPMENT PATTERN AT SMALLER COMMERCIAL NODES TO SUPPORT MULTIPLE MODES OF ACCESS AND MOBILITY.

Strategy: Create a neighborhood mixed-use zone designation and support it with form-based development and design guidelines.

The subject property of the recent re-zoning application (on 900 East) is located at a commercial node approximately 1.5 miles from the nearest transit station. Staff has been considering amendments to the mixed use zones in the ordinance for some time. The statements in the General Plan cited above to support the rezoning and the anticipation of mixed use development in other areas of the City heighten the importance of addressing some deficiencies of the current ordinance. The proposed amendments are intended to address some of those deficiencies and act on the objectives of the General Plan by taking initial steps toward making mixed use zoning more broadly applicable in the City.

Review

The proposed amendments to the M-U Zone can be broadly placed into five categories which will be briefly reviewed in this section. They include:

- Added definitions
- Density gradients
- Vertical vs Horizontal Mixed Uses and commercial requirements.
- Master Site Plans
- Parking

Definitions: The proposed amendments create the need for three new definitions. Horizontal Mixed Use, Vertical Mixed Use, and Transit Station. They are included below.

HORIZONTAL MIXED USE: A mixed-use project in which all or some of the commercial and residential components are provided in separate buildings on the same parcel or on contiguous parcels included together in a Master Site Plan.

TRANSIT STATION: Refers to one of the three rail stations located in Murray City's boundaries; the Murray North Station, Murray Central Station, and Fashion Place West Station.

VERTICAL MIXED USE: A mixed-use project in which the commercial components are provided within the same buildings with the residential components.

Density Gradient: The current Mixed Use Zone does not limit the density of multi-family residential development. Staff is proposing that unlimited densities further from the transit stations could have potentially negative impacts on traffic, parking, and the livability of both the surrounding community and the project itself. Staff proposes that the allowed density decrease with distance from the transit stations from 100 units per acre within one-quarter mile to 40 units per acre when further than one mile. The density gradient language has been included in the permitted and conditional use lists where density has been defined previously. The same language is included in the three categories of housing, Land Use numbers 1100, 1140, and 1150.

1150	Condominium, high rise (no density limit) . <u>Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.</u>
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Vertical & Horizontal Mixed Use: The proposed amendments identify vertical and horizontal mixed uses and re-define how the commercial components are required for each.

- Vertical Mixed Use. The current ordinance requires that 75% of the ground floor of all residential buildings be developed as non-residential, and not related to the residential uses above. This 75% requirement includes the entire building footprint of all buildings in the project. There are challenges to this approach. For example, when development projects are large enough that not all buildings have frontage on public streets, it becomes very difficult to create viable commercial space on the ground floors.

Staff has proposed that within one-half mile of a transit station, commercial development occupy 75% of the ground floor of residential buildings that face public streets, with a minimum depth of 40 feet. This achieves the goal of true mixed use development while maintaining a developer's ability to utilize the additional depth of a building or property for parking or more residential use where commercial is less viable. Outside one-half mile, the commercial development must occupy 50% of the ground floor facing the street with a minimum depth of 40 feet.

- Horizontal Mixed Use. Horizontal mixed uses face similar challenges to vertical mixed uses. Staff has proposed that horizontal mixed use projects provide commercial square footage equal to an area which is measured as 75% of the public frontage of the project area, at a depth of 40 feet. Please note that unlike vertical mixed use, the required commercial component for horizontal mixed use is not proposed to decrease to 50% when further than one-half mile from a transit station.

Master Site Plan: Staff proposes that larger projects (greater than 5 acres) and any project intended as horizontal mixed use be required to submit a Master Site Plan for Planning Commission approval. In addition to assuring compliance with the general requirements of the M-U Zone, the Commission would review other aspects shown below.

1. Building Orientation. Commercial and residential buildings in the same project should primarily be oriented to face public and private streets and accesses, and not parking lots. The orientation of commercial buildings in mixed use projects should consider the residential components of the project and facilitate convenient access to them.

2. Central Feature. A prominent, centrally located feature such as a park, plaza, or other gathering place should be provided to unify the residential and commercial uses of the project. This location should include features and amenities to encourage public use and activity, with convenient access from both residential and commercial components of the development.

3. Outdoor Spaces. To the extent possible, buildings should be designed to form outdoor spaces such as courtyards, plazas, and terraces that can integrate the components of the development. Pedestrian walkways linking the components of the development with these outdoor spaces and the public streets should be developed. Where possible, the potential linkages to existing and future adjacent developments should be considered.

G- 4. Memorandum of Understanding. Mixed Use developments that require a Master Site Plan shall be approved in conjunction with a Memorandum of Understanding (MOU) between Murray City and the developer. The MOU shall govern requirements for the timing of the installation of improvements, performance on construction of critical development components, and shall further memorialize the requirements for development of the several buildings and parcels as contained in the Master Site Plan and other project approvals.

The Memorandum of Understanding is important in larger developments that may be built in phases, and in horizontal mixed use developments that may involve subdivisions.

Parking: Several small changes are proposed to the existing parking requirements. All residential and commercial parking in the Mixed Use Zone is regulated in two categories: Projects where more than 25% of the off street parking is in surface lots, and projects where 75% or more of the parking is provided within the main buildings or in parking structures. The changes proposed relate only to the former, and only to commercial parking requirements. Essentially, staff has proposed combining the several requirements into a single requirement of 3 spaces per 1,000 square feet of net usable floor area for all office and retail uses. Parking requirements in the Mixed-Use Zone are minimums. Currently, if a project is proposed with parking that exceeds 110% of the minimums, it can only be provided in parking structures. Staff has proposed increasing that allowance for extra parking to 125% of the minimum.

Other: There are other small changes to clarify issues or clean up language, and Community Development staff is preparing tables and illustrations to better relate the building setbacks and access improvement standards to those reading and using the ordinance. Staff will demonstrate those illustrations and go over all other minor changes at the public hearing.

III. FINDINGS AND CONCLUSION

- i. The proposed amendments are in keeping with the objectives of the Murray City General Plan.
- ii. The proposed amendments are necessary to help facilitate quality mixed use development and to assure that proposed developments are appropriate for the areas of the city in which they occur.

IV. STAFF RECOMMENDATION

Based on the above findings, **Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the proposed amendments to the Murray City Land Use Ordinance Section 17.146, Mixed Use, M-U Zoning.**



MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Melinda Greenwood, Director
Building Division 801-270-2400
Planning Division 801-270-2420

August 1, 2019

NOTICE OF PUBLIC HEARING

This notice is to inform you of a Planning Commission Hearing scheduled for Thursday, August 15, 2019 at 6:30 p.m., in the Murray City Municipal Council Chambers, 5025 South State Street.

Representatives of the Murray City Community & Economic Development Department are proposing changes to the Murray City Land Use Ordinance, Chapter 17.146, Mixed-Use (M-U) Zoning District. A copy of the current ordinance may be found on the website at murray.utah.gov.

Input and comments will be received at the meeting and 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 Jared Hall, with the Murray City Community Development Division at 801-270-2420, or e-mail to jhall@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.

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

Deseret News



The Salt Lake Tribune

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MURRAY CITY
CORPORATION
NOTICE OF
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 15th day of August, 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 a Land Use Ordinance Text Amendment to Section 17.146, Mixed-Use (M-U) Zoning District.

Jared Hall, Supervisor
Community & Economic
Development
1262505 UPAXLP

Project #19.106
mixed Use
Amendments

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 15th day of August, 2019, at the hour of 6:30 p.m. of said day in the Coun 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.

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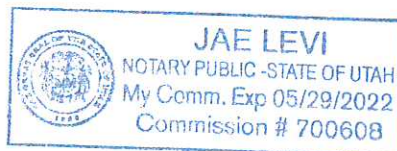
[Signature]

STATE OF UTAH)

COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 4TH DAY OF AUGUST IN THE YEAR 2019

BY LORAIN GUDMUNDSON



[Signature]

NOTARY PUBLIC SIGNATURE

P/C AGENDA MAILINGS
"AFFECTED ENTITIES"
Updated 6/2019

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

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

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

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

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

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

MIDVALE CITY
PLANNING DEPT
7505 S HOLDEN STREET
MIDVALE UT 84047

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

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

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

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

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

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

CENTRAL UTAH WATER DIST
1426 East 750 North, Suite 400,
Orem, Utah 84097

HOLLADAY CITY
PLANNING DEPT
4580 S 2300 E
HOLLADAY UT84117

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

SANDY CITY
PLANNING & ZONING
10000 CENTENNIAL PRKWY
SANDY UT 84070

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

COMCAST
ATTN: GREG MILLER
1350 MILLER AVE
SLC UT 84106

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

OLYMPUS SEWER
3932 500 E,
Millcreek, UT 84107

GENERAL PLAN MAILINGS:

WASATCH FRONT REG CNCL
PLANNING DEPT
41 North Rio Grande Str, Suite 103
SLC UT 84101

UTAH AGRC
STATE OFFICE BLDG #5130
SLC UT 84114

Chapter 17.146

MIXED USE DEVELOPMENT DISTRICT M-U

17.146.010: PURPOSE:

The purpose of a Mixed Use Development District is to encourage pedestrian oriented design, promote development and protect the public health, safety and welfare. The district encourages compact, mixed use development. Carefully planned mixed uses, including neighborhood oriented commercial and restaurant space, provide increased opportunities for pedestrian activity. It is established to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities. The district is facilitated by site and community design standards that:

- A. Encourage high quality, compact development and increase the number of residents and workers within walking distance of transit opportunities;
- B. Encourage a mix of high quality residential, office, commercial, live-work, open space, entertainment, recreation, public and institutional land uses;
- C. Revitalize areas proximate to transit stations;
- D. Improve the urban design in the area;
- E. Encourage active community life within a framework of attractive and welcoming buildings and usable open spaces;
- F. Coordinate the urban design and streetscape elements in order to create a distinct visual quality for the area;
- G. Manage parking and access in a manner that enhances pedestrian safety, pedestrian mobility and quality urban design;
- H. Encourage structured parking, new roads and public open spaces to enhance the design and function of the built environment;
- I. Encourage a safe, attractive and comfortable environment for the pedestrian and bicyclist by providing public open spaces, public pedestrian walkways, wide sidewalks, bike lanes, street furniture, pedestrian scale lighting, street trees and other appropriate amenities;
- J. Encourage conservation of resources and optimal use of public infrastructure toward a sustainable community;

- K. Require property owners, developers, architects, and contractors to use a mix of high quality, durable, low maintenance building materials for projects in this zoning district. (Ord. 10-04 § 2)

17.146.020: DEFINITIONS:

FLOOR AREA RATIO (FAR): Shall be calculated as the gross floor area of all buildings on a lot or parcel, divided by the lot area.

HORIZONTAL MIXED USE: A mixed-use project in which all or some of the commercial and residential components are provided in separate buildings on the same parcel or on contiguous parcels included together in a Master Site Plan.

PRINCIPAL STREET: The street with higher traffic volume.

TRANSIT STATION: Refers to one of the three rail stations located in Murray City's boundaries: the Murray North Station, Murray Central Station, and Fashion Place West Station.

VERTICAL MIXED USE: A mixed-use project in which the commercial components are provided within the same buildings with the residential components.

XERISCAPING: An attractive, sustainable landscape based on sound horticultural practices, which shows evidence of care. This method is beneficial especially for arid and semiarid climates and utilizes water conserving techniques (as the use of drought tolerant plants, mulch, and efficient irrigation). (Ord. 10-04 § 2)

17.146.030: PERMITTED USES:

- A. A use not specifically designated is prohibited. The inclusion of a major heading includes all subcategories listed under the major heading unless otherwise excepted.
- B. The following uses are permitted in the district (where square foot limits are specified, they shall apply to individually operating businesses, not to the entire property):

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<u>Use No.</u>	<u>Use Classification</u>
1100	Household units (except 1110, 1112, 1114, 1115, 1116, 1121, 1122; no density limit; condominiums by conditional use permit only). <u>Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.</u>

1210	Residential facility for disabled persons.
1210	Residential facility for elderly persons (see <u>chapter 17.32</u> of this title).
1241	Retirement homes, independent living or congregate care.
1300	Residential hotels and apartment hotels.
1511	Hotels.
4100	Railroad, rapid rail transit, and street railway transportation.
4601	No fee parking lots and garages (except surface parking lots not associated with a permitted use).

4602	Commercial parking lots and garages on a fee basis (except surface parking lots not associated with a permitted use).
4710	Telephone communications (except 4712).
4730	Radio communications.
4740	Television communications.
4750	Radio and television communications, combined.
4760	Recording and sound studios.
4800	Utilities (offices, lines and right of way only; except 4812, 4813, 4822, 4823, 4832, 4842, 4843, 4845, 4850, 4861, and 4874).
4920	Transportation services and arrangements (with no more than 5 employees in no more than 2,500 square feet; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
5210	Building materials, tile (no outside storage; not to exceed 12,000 square feet).
5220	Heating and plumbing equipment (no outside storage; not to exceed 12,000 square feet).
5230	Paint, glass, and wallpaper (no outside storage; not to exceed 12,000 square feet).
5240	Electrical supplies (no outside storage; not to exceed 12,000 square feet).
5251	Hardware (no outside storage; not to exceed 12,000 square feet).
5254	Janitorial supplies (no outside storage; not to exceed 12,000 square feet).
5255	Building maintenance materials (no outside storage; not to exceed 12,000 square feet).
5256	Swimming pool supplies (no outside storage; not to exceed 12,000 square feet).
5310	Department stores (not to exceed 40,000 square feet unless floor area ratio (FAR) of 1.0 is met).
5320	Mail order houses (deliveries and shipping only during normal business hours; not to exceed 12,000 square feet).
5330	Variety stores (not to exceed 40,000 square feet unless FAR of 1.0 is met).

5350	Direct selling organizations (deliveries and shipping only during normal business hours; no outside storage; not to exceed 20,000 square feet).
5390	General merchandise (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5400	Food stores (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5600	Apparel and accessories (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5700	Furniture, home furnishings, and equipment (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5810	Eating places (drive-through sales to be allowed by conditional use permit; not to exceed 20,000 square feet).
5910	Drug and proprietary (not to exceed 12,000 square feet).
5920	Liquor, package (state store).
5930	Antiques and secondhand merchandise (except 5935, 5938 and construction materials; not to exceed 20,000 square feet).
5940	Books, stationery, art, and hobby supplies (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5950	Sporting goods, bicycles, and toys supplies (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5969	Garden supplies (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5970	Jewelry (not to exceed 12,000 square feet).
5990	Miscellaneous retail trade (not to exceed 12,000 square feet).
6100	Finance, insurance, and real estate (except 6112, payday loan services, 6123, 6124, and 6141 surety bail bonding) (not to exceed 40,000 square feet unless FAR of 1.0 is met).
6213	Dry cleaning (in no more than 7,500 square feet; no outside storage).
6216	Self-service laundries.
6218	Rug cleaning and repair (in no more than 7,500 square feet; no outside storage).
6220	Photographic services.

6230	Beauty and barber services.
6241	Funeral home.
6250	Apparel repair, alteration, and cleaning, shoe repair services (except 6256).
6290	Personal services (except 6293, 6294).
6310	Advertising services (office only; no outside storage).
6320	Consumer credit reporting services.
6330	Duplicating, mailing, stenographic, and office services.
6340	Dwelling and building services (office only, except 6342, 6345).
6350	News syndicate services (office only).
6360	Employment services.
6390	Business services (office only, except 6394 and 6397).
6420	Electrical appliance repair and service (except 6421 and 6426; in no more than 12,000 square feet; no outside storage).
6493	Watch, clock, jewelry repair, engraving.
6496	Locksmiths and key shops.
6498	Saw, knife, lawn mower and tool sharpening (in no more than 5,000 square feet; no outside storage).
6499	Miscellaneous small item repair (in no more than 5,000 square feet; no outside storage).
6500	Professional services (office only, except 6513 and 6516).
6600	Contract construction services (office and indoor storage only; no outside storage; not to exceed 12,000 square feet).
6700	Governmental services (except 6714, 6740, 6750, and 6770).
6800	Educational services.

6900	Miscellaneous service organizations.
7100	Cultural activities and nature exhibitions (except 7124).
7210	Entertainment assembly (except 7213).
7220	Sports assembly (except 7223 and 7224).
7230	Public assembly.
7391	Penny arcades and other coin operated amusements.
7395	Card rooms.
7396	Dance halls, ballrooms (includes dance clubs).
7397	Billiard and pool halls.
7399	Other amusements (office only).
7413	Tennis courts.
7414	Ice skating.
7417	Bowling alleys.
7420	Playgrounds and athletic areas.
7425	Athletic clubs, bodybuilding studios.
7432	Swimming pools and schools.
7451	Archery range (indoor only).
7492	Picnic areas.
7600	Parks (public and private).

8221	Veterinarian services (completely enclosed within a building).
8224	Pet grooming (completely enclosed within a building).

(Ord. 16-41: Ord. 10-04 § 2)

17.146.040: CONDITIONAL USES:

The following uses and structures are permitted in the district only after a conditional use permit has been approved by the planning commission and subject to the terms and conditions thereof:

Use No.	Use Classification
1140	Condominium, low rise or garden type (no density limit) . <u>Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one-mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.</u>
1150	Condominium, high rise (no density limit) . <u>Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.</u>
1210	Rooming and boarding houses (no density limit).
1515	Transient apartments rented by day or week (no density limit).
2000	Manufacturing industries (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3220	Glass and glassware (pressed or blown; in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3250	Pottery and related products (except 3251 and 3255; trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3500	Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).

5/23/2019

Sterling Codifiers, Inc.

3900	Miscellaneous manufacturing (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
5100	Wholesale trade (except 5110, 5120, 5150, 5162, 5169, 5170, 5181, 5182, 5185, 5191, 5192, 5193, 5198, 5199 firearms and ammunition, charcoal, livestock and poultry feed, farm supplies, hay; in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
5813	Short order eating places with no product specialty, auto oriented (drive-in or drive-through establishments, etc.).
5820	Drinking places alcoholic beverages.
6516	Skilled nursing, convalescent and rest home facilities. (Does not include asylums.)

6516.1 Assisted living facilities.

(Ord. 16-41: Ord. 10-04 § 2)

17.146.050: AREA, WIDTH, FRONTAGE AND YARD REGULATIONS:

~~A. All main buildings shall front a public street. For developments with multiple buildings on one parcel, the main building shall front on the public street with secondary buildings fronting on private driveways.~~

~~B.A. The front setback for main buildings facing public or private streets, excepting courtyards and plazas, shall be between fifteen feet (15') and twenty five feet (25') from the back of curb and gutter. Buildings with setbacks between fifteen feet (15') and eighteen feet (18') must utilize recessed entrances. Up to fifty percent (50%) of the front setback may be greater than twenty five feet (25') if the additional front setback is developed as a courtyard or plaza. Main buildings may have detached components within a courtyard or plaza if the uses in the detached component enhance activity on the courtyard or plaza. (insert figure a., illustration of public and private setbacks)~~

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~~C.B. The courtyard or plaza area shall be deemed to be a part of the front setback of the building.~~

~~D.C. Buildings located on a corner lot shall front on both streets.~~

~~E.D. All front setback areas shall be landscaped in accordance with applicable sections of this title.~~

~~F.E. Parking and/or driveways are not permitted in the front setback area of any building. Drive-thru lanes and other accesses may be approved in front setback areas as part of a Master Site Plan if the Planning Commission finds that the purposes and other requirements of the M-U Zone are met.~~

~~F. When located within one-half mile of a transit station, commercial uses shall occupy a minimum of 75% of the width of the ground floor of a building facing a public street. When located more than one-half mile from a transit station, commercial uses shall occupy a minimum of 50% of the width of the ground floor of a building facing a public street. When located on the ground floor of the same building, the commercial uses must extend forty feet (40') in depth. The balance of the ground floor may be occupied by residential uses, including parking. Residential use on the ground floor is limited to twenty five percent (25%) of the ground floor square footage in the project. The balance of the ground floor square footage must be used by the commercial or light industrial uses allowed in this zoning district. Horizontal Mixed Use projects shall provide a minimum commercial square footage component equal to an area calculated as 75% of the project frontage on the public street and forty feet (40') in depth. For projects which comprise multiple parcels, square footage shall be calculated based on total project frontage on the public street. -square footage.~~

~~G. A Master Site Plan approved by the Planning Commission is required for Horizontal Mixed Use Developments and Mixed Use developments located on a parcel or combination of parcels.~~

greater than five (5) acres. In addition to the requirements of this zone, the Planning Commission shall address the following when considering the Master Site Plan:

1. Building Orientation. Commercial and residential buildings in the same project should primarily be oriented to face public and private streets and accesses, and not parking lots. The orientation of commercial buildings in mixed use projects should consider the residential components of the project and facilitate convenient access to them.

2. Central Feature. A prominent, centrally located feature such as a park, plaza, or other gathering place should be provided to unify the residential and commercial uses of the project. This location should include features and amenities to encourage public use and activity, with convenient access from both residential and commercial components of the development.

3. Outdoor Spaces. To the extent possible, buildings should be designed to form outdoor spaces such as courtyards, plazas, and terraces that can integrate the components of the development. Pedestrian walkways linking the components of the development with these outdoor spaces and the public streets should be developed. Where possible, the potential linkages to existing and future adjacent developments should be considered.

G: 4. Memorandum of Understanding. Mixed Use developments that require a Master Site Plan shall be approved in conjunction with a Memorandum of Understanding (MOU) between Murray City and the developer. The MOU shall govern requirements for the timing of the installation of improvements, performance on construction of critical development components, and shall further memorialize the requirements for development of the several buildings and parcels as contained in the Master Site Plan and other project approvals.

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H. Maintenance buildings, trash collection and recycling areas, storage and service areas, mechanical equipment and loading docks shall not be permitted in the front setback of any building. Single or ganged utility meters or other service equipment may be located in the front setback of any building, provided there are site constraints which preclude their access in a location elsewhere on site, and they are screened and approved by the city.

I. The side lot area between non-adjointing buildings and the property line shall be developed as parking, plaza, landscaped open space, or a landscaped walkway with access to the sidewalk. Where parking is located in the side lot area adjacent to a property boundary a five foot (5') wide landscaping area will be required along all property lines not occupied by drive accesses.

J. A parking structure fronting on a street shall have a front setback of between fifteen feet (15') and twenty five feet (25') from the back of curb and gutter. The parking structure front setback shall not

be less than the setback of the main building. The face of the structure abutting the street shall have building materials compatible with the main buildings on the same or adjoining property. The area between the sidewalk and the parking structure shall have a minimum of ten feet (10') of landscaping or shall provide window treatment consistent with subsection 17.146.070B of this chapter.

K. Surface parking lots shall have a minimum setback of between fifteen feet (15') and twenty five feet (25') from the curb. Surface parking shall be located to the side or behind the building. The area between the sidewalk and the parking lot shall have a minimum of ten feet (10') of landscaping. The remainder of the area between the required landscaping and parking shall be a combination of plazas, artwork, fountains, and pedestrian ways. In no case shall the parking be set back from the street less than the building.

L. There shall be a minimum fifty foot (50') setback from the top of the bank of Little Cottonwood Creek, Big Cottonwood Creek and the Jordan River.

~~M. Parking structures shall be included in the floor area ratio (FAR) calculation. (Ord. 10-04 § 2)~~

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17.146.060: HEIGHT REGULATIONS:

A. Height Restrictions: There are no height restrictions in the district except as provided herein. The height of a structure located within one hundred feet (100') of the nearest boundary of a residential zone district may not exceed fifty feet (50'). Beyond one hundred feet (100'), the building height may increase one foot (1') of height for each additional one foot (1') of setback from the residential zone district.

B. Measurement Of Distances:

1. For purposes of this section, the width of public or private roadways shall be included in computing setback distances. For example, if a roadway is located on the boundary of a residential zoning district, the measurements required under this section shall be made from the property line of that roadway which is nearest the residential use or zone. Otherwise, the measurement shall be made from the residential zoning district boundary.
2. Setback distances to structures located pursuant to this section shall be measured from the nearest residential zoning district boundary, except as otherwise provided in this section, to the nearest exterior wall of the structure.
3. Where residential zoning is separated from the mixed use zone by a federal interstate highway the height restrictions of this chapter shall not apply.

C. Authority: Nothing in this section shall be construed to limit the authority of the planning commission or community and economic development staff to review building materials, design elements and other aesthetic considerations as it deems proper to mitigate or modify the visual impact of the height of buildings upon surrounding land uses. (Ord. 10-04 § 2)

17.146.070: BUILDING REQUIREMENTS:

- A. Walls, partitions and floor/ceiling assemblies separating dwelling units from each other or from public or service areas shall have a sound transmission class (STC) of not less than fifty (50) for airborne noise.
- B. Blank walls shall not occupy over fifty percent (50%) of a principal frontage. Nonresidential buildings and structures shall not have a section of blank wall exceeding thirty (30) linear feet without being interrupted by a window, entry, pilaster, or similar element. All development shall provide ground floor windows on the building facade and adjacent to a public or private street, including private pedestrian only streets, parks, paths, or courts. Darkly tinted windows and mirrored windows which block two-way visibility are prohibited as ground floor windows.
- C. All buildings fronting on a street shall have at least one public entrance per use or business which fronts on the street.
- D. All buildings and structures shall be maintained in good condition.
- E. Water conserving plumbing fixtures shall be used. Such fixtures shall include, but are not limited to, dual flush toilets and low volume showers and lavatories which cannot be adjusted or modified.
(Ord. 10-04 § 2)

17.146.080: PARKING REGULATIONS:

- A. For buildings that exceed four (4) stories in height, at least ~~seventy-five~~fifty percent (~~75~~50%) of the parking shall be located within the exterior walls of the building or in a parking structure that is within seven hundred fifty feet (750') of the main building. For the purposes of this chapter, building height is determined by measuring the vertical distance from the average of the finished ground level adjoining the building at the exterior wall to a flat roof deck or, for sloped roofs, to the average height of the highest roof surface. Pursuant to section 17.76.080 of this title, the height limitations shall not apply to architectural screening for mechanical equipment, church spires, and decorative tower elements.
- B. If more than twenty five percent (25%) of the off street parking is provided in surface parking lots, the minimum parking shall be:
 - 1. For residential units with two (2) bedrooms or fewer, 1.5 stalls per unit.
 - 2. For residential units with more than two (2) bedrooms, 1.85 stalls per unit.
 - 3. ~~When the off office and retail uses or net usable square footage is unknown,~~ off street parking will be calculated at ~~three~~one parking stalls for each ~~two hundred sixty five (265) one thousand (1,000)~~ square feet of net usable office area or retail floor area.
 - 4. ~~All medical, dental and related office uses will require one off street parking stall for each two hundred sixty five (265) square feet of net usable office area.~~
 - 5. ~~All other office uses will be calculated at the ratio of three (3) off street parking stalls for each one thousand (1,000) square feet of net usable floor area.~~

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~~6. Retail use parking shall be calculated at the rate of one parking space for each two hundred sixty-five (265) square feet of net usable floor area.~~

C. If seventy five percent (75%) or more of the off street parking is provided within the main buildings or within parking structures with two (2) or more floors, the minimum parking shall be:

1. For residential units with two (2) bedrooms or fewer, 1.125 stalls per unit.
2. For residential units with more than two (2) bedrooms, 1.4 stalls per unit.
3. When the office uses or net usable square footage is unknown, off street parking will be calculated at one parking stall for each three hundred fifty (350) square feet of net usable office area or retail floor area.
4. All medical, dental and related office uses will require one off street parking stall for each three hundred fifty (350) square feet of net usable office area.
5. All other office uses will be calculated at the ratio of two and one-fourth (2.25) off street parking stalls for each one thousand (1,000) square feet of net usable floor area.
6. Retail use parking shall be calculated at the rate of one parking space for each three hundred fifty (350) square feet of net floor area.
7. On street parking adjacent to the development parcel shall not count toward the minimum parking required by this chapter.

D. Parking in excess of one hundred ~~ten-twenty-five~~ percent (~~110~~125%) of the minimums outlined above may only be provided in parking structures or within the envelope of the building.

E. Off street parking will not be permitted in any fire lane, aisle space or front yard setback areas except as allowed by this chapter.

F. Comply with off street parking dimensional standards as found in [chapter 17.72](#) of this title.

G. Shared parking is permitted and encouraged in the mixed use zone. Parking spaces shall be located within one thousand feet (1,000') of the property served by the spaces.

H. For properties within one-fourth ($\frac{1}{4}$) mile of an existing transit stop, minimum required parking shall be reduced by ten percent (10%). (Ord. 14-12: Ord. 10-04 § 2)

17.146.090: LANDSCAPING REGULATIONS:

A. Water conserving landscape designs shall be used. All landscaping must be irrigated and planted with substantial live plant material or appropriate xeriscape for the purpose of buffering, screening and beautifying the site, and comply with applicable landscape requirements found in [chapter 17.68](#) of this title, except lawn shall not be required as stated in subsection [17.68.040A1a](#) of this title. At plant maturity the landscaping should represent, as a minimum standard, compatibility with

surrounding developed properties and uses and must be permanently maintained by the owner or occupants.

- B. Landscaping adjacent to a residential zoning boundary line will require a minimum landscaping buffer of ten feet (10') in width from the boundary line on the nonresidential side of the property excluding the fence, and curb wall if located adjacent to off street parking.
- C. Parking lots abutting a property line shall be screened by a minimum ~~ten-five~~ foot (5'-10') wide landscape area as outlined in subsection 17.146.050 of this chapter.
- D. Sustainable landscaping including xeriscape species and innovative water recycling or irrigation systems is encouraged. All landscape plans must be approved by the city's urban forester. (Ord. 10-04 § 2)

17.146.100: LOADING AND SERVICE AREAS:

- A. Trash collection and recycling areas, service and storage areas, mechanical equipment and loading docks shall be screened on all sides so that no portion of such areas is visible from the adjacent public streets or alleys and adjacent properties. Screening shall have a minimum height of eight feet (8') and may include accessory buildings, shrubbery and plantings, decorative walls, solid fences, screen panels, doors, topographic changes, buildings or any combination of the above.
- B. No more than two (2) loading docks per individual use; loading docks are not to be located in building frontage. (Ord. 10-04 § 2)

17.146.110: OPEN SPACE:

- A. Fifteen percent (15%) of the land area of each development shall be developed as landscaping, courtyards, plazas, or walkways, except any areas used for drainage retention with a slope greater than three to one (3:1) will not qualify as open space. Amenity areas provided in conjunction with multi-family uses will qualify as open space.
- B. Each development shall have a system of pedestrian walkways and sidewalks that provide easy connections between the building entrances, neighboring building entrances, sidewalks, parking areas, open space and public trails. (Ord. 10-04 § 2)

17.146.120: ACCESS IMPROVEMENTS:

- A. Construction of new buildings or renovations of existing buildings shall include construction and installation of the adjacent sidewalks, park strips and other landscaping, curbs, gutters, lighting, and street furniture as required in this chapter.
- B. For developments that do not include a commercial use on the ground floor, improvements within the rights of way for public streets shall include, but not be limited to, the following:

1. Seven foot (7') wide paved sidewalks with an eight foot (8') landscaped park strip adjacent to the curb and gutter or fifteen foot (15') paved sidewalk with five foot (5') tree wells adjacent to the curb as approved by the city engineer and the planning commission.
 2. Street trees shall be spaced between thirty feet (30') and forty feet (40') on center as approved by the City. Landscaping and tree grates to be approved by the City.
 3. Street lighting shall be spaced between ninety feet (90') and one hundred ten feet (110') as approved by the City.
- C. For developments that include a commercial use on the ground floor, or unless otherwise approved by the City, improvements within the rights of way for public streets shall include, but not be limited to, the following:
1. Seven foot (7') wide paved sidewalks with nine foot (9') wide adjacent on street parallel parking (including gutters). Forty foot (40') landscape planters shall be installed between every two (2) to three (3) parallel parking spaces and shall include the following:
 - a. The forty foot (40') wide landscaping planters shall have one streetlight, two (2) trees, and shrubs to provide a minimum ground coverage of fifty percent (50%) at time of planting;
 - b. Landscape planter trees shall have branching beginning no less than six feet (6') above the ground and shrubs not exceeding a height of three feet (3');
 - c. Streetlights shall be placed at the center of every landscaping planter with the nearest shrubs being located a minimum of four feet (4') from every light pole;
 - d. Street trees shall be located fourteen feet (14') from center street lighting;
 - e. Street planters shall be flared at a minimum forty five degree (45°) angle in order to facilitate ease of access for the adjacent parallel parking spaces;
 - f. Additional ground cover shall be provided as necessary in order for landscape planters to have a minimum of fifty percent (50%) ground cover at time of planting.
 2. Parking must be located a minimum of thirty feet (30') from intersecting rights-of-way or drive accesses.
 3. Street trees shall also be located in park strip areas not utilized as landscape planters and shall be spaced every thirty feet (30') to forty feet (40') on center.
 4. Street lighting within landscape planters and all other park strip areas shall be spaced every ninety feet (90') to one hundred ten feet (110') on center and as approved by the City. Street lighting shall be residential in character with an overall height not to exceed twelve feet (12') as measured from the base to the top of the pole luminary. Street lighting shall comply with all other City street lighting specifications.
- D. The following public improvements are required for all developments within the Mixed Use Zoning District:
1. Benches shall be provided and spaced as approved by the City.
 2. Bicycle racks shall be placed on every development as follows:

- a. The minimum number of bicycle parking spaces for any use shall be five percent (5%) of the vehicular parking spaces required for such use, up to a maximum of twelve (12) spaces;
- b. In all cases where bicycle parking is required, no fewer than two (2) shall be provided;
- c. All proposed bicycle racks shall be clearly shown on the site plan indicating location;
- d. Bicycle parking spaces shall be:
 - (1) At least two feet by six feet (2' x 6') per bicycle;
 - (2) Designed to have sufficient space, to be a minimum of twenty four inches (24"), beside each parked bicycle to allow access. This access may be shared by adjacent bicycles. Racks shall be installed a minimum of twenty four inches (24") from any wall or other obstruction;
 - (3) Located to prevent damage to bicycles by vehicles, etc.;
 - (4) In a convenient, visible, lighted area;
 - (5) Located so as not to interfere with pedestrian movements;
 - (6) As near the principal entrance(s) of the building as practical;
 - (7) Located to provide safe access to and from the street;
 - (8) Designed to allow each bicycle to be supported by its frame;
 - (9) Designed to allow the frame and wheels of each bicycle to be secured against theft;
 - (10) Anchored to resist rust or corrosion, or removal by vandalism;
 - (11) Designed to accommodate a range of bicycle shapes and sizes and facilitate easy locking without interfering with adjacent bicycles. (Ord. 16-28)

17.146.130: LIGHTING STANDARDS:

- A. Street and sidewalk lighting shall meet adopted City light design standards.
- B. Illumination levels shall not exceed IESNA recommended standards.
- C. Lighting shall be provided for pedestrian ways that is appropriately scaled to walking. Light standards shall not be taller than sixteen feet (16'). However, light standards adjacent to State Street or 4500 South (major arterial roadways), as well as Vine Street and 4800 South (major collector roadways) are allowed up to twenty three feet (23') in height. Light standard height will be reviewed on a case by case basis by City staff.
- D. Lighting shall be shielded and directed downward to prevent any off site glare.

- E. All site lighting luminaires will conform to IESNA "cutoff" or "sharp cutoff" classification. City staff will provide additional details as needed.
- F. An amber lamp color (3,000 Kelvin), or other color in consultation with the Power Department can be used for a project.
- G. For property owner installed private lighting, metal halide and induction lamp sources may be used subject to approval by the City Power Department and CED staff. Building facade lighting must be shielded and directed downward to avoid light trespass and illumination of the night sky. (Ord. 18-22)

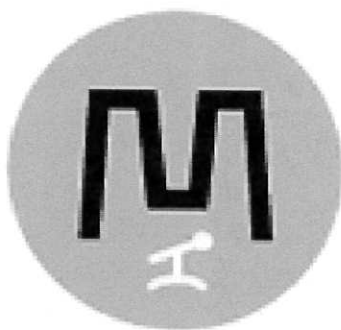
17.146.140: STORAGE OF COMMERCIAL VEHICLES:

No trucks, motor vehicles or commercial trailers having a gross vehicle weight rating of more than twelve thousand (12,000) pounds shall be stored or parked outdoors on any lot or parcel within the M-U Zone, nor shall any contracting and/or earthmoving equipment be stored or parked outdoors on any lot or parcel within the M-U Zone. (Ord. 18-22)

17.146.150: NONCONFORMING USES AND DEVELOPMENTS:

Nonconforming uses shall be allowed to continue and expand in accordance with chapter 17.52 of this title. Establishment of permitted or conditional uses on properties that are nonconforming in relation to building or parking setback, landscaping, or other site development standards shall not be required to bring the site into conformance with the standards of this chapter until the cost of improvements or renovations to a property or site exceeds fifty percent (50%) of the assessed value of the buildings on the property.

Applications for renovations or improvements to properties that are nonconforming in relation to development standards shall include a calculation of the cost of the improvements. (Ord. 18-22)



MURRAY
CITY COUNCIL

Discussion Item #3



MURRAY


Community & Economic Development

Chapter 17.43, Medical Cannabis Regulations

Council Action Request

Committee of the Whole

Meeting Date: September 17, 2019

Department Director Melinda Greenwood Phone # 801-270-2428 Presenters Melinda Greenwood Jim McNulty Required Time for Presentation 15 Minutes Is This Time Sensitive Yes Mayor's Approval  Date September 3, 2019	Purpose of Proposal Proposed Land Use Ordinance Text Amendment - Section 17.43, Medical Cannabis Regulations. Action Requested Discussion item to consider the proposed Land Use Ordinance Text Amendment prior to the October 1, 2019 public hearing. Attachments Draft Ordinance and associated maps. Budget Impact No Budget impact. Description of this Item The Community & Economic Development Department and City Attorney's Office have drafted a proposed ordinance enacting Chapter 17.43 of the Murray City Municipal Code regulating Cannabis Production Establishments and Medical Cannabis Pharmacies, amending the Murray City Standard Land Use Code, and amending the Land Use Ordinance. The Utah Legislature has passed statutes that require municipalities to allow for Cannabis Production Establishments and Medical Cannabis Pharmacies. Proposed Chapter 17.43 has been designed to meet the requirements outlined in State Code. Those requirements are briefly reviewed in the following:
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Continued from Page 1:

Cannabis Production Establishment

Utah Code, Section 4-41a-102 requires that a city's zoning ordinance allow Cannabis Production Establishments as either a Permitted Use or Conditional Use in at least one (1) type of Industrial/Manufacturing Zone and one (1) type of Agricultural Zone. City staff has proposed that a conditional use review is needed to help mitigate potential impacts associated with this land use. There are distance and other operational requirements mandated or allowed under statute. A Cannabis Production Establishment may not be located within 1,000 feet of a community location (defined as a public or private school, church, public library, public playground or public park), or within 600 feet of an area zoned primarily residential. A Cannabis Production Establishment may not advertise to the general public. As a result, facilities may not have signage.

Medical Cannabis Pharmacies

Utah Code, Section 26-61a-102 requires that Medical Cannabis Pharmacies be allowed as Permitted Uses in all zoning districts within a city with the exception of those districts which are primarily residential. Medical Cannabis Pharmacies may not be located within 600 feet of a community location or of an area that is zoned primarily residential. State law specifically allows a city to enact an ordinance that governs the time, place or manner of Medical Cannabis Pharmacy operations within the city.

FINDINGS

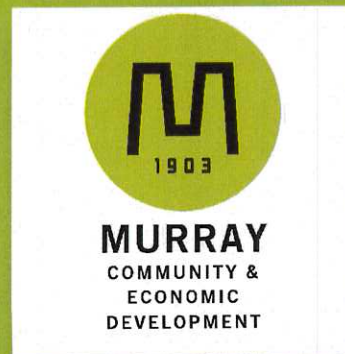
1. The proposed text amendments are consistent with the Utah Code, Section 4-41a-102.
2. The proposed text amendments are consistent with the Utah Code, Section 26-61a-102.
3. The proposed text amendments are consistent with the purpose of Title 17, Murray City Land Use Ordinance.
4. The proposed text amendments are consistent with the Goals & Policies of the Murray City General Plan.

STAFF RECOMMENDATION

Based on the findings, proposed text and other revisions as outlined, **City staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the proposed ordinance enacting Chapter 17.43, Medical Cannabis Regulations within the Murray City Municipal Code.** The Planning Commission public hearing for this item is scheduled for Thursday, September 5, 2019. City staff will provide an update during the September 17, 2019 COW meeting.

COMMITTEE OF THE WHOLE

September 17, 2019



LAND USE TEXT AMENDMENTS

Section 17.43

Medical Cannabis Regulations



Added Uses to Standard Land Use Code

8122 Cannabis Production Establishment.

As defined in section 4-41a-102 of the Utah Code, and includes a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory.

5913 Medical Cannabis Pharmacy.

An entity that acquires or intends to acquire, possesses, and sells or intends to sell cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device, to a medical cannabis cardholder, as defined under section 26-61a-102 of the Utah Code.



Other Changes

- Adds Definitions
- Clarifies distance requirements
- Conditioned Use for Cannabis Production Establishments
- Sets operational standards



Findings

- i. The proposed text amendments are consistent with the Utah Code, Section 4-41a-102.
- ii. The proposed text amendments are consistent with the Utah Code, Section 26-61a-102.
|
- iii. The proposed text amendments are consistent with the purpose of Title 17, Murray City Land Use Ordinance.
- iv. The proposed text amendments are consistent with the Goals & Policies of the Murray City General Plan.

Staff Recommendation

Based on the above findings, proposed text and other revisions as outlined, **City staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the proposed ordinance enacting Chapter 17.43, Medical Cannabis Regulations within the Murray City Municipal Code.**

This recommendation will be updated after the Planning Commission Meeting on September 5, 2019.



ORDINANCE NO. _____

AN ORDINANCE ENACTING CHAPTER 17.43 OF THE MURRAY CITY MUNICIPAL CODE REGULATING CANNABIS PRODUCTION ESTABLISHMENTS AND MEDICAL CANNABIS PHARMACIES, AMENDING THE MURRAY CITY STANDARD LAND USE CODE, AND AMENDING SECTIONS 17.92.030 AND 17.152.030 OF THE CODE RELATING TO CONDITIONAL USES OF CANNABIS PRODUCTION ESTABLISHMENTS IN AGRICULTURAL AND MANUFACTURING ZONES AND SECTIONS 17.88.020, 17.92.020, 17.144.020, 17.148.020, 17.152.020, 17.156.020, 17.160.020, 17.173.020 AND 17.174.020 RELATED TO PERMITTED USES OF MEDICAL CANNABIS PHARMACIES

Section 1. Purpose. The purpose of this ordinance is to (1) enact Chapter 17.43 of the Murray City Municipal Code regulating cannabis production establishments and medical cannabis pharmacies; (2) amend the Murray City Standard Land Use Code; (3) amend sections 17.92.030 and 17.152.030 of the Code relating to conditional uses of cannabis production establishments in agricultural and manufacturing zones; and (4) to amend sections 17.88.020, 17.92.020, 17.144.020, 17.148.020, 17.152.020, 17.156.020, 17.160.020, 17.173.020 and 17.174.020 related to permitted uses of medical cannabis pharmacies

Section 2. Amendment to the Murray City Standard Land Use Code.

The following shall be added to the Murray City Standard Land Use Code:

8122 Cannabis Production Establishment. As defined in section 4-41a-102 of the Utah Code, and includes a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory.

5913 Medical Cannabis Pharmacy. An entity that acquires or intends to acquire, possesses, and sells or intends to sell cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device, to a medical cannabis cardholder, as defined under section 26-61a-102 of the Utah Code.

Section 3. Enact chapter 17.43. Chapter 17.43 of the Murray City Municipal Code shall be enacted as follows:

CHAPTER 17.43: CANNABIS PRODUCTION ESTABLISHMENTS AND MEDICAL CANNABIS PHARMACIES

17.43.010: DEFINITIONS:

"Cannabis Production Establishment" means a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory.

"Medical Cannabis Pharmacy" means a person that:

A.

1. Acquires or intends to acquire:

a. Cannabis in a medicinal dosage form or a cannabis product in a medicinal dosage form from a cannabis processing facility;
or

b. A medical cannabis device; or

2. Possesses cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device; and

B. Sells or intends to sell cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device to a medical cannabis cardholder.

"Primarily Residential" for the purposes of this chapter means the following zones:

Single-Family Medium Density Residential District R-1-6

Single-Family Low Density Residential District R-1-8

Single-Family Low Density Residential District R-1-10

Single-Family Low Density Residential District R-1-12

Medium Density Residential District R-2-10

Multiple-Family Low Density Residential District R-M-10

Multiple-Family Medium Density Residential District R-M-15

Multiple-Family High Density Residential District R-M-20

Multiple-Family High Density Residential District R-M-25

Residential Mobile Home District R-M-H

Residential Neighborhood Business R-N-B

Mixed Use Development District M-U

Transit Oriented Development District TOD

Murray City Center District M CCD

Other relevant definitions found in Utah Code Title 26, Chapter 61a, Utah Medical Cannabis Act, and Utah Code Title 4 Chapter 41a, Cannabis Production Establishments are adopted by this section.

17.43.020: DISTANCE REQUIREMENTS

A. The following distance requirements apply to all Cannabis Production Establishments and Medical Cannabis Pharmacies:

1. A Cannabis Production Establishment or a Medical Cannabis Pharmacy shall not be located within 1,000 feet of any other Cannabis Production Establishment, any other Medical Cannabis Pharmacy, or an Alcohol Establishment.

B. Cannabis Production Establishments:

1. Shall not be located within:
 - a. 1,000 feet of a community location; or
 - b. 600 feet of an area zoned primarily residential.
2. Distance shall be measured from the nearest entrance to the cannabis production establishment by following the shortest route of ordinary pedestrian travel to the property boundary of the community location or residential area.

C. Medical Cannabis Pharmacies:

1. Shall not be located within:
 - a. 600 feet from a community location's property boundary following the shortest route of ordinary pedestrian travel;
 - b. 200 feet from the patron entrance to the community location's property boundary; and
 - c. 600 feet from an area zoned primarily residential.

17.43.030: STANDARDS

A. The following standards apply to all Cannabis Production Establishments:

1. There shall be no emission of dust, fumes, vapors, odors or waste into the environment from any facility where growing, processing or testing of cannabis occurs.
2. In accordance with state law, no signage is allowed for Cannabis Production Establishments.
3. All outside areas of a Cannabis Production Establishment site shall meet the minimum lighting levels for the zone in which it is located.
4. Each Cannabis Production Establishment shall obtain a City business license before conducting business within the City.

B. The following standards apply to all Medical Cannabis Pharmacies:

1. A drive-through service shall be prohibited.
2. Outdoor seating areas shall be prohibited.
3. Outdoor vending machines shall be prohibited.
4. Direct or home delivery service shall be prohibited.
5. Permitted hours of operation shall be 8:00 a.m. to 8:00 p.m.
6. The maximum size of a Medical Cannabis Pharmacy shall be 3,000 square feet.
7. No cannabis products shall be visible from outside a Medical Cannabis Pharmacy.
8. Signs for Medical Cannabis Pharmacies shall be limited to one wall sign on the front face of the building. The maximum area of a wall sign on a Medical Cannabis Pharmacy shall be limited to 5 percent of the first story

building face of the front face of the building. Advertising standards set forth in state law shall apply.

9. No bars shall be placed on windows.

10. All outside areas of a Medical Cannabis Pharmacy site shall meet the minimum lighting levels for the zone in which it is located.

11. Each Medical Cannabis Pharmacy shall obtain a City business license before conducting business within the City.

Section 4. Amend sections 17.92.030 and 17.152.030 of the Murray City Municipal Code. Sections 17.92.030 and 17.152.030 of the Murray City Municipal Code shall be amended as follows:

Chapter 17.92

AGRICULTURAL DISTRICT A-1

17.92.030: CONDITIONAL USES:

The following uses and structures are permitted in the A-1 zone only after a conditional use permit has been approved by the planning commission and subject to the terms and conditions thereof:

<u>Use No.</u>	<u>Use Classification</u>
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...

<u>8122</u>	<u>Cannabis Production Establishment</u>
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...

Chapter 17.152

Manufacturing General District M-G

17.152.030: CONDITIONAL USES:

The following uses and structures are permitted in the M-G zone only after a conditional use permit has been approved by the planning commission and subject to the terms and conditions thereof:

<u>Use No.</u>	<u>Use Classification</u>
...	
<u>8122</u>	<u>Cannabis Production Establishments</u>

...	
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Section 5. Amendment to sections 17.88.020, 17.92.020, 17.144.020, 17.148.020, 17.152.020, 17.156.020, 17.160.020, 17.173.020, and 17.174.020 of the Murray City Municipal Code. Sections 17.88.020, 17.92.020, 17.144.020, 17.148.020, 17.152.020, 17.156.020, 17.160.020, 17.173.020, and 17.174.020 of the Murray City Municipal Code shall be amended to read as follows:

Chapter 17.88

OPEN SPACE DISTRICT O-S

17.88.020: PERMITTED USES:

- A. All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.
- B. The following uses are permitted in the O-S zone:

<u>Use No.</u>	<u>Use Classification</u>
...	
<u>5913</u>	<u>Medical Cannabis Pharmacy</u>
...	

Chapter 17.92

AGRICULTURAL DISTRICT A-1

17.92.020: PERMITTED USES:

- A. All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.
- B. The following uses are permitted in the A-1 zone:

<u>Use No.</u>	<u>Use Classification</u>
----------------	---------------------------

...

5913

Medical Cannabis Pharmacy

...

Chapter 17.144 GENERAL OFFICE DISTRICT G-O

17.144.020: PERMITTED USES:

- A. All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.
- B. The following uses are permitted in the G-O zone:

<u>Use No.</u>	<u>Use Classification</u>
...	
<u>5913</u>	<u>Medical Cannabis Pharmacy</u>
...	

Chapter 17.148 Hospital District H

17.148.020: PERMITTED USES:

- A. Standard Land Use Code: All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.
- B. Permitted Uses Enumerated: The following uses are permitted in the H zone:

<u>Use No.</u>	<u>Use Classification</u>
...	
<u>5913</u>	<u>Medical Cannabis Pharmacy</u>
...	

Chapter 17.152
Manufacturing General District M-G

17.152.020: PERMITTED USES:

A. All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.

B. The following uses are permitted in the M-G zone:

<u>Use No.</u>	<u>Use Classification</u>
...	
<u>5913</u>	<u>Medical Cannabis Pharmacy</u>
...	

Chapter 17.156
Commercial Neighborhood District C-N

17.156.020: PERMITTED USES:

A. All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.

B. The following uses are permitted in the C-N zone:

<u>Use No.</u>	<u>Use Classification</u>
...	
<u>5913</u>	<u>Medical Cannabis Pharmacy</u>
...	

Chapter 17.160
Commercial Development Mixed Use District C-D

17.160.020: PERMITTED USES:

A. All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.

B. The following uses are permitted in the C-D zone:

<u>Use No.</u>	<u>Use Classification</u>
...	
<u>5913</u>	<u>Medical Cannabis Pharmacy</u>
...	

Chapter 17.173 Business Park District B-P

17.173.020: PERMITTED USES:

A. All uses and structures contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department. A use not specifically designated is prohibited.

B. The following uses are permitted in the B-P Zone:

<u>Use No.</u>	<u>Use Classification</u>
...	
<u>5913</u>	<u>Medical Cannabis Pharmacy</u>
...	

Chapter 17.174 Professional Office District P-O

17.174.020: PERMITTED USES:

A. All uses and structures contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department. A use not specifically designated is prohibited.

B. The following uses are permitted in the P-O Zone:

<u>Use No.</u>	<u>Use Classification</u>
...	
<u>5913</u>	<u>Medical Cannabis Pharmacy</u>
...	

Section 6. Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on
this ____ day of _____, 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:

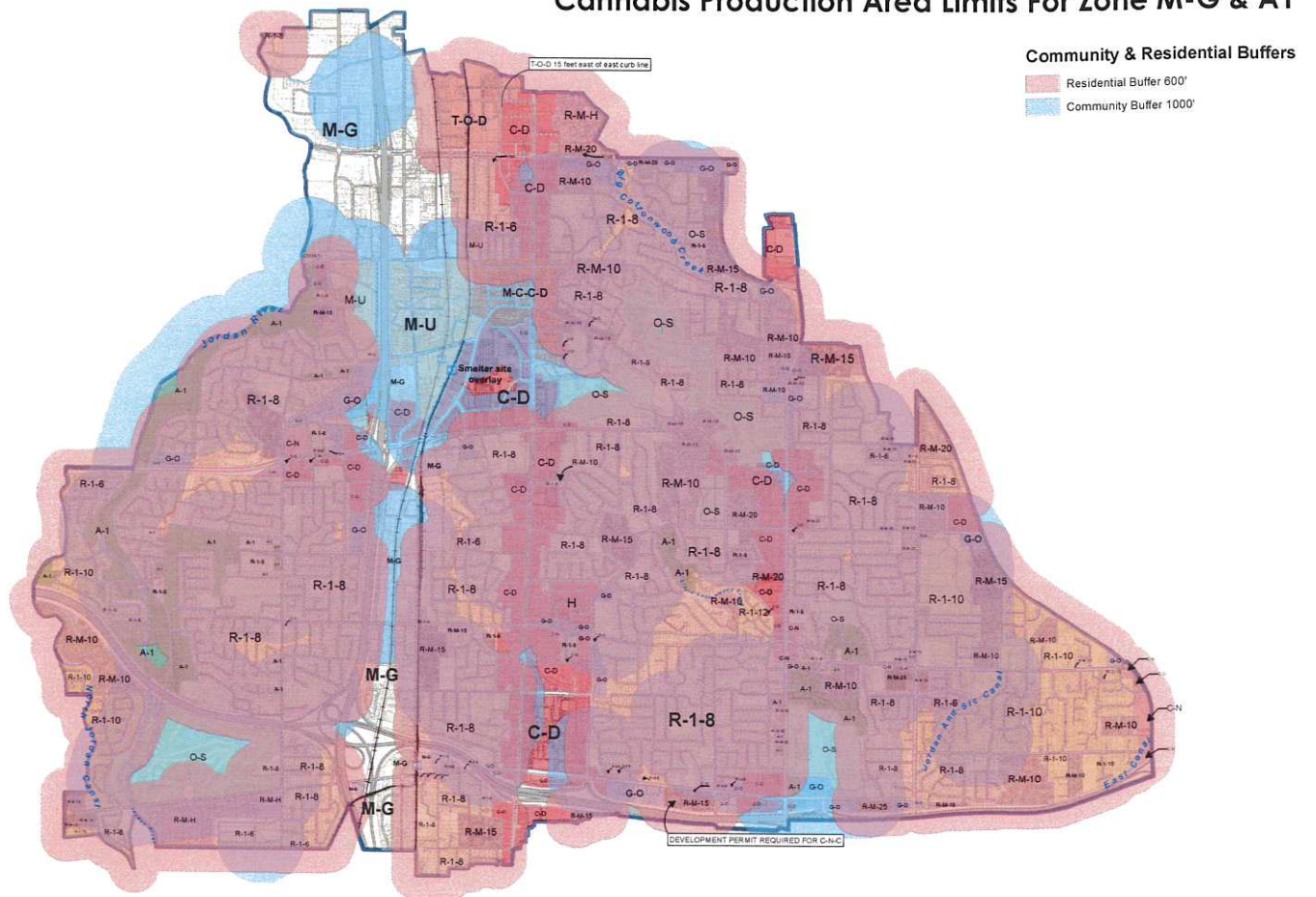
Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

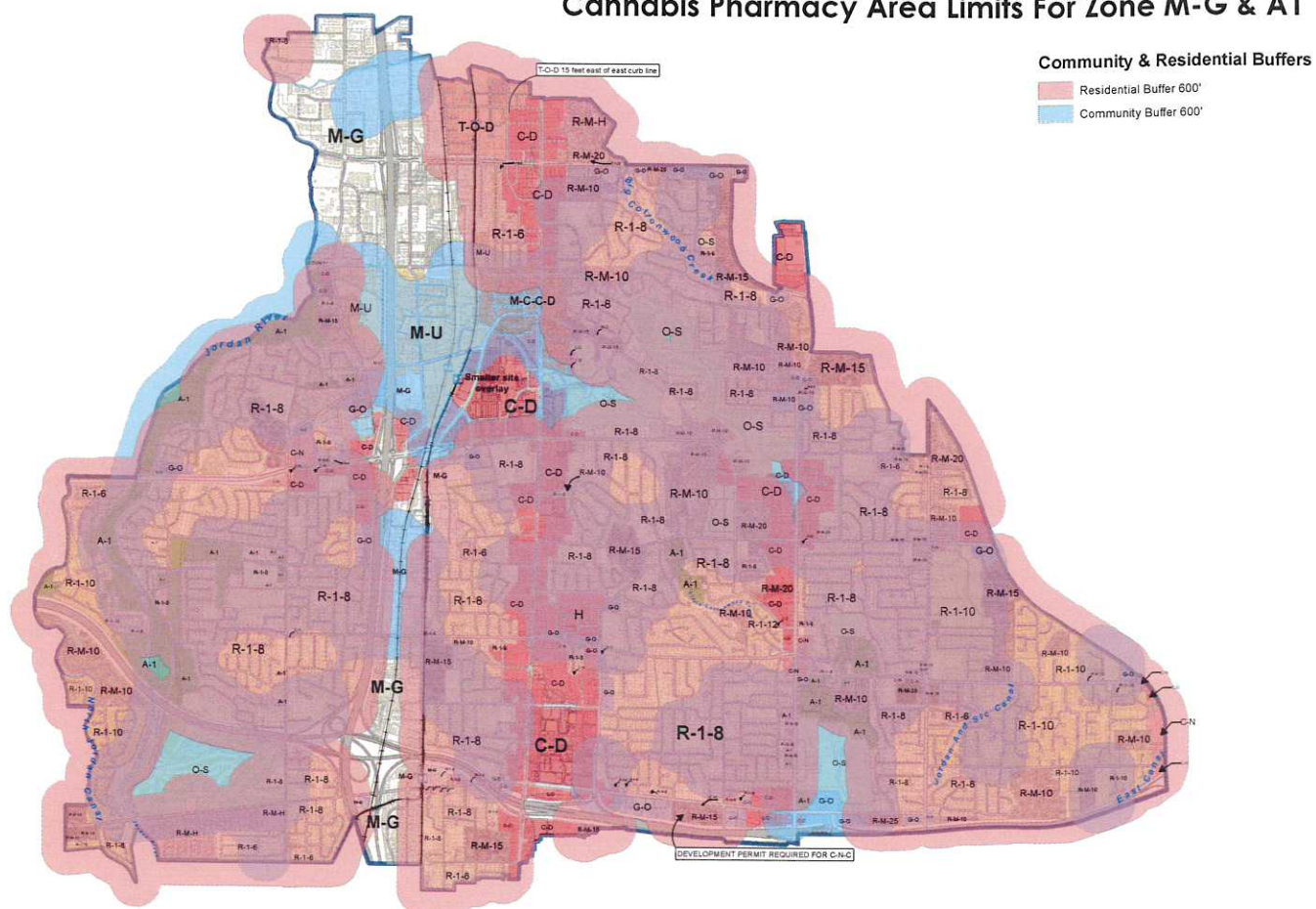
I hereby certify that this Ordinance, or a summary hereof, was published according to law on the ____ day of _____, 2019.

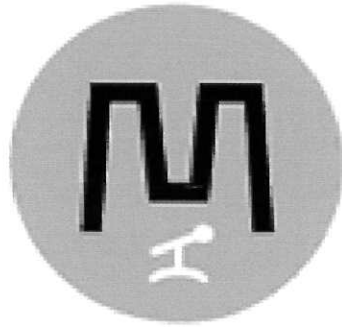
Jennifer Kennedy, City Recorder

Cannabis Production Area Limits For Zone M-G & A1



Cannabis Pharmacy Area Limits For Zone M-G & A1





MURRAY
CITY COUNCIL

Planning Commission
Packet Forthcoming
Medical Cannabis was
discussed on
September 5, 2019



To whom it may concern,

Thank you for providing us the chance to review and submit our thoughts concerning the proposed Murray City code regulating cannabis production and medical cannabis pharmacies. As a recipient of a Utah medical cannabis cultivation license, Wholesome Ag is under significant pressure from the Department of Agriculture and Food to have product in the market by March 1st, 2020. It takes roughly 12 weeks to produce product (i.e., growing, harvesting, processing, packaging, etc.). Therefore, obtaining the proper municipal approvals in the shortest time frame is important to Wholesome Ag. We hope to work together and find a solution that allows us to move forward so that we can establish our cultivation in Murray. Accomplishing this would be facilitated by allowing our business as a permitted rather than conditional use.

Introduction to Wholesome Ag

Wholesome Ag is a premier Utah-based team highly experienced professionals that have provided jobs for thousands, raised millions for charitable organizations (see attached bios of our management team). We are one of the few groups with members that have a record of running successful cannabis-based businesses, proving our ability to grow safe, top quality medical cannabis products. Members of our team also played a major role in the creation of the medical cannabis law, ran the successful medical cannabis ballot initiative and are involved in ongoing adjustments to the state law.

We qualified as the top Utah team to obtain a cultivation license, scored among the highest in community relations and we are working toward obtaining a medical cannabis pharmacy. We are committed to creating a business, local jobs and public trust by performing our duties the right way for the state and the medical cannabis patients in Utah. We hope the city in which we choose to establish our business will support our efforts and the patients desperately seeking relief through medical cannabis therapies.

Concerns with the timing of the proposed Murray code

We have entered negotiations for a facility in Murray and it is our most desirable option. Murray is centrally located with great access to a well-qualified workforce. Our primary concern is the timing. The requirement of obtaining a conditional permit and business license after the city code has been passed would almost certainly delay production into next year. We would ask that you resist changing the code until after the state has made their own upcoming changes but allow for the approval of state licensed cannabis based companies to apply for a city business license, obtain a use permit and begin construction following state law. This has been done in other cities for the other cannabis-based businesses licensed by the state.

If you feel you must pass the code, and do so now, we would ask that state licensed medical cannabis cultivation be a permitted use, allowing Wholesome Ag to obtain a business license and being necessary building modifications to being growing cannabis as soon as possible in the permitted zones provided for by the state.

We are not asking for special treatment. The state law was implemented in January of this year, we are one of eight groups that received a state issued license. It came at a high cost financially and the time put into the over 200 page application submitted to the state. No other state law has been more discussed publicly, debated, scrutinized and combed over by regulators, legislators and other state officials. No business is already more regulated. We are the only group that would be impacted if you stayed the course you are on. We hope you will make concessions to allow us to continue to pursue options in Murray City.

Jack Rubin (director)

Jack Rubin, a resident of Utah, combines a successful career in the highly regulated investment banking and asset management industry with private investment experience in cannabis production and a variety of other entrepreneurial ventures.

In 2013, Jack was a founding member of Curaleaf, a Connecticut-based medical cannabis cultivation company—and one of many applicants for three available licenses. Curaleaf began operations within six months of award of the license under some of the strictest regulations in the country for medical cannabis. Jack helped manage 45 employees with strict compliance to the company's approved security plan, and exceeded regulatory requirements where possible to demonstrate a commitment to the state program's success. Curaleaf utilizes MJ Freeway and has a robust inventory management process to prohibit diversion, search employees on any suspicion, and fully track on a seed-to-sale basis all plants to the satisfaction of state authorities.



Earlier in his career, Jack was an investment banker who focused on raising capital primarily in the real estate sector working with corporations, developers and pension funds. In the asset management arena, Jack founded the institutional asset management group at Donaldson, Lufkin & Jenrette. Under his leadership, assets under management for this start-up venture grew to over \$32 billion within six years. His specialty within this space was private equity including expansion capital, leveraged buyouts and venture investing.

Jack has served on several boards of for-profit and not-for-profit organizations, and graduated from the University of Virginia in 1976 with a Bachelor of Science in Commerce (BSC) and received a Master of Business Administration (MBA) from the Tuck School at Dartmouth College in 1980.

Chris Jeffery (director)

Chris Jeffery is an experienced founder and CEO of technology enabled businesses that help consumers connect with local businesses. Most recently, Chris was CEO of Leafly, the leading technology platform that helps customers around the world find and discover the cannabis product that is right for them. During his time at Leafly, he oversaw over 175 employees and spearheaded a turnaround that consisted of building out an entirely new and expanded product and technology effort that focused on strain discovery and dispensary ordering and fulfillment, and partnered with the Canadian government on a consumer education program ahead of federal legalization. Additionally, Chris led the initiative to bring real-time inventory to Leafly consumers and businesses by building the tools and partnerships necessary to scale point-of-sale and tracking systems integration. This, in turn, has had a profound impact on the entire supply chain, helping companies across multiple states better manage their inventory and identify market response. Leafly has also recently innovated a data-driven process for cultivators to grow consistent terpene profiles to better benefit customers looking for products that match previous orders.



Chris was also co-founder and CEO of OrderUp, a pioneer in the on-demand food delivery space. Backed by Steve Case and Revolution Ventures, OrderUp was Acquired by Groupon in 2015. At the time, OrderUp drove \$100M+ in annual food sales to thousands of restaurants in 40+ markets across the US. Under Chris's leadership and people-first management style, the OrderUp team scaled to 150+ employees and over 2,000 independent contracted drivers with detailed logistical tracking to monitor delivery times and ratings to ensure a top-notch customer experience and safe driving.

Before OrderUp, Chris built two other e-commerce startups while studying Finance and Entrepreneurship at Penn State University. Outside of work, he's an investor in tech-enabled consumer businesses and an active advisor and financial contributor to the National Ability Center in Park City, where he resides.

Robert Birnbaum (director)

Robert Birnbaum was the first licensed medical marijuana employee in Connecticut, as co-founder of Curaleaf, one of the state's few licensed medical cannabis cultivators. He served as Chairman and CEO of the company for most of its history until a controlling interest was sold two years ago.

With a team of partners supporting him, Robert was responsible for supervising all aspects of Curaleaf's operation to ensure adequate supply to licensed patients while complying with the state's regulatory requirements. Robert managed the start-up phase heavily, helping get the 40,000 square foot grow facility operational in just a few months after the license was awarded.



Robert's professional experience in investment management led to a relationship with a local bank that was willing to serve Curaleaf's needs; Robert introduced that bank to the other licensees in the state. He later became Executive Vice President of the Connecticut Medical Marijuana Producers Association to support the new industry and ensure best practices among licensees, as well as advocate for regulatory modifications to support patients and protect public health and safety.

Robert's role in managing hedge funds and investment portfolios has involved billions of dollars in assets under management and hundreds of employees; Robert served for some time as Chief Compliance Officer to oversee and ensure compliance with the substantial financial regulations that the industry is subject to.

Robert holds an A.B. from Columbia University, and an M.B.A. in Finance (with Distinction) from Wharton.

Ron Lindorf (director)

Ron Lindorf is an award-winning Utah entrepreneur with 25 years experience building successful information companies in domestic and international markets.

Ron is co-founder of Thanksgiving Park in Lehi, Utah. In that capacity, he oversees a wide array of commercial and residential real estate developments, including 2.5 million square feet of Class A technology office park, hotels and retail. This enterprise involves dozens of employees and requires navigating a highly regulated environment dealing with intersecting land use, construction, and safety considerations. The large-scale construction process has also involved coordinating hundreds of contractors and a complicated supply chain management process to ensure on-time construction to meet and exceed the needs of each tenant.



Ron is also co-founder of RipeConcepts, a Utah digital marketing company that has now worked on over 35,000 projects and a million designs for clients around the world. The company has 350+ employees, the majority of which operate remotely, creating the need for streamlined communications and training to ensure brand consistency and corporate unity. A previous company Ron founded, Western Wats Center, employed over 2,000 individuals at its peak, including over 1,000 in Utah—making it one of the state's largest employers at the time.

Ron is an emeritus associate professor at the Marriott School of Management at Brigham Young University, executive director of the Utah Lyme Disease Coalition, and board chairman of LymeDisease.org, an advocacy, education, and research nonprofit supporting 3.5 million people annually.

Ron has founded and sold several other companies in Utah, all of which have required complicated outsourcing requirements and remote management of many hundreds of employees and contractors. Ron has master's and bachelor's degrees in communications, both from Brigham Young University.

Mike Abrams (director, managing employee)

Michael Abrams is a business consultant and expert in the cannabis industry with over a decade of experience owning and operating businesses within the regulated cannabis industry. His consulting experience includes working with businesses in seven states—Nevada, Arizona, Oregon, Washington, Colorado, Puerto Rico, and California—to successfully obtain licenses and operate in full compliance with each state's regulated system.

Michael's work has led to a total of 22 successful licenses around the country. In addition to consulting applicants, he has ample cultivation experience in multiple states. For three years, he oversaw operations and cultivation for Flora Vega in Nevada, producing 500 pounds of product per month.

More recently, Michael was director of operations for Exhale Brands, also in Nevada, designing and developing a total of 50,000 square feet of cultivation with an additional greenhouse in California. He is also responsible for the cultivation strategy and related regulatory compliance with Kushberry Farms, involving a 21,000 square foot greenhouse. He is also a cultivation consultant for Greenleaf Farms International.

Michael's expertise lies in ensuring medical cannabis companies develop compliance planning and review protocols and implement internal controls and procedures that promote adherence to all state statutes and regulations. As part of this process, he has created and implemented a variety of employee training and management systems to ensure safety, security, and regulatory compliance by all involved in each operation.

In addition to being a director, Mike will be the managing employee, overseeing the implementation of the operating plan, training of employees, and cultivation of medical cannabis for Wholesome Ag.



DJ Schanz (director, government affairs)

DJ Schanz has been at the forefront of medical cannabis reform in Utah since 2014. As vice president of Libertas Institute, he worked with lawmakers on Capitol Hill and coordinated multiple town halls and educational events throughout the state on the subject.

In 2017, DJ co-founded the Utah Patients Coalition and oversaw hundreds of volunteers for the Prop 2 signature gathering campaign, regularly training and managing these individuals to ensure compliance with the state's highly regulated initiative process. He personally gathered the 2nd most signatures in the state in his free time, close to 5,000 total.



DJ was part of a small team of medical cannabis experts that drafted language for Prop 2 and raised the requisite funds for the campaign, and was later integral to starting the negotiations that led to a consensus bill. With the Utah Patients Coalition, he worked with large institutions of medical providers in the state to successfully see them reverse their opposition to participation in the program. DJ also helped co-found the Utah Cannabis Association for industry members and has coordinated several meetings with interested parties and state regulators to help streamline the process.

DJ has founded and ran numerous successful business operations, including an international outsourcing firm with operations in South Africa, the Philippines, Egypt, and India, managing over 300 agents across the globe and coordinating their training, evaluation, and compliance—with both domestic and international law. He also owned and managed TrueScribe, an electronic medical records company, until the company sold in 2016; DJ's role involved detailed compliance reviews to ensure all transcriptions and data retention were done pursuant to federal HIPAA laws and regulations. Finally, DJ has operated Topple Strategies since 2012, consulted dozens of campaigns and organizations with their communications, outreach, messaging, and strategy.

DJ is a graduate of BYU in international law and diplomacy and holds an MBA from the Thunderbird School of Global Management. He is an avid gardener, has taken the Utah State Master Gardener course, and has attended dozens of conferences and seminars on medical cannabis to identify industry experts to collaborate with and cultivate a high-quality, affordable option for patients.

Alex Iorg (director, head of compliance)

Alex Iorg is a native Utahn with more than a decade's worth of experience working in government relations, campaign management, policy analysis and campaign finance in over a dozen states across the country.

Throughout his career, Alex has been tasked with coordinating employees, contractors, and volunteers to ensure they are properly trained in election and campaign finance law, and that accountability and expectations are set to ensure perfect compliance with the team. Alex has been responsible for supply chain management logistics for candidates and campaigns as well, making sure people located in areas around the state have the right resources at the right time to maintain an efficient operation.



Alex has helped manage large signature gathering efforts and voter contact campaigns both in Utah and around the country. These campaigns have involved thousands of volunteers and employees resulting in over a million qualifying signatures and hundreds of thousands of direct voter contacts.

As an advisor to campaigns and acting treasurer on for political action committees and non-profit organizations, Alex has a long and blemish-free record of complying with campaign regulations and finance law. His chief duty is to ensure no illegal or inappropriate conduct occurs in a highly regulated and scrutinized environment where even minor mistakes can be devastating to campaigns and organizations, or even lead to imprisonment.

Alex's unique skillset and policy experience provided him the opportunity to join the Utah Patients Coalition in 2017 where he served as campaign manager throughout the successful signature gathering effort and "Yes on Prop 2" campaign.

More recently, Alex helped organize the Utah Cannabis Association where he serves as a member of the board of directors. Alex holds a master's degree in public policy, completing his final capstone project on federal and state cannabis policy, and a bachelor's degree in political science, both from the University of Utah.

Allyson Feiler (director, cultivation advisor)

Allyson Feiler is an early pioneer in the medical marijuana industry. She was one of the first cultivators in Colorado in 2010, and in that capacity helped train others from the Marijuana Enforcement Division and helped develop the state's early inventory management system. Since that time she has operated several cultivation and dispensary facilities, and has had close relationships with regulators to support proper enforcement of best practices.

These experiences have given Allyson substantial opportunity to demonstrate compliance with detailed regulations, especially in the early days of the emergency medical cannabis industry as regulators needed to work alongside entrepreneurs to determine best practices and modify regulations as new information was learned about how to best cultivate and distribute cannabis. Allyson has been a partner with regulators throughout the process, and her facilities have been used as staging grounds for regulators to demonstrate how to inspect a facility and ensure compliance.

Allyson is founder of the Canna Consult Group and has organized a team with a combined 100 years experiencing growing cannabis. In that capacity, she works with commercial grow operations, greenhouses, and processors through all phases of cannabis production and distribution to ensure high quality products. She has a masters of science in Entrepreneurship from the University of Florida.



Steven Maxwell (director)

Steven Maxwell is an experienced entrepreneur, property developer, and business development manager. His professional experience includes managing hundreds of employees, dozens of construction projects, and millions of square feet in real estate

For over two decades, he was CEO of Maxwell Properties Inc., a full service real estate firm that became one of the top firms in Atlanta. At its peak, the company had over 300 employees. Steven managed over 4,000,000 square feet of real estate in the southeast United States. The company developed over 50 neighborhood shopping centers with a combined value of over \$350 million. This process involved significant regulatory compliance with differing permitting processes, land use ordinances, and business requirements in each differing jurisdiction.

Steven is also a restaurant entrepreneur and is involved in over 15 locations ranging from fast casual to fine dining. Steven has assisted in the conceptual development of several original ideas and was involved in site selection, design, construction, and startup.



Pelin Thorogood (director)

Pelin Thorogood is a tech executive turned social entrepreneur who has made a career out of being at the forefront of emerging business trends and technologies. The potential for CBD-rich therapeutics to deliver significant health benefits led her to co-found the Wholistic Research and Education Foundation, a 501(c)3 non-profit dedicated to CBD research, education and advocacy, where she serves as President.



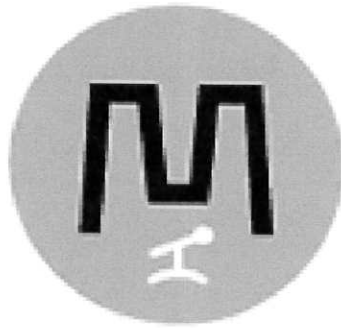
One of the Foundation's initial research initiatives is the "Brain Effects of Cannabinoids" study currently underway at the University of Utah. The investigation uses advanced imaging to visualize personalized effects of CBD and THC on individuals at functional and molecular levels in order to analyze how the different cannabinoids may result in changes across entire brain networks and neuropsychological functioning, specifically related to attention, memory, processing of novelty and change, as well as stress and pain. The findings of this \$740,000 study have the potential shape the developing field of cannabinoid therapy by understanding the personalized effects of cannabinoids.

Pelin is also co-founder of Mana Artisan Botanics, an organic CBD infusions company. She was previously CEO of Anamatrix, an award-winning multi-channel analytics platform (acquired by Ensignt in 2014) and CMO of WebSideStory, the pioneer in web analytics (IPO in 2004, acquired by Omniture/Adobe in 2008). Pelin holds a bachelors degree in Operations Research, a masters degree in Engineering and an MBA degree, all from Cornell University, where she also serves as Industry Scholar for the Cornell Institute of Healthy Futures.



MURRAY
CITY COUNCIL

Discussion Item #4



MURRAY
CITY COUNCIL

Discussion Item #5

Utah Transit Authority Update

to the Murray City Council

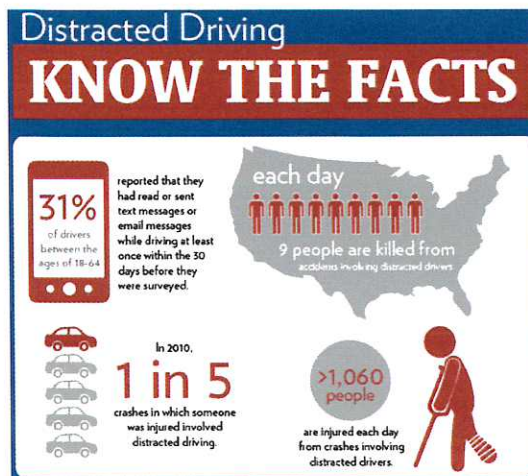
Carlton Christensen

September 17, 2019



1

Safety Is Our Highest Priority



2

UTA Board of Trustees



Carlton Christensen,
UTA Chair
*Representing Salt Lake
County*



Beth Holbrook,
UTA Trustee
*Representing Davis, Weber
and Box Elder Counties*



Kent Millington,
UTA Trustee
*Representing Utah and
Tooele Counties*

3

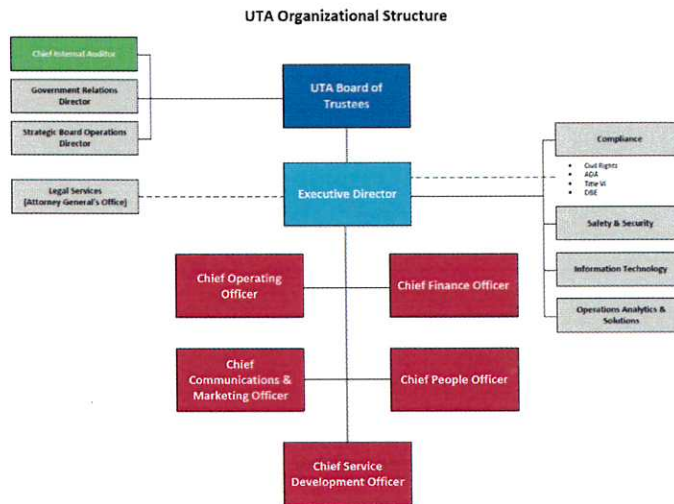
UTA Local Advisory Council

- Jeff Acerson, Chair – Mayor, Lindon
- Troy Walker, Vice Chair – Mayor, Draper
- Karen Cronin, Vice Chair
- Erik Craythorne – Mayor, West Point
- Leonard Call – Mayor, Pleasant View
- Robert Hale – Mayor, Midvale
- Clint Smith – Councilmember, Herriman
- Jacqueline Biskupski – Mayor, Salt Lake City
- Julie Fullmer – Mayor, Vineyard



4

UTA Governance



5

Salt Lake County 4th Quarter Implementation



6

Phased Approach to Service Implementation

- Mobilization phase, fall 2019-August 2021
 - Completion of Service Choices study
 - Plan route improvements
 - Design and construct support infrastructure
 - Preparation for new bus service:
 - Complete Depot District maintenance facility
 - Procure additional buses
 - Hire operators/support staff
- New bus service, beginning August 2021



7

Mobilization (2019-2021)

Estimated allocation of funds (proposed):

- | | |
|---|-----|
| ▪ Bus service improvement and expansion | 19% |
| ▪ Service related facility improvements | 47% |
| ▪ State of good repair | 28% |
| ▪ Administrative service support | 6% |



8

New Bus Service and Ongoing Needs (Starting August 2021)

Estimated allocation of funds (proposed):

- | | |
|--|----------------|
| ▪ Bus service improvement and expansion: | 71% |
| ▪ Service related facility improvements | 5% |
| ▪ State of good repair (Light Rail-TRAX) | 24% |
| ▪ Administrative service support | included above |



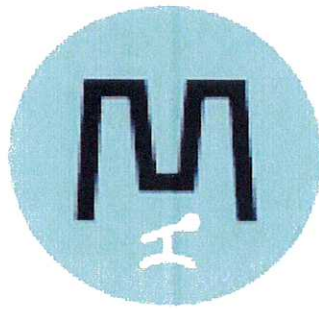
9

Questions?

boardoftrustees@rideuta.com



10



MURRAY
CITY COUNCIL

Adjournment