

**MURRAY**  
CITY COUNCIL

# **Council Meeting**

# **November 12, 2019**



# Murray City Municipal Council

## Notice of Meeting

November 12, 2019

Murray City Center

5025 South State Street, Murray, Utah 84107

### Meeting Agenda

**4:40 p.m.** Committee of the Whole – Council Chambers  
Dave Nicponski conducting.

### **Approval of Minutes**

1. Committee of the Whole – August 27, 2019
2. Committee of the Whole – October 1, 2019
3. Murray City Council Workshop – September 25, 2019

### **Discussion Items**

1. Seven Canyons Trust Presentation – Dale Cox, Brian Tonetti (20 minutes)
2. State Street Bridge – Doug Hill (15 minutes)
3. Accessory Structure Height in Residential Zones – Jim McNulty (15 minutes)
4. Off-Premise Sign Regulations – Jim McNulty (15 minutes)
5. Moderate Income Housing Update – Jared Hall (10 minutes)
6. Murray City Center District – Jared Hall (15 minutes)
7. Holiday Ordinance Revisions – Dale Cox (5 minutes)

### **Announcements**

### **Adjournment**

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

**6:30 p.m.** Municipal Building Authority of Murray City – Separate Agenda

**6:40 p.m.** Council Meeting – Council Chambers  
Jim Brass conducting.

### **Opening Ceremonies**

Call to Order  
Pledge of Allegiance

### **Approval of Minutes**

Council Meeting – October 1, 2019  
Council Meeting – October 15, 2019

### **Special Recognition**

1. **Miss Murray 2019 Savannah Angle** - Wrap Up Report  
Mayor Camp and Savannah Angle presenting.
2. Introduction of **Miss Murray 2020 Sarah Nelson**  
Mayor Camp and Sarah Nelson 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 appointment of **Matt Jacobson** to the Arts Advisory Board for a two-year term to expire January 15, 2022.
2. Consider confirmation of the Mayor's appointment of **Janice Blanchard** to the History Advisory Board for a three-year term to expire August 1, 2022.  
Mayor Camp presenting.

### **Public Hearing**

1. Consider an ordinance amending Sections 17.92.090, 17.96.090, 17.100.090, 17.104.090, 17.108.090, 17.112.090, 17.116.060, 17.120.060, 17.124.060 and 17.128.060 of the Murray City Municipal Code relating to accessory structure height in residential zoning districts. Jim McNulty presenting.

### **Business Items**

1. Consider a resolution approving Amendment One to the 2004 Interlocal Cooperation Agreement between the City ("City") and Salt Lake County ("County") regarding the sharing of costs for lifeguards at the Murray High School Swimming Pool. Doug Hill presenting.
2. Consider a resolution approving an Interlocal Cooperation Agreement between Murray City Corporation ("City"), Utah Department of Transportation ("UDOT") and Murray City School District ("District") for pedestrian bridge demolition. Doug Hill presenting.
3. Consider a resolution adopting the Regular Meeting Schedule for calendar year 2020. Jim Brass presenting.

### **Mayor's Report and Questions**

### **Adjournment**

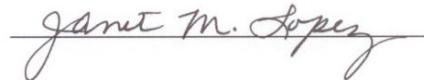
**NOTICE**

**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.**

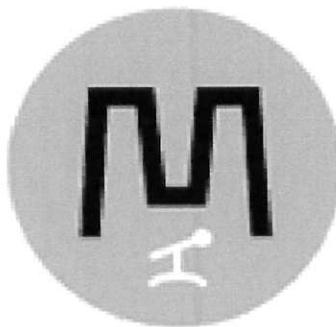
**SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST TO THE OFFICE OF THE MURRAY CITY RECORDER (801-264-2663). WE WOULD APPRECIATE NOTIFICATION TWO WORKING DAYS PRIOR TO THE MEETING. TTY is Relay Utah at #711.**

**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, November 8, 2019, at 10:00 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](http://www.murray.utah.gov), and the state noticing website at <http://pmn.utah.gov>.

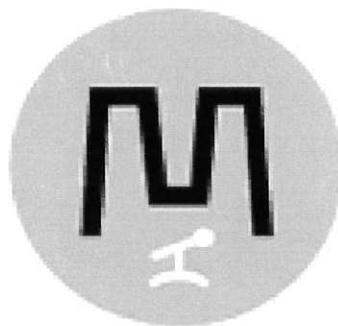


Janet M. Lopez  
Council Executive Director  
Murray City Municipal Council



**MURRAY**  
CITY COUNCIL

# Committee of the Whole



**MURRAY**  
CITY COUNCIL

# Committee of the Whole Minutes



MURRAY CITY MUNICIPAL COUNCIL  
COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, August 27, 2019, in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

**Council Members in Attendance:**

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

**Others in Attendance:**

Blair Camp	Mayor	Janet Lopez	City Council Exec. Director
Brenda Moore	Finance and Administration	Jennifer Kennedy	City Recorder
G.L. Critchfield	City Attorney	Jennifer Brass	Citizen
Doug Hill	Chief Administrative Officer	Jake Pehrson	Citizen
Jennifer Heaps	Comm. & PR Director	Kat Martinez	Citizen
Robert White	IT Director	Danny Astill	Public Works Director
Melinda Greenwood	CED Director	Ben Wheat	Roderick Enterprises
Jon Harris	Fire Chief	Danny Hansen	CED
Jim McNulty	CED Manager	Marie Goetsche	Chamber of Commerce

Chair Dave Nicponski called the Meeting of the Committee of the Whole to order at 4:31 p.m.

**Approval of Minutes** – Mr. Nicponski asked for comments or a motion on the minutes from Committee of the Whole, April 16, 2019. Mr. Hales moved approval. Ms. Turner seconded the motion. (Approved 5-0)

Mr. Nicponski moved to approve the minutes from the City Council Workshop on April 19, 2019. Mr. Brass moved approval. Mr. Cox seconded the motion. (Approved 5-0)

**Discussion Items**

**Rezone 871 West Tripp Lane** – Melinda Greenwood, Jim McNulty

Mr. McNulty was identified as the City's designated representative for NeighborWorks. He reported that the subject property is just under three acres in size and has been available for some time. The location of the property was described. It was noted that the access will be off of Tripp Lane. There was some

question as to the second access off of Willow Grove Lane as there is an issue with a protection strip in the area that may limit access to the site from the neighborhood to the south. Staff discussed with the applicant various ways to develop the property if the rezone is granted.

Mr. McNulty explained the property is currently zoned Agricultural as is the property to the north. The surrounding properties are zoned R-1-8 with the exception of the most northern piece where the power station is located. The General Plan calls for Low-Density Residential. He said no change is proposed to the Future Land Use Map. The R-1-8 zone fits within this land use designation. A photo of the property was displayed, and he commented that the property was cleaned up after a complaint was received regarding weeds on the property; the situation was addressed, and the property is ready to be developed.

NeighborWorks was identified as the current property owner. They are looking to potentially develop two homes on the property if the rezone is granted. Cost issues were determined to be important since NeighborWorks provides a product that meets certain income restrictions; the current HUD standard is around \$380,000. They may be able to restrict a few of the homes wherein a family would agree to occupy the home for a specified period of time in exchange for a special interest rate.

Mr. McNulty explained based on the findings, rezoning the property to R-1-8 is supported by the Future Land Use Map. The proposed rezone was considered carefully with the site and surrounding area and was determined to comply with the 2017 General Plan. The proposed amendment from Agricultural to R-1-8 was determined to be in harmony with the Low-Density Residential land use. The Planning Commission held a public hearing on July 18 and unanimously recommended approval of the rezone request.

In response to a question raised, Mr. McNulty explained those present at the public hearing were interested in seeing the property developed. There had been talk of creating a pedestrian access between neighborhoods as well. He discussed various access issues and acknowledged that design and utility issues exist, but the applicant is willing to work through them.

Mr. McNulty reported NeighborWorks has been active for some time; for example, in Salt Lake City they completed 12 homes in the past 18 months as part of the Marmalade project, and in the past five years, they developed three or four residential subdivisions in Salt Lake City.

Mr. Cox noted the overall proposed project will be market-rate homes with the exception of a few homes that will get special financing. Mr. McNulty confirmed.

Ms. Greenwood agreed NeighborWorks strives to provide an affordable product without negatively impacting the values of the surrounding homes. For that reason, they want to be sensitive and make sure that the market in the area is not negatively impacted by the affordable units.

Mr. Brass commented that the vision of NeighborWorks is irrelevant to the discussion. The question is whether R-1-8 is appropriate for the zone, because the decision was made some time ago that A-1 would be future land use planned as R-1-8. Mr. McNulty agreed and said it follows the pattern of what has been done in the area. The matter would come forward for a public hearing at the next meeting.

Mr. Nicponski asked how many units were planned for the area. Mr. McNulty said approximately 10 lots were expected to be proposed on the property.

**Rezone 5920 South Fashion Boulevard – Jim McNulty**

Mr. McNulty said the property is 3.61 acres in size and is located on the southwest corner of 5900 South and Fashion Boulevard. The property is vacant, and work has been ongoing to combine seven properties and assemble them into one property description. There are two zones associated with the property consisting of G-O (General Office) and C-D (Commercial Development) zoning. He noted the Future Land Use Map was adopted in May 2017, which shows the area as Office Use, so, developers would like to change it to a P-O (Professional Office) designation. Mr. McNulty explained the 2017 General Plan directed staff to create a P-O zone; as a result, last year the zone was presented for adoption and is now in place. This is the first property that petitioned the City for the new P-O zone.

Mr. McNulty displayed photos of the property and described the difference between the G-O, C-D, and P-O zones; each requires a buffer between residential and office. He said one concern raised at the public hearing was about traffic impact on McMillan Elementary School, and others present wanted to better understand the buffer.

Based on the findings noted in the staff report, staff thought the re-designation of the Future Land Use Map and zoning map for the subject property would be consistent with the development pattern in the area. Currently, it allows for office type uses. The requested amendments were carefully considered based on the site characteristics, and the surrounding area. The policies and objectives of the 2017 General Plan were found to be in harmony with the goals of the plan. Mr. McNulty clarified the G-O and C-D zones will be modified to the P-O zone.

On July 18, 2019, the Planning Commission held a public hearing and forwarded a recommendation of approval for the requested General Plan and Future Land Use Map Amendment from Office to Professional Office. A public hearing was also held for the zoning map amendment and the planning commission forwarded a recommendation of approval to the city council for the property at 5920 South Fashion Boulevard to go from C-D and G-O to the P-O zone. During the public hearings, there were no comments in opposition to the rezone. Only general questions about what is proposed were raised.

**Proposed Amendment to the Fiscal Year 2019-2020 Budget – Brenda Moore**

Ms. Moore confirmed there would be a budget opening at the next meeting and a vote on whether to apply for a JAG (Justice Assistance Grant). She reported the city was awarded \$34,849 but the federal government requires the city council to sign off on the application prior to the funds being added to the budget. Ms. Moore reported there was also a remaining balance from last year's JAG grant. The police are keeping close track of how the cameras are being used and it is working well.

Ms. Moore reviewed grants being pursued, said ongoing contributions from Jimmy Johns continue to be used for recreational programs, and noted the EMPG (Emergency Management Performance Grant Program) budget decreased this year.

Mr. Nicponski asked the average contribution from the Asset Forfeiture Grant. Ms. Moore reported the city receives \$7,000 to \$8,000 annually, and through the state, the federal government gave the city an additional \$68,000 for VOCA (Victims of Crime Act Administrators). She also noted benefit reallocation issues and explained the difference in benefits between a single employee and a family, which was determined to be a \$12,000 to \$16,000 difference in benefits. In addition, the following items were reviewed:

- The Police Department is having an outside company do their janitorial work at the Training Center; the cost was slightly higher so a transfer would be made to the Facilities budget.
- Project rollovers from Fiscal Year 2019 to 2020.
- A number of air conditioners at the Library were replaced
- Funds of \$200,000 were transferred from reserves to the Storm Drain budget to complete the project.
- Small equipment replacement plan.
- Parks Department - reallocated some of the items their budget will be used for. They have small equipment money left that will be used to refurbish the Costco mural; the project is expected to be completed by October or November.

**Announcements:** Ms. Lopez made several announcements related to upcoming events for the Council Members.

**Adjournment:** 5:08 p.m.

**Pattie Johnson**  
**Council Office Administrator II**



MURRAY  
CITY COUNCIL

## MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, October 1, 2019 in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

### Council Members in Attendance:

Dave Nicponski - Chair	District #1
Dale Cox – Vice Chair	District #2
Diane Turner	District #4
Brett Hales	District #5

Excused: Jim Brass District #3

### Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Director
Doug Hill	Chief Administrative Officer	Kim Sorensen	Parks & Rec. Director
Pattie Johnson	Council	Danny Astill	Public Works Director
Jennifer Kennedy	City Recorder	Jon Harris	Fire Chief
Jennifer Heaps	Comm. & PR Director	Pepper Pehrson	Library Board
Brenda Moore	Finance Director	Vicki Matsumori	Library Board
Rob White	IT Director	Brent Gardner	Library Board
Melinda Greenwood	CED Director	Dustin Lewis	Library Board
Jeff Smart	SL County Health	Kim Fong	Library Director
Randy Larsen	Gilmore & Bell, Bond Counsel	Jake Pehrson	Resident/Candidate
Rosalba Dominguez	Resident/Candidate	Carl Burg	Security
Janice Strobell	Resident	Brent Barnett	Resident

Mr. Nicponski called the Committee of the Whole meeting to order at 5:00 p.m. and welcomed all.

**Approval of Minutes** - Mr. Nicponski asked for comments or a motion on the minutes from Committee of the Whole June 4, 2019. Ms. Turner moved approval. Mr. Hales seconded the motion. (Approved 4-0)

### Discussion Items

**Medical Cannabis Ordinance Discussion** – G.L. Critchfield

The council approached Mr. Critchfield in April 2019 to look at creating a medical cannabis ordinance. Mr. Critchfield said a reasonable ordinance was initially created with regulatory authority; however, since that time, Utah State Legislature met and reduced the local authority. As a result, in an effort to follow Utah State law, the ordinance was greatly revised from the initial draft. Specifically amended was the Murray City Standard Land Use Code, related to the required distance medical cannabis production facilities and pharmacies can be located from communities and residential locations. He said Utah State law will also determine if there will be a waiver of those distance requirements, which is currently 1000 feet from a community property, and 600 feet from a residential area zone; the State can waive up to 20% of the distance.

Mr. Cox asked if distant requirements begin at the residential property line, or from cannabis buildings. Mr. Critchfield said the distance starts from the cannabis structure, and measured to community property line locations, which are also parks and schools.

He said distance is key because now the ordinance clearly defines what a residential area is, and all zoning districts Murray considers primary residential zones. Once approved, the ordinance would be in place should a developer challenge whether or not a mixed-use zone is a residential area. Therefore, the Standard Land Use Code is included in the amended draft ordinance, which is code that describes all land uses allowed in the city; and the revised ordinance includes which zones allow for cannabis production facilities, and cannabis pharmacies.

Mr. Critchfield reviewed one substantial change from the first draft that stated a cannabis production facility was a conditional use permit requirement; Utah State law now says if you have an industrial zone – cannabis production is permitted there. He explained as follows, Murray Code language kept in the ordinance, in terms of reasonable standards to be imposed.

- For production establishments: The ordinance now states, which is not dealt with in Utah State Law, that there shall be no emissions of dust, fumes, vapors, odors of waste into the environment. It also states that businesses must meet the requirements for the zone in which they are located, and a business license must be obtained.
- For pharmacies: The ordinance states that no cannabis products shall be visible from outside the pharmacy; companies must meet the underlying land use requirements, and a business license is required.

Mr. Hales anticipates additional changes legislatively after the new year. Mr. Critchfield confirmed City Code would be adjusted again later, however, if laws are not set now, production and pharmacy companies would move into Murray and become established according to the current standard. He said the intent was to have the ordinance in place before applications come in, and the city's desire was not to limit access, but to ensure some local control over the location of these businesses.

A brief conversation occurred about what Utah State legislators were thinking when they reduced city authority, and instilled Utah State regulations. It was thought that the notion was to meet the upcoming deadline, which was set early on to have production companies up and operating by March 2020, and

some cities were not reacting in a timely manner. Ms. Turner appreciated clarifications. The council would consider the draft ordinance in the following council meeting.

**Land Agreement for Current Library Site – G.L. Critchfield**

Mr. Critchfield led a discussion regarding the library's location, current ownership of the property, and the 50-year Ground Lease Land Agreement the library has with the Murray School District; the lease expires in 2041 and the option to renew the lease for another 50 years was noted. He acknowledged the presence of Ms. Fong and Murray City Library Board Members and affirmed they would present options that exist for moving forward with a new facility and locate land.

Mr. Critchfield reviewed history in 1991 when the city initially wanted to build a library, so they approached the Murray City School District to request a long-term ground lease for the current parcel. Months after the agreement was made when bonding was underway, the city realized securing the bond for the library would be cost prohibitive without owning the land. So, the school district and the city entered into an agreement, whereby the district would sell the property to the city for the duration of the bond. The land would then be sold back to the district once the bond was paid, for a minimal cost (not market value). The school district agreed with minimal security requirements, in case of default.

In 2013 the city paid off all its bonds and the school district was notified that the land could now be repurchased; however, the deal was never completed. Mr. Critchfield thought it was delayed, partially due to uncertain plans for their State Street property, not knowing whether the library parcel would be included once they owned it again. He said assuming the parcel would be repurchased by the school district, the land will be subject to the original 50-year Ground Lease, with the 2041 expiration date.

Mr. Critchfield explained one option; either party can renew the lease - five years before the lease expires in 2041. If the school district does not want to renew, they are required to purchase the building. If the city does not renew, the city walks away without purchasing the building. He said once the library board attains clear directions about what to do, negotiations are expected to continue with the school district, and questions would be addressed about possibly altering the terms of the ground lease or leaving it as it is. In addition, a resolution was passed in 2013, depicting the property as surplus; that is when the library board gave notice that bonds were paid. Therefore, the school district would be notified again with documentation for the school districts title company to complete the agreement.

**Land for the New Library – Kim Fong and Library Board Members**

Ms. Fong introduced board members and invited them to join her conversation about the concerning situation. She confirmed the 50-year ground lease details, as presented by Mr. Critchfield, and agreed the library does not own the current land it is sitting on. She said the plan to construct a new library was a concept agreed to recently by the city council, and administration, to include the library in the MCCD (Murray City Center District), on a civic-type campus, near the new city hall. However, she realized those plans are cancelled, due to a lack of space.

She reviewed historical locations of all Murray libraries; the first was Carnegie Library on Vine Street, constructed on land donated to the city, by the school district; all others were constructed on city owned

property, except the current library. Ms. Fong thought as property is traded in the MCCD area for city hall planning, it would be nice if relocating the new library were again included, before decisions are made about the current library lease agreement. She said her intent was to make the council aware of the situation, seek guidance from council members, and discuss next steps for the future. Ms. Fong discussed three options:

1. Stay where they are. This is not the best option because even by expanding, space would be limited. There are issues with the site they do not own; and the school district could deny a lease renewal in 2036 so the library would have to vacate.
2. The library could purchase their own land. The recent property tax increase was initiated for a new library; at that time Ms. Fong was told the city would include land in the MCCD development, so this option is not favorable because the budget was built with only new construction in mind - not land purchases. She stressed the library does not have money to buy land, and there is no land available to purchase; board members had conversations with downtown property owners, and no one is interested in selling at an affordable price.
3. Have the city find a piece of land for the library – owned by the city. Ms. Fong said this was the best option because finding land to purchase would then not be necessary; and her hope is to see the school district buy back the current building.

Mr. Nicponski did not think it would be difficult to locate land for the library and noted once a new city hall is constructed, the existing city hall site would be vacant; he asked Mayor Camp if that land could be utilized. Mayor Camp said it would create an issue, because the RDA (Redevelopment Agency) owns the city hall property, and most vacant property in the downtown area. Therefore, he thought property would have to be sold or deeded to the library from the RDA. He said the situation was a challenge, due to a lack of city owned land - even for locating the new city hall. He thought the situation could be worked out moving forward, with either land owned by the city, or with land made available someday.

Ms. Turner thought it was a forgone conclusion a new library would be located in the downtown area, near the new city hall; she was confused as to when plans changed and wants to see the library located there. Mayor Camp confirmed plans did not change, although, the original plan included attaining the FOE (Fraternal Order of Eagles) parcel, which had not happened yet. In addition, he said the need for extra parking in the MCCD required more land use; so, once a parking structure was in place, the new library could possibly be placed somewhere near city hall, but those plans are three years out.

Mr. Hales asked why negotiations discontinued with FOE property owners. Mayor Camp said efforts were made to assist them in relocating, to no fruition; negotiations would continue, but demands were too high in finding a new location. He was not certain the FOE would be able to remain at their current location and thought the parcel would be an option for the library in the future. He said having the library at the MCCD campus was desirable, but an exact location was not identifiable at this time.

In response, the library board feared the vagueness, because the library provides service to a wide scope of people and is utilized by a vast number of citizens who are constantly feeling squished. Popular summer programs are challenged now, due to limited space; and other programs beloved by many residents would suffer; it is the library's desire to serve all patrons. They thought by saying "somewhere", or "in the future a place might be available" was disappointing. The board hoped for definite inclusion – especially after being

part of the master plan – which had now changed. Ms. Turner agreed.

Mr. Hales asked if the library board had a preferred location in mind - if they could choose. In response, the board stressed they wanted assurance, they liked the idea of being downtown, but noted a location in Murray City Park would be wonderful - on city owned land. In addition, they expressed a belief in utilizing RDA land as it is purposed to generate property tax revenue for the city; using land already owned by the city was best.

Ms. Turner asked where in the park a new library would be constructed. In response, the area east of the Park Center recreation building was noted; it would serve many people visiting the park, youth, and elderly; it would be a beautiful center matching intellectually, and structurally with the amphitheater.

Mr. Cox asked how many years before a decision was required. Ms. Fong said there was no compelling deadline to relocate because the school district is willing to let them remain at the current location until 2041; however, she feared vacant land would be more scarce by then. She said plans to include the library in the MCCD began a year and half ago, so the goal was to save money for 3-5 years for new construction. She reiterated because citizens were told at last year's Neighborhood Meetings reserves would be applied to a new library, they would continue to save for that. In response, the library board reiterated having council support and knowing there was a specific place to construct the library was huge for them.

Mr. Hales was not aware of the option to build in Murray Park, but was interested in looking at the area. Ms. Turner agreed. Ms. Fong said the idea was not formerly presented to the council. She agreed using RDA property was probably not ideal for the city, so they would continue looking; with no vacant property anywhere, it is difficult to resolve the problem. Ms. Lopez affirmed the library board was looking for support and assurance from council members.

A lengthy discussion occurred when Mr. Nicponski suggested a resolution regarding a land purchase be made for consideration in the future, if the council was inclined to help. He asked Mr. Critchfield if the RDA could act in finding property for future use. Mr. Critchfield said it was possible but there was no commitment the city could make to itself; the decision was up to Mayor Camp. Mr. Nicponski directed Ms. Fong to work with Mayor Camp, moving forward. Ms. Fong agreed, if a new library was going to be located on city owned land, or RDA property, it would be the Mayor's decision; but, she clarified it is the city council's decision and responsibility to approve or disapprove the sale or purchase of other land.

Mr. Critchfield directed Ms. Fong and the library board to consider what RDA property they might want to purchase, then bring that proposal to the Mayor at another time; if a decision could not be made together, and purchasing privately owned land was necessary, those discussions would continue. Mr. Nicponski affirmed Ms. Fong would identify two or three RDA properties, prioritize those options, and move forward with the Mayor. Ms. Fong confirmed.

Mayor Camp acknowledged the main purpose of the library board visiting the Committee of the Whole was to make the council aware of a challenging situation, which he did not think was insurmountable. Ms. Fong said she did not expect immediate answers, confirmed it was important the council knew about the dilemma, and stressed the importance of building a new library, because taxpayers were told it would happen. Mr. Nicponski was confident Ms. Fong had a new process in sight now. Ms. Fong agreed.

Ms. Turner said the library is a wonderful and important place for all of the community and expressed total support in finding a new home for the library. She thought the council should do whatever they could to ensure a new building would be constructed. The library board expressed appreciation to the council for listening and being on their side.

**City Hall Bond Parameters Resolution** – Brenda Moore

Ms. Moore reviewed city hall bond parameters, ground lease information between the city and the MBA (Municipal Building Authority), the building lease between the MBA and Murray City, and the MBA issuance of bonds to build the new city hall. The city would use Stifel Financial Corporation, (formerly known as, George K. Baum and Company), as financial advisors, and Gilmore and Bell, as bond counsel on this debt usance project.

Ms. Moore said the best way to finance a new city hall building would be using LRB (Lease Revenue Bonds). She reviewed details of other basic government bonding options, such as: the use of sales tax bonds, LRB, or enterprise revenue; and discussed Assessment Financing, versus Increment Financing. (Attachment #1)

She noted one disadvantage of utilizing LRB is the slightly higher interest rate; however, the advantage is the preservation of sales tax bonding capability. She explained the city had enough sales tax capability to fund the project, however, the problem lies with legislators who could change the distribution formula, or the sales tax base in the future. As a result, the city could lose a great deal of sales tax revenue and the city would not be able to borrow another dollar for up to 30 years. Ms. Moore said choosing the LRB option frees the city to bond for other things when necessary, like constructing new roads, or purchasing land. Mr. Larsen confirmed there are other projects that only sales tax bonds are utilized for, therefore, he also recommended preserving the city's sales tax bond capabilities.

Ms. Moore does not favor borrowing funds, however, in this case, the LRB is a necessary method of getting civil projects accomplished. She said the GOB (General Obligation Bond) option is not suggested for city hall facilities because citizens do not think nice buildings are a necessity for city employees.

Mr. Hales asked the interest rate difference between the LRB and the GOB. Ms. Moore stated .16%, which was minuscule. Mr. Larsen confirmed if a LRB was attained for an essential city project, investors will know the likelihood of not paying the annual lease purchase payment is very low, (which is the lease payment on the building) (because vacation of city hall would be imminent if a payment was missed.) Ms. Moore confirmed the city would pay the MBA, and the MBA would pay the bond payment. Mr. Larsen confirmed the MBA is a finance mechanism for the city.

Mrs. Moore reviewed LRB details and procedures regarding the land and lease agreement. She discussed the step by step process once the resolution is adopted and summarized details of the LRB parameters as follows:

- Maximum Principal Amount = \$37 million
- Maximum Term = 31 years

- Maximum Discount = 2%
- Maximum Interest Rate = 5.5%. Interest is capitalized until the building is occupied. Bond payments are not due until the building is occupied.
- Designated Officers: Mayor Camp and Finance Director, who would be authorized to execute the contracts, leases, and agreements necessary to issue the city hall bonds at any level below the bond parameters listed above.

Mr. Hales asked if interest rates were fixed. Ms. Moore confirmed once the bond was sold – rates were fixed and thought the actual principal amount would be closer to \$30 million. She explained bond parameters are flexible, allowing them to make the best financial decision at the time, due to fluctuating interest rates and construction costs that change every 30 days.

Ms. Turner asked once other property was sold, could revenue be put towards the loan. Ms. Moore confirmed, however, it could also be used for something else.

Mr. Hales wondered if bonding could happen sooner if rate increases were anticipated. Ms. Moore said the time frame for bonding was set; buying bonds in December was not suggested, and January and February were ideal times to buy bonds, due to supply and demand. In response to a question, Ms. Moore noted if the maximum amount of \$37 million is borrowed, with an interest rate of 5%, the total cost to finance the city hall would be \$72 million, with payments of \$2 million per year.

Ms. Moore estimated groundbreaking as late as February 2020. She said the draft resolution would come to both the MBA and the city council for consideration on October 15, 2019.

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

**Adjournment:** 5:57 p.m.

**Pattie Johnson**  
**Council Office Administrator II**

# ATTACHMENT #1



MURRAY

# Overview of Lease Revenue Financings

September 2019



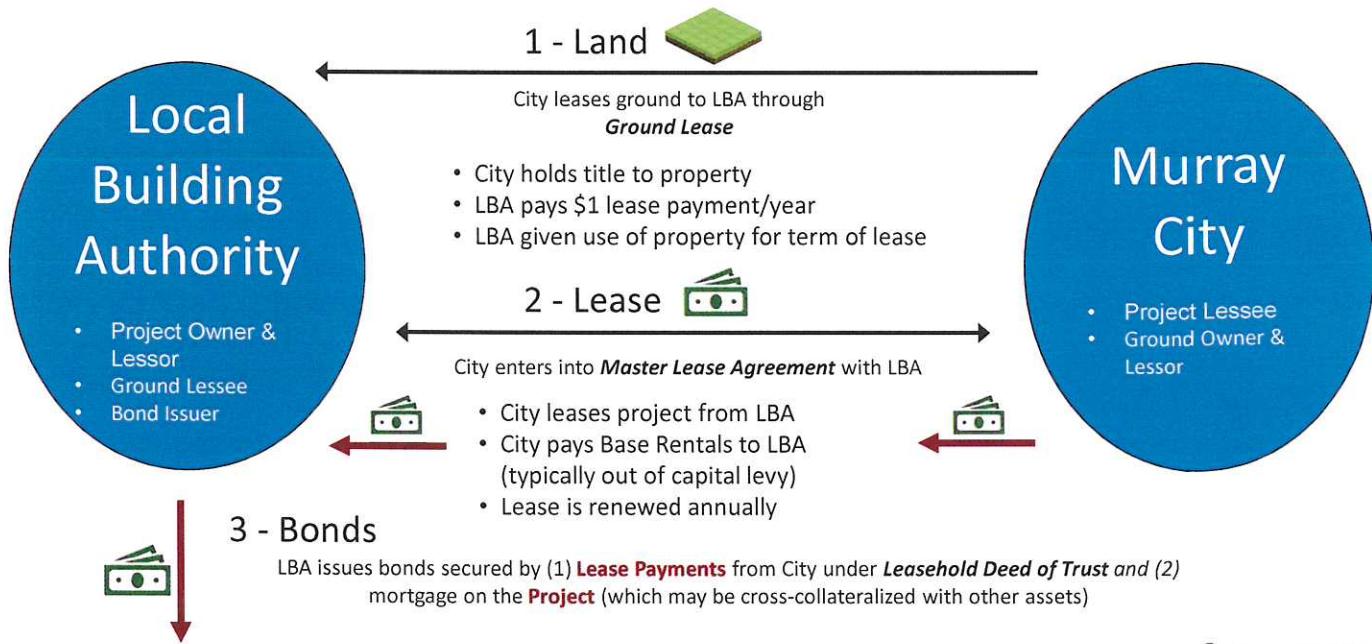
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INVESTMENT BANKERS SINCE 1928

# BASIC GOVERNMENTAL BONDS

GENERAL GOVERNMENT PROJECT FINANCING			
TYPE	USES	SECURITY	CONSIDERATIONS
General Obligation Bonds	Any capital improvement/project (G.O. pledge) <b>approved by voters.</b>	Full faith and credit (taxing power)	<ul style="list-style-type: none"> <li>- Requires a majority vote</li> <li>- Subject to statutory limits</li> <li>- Lowest interest rates</li> <li>- No reserve fund required</li> </ul>
Revenue Bonds			
Sales Tax (Excise Tax)	Any general governmental purpose project (new construction or upgrades). <b>Very limited project restrictions.</b>	Sales tax revenues, excise tax revenues, franchise tax revenues.	<ul style="list-style-type: none"> <li>- No vote required</li> <li>- May require a reserve fund</li> <li>- Coverage considerations</li> </ul>
Lease Revenue	<b>Essential purpose</b> governmental projects (new construction or upgrades).	Annual appropriations from the general fund budget to make lease payments.	<ul style="list-style-type: none"> <li>- No vote required</li> <li>- Lien on financed property/project</li> <li>- May require a reserve fund</li> <li>- May require capitalized interest</li> </ul>
Enterprise Revenue (Water/Sewer/Storm/Electric)	Revenue generating enterprise projects (new construction or upgrades). Typical enterprise fund projects (water, sewer, electric, storm drain, etc.).	Revenues generated from enterprise system.	<ul style="list-style-type: none"> <li>- No vote required</li> <li>- Typically require a reserve fund</li> <li>- Coverage considerations</li> </ul>
DEVELOPMENT FINANCING			
TYPE	USES	SECURITY	CONSIDERATIONS
Assessment Financing	Specific improvements within a designated improvement area (curb, gutter, streets, etc.).	Assessments levied on properties within the improvement area.	<ul style="list-style-type: none"> <li>- Requires property owner approval</li> <li>- Requires assessment ordinance and notices</li> <li>- Requires annual billing/collection</li> <li>- Typically require a reserve fund</li> <li>- Coverage considerations (property value)</li> </ul>
Increment Financing	Economic development projects (new construction or upgrades.	Incremental tax revenues.	<ul style="list-style-type: none"> <li>- Requires creation of RDA</li> <li>- Requires determination of base values</li> <li>- Typically require reserve fund</li> <li>- Coverage considerations</li> </ul>



# WHAT IS A LEASE REVENUE BOND?



## WHAT IS THE PROCESS?

1. City adopts resolution creating Local/Municipal Building Authority (already created)
2. City adopts and authorizes bond parameters resolution, Notice of Bonds to be Issues, and Notice of Public Hearing
3. City holds Public Hearing
4. City (via LBA) undertakes typical bonding activities:
  1. Drafting of Preliminary Official Statement
  2. Procuring bond ratings
  3. Selling and closing on bonds
5. City leases project from LBA (memorialized by closing documents)

# BOND PARAMETERS

- Maximum Par Amount:** \$37,000,000

This is the maximum par amount of bonds that can be issued. If construction costs rise, the City can accept market premium (additional proceeds) in addition to the par amount.

- Maximum Interest Rate:** 5.50%

This is the maximum interest rate that the City would pay. The actual rate will be lower. The parameters resolution sets the maximum rate high in case there is major market movement.

- Maximum Term:** 31 Years

This is the maximum term (years) over which the bonds would be amortized. Depending on the timing of the closing on the bonds, the term of the bonds may be slightly over 30 years (i.e. 30 years + 2 months).

- Maximum Discount:** 2%

This City will not accept purchase offers that are less than 98% of the par amount.

- Designated Officers:**

These individuals will be authorized to approve the final bond sale results and ensure that the results fit within the parameters the Council has approved.

**Mayor**  
**Mayor Pro Tem**  
**Finance Director**



## MURRAY CITY MUNICIPAL COUNCIL WORKSHOP

The Murray City Municipal Council met for a Power Webinar workshop on Wednesday, September 25, 2019 at 12:30 p.m. in the conference room at the Home 2 Suites, located at 4927 South State Street, Murray, Utah.

### Council Members in Attendance:

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

### Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Executive Director
Pattie Johnson	Council Office	G.L. Critchfield	City Attorney
Doug Hill	Chief Administrative Officer	Brenda Moore	Finance Director
Blaine Haacke	Power General Manager	Bruce Turner	Power Operations Manager
Greg Bellon	Power Assistant General Manager	Rosalba Dominquez	Candidate/Resident
Matt Youngs	Power Energy Services Manager	Adam Thompson	Candidate/Resident
Kat Martinez	Candidate/Resident	One Citizen	

### Welcome and Introductions – Dave Nicponski, Council Chair

Mr. Nicponski called the workshop to order at 12:30 p.m. and welcomed all in attendance. Brief introductions were conducted.

### Overview Power Financial Policy - Diane Turner, Budget & Finance Chair

Ms. Turner explained the reason for the workshop was to share important information with the entire council that she, Ms. Lopez, Mr. Critchfield, and Mayor Camp attained during a session at a recent UAMPS (Utah Associated Municipal Power Systems) conference, titled: "Follow the Money – Sound Financial Planning" - by Dawn Lund of Utility Financial Solutions. Ms. Turner read a description of the workshop stating: *"Utilities are under pressure to minimize rate impacts on customers, while keeping the system reliable and planning for infrastructure replacement. What role do financial decision makers play in this scenario? Learn how to define revenue requirements and what other key targets help ensure utility long-term financial stability."*

Ms. Turner noted Murray's current Code, Chapter 15.20.260 - *Power Fund Financial Standards*, which was revised in May of 2014. (See Attachment #1) She stated the UAMPS presentation was more comprehensive than the webinar, because issues like: *Reliability vs. Price, Rate of Return, Best Practices on Rate Adjustments, and Debt Coverage Ratio* were discussed, but she thought the council would benefit from listening to the webinar. Ms. Moore stated the power department has an abundance of *Debt Ratio Coverage* because the power department has no debt, currently.

Mr. Haacke agreed the webinar applied to power departments in general, however, the information would benefit all enterprise funds. He did not attend the specific session during the UAMPS conference but was familiar with other lectures by Dawn Lund. He confirmed the power department is debt free, and a plan is in place to replace 40-year old infrastructure. He noted, due to reserves, past bonds for gas turbines, substations, and infrastructure rebuilds were all paid off early, which provided a savings of \$700,000. He said they would continue to replace outdated infrastructure, invest in small nuclear reactors, and would participate in a solar project, but he did not anticipate bonding in the years to come because the department is in such good standing.

#### **Webinar - Cash Reserve Policies - Utility Financial Solutions, LLC by Dawn Lund**

The webinar was approximately 86 minutes long. (See Attachment #2)

#### **Group Discussion**

Mr. Nicponski asked Ms. Moore to address a reference in the webinar about rate structuring and preparations to adjust rates based on enterprise fund transfers; he thought rate increases to justify transfers would be concerning to most citizens. Ms. Moore said a rate increase had not occurred in the last seven years, since her employment in Murray, and there were no plans to do so, because costs are kept in line with revenue. She confirmed a random transfer would never occur and reviewed the annual budget process when those transfers happen. She reported two inter-enterprise fund loans related to the golf course, for the need of new golf carts, and a new sprinkling system.

Ms. Turner asked about the formal cash reserve policy. Ms. Moore confirmed Murray Code's required minimum was 25% of fund revenues.

Mr. Haacke reported revenue of \$37 million in the Power Fund, so with the required 25% minimum, \$9.3 million would be held in reserves. He explained the Power Fund did not always have reserves in the past, and the balance grew slowly over time - 12 years ago reserves were zero. He said with good luck, and low natural gas prices, reserves grew to the current amount of \$19.6 million, which is approximately \$10 million over the required 25% amount. Ms. Turner said good management also contributed.

Ms. Lopez asked if Capital Investments Projects suffered over the time of saving. Mr. Haacke confirmed during his first five years as General Manager, money did not go back into the system. Old trucks were not replaced, purchases did not occur, backyard rebuilds did not happen; capital was zero, and COLA (Cost of Living Adjustments) were nonexistent to all city employees - until reserves reached \$8-9 million. Currently, the reserve total allows for active backyard rebuilds.

Mayor Camp noted the power infrastructure system was still 73% depreciated. Ms. Moore confirmed backyard rebuilds were not costly enough to be claimed as fixed assets, because they are considered maintenance. She explained when one or two power poles are rebuilt at a time, the cost of \$4,000 is not enough to be capitalized; if an entire neighborhood was rebuilt all at once at a cost over \$12,000 just for parts and materials, then it would be considered a capital project, therefore, depreciation would increase.

Mr. Haacke noted the city's formal ILOT (in lieu of taxes) transfer policy, where 8% of revenue from each enterprise fund is transferred annually to the General Fund, except from the golf course and storm water revenue. Ms. Moore confirmed the formula was put in place by the former finance director in 2014. Therefore, power is already operating according suggestions made in the webinar. Ms. Lopez asked whether all utility funds had reserves of 25%. Ms. Moore could not confirm at this time but would research that.

Mr. Haacke mentioned cities like Lehi, St. George, and Bountiful; all have different percentages of revenue going back into their systems, similar to Murray's 8% policy. He said although Murray was on the higher end statewide, many other cities do not require any return, and some provide up to 12%. Therefore, he had peace of mind knowing Murray had a good reserve policy, because 20 years ago, only 2.2% of revenues went back into the General Fund. He explained as the city's needs increased, the ILOT percentage rose to 5.6%, and then increased to 6.8%, which evolved to 8% - where it remains.

Ms. Moore confirmed profit from the power department would never match expenses. As a result, funds are transferred to the city's General Fund to help balance the city's budget, because large tax-exempt companies that use a great deal of the city's power and water resources, do not generate sales tax revenue. The transfers make up lost revenue from resource users like IMC Hospital, other healthcare facilities, schools, and churches.

Mr. Hales agreed ILOT transfers made sense knowing large utility users do not pay property taxes either.

Mr. Haacke shared important reasons the power department needs to maintain such a high reserve balance, at all times as a rainy-day fund. He noted an incident in Provo City, when a dump truck caught a communications line and tore out 12 power poles, as a good of example of what can happen overnight. Had someone else caused the accident, the cost to the city would have been \$250,000 to repair; in this case, insurance companies covered the damage. In addition, extreme weather could be as costly as one million dollars in one weekend; for example, two years ago high winds caused a three-day power outage in Bountiful City that cost \$1.4 million. Although FEMA (Federal Emergency Management Agency) provided some assistance, the cost was greater than they anticipated.

He reviewed the Enron situation in 2001, which cost the power department \$7 million that year; three times the amount of normal expenses, due to related issues. Usually the city's power bill is \$1-2 million per year. He said the largest infrastructure issue is transformers, in which the cost per transformer is \$2 million; the city has 12 of them. He said should something catastrophic occur, the cost would be over \$20 million to replace them all at once. Other infrastructure needs include \$500,000 for one power line truck alone. Mr. Haacke stressed having the financial buffer was imperative and necessary for overall operations in the city.

Ms. Moore discussed the formal policy of administrative service allocations in the budget, for things such as, utility billing based on the number of accounts within all enterprise service funds; included are fleet assessments based on the number vehicles within each service. She noted the power department utilizes attorney services more than all other enterprise funds because more contracts are written, which justifies the expense.

Mr. Haacke concluded Murray Power is big and generates a lot of money; should a major outage or significant damage occur, money would be spent very fast, therefore, having a high reserve balance is a nice advantage.

Ms. Turner agreed and noted recent wildfires in California, which caused significant financial damage to PG&E (Pacific Gas and Electric) Mr. Haacke confirmed.

**Resource Synopsis and Future Plans** - Blaine Haacke, Power General Manager

Mr. Haacke provided detailed information related to the city's current and future resources. (See Attachment #3) He said the city is well prepared for the next decade, however, due to supply and demand, natural gas price increases, and fluctuating market prices, one never knows what could happen. Ms. Turner hoped renewable options would also increase in the future. Mr. Haacke agreed but is not a fan of wind because they are unreliable resources.

Mr. Bellon addressed the webinar suggestion about having a range of 90 to 200-days cash-on-hand to meet necessary operating expenses. He confirmed the required 25% minimum provided the 90 days cash-on-hand; and, because of additional reserves of \$19.6 million; the equivalent of 200 days cash-on-hand was readily available.

**Adjournment: 3:00 pm**

Ms. Turner thanked everyone for attending and providing all helpful information.

**Pattie Johnson**  
**Council Office Administrator II**

# ATTACHMENT #1

## MURRAY CITY MUNICIPAL CODE

### 15.20.260: POWER FUND FINANCIAL STANDARDS:

In order to maintain fiscal soundness of the Power Fund, the following financial standards are established:

A. Operational Transfers: There shall be, each fiscal year, an operational transfer from the City's Power Enterprise Fund to the City's General Fund of eight percent (8.00%) of total operating revenues (including wholesale power sales revenue), as used and defined in the Utah Uniform Fiscal Procedure Act, excluding:

1. Disbursements and/or refunds of overcollections and/or margins received from Utah Associated Municipal Power Systems (UAMPS) and/or the Intermountain Power Agency (IPA); and
2. Revenues collected in accordance with electric service schedule 30, supply cost adjustment (SCA): The in lieu of tax transfer approximates the equivalent ad valorem taxes which would be imposed on an investor owned utility with the same or similar facilities. This transfer does not prohibit the Power Department from assisting or providing other services to other City departments.

B. Transfer For Administrative Services: Transfer for administrative services to the General Fund must be in an amount not to exceed the value of the actual services rendered. Such amount will be set each year by the Director of Finance and Administration and approved by the City Council through the budget approval process, based upon established cost allocation methodologies. In the general audit for fiscal year 1994-1995, and every fifth year thereafter, an allocation audit will be included in the general audit performed for the City by an independent auditor, to verify and/or recommend modification of the cost allocation methodologies. Any additional costs must be paid out of an appropriate Power Department account.

C. Investments, Cash And Cash Equivalents Reserves (Reserve): The reserve level for the Power Enterprise Fund (the "fund") is twenty five percent (25%) of operating revenue ("reserve level"). This reserve level is to provide cash liquidity and operational stability in case of situations such as natural disasters, equipment failure, economic uncertainty, and weather variations. As a result of onetime expenses, the reserve level may fluctuate, provided however that the reserve level should not be drawn upon for ongoing operational expenses. If reserves are drawn below the reserve level, the fund will replenish reserves to the reserve level within five (5) years. (Ord. 19-05: Ord. 16-17)

# ATTACHMENT #2

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Accounting & Finance Webinar Series

## Developing Cash Reserve Policies

September 10, 2018 | 2 – 3:30 p.m. Eastern

Dawn Lund

Vice President, Utility Financial Solutions

Traverse City, Michigan

[dlund@ufsweb.com](mailto:dlund@ufsweb.com)

231-218-9664



# Establishing a Cash Reserve Policy

APPA Webinar



Instructor:

Dawn Lund

Vice President  
Utility Financial Solutions  
Traverse City, Michigan

P: 231-218-9664

E: [dlund@ufsweb.com](mailto:dlund@ufsweb.com)



## Accounting & Finance Webinar Series

Upcoming Webinars\*:

- Aligning Rate Strategies to Future Trends: [September 25, 2018](#)
- A Financial Health Check-Up: [October 9, 2018](#)

Past Webinars\*\*:

- Financial Pathways to the Utility of the Future
- How to Set and Achieve Revenue Targets
- Meeting New GASB Standards

\*All webinars take place from 2-3:30 p.m. Eastern

\*\*All webinars are recorded. Recordings are available for purchase at [www.PublicPower.Org/Shop](http://www.PublicPower.Org/Shop)



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## Utility Financial Solutions, LLC

- International consulting firm providing cost of service and financial plans and services to utilities across the country, Canada, Guam and the Caribbean
- Instructors for cost of service and financial planning for APPA, speakers for organizations across the country.
- Hometown Connections preferred vendor for COS and financial analysis



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# Objectives



- Importance of cash reserve policy
- Factors that influence a utility's need for cash reserves
- Calculation of a sample cash reserve policy
- Other Cash Factors
- Methodology for any size utility
- Methodology for other utility types



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## Why Development of a Cash Reserve Policy is Important



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## Reasons for Adequate Cash



Funds exist to:

- Pay expenses
- Fund system improvements help ensure reliability
  - Normal capital improvements = approx depreciation expense
- Pay Debt Service
- Fund unanticipated cost contingencies
- Phase in large rate adjustment
- Keep utility healthy for future Mgmt.



## Cash Reserve Policy

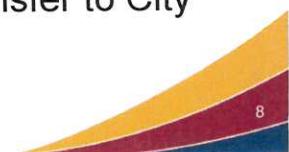


Helps to:

- Justify cash reserves to customers, councils and boards
- Provides detailed description of methodology
- Maintain adequate reserve levels with changes in management, Boards and Councils
- Encourage periodic reviews of cash levels
  - Rate and borrowing needs
- Reduce chance of unexpected transfer to City



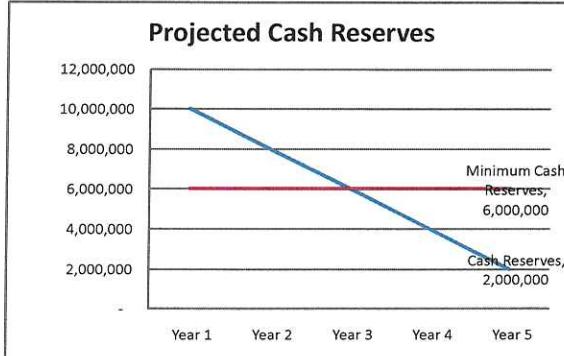
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## Helps Identify Bonds Issuances



- If rates set appropriately and large capital cause cash to fall below minimum = bond issuance



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## Policy to Help Determine Debt Issues



Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balance	Projected Bond Issue	Projected Capital Improvements	Debt Coverage Ratio	
2016	7.2%	\$ 8,880,192	\$ 7,849,810	\$ 1,030,382	\$ 2,987,259	\$ -	\$ 2,295,000	3.2	
2017	8.0%	\$ 9,630,416	\$ 8,593,957	\$ 1,036,458	\$ 140,860	\$ -	\$ 4,500,000	4.0	
2018	3.3%	\$ 9,994,509	\$ 8,862,822	\$ 1,131,687	\$ 895,866	\$ -	\$ 900,000	4.0	
2019	3.3%	\$ 10,372,486	\$ 9,134,200	\$ 1,236,285	\$ 1,973,111	\$ -	\$ 750,000	4.3	
2020	3.3%	\$ 10,764,876	\$ 9,428,300	\$ 1,336,546	\$ 2,799,178	\$ -	\$ 1,200,000	4.8	
Recommended Target in 2016		\$ 1,030,129							
Recommended Target in 2020		\$ 1,326,266							
MINIMUM Recommended in 2016		\$ 3,640,377		1.40					
MINIMUM Recommended in 2020		\$ 3,865,323		1.40					



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## Recommended Rate Track with Bond Issue

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balance	Projected Bond Issue	Projected Capital Improvements	Debt Coverage Ratio	
2016	7.0%	\$ 8,863,811	\$ 7,849,810	\$ 1,010,001	\$ 2,970,878	\$ -	\$ 2,295,000	3.2	
2017	7.0%	\$ 9,524,555	\$ 8,593,957	\$ 930,598	\$ 3,456,671	\$ 3,500,000	\$ 4,500,000	3.5	
2018	3.0%	\$ 9,856,193	\$ 8,862,822	\$ 993,371	\$ 3,968,019	\$ -	\$ 900,000	2.8	
2019	3.0%	\$ 10,199,477	\$ 9,134,200	\$ 1,065,277	\$ 4,756,558	\$ -	\$ 750,000	3.0	
2020	3.0%	\$ 10,554,816	\$ 9,428,330	\$ 1,126,487	\$ 5,244,599	\$ -	\$ 1,200,000	3.2	
Recommended Target in 2016		\$ 1,030,129							
Recommended Target in 2020		\$ 1,208,590							



## Cash Reserve Policies and Bond Rating

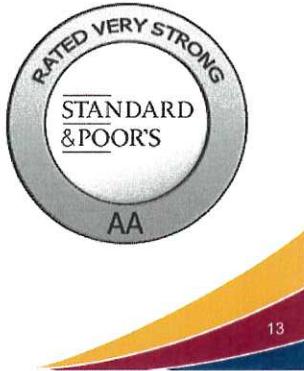
- Establishing a formal policy important factor for bond rating
  - 150+ days for higher rating (moving to 200?)
- A cash reserve policy in isolation will not necessarily improve bond ratings
- Many other key indicators considered



# Bond Rating Agencies



- Why ratings are important
  - Higher rating, considered lower risk
    - Better interest rate on debt
  - Confidence doing things right
  - Pride



## Cash Reserve Policy



- Policy should identify **minimum** cash reserve level
- Cash should be allowed to flow above the minimum level
- Cash reserves will fluctuate over time, usually depending on age of assets and capital improvement program



## Some Utilities Identify Maximum Levels of Reserves

- Some Utilities will specify a maximum cash reserve
- Due to external pressures a maximum may be considered by the utility
- We don't recommend a maximum
  - Are you reinvesting enough in the system?
  - Move to restricted for "future XX"



## Types of Cash Reserve Policies

Most Common Policy –  
Number of Days of Expenses

- 90 – 180 days O&M
- 45 days operating expenses plus single proxy emergency event
- 50% of capital expenditures



## Factors that Influence Cash Reserves

- Timing differences between when expenses are incurred and revenues received from customers
- Future capital improvement program
- Annual debt service payments
- Historical Asset Investment
  - Ice or Wind Storm
  - Hurricane



## Operating Factors that Influence Cash Reserves

- Utilities control over rates
- Rates ability to recover fixed operating costs
  - Customer Charge
  - Demand Charges
  - Structure of Rates
- Cash Cycles (peaks and valleys in Expenses – irrigation billing)
- Other unique to your utility



## Identification of Minimum Cash Reserves Case Example



## Determination of Minimum Cash At Least Five Factors to Consider



Five Risk Factors to Consider	% Risk Range to Allocate	Influenced By:
O&M Expenses (Less Power Costs and Depreciation)	12-25%	Billing Cycle - timing of expenses VS Receipts
Power Costs	10-25%	Max Month converted to working capital days
Historical Investment in Assets	1-3%	Age of System, Likelihood of ice, wind, other
Annual Debt Payment	50-100%	Timing of Debt Payments
Total Five-Year Capital Plan	20%	1/5 of five-year plan - funds beginning of season
<b>Total of These Five Items</b>	<b>\$X,XXX,XXX</b>	<b>MINIMUM Recommendation</b>

## Working Capital O&M



Annual O&M (Excluding Power Supply & Depr)	\$ 24,000,000
Factor (45 days/365days = 12.3%)	<u>12.3%</u>
Working Capital	\$ 2,958,904
<b>12.3% Factor = 45 Days Divided by 365 Days</b>	



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## Operation and Maintenance Expenses

- Range 12-25% (45 to 90 days) of yearly O&M
- Working Capital Lag –
  - Timing differences exist between when expenses are incurred and revenues received
- Average Municipal 45 days or 12.3% (45/365days)
  - 15 days avg month, 5 days read/bill, 20 days due, 5 days for to receive payment



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## O&M Line Item



Five Risk Factors to Consider	% Risk Range to Allocate	Influenced By:
O&M Expenses (Less Power Costs and Depreciation)	12.30%	\$2,958,904
Power Costs	10-25%	Max Month converted to working capital days
Historical Investment in Assets	1-3%	Age of System, Likelihood of ice, wind, other
Annual Debt Payment	50-100%	Timing of Debt Payments
Total Five-Year Capital Plan	20%	1/5 of five-year plan - funds beginning of season
<b>Total of These Five Items</b>	<b>\$X,XXX,XXX</b>	<b>MINIMUM Recommendation</b>



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## Power Costs

- Review peak monthly power supply costs
- Adjust for working capital lag time
- Does Utility have a PCA?



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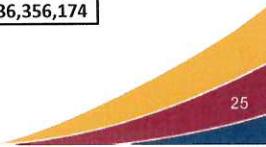
## Power Costs

- Review peak monthly power supply costs

Month	Power Supply Expense
January	2,340,695
February	2,319,399
March	2,416,769
April	2,436,267
May	3,564,256
June	3,696,283
<b>July</b>	<b>3,783,388</b>
August	3,751,459
September	3,533,570
October	3,039,720
November	2,588,718
December	2,885,649
<b>Total Power Supply Expense</b>	<b>36,356,174</b>



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## Working Capital Power Costs

Max Monthly Power Expense	\$ 3,783,388
Factor to convert 30 days into 45 days	1.5
<b>Total Working Capital Power Supply 45 days</b>	<b>\$ 5,675,082</b>

Total Yearly Power Costs	\$ 36,356,174
Percent of Total Yearly Power Costs	15.6%



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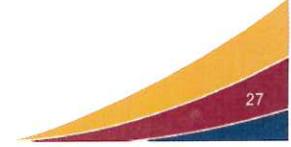


## Power Costs Line Item

Five Risk Factors to Consider	% Risk Range to Allocate	Influenced By:
O&M Expenses (Less Power Costs and Depreciation)	12.30%	\$2,958,904
<b>Power Costs</b>	<b>15.60%</b>	<b>5,675,082</b>
Historical Investment in Assets	1-3%	Age of System, Likelihood of ice, wind, other
Annual Debt Payment	50-100%	Timing of Debt Payments
Total Five-Year Capital Plan	20%	1/5 of five-year plan - funds beginning of season
<b>Total of These Five Items</b>		<b>\$X,XXX,XXX</b> MINIMUM Recommendation



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## Historical Investment in system



## Historical Investment Line Item



- Capital lag used to factor in risk of catastrophic event

– Consider Age of Assets

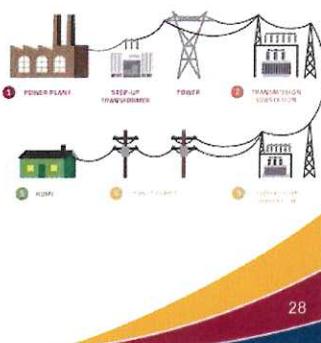
– Accumulated depreciation expense divided by asset investment

- Assumptions for Base Case:

– If less than 50% = 1%

– Between 50% - 55% = 2%

– Over 55% = 3%



Five Risk Factors to Consider	% Risk Range to Allocate	Influenced By:
O&M Expenses (Less Power Costs and Depreciation)	12.3%	\$2,958,904
Power Costs	15.6%	5,675,082
Historical Investment in Assets	2.0%	3,311,700
Annual Debt Payment	50-100%	Timing of Debt Payments
Total Five-Year Capital Plan	20%	1/5 of five-year plan - funds beginning of season
<b>Total of These Five Items</b>		<b>\$X,XXX,XXX</b> MINIMUM Recommendation



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## Historical Investment



	Amount
Total Historical Investment	165,585,000
Accumulated Depreciation	87,101,683
Percent of Total	52.6%
Factor	2.0%
<b>Cash Reserve</b>	<b>\$ 3,311,700</b>



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## Debt Service

- Debt Service payments are often made twice per year
- Cash reserve policy attempts to make sure payment is available in reserves when needed
- Often uses peak payment



# Debt Service Working Capital



Date	Principal	Interest	Total
10/1/2015	\$ -	\$ 123,313	\$ 123,313
4/1/2015	382,566	123,313	505,879
Total	\$ 382,566	\$ 246,626	\$ 629,192

Highest Payment divided by Annual Debt Service 80.4%



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# Capital Improvements

- Cash available in reserves to fund capital expenses at beginning of construction season
- Capital expenditures can fluctuate annually; smooth fluctuations by use of a five year average
- Subtract planned bond issuances from five-year plan



## Debt Service Line Item



Five Risk Factors to Consider	% Risk Range to Allocate	Influenced By:
O&M Expenses (Less Power Costs and Depreciation)	12.3%	\$2,958,904
Power Costs	15.6%	5,675,082
Historical Investment in Assets	2.0%	3,311,700
Annual Debt Payment	80.4%	505,879
Total Five-Year Capital Plan	20%	1/5 of five-year plan - funds beginning of season
<b>Total of These Five Items</b>		<b>\$X,XXX,XXX MINIMUM Recommendation</b>



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## Capital Improvements



	2016	2017	2018	2019	2020	Total
Capital Expenditure	2,000,000	2,500,000	4,000,000	3,500,000	3,000,000	15,000,000
Bond Proceeds						6,000,000
Five year total						\$ 9,000,000
Cash Policy Amount						20%
Cash Reserves						\$ 1,800,000



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## Minimum Reserve Policy

Five Risk Factors to Consider	% Risk Range to Allocate	MINIMUM Reserves
O&M Expenses (Less Power Costs and Depreciation)	12.3%	\$2,958,904
Power Costs	15.6%	5,675,082
Historical Investment in Assets	2.0%	3,311,700
Annual Debt Payment	80.4%	505,879
Total Five-Year Capital Plan	20.0%	1,800,000
<b>Total of These Five Items</b>		<b>\$14,251,556</b>



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## Reserve Policy as a Whole

- Not establishing an amount – establishing methodology
  - Formula updated each year with budget process
- Minimum cash in total not each line item
- Check for reasonableness
- Change risk percent to line up with goals



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## Simplification of Policy

- Once the methodology is established, can simplify policy for number of days of O&M

Policy Simplification		
Annual Expense	\$	24,000,000
Power Supply		36,356,174
<b>Total Expenses</b>	<b>\$</b>	<b>60,356,174</b>
Minimum Cash Reserve	\$	14,251,556
Factor (\$60,356,174/\$14,251,556)		4.23
<b>Days Cash on Hand (365/4.23)</b>		<b>86.0</b>



## Calculate Your Days Cash on Hand

Cash On Hand			Comments:
<u>Electric</u>			
A	\$ 33,945,391	O&M Expenses	
B	\$ 5,205,300	Cash on Hand (non-restricted)	
(A/B)	6.52	Factor	
365/Factor	56	Days Cash on Hand of Total O&M for Electric	LOW

Comments:  
Find this information on your balance sheet and Income statement  
Establish a Cash reserve policy for each utility  
Typical Range 90-120 days of O&M  
High Bond Rating 150 Days





## Implementation

### Formal Policy Development Just Calculating Doesn't Make it a Solid Guideline



- Explain the need for maintaining appropriate levels of cash reserves
- Explain assumptions to Governing Body
- Request input on assumptions
- Develop into policy format and get formal approval



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## Development of Policy



- Helps ensure cash objections kept intact – change in management/Board
- List methodology and show calculations in policy for future consistency
- Identify time period to restore cash reserve if falls below minimum cash levels
  - Example three to five year to restore cash levels
  - Cash restored through issuance of debt, rate adjustments, reduced expenses



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## Other Cash Considerations

## Capital Planning



- Ever cut capital to due to cash flow and keeping rates low?
- Five year capital plan?
- “Pay as you go” for regular capital
- Bonding for extra-ordinary capital
- Future reinvesting in the system (at least depreciation, can be age dependent)



## Age of System

- Accumulated depreciation/total historical investment in system
- Between 0.40 - 0.50 average range
- Over 0.50 depreciated system is aging
  - Capital program will probably be increasing in the future and put upward pressure on cash



## Calculate Investment Analysis

### Electric Yearly Depreciation

\$ 1,863,509	Depreciation
\$1,500,000	Average Capital

Comments:

Acceptable

### Recommendation:

Yearly Capital Expenditure ON AVERAGE should mirror Depreciation (Some years will be more, some less)  
This should be looked at in conjunction with the "Age of System": Older may need to reinvest more than depreciation



## PILOT Payment (Contribution to the City)



## Justification for Contribution to City

- Transfers can come in many forms
  - Annual cash - % of Revenues or NBV
  - Aggressive allocations
  - One time transfers
- Non-Cash
  - Free Services



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## Annual Cash Transfers



- If we know transfer amount, we can prepare rates to recover the costs
- Having a fair established amount can limit “one time” transfers
- Percent of Revenues:
  - Ranges seen 0% - 33%



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## Consideration of Administrative Cost Sharing Between Utility Departments

- Common cost between utilities should be based on a cost allocation review
  - Human Resources
  - Information systems
  - General manager
- Electric, water, wastewater, gas and telecommunications services are all funded through rates



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## Administrative Transfers

- Are allocations of shared services appropriate?
- Do not base allocation on percent of revenues
  - Tends to over allocate shared costs to Electric Department
  - Power supply drives allocation



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## One-Time Transfers

- Difficult for utility to include one time transfers in financial plan – will draw down cash
- Board/City Council training to understand the utilities need to replace existing infrastructure and the need for adequate cash reserves
- Electric utility is not a “cash cow”



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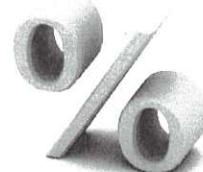
## Each Utility is a Enterprise Fund

- Each utility is a separate enterprise fund and the revenues should support the expenses
- Combined Financials?
- Combined Cash account?
- Is Electric subsidizing other utilities?
- Inter-fund borrowing?
  - Scheduled payback?



## Contribution to City

- National average of cash-only contributions approximately 3.9% of Revenues
- National average including free service about 5.9% Revenues
- What we see: 7% on average



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## Review

- Assess the Five Major Risk Areas
- Add utilities unique risks/goals
- Create the methodology
- Check for Reasonableness 90- 150+
- Develop a Formal Policy and get Approval
- Update Calculation Annually with Budget Process



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# Questions?

## Instructor:

**Dawn Lund**  
Vice President  
Utility Financial Solutions  
Traverse City, Michigan

P: 231-218-9664  
E: [dlund@ufsweb.com](mailto:dlund@ufsweb.com)



## Upcoming Association Events



### Webinars

**Lessons from the Field: Wireless Deployment Best Practices and Issues**  
(Pole Attachments Webinar Series)  
September 13

**Risk-Based Disposal for PCB Remediation Waste**  
September 19

**Electrical Diagnostic Testing of Power Transformers for Municipalities**  
September 20

**Aligning Rate Strategies to Future Trends**  
(Accounting & Finance Webinar Series)  
September 25

**Communications 101: Resources for Utilities and City Officials**  
(Raising Awareness of Public Power Webinar Series)  
September 26

**The Public Power Data Source: Customer Feedback and Data**  
September 27

*Webinars typically run from 2 – 3:30 p.m. Eastern and are recorded in case you miss the live version.*

### Conferences and In-depth Courses

**Business and Financial Conference**  
September 16 –19 • Anaheim, CA

**Fall Education Institute & Public Power Leadership Workshop**  
October 1-5 • Orlando, FL

Featuring 16 in-depth courses including:

- Accounting
- Cost of Service & Rate Design
- Key Accounts Certificate Program
- Technical Training
- Executive Leadership

**Public Power Leadership Workshop**  
October 3-5 • Orlando, FL

**Legal and Regulatory Conference**  
October 7-10 • Charleston, SC

**Customer Connections Conference**  
November 4-7 • Orlando, FL

[Visit www.PublicPower.org/Academy](http://www.PublicPower.org/Academy)



# ATTACHMENT #3

# Power Dept Review of Resources

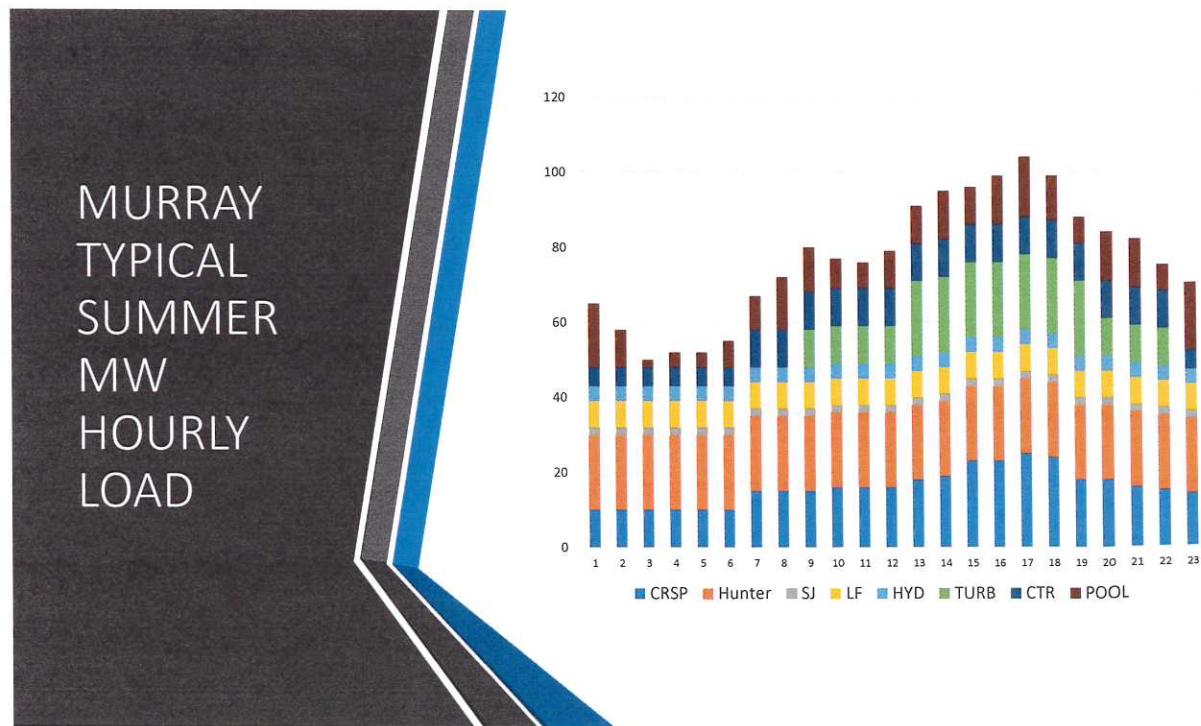
September 25, 2019 Council Workshop

## Current Murray Portfolio Mix

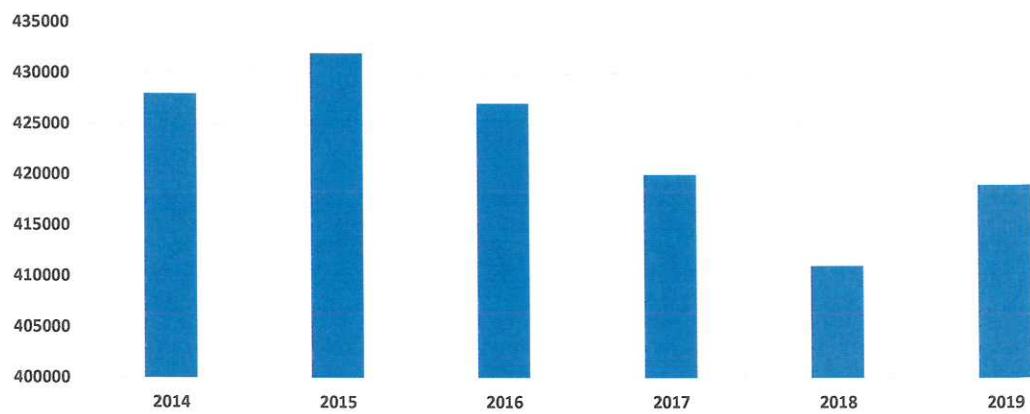
- **CRSP** – Federal Hydro (Glen Canyon/Flaming Gorge)
- **WRP** – Western Resource Project (supplemental CRSP)
- **Hunter** – Coal fired plant near Price, Utah
- **San Juan** – Coal fired plant near Four Corners area
- **Little Cottonwood Hydro** – run of the river flow
- **Landfill Methane plants** – TransJordan and Salt Lake County
- **Natural gas turbines** – 4800 South in Murray
- **PX** – Power Exchange – hourly deals on-line
- **UAMPS** – Monthly and seasonal agreements
- **IPA** – Intermountain Power Agency – Coal plant near Delta, Utah
- **Power Marketers** – long term and seasonal agreements

## Current and Future Murray Portfolio Mix

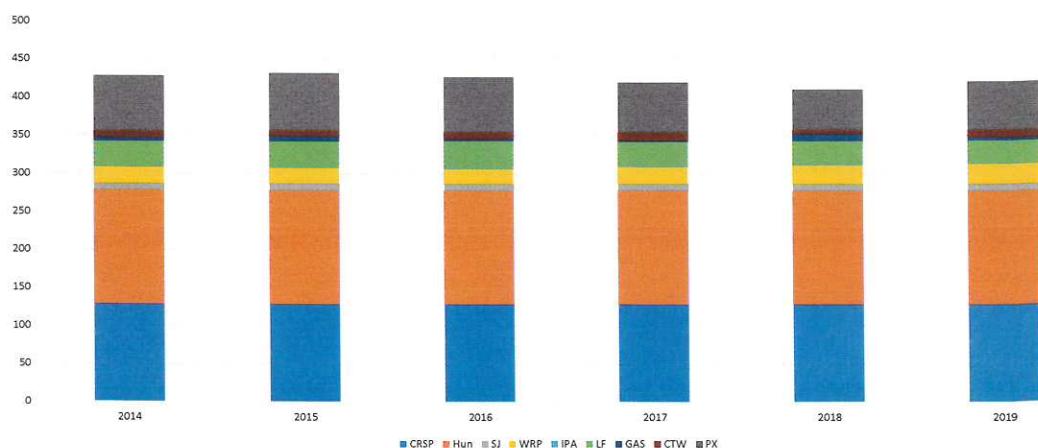
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- Natural gas turbines – 4800 South in Murray
- PX – Power Exchange – hourly deals on-line
- UAMPS – Monthly and seasonal agreements
- IPA – Intermountain Power Agency – Coal plant near Delta, Utah
- Power Marketers – long term and seasonal agreements
- NTUA – large scale solar from Navajo Nation – 2022
- SMR – Small scale nuclear at INL Site – 2025
- IPA- re-fueled from coal to natural gas at Delta plant - 2025



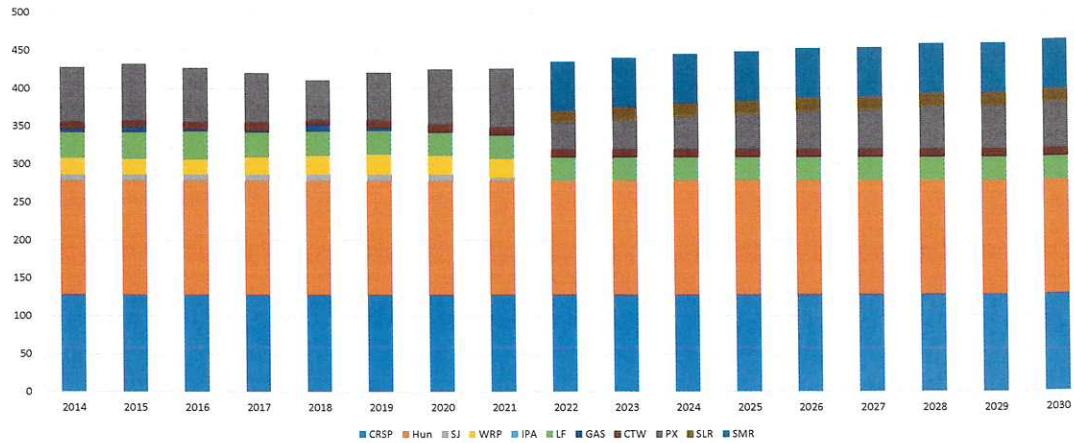
## Murray City Energy Use (MWH)

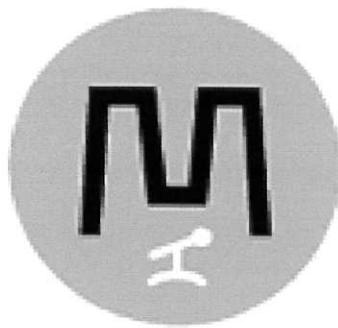


## Murray City Energy Needs (MHW)



## Murray City Energy needs/future (mwh)





**MURRAY**  
CITY COUNCIL

# **Discussion Item #1**



**MURRAY**

# **City Council**

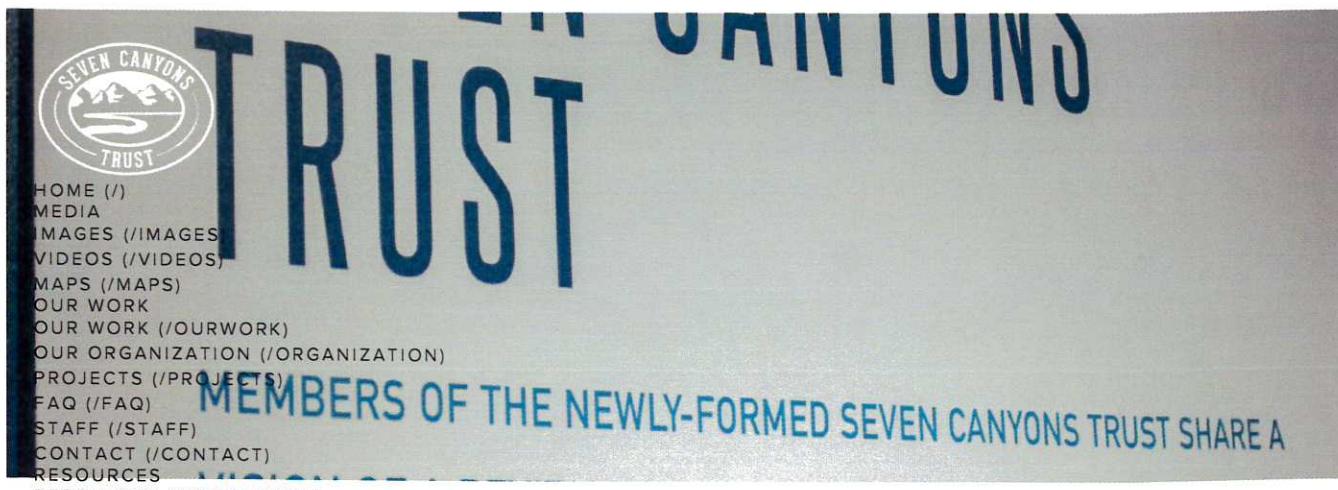
## **Presentation of the Seven Canyons Trust - Murray Connections**

### **Council Action Request**

#### **Committee of the Whole**

Meeting Date: November 12, 2019

<b>Department Director</b> Janet M. Lopez	<b>Purpose of Proposal</b> Presentation of the Seven Canyons Trust organization and goals.
<b>Phone #</b> 801-264-2622	<b>Action Requested</b>
<b>Presenters</b> Dale Cox Brian Tonetti, CEO Seven Canyons Trust,	<b>Attachments</b> Organizational information and FAQs from the website.
<b>Required Time for Presentation</b> 20 Minutes	<b>Budget Impact</b>
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b> "The Seven Canyons Trust is a nonprofit organization working to daylight and rehabilitate the seven canyon creeks of Utah's Wasatch Range, restoring beauty and health to the hydrology of the Salt Lake Valley. The Trust is presenting on the Seven Greenways Visioning Plan, a grant proposal through the Wasatch Front Regional Council's Transportation and Land Use Connection program. The Seven Greenways Visioning Plan is an effort to capture the collective imagination in the creation of greenway corridors along the seven major waterways flowing out of the Wasatch Range in Salt Lake County, including City Creek, Red Butte Creek, Emigration Creek, Parley's Creek, Mill Creek, Big Cottonwood Creek, and Little Cottonwood Creek. The process will bring together Salt Lake County, municipalities adjacent to the waterways, land managers and stakeholders, and the public through surveying and workshops to identify recommendations, policy tools, and opportunities areas."
<b>Mayor's Approval</b>	
<b>Date</b> October 31, 2019	



[DONATE \(HTTPS://DONORBOX.ORG/SCT\)](https://donorbox.org/sct)

The Seven Canyons Trust is working to daylight and rehabilitate the seven canyon creeks, restoring the health and beauty to the hydrology of the Salt Lake Valley. As urbanization slowly gripped the Salt Lake Valley, natural spaces gave way to bricks and pavement. This is the story of the seven canyon creeks of the Salt Lake valley; City, Red Butte, Emigration, Parley's, Mill, Big Cottonwood, and Little Cottonwood Creeks were neglected and taken for granted, dubbed as a nuisance. These creeks were put in underground culverts as they entered the city, no longer needed as drinking or irrigation water sources, essentially becoming canals. The Trust believes that these creeks and the overall hydrology of the Salt Lake Valley play a significant role in the identity of our valley; our oasis in the desert. The water flowing throughout the Salt Lake valley should be showcased, rather than hidden, to contribute to the overall health of all residents, flora and fauna alike. The journey the water takes from the Wasatch Mountains to the Jordan River should unify all the communities and ecosystems. The water should be allowed to prosper.

## HOW WE STARTED

In the Spring of 2014, the Urban Ecology and Planning Workshop class in the University of Utah department of City and Metropolitan Planning taught by Stephen Goldsmith shared a vision of a replenished Salt Lake valley. The Urban Ecology major at the University of Utah enables students to explore the built and natural environments. It encourages students to become critical observers of the health, systems integrity, and potential our environments have. The class divided these theories into three groups: social, economic and environmental. Each covering one of the three spheres of our society. This work was then compiled into a vision document that would be the first steps in the daylighting and rehabilitation of the seven canyons creeks. This document became the *100 Years of the Daylighting* (/100-years-of-daylighting), which received a Utah Chapter of the American Planning Association Outstanding Achievement award in 2014.

## MOVING FORWARD

Coming off the recognition from the Utah APA, a dedicated group of students began to pursue the creation of an organization to back the vision set forth in the *100 Years of Daylighting*. This is where the Seven Canyons Trust was created. In determining what we wanted our work and our organization to reflect, the group came up with a set of values that we felt represented the course of action we wanted to undertake. The Trust's operations will be carried out with these seven Core Values forever at heart:

1. TRANSPARENCY
2. EFFORT
3. ACCOUNTABILITY
4. COOPERATION
5. SUSTAINABILITY
6. DIVERSITY
7. RESPECT

The 100 year plan is only the beginning. Our work as a community will continue long after the completion of daylighting our seven canyon creeks. Uncovering the creeks is the initial step toward the revitalized hydrology our organization seeks.

## SUBSCRIBE

Sign up for the *Daylighting Quarterly*, organization updates, and volunteer opportunities.

[About](#) [Contact](#) [Press](#) [FAQ](#) [Glossary](#)

**STAFF & BOARD (/STAFF-BOARD)**  
**ABOUT**  
**OUR ORGANIZATION (/ORGANIZATION)**  
**FAQ (/FAQ)**  
**GLOSSARY (/GLOSSARY)**

SEVEN CANYONS  
TRUST

HOME  
MEDIA  
IMAGES (/IMAGES)  
VIDEOS (/VIDEOS)  
MAPS (/MAPS)  
OUR WORK  
OUR WORK (/OURWORK)  
OUR ORGANIZATION (/ORGANIZATION)  
PROJECTS (/PROJECTS)  
FAQ (/FAQ)  
STAFF (/STAFF)  
CONTACT (/CONTACT)  
RESOURCES  
RESOURCES (/RESOURCES)  
PRECEDENTS (/PRECEDENTS)  
JOURNAL (/JOURNAL)  
ARTICLES (/ARTICLES)  
GLOSSARY (/GLOSSARY-OF-TERMS)  
EVENTS (/EVENTS)  
SUPPORT (/SUPPORT)  
DONORBOX.ORG/SCT

**FREQUENTLY ASKED  
QUESTIONS**

Search

## WHAT IS THE SEVEN CANYONS TRUST?

The Seven Canyons Trust is a 501-(c)3 non-profit organization working to daylighting and rehabilitating the seven creeks of Utah's Wasatch Range, restoring the health and beauty to the hydrology of the Salt Lake valley. The Trust developed a visioning document, *100 Years of Daylighting* (*100-years-of-daylighting*), for the uncovering and restoration of the seven canyons creeks -- City, Red Butte, Emigration, Parley's, Mill, Big Cottonwood, and Little Cottonwood Creeks. This document explores ideas, visions, and goals to begin this process.

## WHAT IS DAYLIGHTING?

Daylighting is a term to describe the uncovering of buried urban waters, bringing them back to the surface, and restoring their stream channel. As urbanization gripped the Salt Lake valley, riparian areas gave way to concrete and asphalt, bricks and mortar. Rather than hiding creeks in pipes and culverts, daylighting restores beauty and health to the waters.

## WILL DAYLIGHTING INCREASE FLOODING RISK?

Daylighting can actually increase the hydrological function of a creek, meaning it is better able to slow down water velocities and increase infiltration of stormwater. By reconstructing a natural channel, with meanders and rough, woody banks and reconnecting the creek to its floodplain, the overall capacity of the system to mitigate floods is increased. Daylighting eliminates choke points in culverts, reducing flooding that can occur due to clogged culverts or flows that exceed the capacity of an inflexible system. Stormdrain systems stay intact during daylighting. Therefore, access flows that exceed the capacity of the creek channel can be sent to the stormdrain.

Case studies have shown to mitigate the need for communities to buy flood insurance. Although, this does not mean that everyone should stop buying flood insurance after a daylighting project. Each landowner should assess this on case-by-case basis. However, projects would only be pursued if they decreased the risk of flooding in local flood zones.

## WILL DAYLIGHTING INCREASE THE RISK OF WEST NILE?

Constructed creek channels are designed and engineered to keep water flowing through the system. Flowing water prevents the breeding of mosquitos, as well as, works to retain nutrients better. The aboveground sections of the creeks are highly managed for mosquito populations. Therefore, daylight sections will be managed in the same way.

## WILL THE CREEKS EVER RUN DRY DURING CERTAIN SEASONS?

The seven creeks range from perennial to intermittent. Portions of the creeks are artificially de-watered by antiquated irrigation systems. This is destructive to riparian vegetation that depend on perennial flow and fish that can no longer navigate the waterway. Daylighting projects will be designed to reflect natural and historic flows.

## WHAT CONDITION ARE THE CREEKS CURRENTLY IN?

The conditions of these creeks vary from below ground to above ground, degraded to pristine, and neglected to cherished. Much of the creeks to in the northern Salt Lake Valley have been piped to make way for the skyscrapers of Salt Lake City. Whereas, many of the southern creeks wind through residential neighborhood, piped only in small sections, but have been neglected and encroached upon. Many of these above ground sections are also greatly restricted and forced into channels, often through industrial and commercial areas, separated from pollutants by little more than a narrow bank. Many of these private property sections have been cut off from the public. However, we believe that this is everyone's water, for all to enjoy.

Images and maps of the current conditions can be found in the our [IMAGES \(/images\)](#) page and our [MAPS \(/maps\)](#) page.

## WHO OWNS THE LAND IN CONSIDERATION?

The land is a patchwork of public and private land. Much of it is owned by individuals. Smaller portions exist as public lands and several large swaths are controlled by commercial and industrial companies.

## WHAT IS THE VISION FOR THE FUTURE OF THE CREEKS?

We have developed a 100 year vision document to start the discussion about daylighting. This document is called the *100 Years of Daylighting* and can be found [HERE \(/100-years-of-daylighting\)](#). This document was created with the long term in mind, we expect the daylighting and rehabilitation of our seven canyon creeks to take 100 years. This 100 years is due to the patch of public and private land that needs to be surmounted to begin the restoration of these creeks to their former glory. Short, medium, and long term strategies will be enacted to raise awareness for these creeks, to take advantage of quick opportunities, and to solve complex solutions.

We have also compiled a page for daylighting precedents around the world, which can be found on our [PRECEDENTS \(/daylighting\)](#) page.

## HOW CAN I GET INVOLVED?

We are actively seeking friends and partners to join us in our mission to daylight and rehabilitate the seven canyons creeks. Check out our FRIENDS & PARTNERS (/friends-partners) page to fill out our form. We would be happy to include you on our website, in exchange for your assistance and dedication to our mission.

We are also actively seeking out donations to help sustain and perpetuate our presence as an organization. Investors in our mission and the health and beauty of the hydrology of the Salt Lake Valley can donate on our DONATION (<https://secure.squarespace.com/commerce/donate?donatePageId=546bbac3e4b0854f9d3a76bf>) page. Join our organization at four different levels, Sustainer's Club to help our day to day operations, Contributor's Club to facilitate community build and awareness around the creeks, Rehabilitator's Club to fund restoration of the creeks, and Daylightor's Club to help bring up a section of the creeks into the daylight.

Please email us HERE (<mailto:sevencanyonstrust@gmail.com>) with any questions, comments, or ideas in regards to your involvement with us. We would love to collaborate with you!

## CAN I VOLUNTEER?

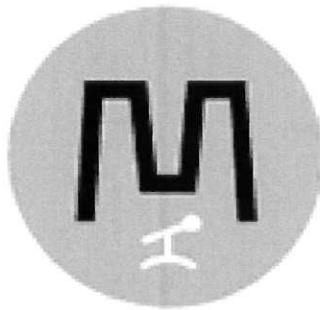
We would love to host your volunteer event! To make it an efficient use of our resources, we request that you have a group of 15 or more volunteers willing to help. We can supply tools, gloves, and knowledge, please bring your own transportation, water, and snacks. If you have a location in mind, we would be happy to provide the tools necessary to clean up debris and remove invasive species. If you do not have a location in mind, we would love to take you to one of our priority sites. If you do not have a group big enough, check our EVENTS (/events) page for any upcoming events to attend.

Please email us HERE (<mailto:sevencanyonstrust@gmail.com>) with any inquiries or questions!

## SUBSCRIBE

Sign up for the *Daylighting Quarterly*, organization updates, and volunteer opportunities.

## STAFF & BOARD (/STAFF-BOARD) ABOUT



**MURRAY**  
CITY COUNCIL

# Discussion Item #2



**MURRAY**

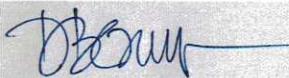
# Mayor's Office

## Consider Interlocal Agreement for removal of State Street bridge

### Council Action Request

#### Council Meeting

Meeting Date: November 12, 2019

<b>Department Director</b> Mayor Blair Camp	<b>Purpose of Proposal</b> Consider Interlocal Agreement with UDOT and Murray School District to demolish the pedestrian bridge over State Street
<b>Phone #</b> 801-264-2600	<b>Action Requested</b> Consider Approval of Interlocal Agreement
<b>Presenters</b> Doug Hill, Chief Administrative Officer	<b>Attachments</b> Resolution, Interlocal Agreement, Structural Feasibility Report
<b>Required Time for Presentation</b> 10 Minutes	<b>Budget Impact</b> \$75,000. Funds are included in the FY2020 budget.
<b>Is This Time Sensitive</b> Yes	<b>Description of this Item</b> The pedestrian bridge over State Street between Murray High School and Hillcrest Junior High School was constructed in 1972. A recent bridge inspection report performed by UDOT shows portions of the structure with areas of significant deterioration. The estimated cost to replace the bridge is \$2.6 million. The estimated cost to rehabilitate the bridge and extend the life no more than 20 years is \$519,400. The estimated cost to demolish the bridge is \$150,000. UDOT, Murray School District, and Mayor Camp are recommending demolition. As a result, an Interlocal Agreement has been drafted with the consent of all parties. UDOT is willing to pay 50% of the removal costs up to \$75,000.
<b>Mayor's Approval</b> 	
<b>Date</b> October 25, 2019	

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN MURRAY CITY CORPORATION ("CITY"), UTAH DEPARTMENT OF TRANSPORTATION ("UDOT") AND MURRAY CITY SCHOOL DISTRICT ("DISTRICT") FOR PEDESTRIAN BRIDGE DEMOLITION

WHEREAS, Title 11, Chapter 13, of the Utah Code, provides that two or more public agencies may enter into an agreement with one another for joint or cooperative actions; and

WHEREAS, on August 19, 1971, the Murray City Board of Commissioners approved an agreement between the City and the Utah State Department of Highways for preliminary engineering, right-of-way acquisition, construction and reimbursement for a pedestrian overcrossing (the "Bridge") at 5460 South State Street in Murray, Utah.

WHEREAS, according to the best information available, the Bridge was built in about 1972. Because the 1971 agreement cannot be found, the cost to originally build the Bridge, the right-of-way agreements, and the maintenance responsibilities are not clearly defined.

WHEREAS, the Bridge was originally built to provide access to both Murray High School and the former Hillcrest Junior High School. In 2015 the junior high school was rebuilt and located further to the east. As a result, the foot traffic on the Bridge has significantly decreased. It is now estimated to serve approximately 250 crossings per day, of which only a portion are still student crossings, though exact numbers are not available.

WHEREAS, the Bridge is nearly 50 years old, and based on bridge inspection reports performed by UDOT, show that portions of the Bridge have areas of significant deterioration. Additionally, the slope of the approach ramps, width of the Bridge and other geometric characteristics do not meet current ADA standards.

WHEREAS, the District owns the land below the Bridge approach ramps on both the east and west sides of State Street, as well as access or "drop-off roads" near the approach on the west side of State Street.

WHEREAS, the District has entered into a land lease for the commercial development of the land on which the old junior high school used to be located. Removal of the bridge creates the potential to allow for the land where the approach and bridge footprints are located on the east side of State Street to be used for other purposes.

WHEREAS, the Parties want to provide for the demolition of the Bridge in accordance with the attached Agreement.

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

1. It hereby approves the Interlocal Cooperation Agreement, in substantially the form attached hereto; and
2. The Interlocal Cooperation Agreement is in the best interest of the City; and
3. Mayor D. Blair Camp is hereby authorized to execute the Agreement on behalf of City and act in accordance with its terms.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

MURRAY CITY MUNICIPAL COUNCIL

---

Dave Nicponski, Chair

ATTEST

---

Jennifer Kennedy, City Recorder

# EXHIBIT A

## Interlocal Agreement

**INTERLOCAL COOPERATION AGREEMENT  
BETWEEN  
UTAH DEPARTMENT OF TRANSPORTATION,  
MURRAY CITY CORPORATION  
AND  
MURRAY CITY SCHOOL DISTRICT**

*For Removal of a Pedestrian Bridge located at approximately 5460 South State Street*

This Interlocal Cooperation Agreement ("Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2019, by and between the UTAH DEPARTMENT OF TRANSPORTATION ("UDOT"), MURRAY CITY CORPORATION (the "City") and MURRAY CITY SCHOOL DISTRICT ("District"). UDOT, City and District are sometimes referred to collectively as the "Parties" and may be referred to individually as a "Party," all as governed by the context in which such words are used.

**RECITALS**

A. UDOT, City and District are public agencies as defined under the Interlocal Cooperation Act, Title 11, Chapter 3 of the Utah Code (the "Interlocal Act") which Interlocal Act provides that any two or more public agencies may enter into an agreement with one another for joint or cooperative action.

B. On August 19, 1971, the Murray City Board of Commissioners approved an agreement between the City and the Utah State Department of Highways for preliminary engineering, right-of-way acquisition, construction and reimbursement for a pedestrian overcrossing (the "Bridge") at 5460 South State Street in Murray, Utah. There appears to be no copy of this 1971 agreement in the City's files.

C. According to the best records or information available, the Bridge was built in 1972. Because the 1971 agreement cannot be found, the cost to originally build the Bridge, the right-of-way agreements, and the maintenance responsibilities are not clearly defined.

D. The Bridge was originally built to provide access to both Murray High School and the former Hillcrest Junior High School. In 2015 the junior high school was rebuilt and located further to the east. As a result, the foot traffic on the Bridge has significantly decreased. It is now estimated to serve approximately 250 crossings per day, of which only a portion are still student crossings, though exact numbers are not available.

E. The Bridge is nearly 50 years old, and based on bridge inspection reports performed by UDOT, show that portions of the Bridge have areas of significant deterioration. Additionally, the slope of the approach ramps, width of the Bridge and other geometric characteristics do not meet current ADA standards.

F. The District owns the land below the Bridge approach ramps on both the east and west sides of State Street, as well as access or "drop-off" roads near the approach on the west side of State Street.

G. The District has entered into a land lease for the commercial development of the land on which the old junior high school used to be located. Removal of the bridge creates the potential to allow for the land where the approach and bridge footprints are located on the east side of State Street to be used for other purposes.

H. The Parties want to provide for the demolition of the Bridge in accordance with this Agreement.

NOW, THEREFORE, in reliance on the stated recitals, which are incorporated herein by reference and in consideration of the mutual covenants set forth herein, the Parties agree as follows:

#### **AGREEMENT**

1. Definitions. Terms defined in the foregoing recitals shall, to the extent used but not otherwise defined herein, be used as so defined.

2. Purpose. This Agreement is entered into by UDOT, City and District to accomplish the purposes set forth in the recitals.

3. Costs of Demolition. City shall pay all costs to demolish the Bridge. City shall contract with crews to demolish the Bridge and otherwise oversee the demolition of the Bridge. UDOT will provide technical assistance and permit review at no cost to the City. UDOT will reimburse the City 50% of the cost of the demolition of the Bridge, up to \$75,000.00 upon submission of project invoices.

4. District Consent. District agrees that the Bridge, of which portions including the access ramps and support columns are located on District property, may be demolished and that City and/or its contractors have the permission, right and authority to access District property to the limited extent necessary to effect the demolition of the Bridge. In the event City or its contractors damage any District property or facilities in the process of demolishing the Bridge, City shall promptly repair or replace such damaged property or facilities.

5. Liability and Indemnification. UDOT, City and District are governmental entities under the Governmental Immunity Act of Utah, Title 63G, Chapter 7 of the Utah Code. Consistent with the Governmental Immunity Act of Utah, the Parties shall be responsible and liable for their own wrongful or negligent acts which they commit. Notwithstanding section 4 above, the Parties do not waive any defenses otherwise available to them under the Governmental Immunity Act of Utah.

6. No Separate Entity Created. No separate legal entity is created by the terms of this Agreement. To the extent that this Agreement requires administration other than as set forth herein, it shall be administered by the Director of UDOT, the Mayor of Murray City and the Superintendent of the Murray City School District.

7. Notices. Any notice required or permitted to be given hereunder shall be deemed sufficient if given by a communication in writing, and shall be deemed to have been received (a) upon personal delivery or actual receipt thereof, or (b) within three days after such notice is deposited in the United States mail, postage pre-paid, and certified and addressed as follows:

UDOT: UDOT Region 2 Director  
2010 South 2760 West  
Salt Lake City, Utah 84104

Murray  
City: Murray City Mayor's Office  
5025 South State Street  
Murray, Utah 84107

School  
District: Murray City School District  
Superintendent  
5102 S. Commerce Drive  
Murray, Utah 84107

8. Amendments. This Agreement may be amended, changed, modified or altered only by an instrument in writing which shall be (a) approved by the appropriate body of the party, including the adoption of any necessary resolutions or ordinances authorizing the execution of any amendment, change, modification or alteration of this Agreement; and (b) executed by a duly-authorized official of each Party.

9. Governing Law. This Agreement shall be governed by the laws of the State of Utah both as to interpretation and performance.

10. Resolution of Claims and Disputes. In any action brought to enforce the terms of this Agreement, the Parties agree that the appropriate venue shall be the Third Judicial District Court in and for Salt Lake County, Utah.

11. Entire Agreement. This Agreement contains the entire agreement between the Parties with respect to the subject matter hereof, and no statements, promises, or inducements made by any Party or their agents that are not contained in this written Agreement shall be binding or valid.

12. Severability. If any provision hereof shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution or statute or rule or public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative or unenforceable to any extent whatever.

The invalidity of any one or more phrases, sentences, clauses, or paragraphs herein contained, shall not affect the remaining portions hereof, or any part thereof.

*(Signature Page to Follow)*

IN WITNESS WHEREOF, the Utah Department of Transportation, Murray City Corporation and Murray City School District have subscribed their names and seals the day and year first above written.

**UTAH DEPARTMENT OF  
TRANSPORTATION**

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Signature

---

Printed Name and Title

ATTEST:

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Authorized Signature

APPROVED AND REVIEWED AS TO  
PROPER FORM AND COMPLIANCE  
WITH APPLICABLE LAW

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Assistant Attorney General**MURRAY CITY SCHOOL DISTRICT**

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Signature

---

Printed Name and Title

**MURRAY CITY CORPORATION**

---

D. Blair Camp, Mayor

ATTEST:

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City Recorder

APPROVED AND REVIEWED AS TO  
PROPER FORM AND COMPLIANCE WITH  
APPLICABLE LAW

---

Murray City Attorney

ATTEST:

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Authorized Signature

APPROVED AND REVIEWED AS TO  
PROPER FORM AND COMPLIANCE  
WITH APPLICABLE LAW

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Murray City School District  
Legal Counsel

# STRUCTURE FEASIBILITY REPORT

Structure Number: 0F 310

Murray High School Pedestrian Bridge

Location: 5400 South over State Street – Murray City, Utah

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Prepared for:

## Murray City – Engineering

Trae Stokes, PE – City Engineer

Chris Zawislak, PE – Civil Engineer

Phone: 801-270-2440

Prepared by:



## Eixenberger Group, LLC

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Date: September 5<sup>th</sup>, 2019

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## SECTION 1 – EXECUTIVE OVERVIEW

### 1.1 OBJECTIVE OF FEASIBILITY STUDY

This Structural Feasibility Report was prepared by a private engineering management consulting firm (Eixenberger Group, LLC) at the request of Murray City's Engineering Department to assist in evaluating strategies and alternatives to manage an existing pedestrian bridge crossing State Street at approximately 5400 South near Murray High School.

The report provides an independent perspective with a summary of key issues, site conditions, structural health, assumptions, alternatives with cost estimates, and recommended strategies to assist with the evaluation of alternatives. Many relevant factors have changed since the bridge was originally built, including pedestrian use, nearby developments, schools, design standards, and structural conditions. As a result, the City would like to gather information on the general feasibility and costs for the following alternatives:

1. Do nothing – (Remaining Life)
2. Remove (demo) the Existing Bridge (Need and Cost)
3. Rehabilitate the Existing Structure (Scope, Additional Life, Cost)
4. Replace Bridge (Benefits and Cost)

### 1.2 BACKGROUND OF BRIDGE

The existing pedestrian bridge (0F-310) was built in 1972 and is nearing 50 years in age. Bridge inspection reports performed by UDOT show portions of the structure with areas of significant deterioration. In addition, the slope of the approach ramps, width of the bridge, and other geometric characteristics do not meet current ADA standards.

The cost to originally build, ownership of the bridge, right of way agreements, and maintenance responsibilities are not clearly defined. It is assumed that these items were discussed during the original design and construction in 1972, but no formal agreements can be found. Stakeholders include UDOT, Murray City, and the Murray School District. Removal, rehabilitation or replacement alternatives will require new discussions with agreements documented for future reference.

The bridge was originally built to provide access to both Murray High School and the former Hillcrest Junior High School. However, the junior high school was rebuilt in 2015 and is now located further east. As a result, the foot traffic on the pedestrian bridge has decreased, but is estimated to continue serving approximately 250 crossings per day.

### 1.3 ALTERNATIVES

With unlimited budgets, replacing the existing bridge to address structural deterioration, upgrade the bridge to current geometric, seismic, and ADA standards, and provide improved bridge aesthetics that fit with redevelopment in the area. However, there may be other circumstances such as changes to the surrounding redevelopment to warrant its removal sooner. In addition, funding limitations may make the rehabilitation option emerge as the preferred choice. It should be noted, that the existing bridge has at least 5-10 years of remaining service life, and continues to receive pedestrian traffic, so the removal alternative is not required immediately from a structural perspective.



*Figure 1- Elevation View - Looking Northeast*



*Figure 2- Side View Looking West*

## SECTION 2 – SITE CONDITIONS

### 2.1 FUNCTIONAL USE – PEDESTRIAN DEMANDS

#### a. School Access:

The existing bridge provides an access point for Murray High School students crossing State Street for students walking to school from neighborhoods to the east. It is also used by students crossing from the drop-off/pickup area on the east side of State Street. In addition, there appears to be some general public use for crossing State Street. Use decreased in 2015 with the relocation of the Junior High school. However, informal counts show pedestrian use remains at approximately 250 people per day.

#### b. New Commercial Development:

A new commercial development is under construction along the east side of State Street near the bridge. The property is on a 40-year lease from the Murray School District and is planned for retirement housing, office, and retail space. The development is not expected to generate significant increases in pedestrian traffic across State Street. The area of the existing drop-off lane on the east side of State street will likely be eliminated, and new access provided to the development. If the bridge were to be rehabilitated or replaced, the footprint of the new bridge east ramps would need to stay within the existing footprint area.

#### c. LDS Seminary:

An LDS seminary on the east side of State Street was closed with the relocation of the junior high school. The site provides opportunities to relocate a new pedestrian bridge and reduce ramps sizes on the west. However, the property is owned by the LDS church, and developers have a strong interest in acquiring this property making it an unlikely option.

#### d. Surrounding Businesses:

The majority of the properties along State Street are auto dealerships and retail businesses that generate little or no pedestrian traffic across State Street.

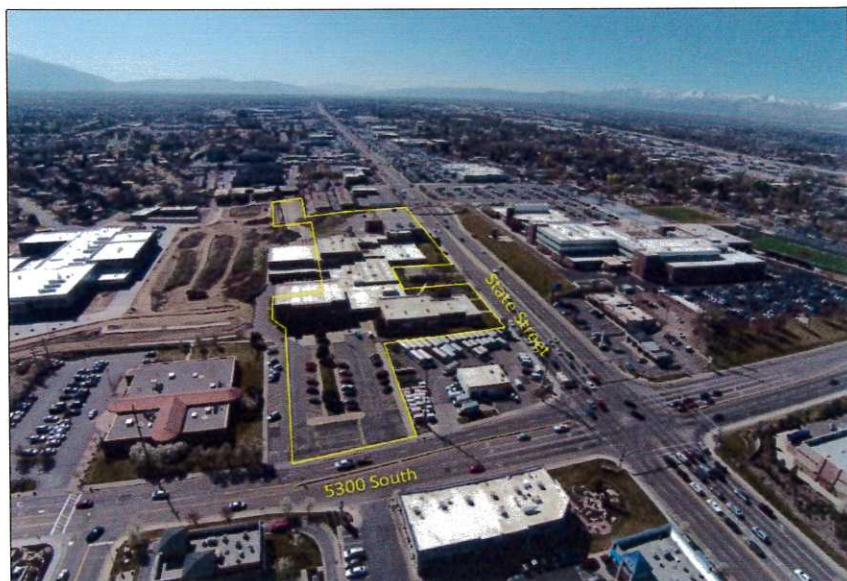


Figure 3 - Planned Development - Old Junior High School Site

## 2.2 CHARACTERISTICS OF EXISTING PEDESTRIAN BRIDGE

The following are key characteristics of the existing pedestrian bridge that could potentially influence the viability of alternatives and costs:

a. General Layout - Footprint:

The existing pedestrian bridge crosses 3 lanes of traffic in each direction for State Street. The main span crossing State Street is a simple span steel box girder with a cast-in-place concrete deck. Each side of the bridge has reinforced concrete ramps and piers. The ramps have circular alignments to reduce the land use area. Plans for the existing bridge are available from Murray City or UDOT and provide additional details.



Figure 4 - Plan View Existing Pedestrian Bridge and Drop Off Zones

b. General Dimensions:

The main span over State Street is 86 ft with a deck width of 9 ft for an area of 774 ft<sup>2</sup>. The west approach ramp is approximately 100 feet in length (along centerline) with a width of 9 feet for an area of 900 ft<sup>2</sup>. The east approach ramp is approximately 136 ft in length with a width of 9 ft for a deck area of 1224 ft<sup>2</sup>. The total deck area of the main spans and ramps is 2900 ft<sup>2</sup>. The bridge clearance above State Street is greater than 17 ft and exceeds minimum standards.

c. Ownership:

The ownership of the bridge and responsibility for maintenance are not clearly defined. It is assumed that the original design and construction in 1972 included input and funding likely shared between UDOT, Murray City, and the School District. Funding sources for removal, rehabilitation or replacement should be discussed among key stakeholders. UDOT owns the right of way for State Street below the bridge, and any crossing over State street requires a permit from UDOT. UDOT would also likely require design standards that meet their requirements. The land under the approach ramps is owned by Murray City School District which would require coordination. Because the bridge is within City boundaries, there are implied responsibilities for Murray City, but these are not clearly defined. The bridge impacts several stakeholders that will need to be addressed for any alternative.

d. Materials:

The existing pedestrian bridge is constructed using a variety of steel and reinforced concrete materials. The main span is a steel box girder with a reinforced concrete deck. It is likely that the paint for the steel girder contains lead, raising the possibility that replacing the main span may be cheaper than repainting. The approach ramps, decking and support columns are constructed of reinforced concrete. The plans show that the original construction had electric heating coils embedded in the deck but are not functional at this time.

e. Age and Remaining Service Life:

The pedestrian bridge was constructed in 1972 and is nearing 50 years in age. A rehabilitation project was completed around 2008 that included concrete spall repairs with carbon fiber wrapping. This work was done on the main span columns and select areas of the ramp decking overhangs. However, the bridge is continuing to deteriorate, with the fiber wrap failing along the edges of the east approach ramp deck overhangs. It is difficult to inspect the columns for the effectiveness of those repairs. Without any treatments, the remaining service life of the bridge is estimated to be 10 years. With major rehabilitation, the life expectancy is estimated to be 20-25 years.

f. ADA Compliance:

The existing bridge was constructed prior to current standards for the Americans with Disabilities Act (ADA). The current standards limit the slope of the ramps and bridge to a 1:12 slope (8% grade). In addition, current standards require a 5 ft minimum flat resting area for every 30 inches in vertical grade change. A rehabilitation of the existing bridge would likely require a design exception because upgrades are not feasible in order to meet current ADA standards.

g. Foundations:

The existing pedestrian bridge foundations are constructed with shallow spread footings on soils with high water tables and low bearing design pressures of 1800 psf. A new bridge (replacement option) would likely require the use of deeper pile foundations under the columns.

h. Seismic:

The existing bridge does not meet current seismic design standards, including additional reinforcing of the columns, large support bearing areas under girders, and foundations that are pinned to reduce overturning.

i. Aesthetic and Community Fit:

The existing pedestrian bridge used a modern (contemporary) design style with slender curved shapes. The bridge appears dated and does not fit with other redevelopment in the surrounding community. There are opportunities to improve its appearance.

## 2.3 RELATED FEATURES (NON-STRUCTURAL)

The following is a summary of several non-structural features that may play a role in the consideration or cost of alternatives:

a. Roadway – State Street:

State Street is comprised of 3 lanes in each direction (north/south) with narrow shoulders and curbing/gutters. There are sidewalks along each side of State Street. There is a small median island. The overall width of State Street is approximately 80 feet. UDOT has plans for an upcoming utility and resurfacing project on State Street in the near future. Any bridge work should be coordinated with this and other projects. The pavement surface is asphalt. The alignment is straight with a decreasing grade to the north of the bridge.

b. Roadway – High School Drop Off Roads:

There are exiting drop-off roadways on each side of State street under the approach ramps. These access roads are used for buses and passenger cars to drop off and pick up students. Murray School District and the City have expressed a desire to keep the access on the west side, with the east side possibly being eliminated.

c. Sidewalks:

There are sidewalks along each side of State Street as well as sidewalks leading up to and away from the pedestrian bridge.

d. UTA Bus Routes and Stops:

The Utah Transit Authority has bus routes and stops along State Street. However, these stops are separate from the access drop off/off roads near the bridge. There may be an opportunity to work with UTA to use the access roads as bus stop locations, freeing up traffic flow on State Street.

e. Signing:

The existing pedestrian bridge has object marker signing attached at the ends of the impact attenuators at the main span supports. There are clearance signs in place above the school roads (drop off zone). There is an ATMS traffic messaging sign for State Street in the northbound direction approximately 100 feet south of the bridge.

f. Safety Features:

The existing pedestrian bridge has impact attenuators in front of the column supports for the main span over State Street.

g. Utilities:

There are numerous utilities in close proximity to the existing bridge. There is an electrical utility box under the approach ramps on the westside. Underground utilities including culinary water, sewer, electrical power, and communications lines are to be expected.

h. Land Ownership:

Currently the Murray School district owns the land below the pedestrian bridge approach ramps. Removal, rehabilitation, or replacement alternatives would require new property agreements with the school district.

## SECTION 3 – STRUCTURAL CONDITION

### 3.1 OVERVIEW

The existing pedestrian bridge structure was built in 1972 to the UDOT (AASHTO) standards that were in place at the time. The structural design and plans appear to have been prepared by UDOT with original construction advertised through a UDOT process. The sources of funding for the original construction are unknown.

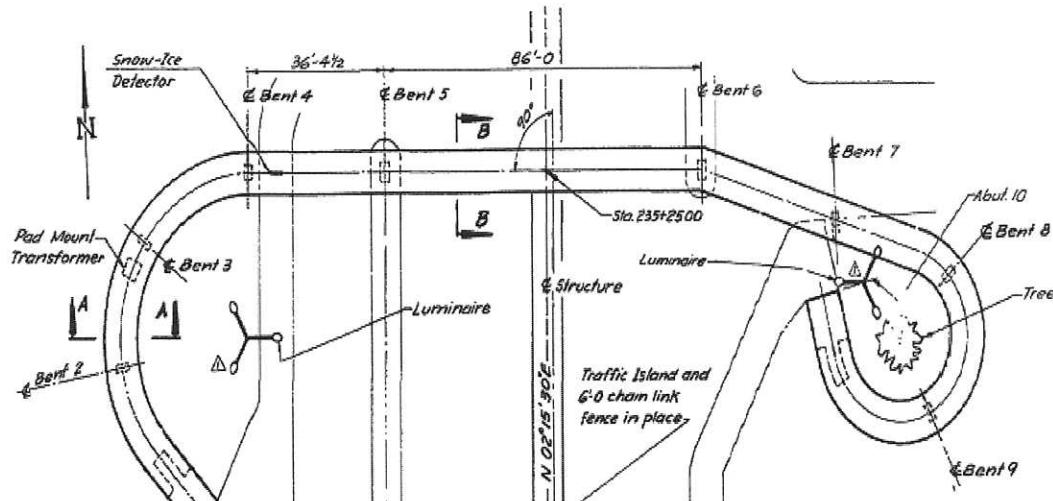


Figure 5 - Existing Bridge Layout

A typical design life for bridges built during this era is 50-75 years with variability due to factors such as climate, exposure to deicing salts, loading and design details. The structure is approaching 50 years in age and is showing signs of significant deterioration. This deterioration is largely attributed to the corrosion of reinforcing steel and steel components accelerated by the use of deicing chemicals.

Previous UDOT inspection reports show that in the early 2000's there was extensive deterioration and spalling of the columns supporting the main steel span over State Street. This is likely attributed to leaking of the expansion joints directly above the columns. During the same time frame, there were also several areas of spalling along overhang edges of the deck.

In response, a rehabilitation project was completed in 2008, with concrete spall repairs and carbon fiber patching placed along the deck edges and columns as reinforcement. The patching along the edges of the east approach ramps is failing with spalling continuing. The underlying concrete appears to be crumbling, indicating the likelihood of freeze thaw deterioration or loss of the concrete binding materials.

### 3.2 BRIDGE CONDITION RATINGS USING NBIS STANDARDS

Bridge inspections gather information that meets national bridge inspection standards (NBIS) and formats. These standards were developed in part to provide consistency and uniformity in collecting information and communicating the findings across the nation. Over 100 NBIS data fields are collected. The following data fields are used to document the condition of the major sections of a bridge:

- **NBIS Item # 58 - Deck Condition (riding surface)**
- **NBIS Item # 59 - Superstructure (beams and main load carrying portions)**
- **NBIS Item # 60 - Substructure (foundation)**.

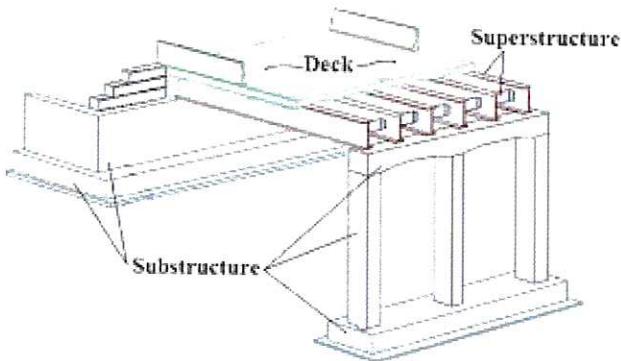


Figure 6 - Major Sections and Bridge Terminology

The condition ratings range from 1-9, with 9 being the highest and 1 the lowest. The condition ratings can also be used to categorize bridges for general treatment strategies:

#### Ratings 9-7: Excellent to Good:

NBI condition ratings of 7-9 are considered to be good to excellent. Bridge components with these condition ratings are typically ideal candidates for preservation work which includes preventive maintenance and minor repairs to extend the life of the bridge.

#### Ratings 6-5: Fair to Satisfactory

NBI ratings of 5-6 are considered to be fair to satisfactory. Bridges with these condition ratings are often good candidates for moderate repairs to major rehabilitation. Bridge with these intermediate condition ratings will often continue to deteriorate more rapidly than a newer structure.

#### Ratings 4-2: Poor to Critical (Structurally Deficient)

NBI ratings of 4-2 are considered to be poor to critical. Bridges with one of the major NBI components having a rating of 4 or less are considered as structurally deficient. These bridges are typically good candidates for major rehabilitation or replacement. Poor condition combined with an age of 50, and more than 50% of the area deteriorated typically lean towards a replacement alternative.

### 3.3 PREVIOUS BRIDGE INSPECTION REPORTS

UDOT provides bridge inspections at least every 24 months as required by Federal and State policies. These inspections are provided by UDOT with the reports sent to the City, who is then responsible for the management of the structures. The inspections are performed by individuals who are qualified as bridge inspectors following national and state standards.

The authors of this feasibility report are qualified as bridge inspectors. As part of the evaluation of alternatives, the previous UDOT bridge inspection reports were reviewed, and a cursory independent field inspection was conducted to verify the conditions and findings of the previous reports have not significantly changed. The most recent bridge inspection was performed in October 2018.

The following is a summary of the condition ratings of key sections of the bridge:

**a. Deck Condition Rating (6 – Fair):**

The deck of the pedestrian bridge is constructed of reinforced cast-in-place concrete. The latest (2018) deck rating is a 6 using NBIS standards. Our independent review agrees with this rating. It is our opinion that this deterioration will continue to become worse, and the rate of deterioration will increase with time. We anticipate that during the next 1-2 inspection cycles, the NBI Deck Rating will likely decrease the rating from a 6 to 5 (satisfactory).

Without treatment, the remaining service life of the deck is estimated to be 10 years. With rehabilitation, the remaining service life of the deck is estimated to be increased to 20 years.

The surface of the deck is bare concrete and has abrasion wear and cracking visible on the top surface. It is likely that deicing salts and chlorides have seeped into the deck over the years and are contributing to deterioration of the concrete and reinforcing steel. The placement of a deck sealer-overlay would help to slow this deterioration by reducing water, chlorides, and oxygen necessary for corrosion.

The chain link fencing is attached using steel base inserts embedded into the deck during original construction. These base inserts are actively rusting, with the swelling of corrosion causing staining and spalling of the surrounding deck concrete. Rehabilitation would likely require removal and replacement of the fencing base plates and surrounding concrete.

The underside of the center portions of the deck has common flexural cracking and no significant spalls. However, the exposed corner edges have significant spalls with exposed reinforcing steel. The previously placed carbon fiber wrap has failed, especially at the east approach ramps. The original plans show the deck had an electrical heating system that is no longer activated.

There are neoprene expansion joints at each end of the main steel span. The joints are in good condition but allow water to leak onto the columns below.



Figure 7 - Deck Surface - Cracking, Abrasions, Fence Corrosion

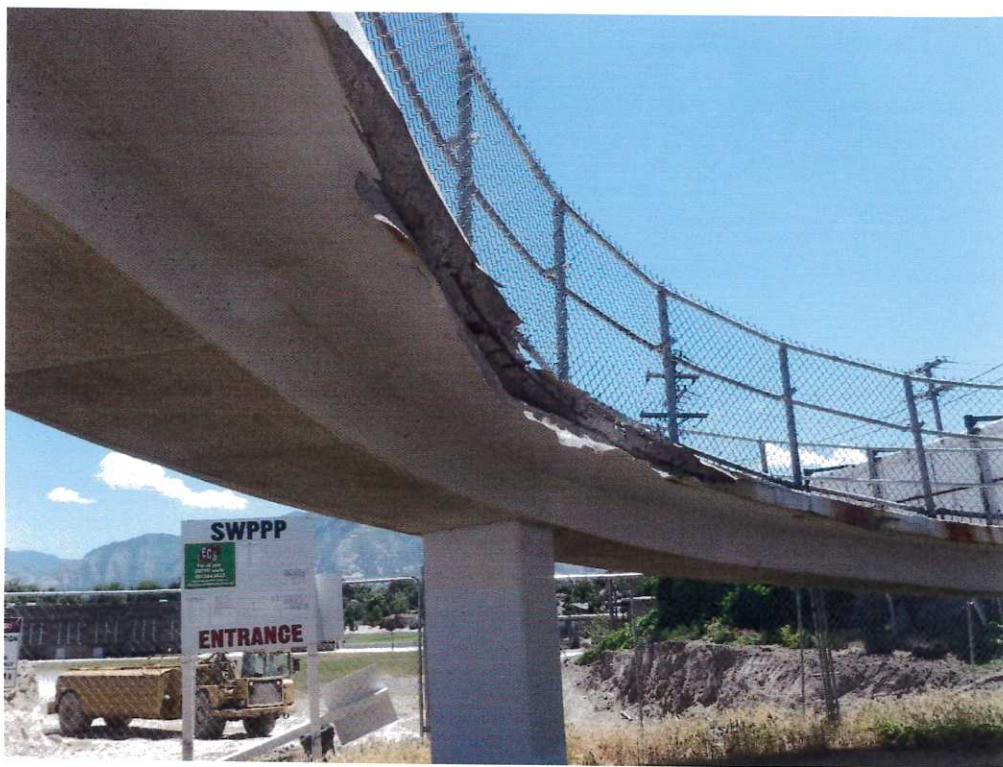


Figure 8 - Spalling and Exposed Reinforcing of Deck Overhangs

**b. Superstructure Condition Rating (6 – Fair):**

The main span of the superstructure over State Street is constructed of a single span steel box girder, 86 feet in length. The remaining superstructure spans used for the approach ramps are constructed of reinforced cast-in-place concrete.

The NBIS rating applies to an overall rating of the entire superstructure system (both steel and concrete spans). The latest superstructure rating is a 6 using NBIS standards. Our independent review agrees with this rating. It is anticipated that the deterioration will continue to deteriorate with time. However, we anticipate the superstructure rating for the next inspection cycle will likely remain at a 6.

The steel box girder of the main span is free of any cracks, distortion, or impact damage. The alignment is normal. The vertical dimension (structural depth) varies from a minimum of 1.0 ft. at the supports to 2.5 feet at midspan. This appears to be very small in comparison to current practices. A load analysis should be performed before adding any new dead or live loads to the structure. In addition, a shoring plan may be needed for any rehabilitation work to the deck.

The paint system on the steel girder has failed at the ends of the span with active corrosion due to water leaking from the joints above. The remaining paint surface has a chalked appearance and is the initial stages of failing. The paint system likely has lead materials that may require special containment during repainting. Materials tests can be performed to detect if it is lead based paint.

The bearing plates supporting the girders are not fully visible but appear to have a bearing length of approximately 1 foot and are adequately supporting the girders. The bearing units have active corrosion.

The underside of the steel box girder has access plates near the support ends. Previous inspection reports do not show whether these access ports have been opened to inspect the interior of the girders for defects. It is recommended to contact UDOT to request inspecting the bearing plates and access ports during the next inspection cycle.

The superstructure of the approach ramp spans was constructed using reinforced concrete. The superstructure is a box shape with a core rectangular section on the center that is 4.0 feet wide x 1.50 ft deep. The sides of the box girder have the deck overhang, which is cast monolithically with the concrete girder, and included in the deck ratings.

The span lengths vary between each of the support columns with a maximum span of 37.5 feet. The underside of the concrete beams has areas of moderate width cracks, some with staining. These crack types are common from flexure and thermal expansion with corrosion of the underlying reinforcing steel. There are not any significant spalls at this time.

The girders appear to be supported by bearing units at bents 5 and 6 (main span) and tied with reinforcing steel at the remaining supports (see plans for details). There does not appear to be any deterioration at the interface of the concrete beams and the columns.



Figure 9- Steel Girder (left), Concrete Girder (right), Pier #6



Figure 10 - Underside of Concrete Girder and Deck

c. Substructure Condition:

The substructure of the bridge consists of reinforced concrete columns supported by spread footings. The footings are not visible, but additional information is available in the plans.

The current NBIS rating is a 7 (Good Condition). Bents 5 and 6 which support the main span over State Street previously had large areas of spalling and exposed reinforcing. These defects were repaired in 2007 with concrete patching and carbon fiber wrapping. The carbon fiber was painted to protect from UV exposure. As a result, the condition of the patched concrete interior can't be seen. In our opinion, the rating of 7 could easily be reduced if previous underlying defects are found to remain or if there is uncertainty of the repairs.

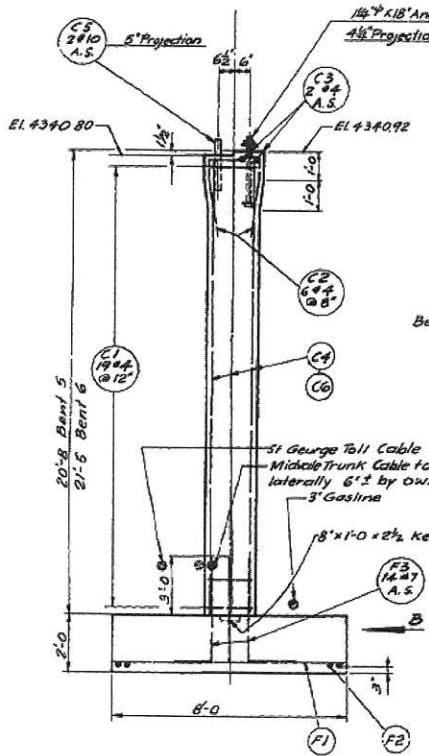


Figure 11 - Main Span Columns

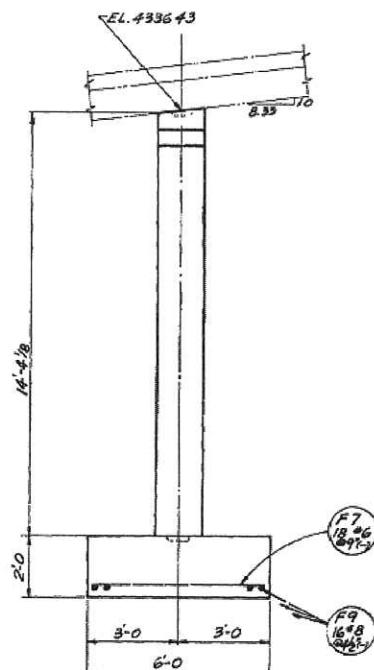


Figure 12 - Approach Ramp Columns

The remaining bent columns do not have any significant spalls or cracks that would be of major concern. This is largely due to their construction without expansion joints above and their distance from roadway salts (splash zones).

At the time of construction, seismic standards were much lower than today, making this bridge potentially more prone to earthquakes than current designs. Specifically, the tops and bottoms of the columns do not have as much horizontal (hoop) shear reinforcing. The use of spread footings with a large heavy weight above increases the risk of overturning during a large event than with deep pile foundations. The area also has soft clay soils and a high-water table, increasing the potential for liquefaction. For a rehabilitation option, the encasement of bents 5 and 6 with additional reinforced concrete would be recommended. For a replacement option, the use of piles would be recommended.

### **3.4 INDEPENDENT BRIDGE INSPECTION – VERIFICATION OF CONDITIONS**

As part of this study, a cursory bridge inspection was performed to verify that the findings and conditions of the previous UDOT reports have not significantly changed. Our field review was performed by individuals who are qualified bridge inspectors.

Our observations confirm the findings of the previous reports. We feel it is likely that the current deck rating of 6 will decrease to a 5 during the next few inspection cycles. We also feel that there is uncertainty in the inability to inspect the effectiveness of previous substructure repairs for bents 5 and 6. As a result, the substructure rating has the potential to decrease with time if defects are observed.

To the best of our knowledge, the steel main span girder has never had significant concerns to warrant removal of the access plates for inspection of the interior. Inspection records do not show that lift equipment has been used to inspect the tops of columns 5 and 6 and the associated bearing units.

Because rehabilitation or replacement work is being considered, it is recommended to contact UDOT to see if the bearing units and interior of the girder can be inspected. This may provide additional information that may influence long term decisions.

### **3.5 SIGNIFICANT STRUCTURAL DEFICIENCIES AND OBSERVATIONS**

The inspection reports show significant deterioration to the concrete decking, girder painting, support columns and bearings. However, the ratings of these inspections imply that the bridge has at least 10 years of remaining life under a “do nothing” (minimal maintenance) approach. While the deterioration may look bad, there is nothing in the inspection reports that would indicate a risk of failure.

As a result, from a structural perspective, there is remaining time to further plan, decide on a strategy, and obtain funding for removal, rehabilitation or replacement options.

A rehabilitation project could restore the overall condition to a higher level. However, repairs are never the same as new construction, and the service life would likely be extended by 10-15 years for a total of 25 years. In comparison, a replacement option would have a service design life of 75 years.

Rehabilitation treatments would potentially include removal and replacement of spalled areas of concrete decking, metal fencing and bases, column encasement (bents 5 & 6), repainting of the steel girder, and placement of deck and concrete sealants.

Replacement options would include upgrades to geometry and ADA standards, relocation of crossing site to reduce approach ramps (cost), seismic upgrades, and aesthetic improvements.

The significance of the bridge condition and treatment options in large part also depends on other factors such as available funding, cost/benefit ratios, function use/demands, and long-term changes (use) of surrounding properties. In general, if the cost to rehabilitate are greater than 45% of the cost of replacement then replacement has an overall lower cost to benefit ratio due to the longer remaining life and should be considered if funding is available.

## SECTION 4 – KEY ISSUES, ASSUMPTIONS, DESIGN CONSIDERATIONS

### 4.1 ASSUMPTIONS AND APPROACH

To evaluate the feasibility of each alternative the following approach and assumptions were used:

- a. Previous UDOT inspection reports were reviewed to provide an overview of the general structural condition and defects.
- b. Copies of the original construction plans were obtained and reviewed to identify key bridge characteristics that may influence deterioration, performance, and alternatives.
- c. A site visit and cursory field inspection was performed to validate conditions.
- d. Alternatives include general cost estimates to allow city managers to consider strategies that match available funding.
- e. Past and future ownership, maintenance, and right of way agreements were considered.
- f. Treatment options will require coordination with UDOT, Murray City School District, LDS Church, surrounding businesses/developers, and residential communities.
- g. Consideration will be given to alternatives that minimize construction times and disruptions to traffic and surrounding communities.
- h. Consideration will be given to prefabricated and precast structural elements that offer opportunities to reduce costs and construction impacts.
- i. Current design criteria and upgrades will be considered where economically feasible.
- j. Funding sources and permits will influence the use of APWA or UDOT specifications and formats.
- k. Consideration will be given to approaches that minimize right of way costs.

## 4.2 KEY ISSUES

The following is a summary of issues that should be considered in the evaluation of alternatives:

**a. Functional Use:**

Before considering any alternative (removal, rehabilitation or replacement), the functional use and needs for the bridge must be considered. This includes demands for pedestrian traffic generated from the schools, nearby businesses, and surrounding neighborhoods.

**b. ADA and Geometric Standards:**

The existing bridge does not meet current geometric or ADA standards. Any opportunities to economically improve this should be considered.

**c. Grade Separation and Innovative Ramp Designs:**

At least 50% of a bridge rehabilitation or replacement alternatives would be attributed to work on the approach structures. Consideration will be given to innovative ideas to reduce these approach ramp costs including the use of fills materials, retaining walls, other materials, prefabricated components, and geometric layout.

**d. UDOT and Stakeholder Coordination:**

Because the bridge crosses over a state roadway, any work to remove, rehabilitate, or replace the bridge will need to be coordinated with UDOT. This will include demolition plans, design reviews, and traffic control plans.

**e. Utilities:**

There are numerous existing utilities in proximity to the bridge that should be avoided to limit costs and protected during any of the alternatives.

**f. Prefabricated vs. Cast-in-Place:**

Prefabricated or precast structural components offer the advantage of accelerated construction and fabrication under controlled conditions. There are numerous suppliers of prefabricated trusses and other bridge systems that may offer cost and time savings.

**g. Geotechnical Bearing Capacity:**

The original plans show that the existing soils are soft clays with a high-water table and assumed low bearing capacities less than 2000 psf. A replacement option will require a geotechnical report.

**h. Structural Load Capacity:**

The existing bridge design uses very shallow girders in proportion to the span lengths. Consideration should be given to overall load capacity to minimize construction loads and any additional dead or live loads.

**i. Access to Adjacent Properties:**

Consideration needs to be given to the need/use of student drop off and pick up locations and access to surrounding businesses and properties. In addition, there may be an opportunity to share these access points with UTA to improve mainline traffic flows on State Street.

**j. Seismic Strategy and Parameters:**

The existing bridge does not meet current seismic design standards. For a rehabilitation option, seismic upgrades should be considered where economically feasible. For a replacement option, current seismic standards will need to be included.

**k. Design Criteria:**

Rehabilitation or replacement alternatives will likely need to follow UDOT and AASHTO standards because the bridge crosses a state highway.

#### **4.3 ALTERNATIVE 1 – DO NOTHING**

For a “do nothing” alternative, no improvements would be made in the short term to address the structure to remedy the deterioration. A “do nothing” approach does not eliminate the costs associated with removal of the bridge, but rather delays them. This option buys some time to further evaluate alternatives, seek funding, and observe how pedestrian demands may change with the completion of the nearby development project.

The existing bridge has significant condition defects. While visually noticeable, the inspection reports do not indicate these defects to be serious enough to warrant restricted loads, closure or removal. From a structural perspective, the bridge is estimated to have at least 10 years of remaining life. Minimal maintenance to remove loose concrete spalls, repair fencing, and patch concrete are to be expected under a “do nothing” option.

Under this scenario, the identified defects of the structure will continue to deteriorate. In particular, water leaking at the joints at the ends of the main span over State Street will continue to deteriorate the piers. Corrosion around the fence post supports will continue to spall the concrete deck. The paint on the steel main span over State Street will continue to deteriorate leading to additional corrosion. The NBIS ratings will continue to decrease with time.

However, there may be other factors that could influence the City to remove the bridge sooner, such as school district needs, surrounding developments, and public input.

**Advantages:**

- No immediate cost.
- Additional time to evaluate alternatives and acquire funding.
- Continued use of bridge.
- Opportunity to see if demands change with surrounding developments.

**Disadvantages:**

- Deterioration will remain and continue to worsen.
- Public perception of defects.
- Could cost more to repair or reconstruct in the future.
- City will need to provide reactionary maintenance as deterioration worsens.

#### 4.4 ALTERNATIVE 2 – REMOVAL (DEMOLITION) OF EXISTING STRUCTURE

The next alternative to consider is the removal of this existing pedestrian bridge. The cost to remove the existing bridge is estimated to be between \$125k and \$150K.

This alternative is contingent upon a determination that there is not enough demand for pedestrian traffic or other safety issues to warrant the need for the crossing. Other factors also need to be considered.

If the bridge is removed, the use of the passenger drop-off/pickup lane on the east side of State Street would be greatly changed. Leaving the lane in place could potentially cause pedestrians to jaywalk across State Street where the bridge now exists.

Another factor to consider is the use of the land where the bridge ramps are currently located. As part of the new development along the east side of State Street, it was negotiated to preserve land use near the existing bridge footprint. Removal of the existing bridge creates the potential to allow for this land to be used for other purposes, reducing the ability to place a new bridge later. If the bridge is removed, it is recommended for the City to consider acquiring the existing bridge property for future use rather than allowing it to be used for other purposes.

Demolition of the existing bridge would require coordination with UDOT for traffic impacts to State Street below. A formal demolition plan and traffic control plan would be required by UDOT. State Street is also a major route to the nearby Intermountain Medical Center, Murray High School, and surrounding businesses. Restrictions for demolition schedules and durations would need to be coordinated with these other transportation needs.

Advantages:

- Lowest cost option.
- Eliminates need to maintain existing bridge.
- Reduces risk of spalling concrete falling.
- Work could be scheduled anytime in next 10 years.

Disadvantages:

- Eliminates grade separated crossing for pedestrians.
- Uncertainty of future land use easements.
- Possible community demand for a pedestrian crossing.

*Table 1 - Cost Estimate for Removal*

Cost Estimate – Alternative 1 – Removal of Existing Bridge				
Description	Quantity	Units	Unit Price	Cost
Mobilization	1	Lump	\$ 5,000	\$5,000
Removal of Bridge	1	Lump	\$90,000	\$100,000
Utility Relocation & Coord.	1	Lump	\$10,000	\$10,000
Grading, Revegetation, Dropoff	1	Lump	\$10,000	\$10,000
Traffic Control	1	Lump	\$10,000	\$10,000
<b>Subtotal - Construction</b>				<b>\$125,000</b>
Engineering – Demo Plans	1	Lump	\$10,000	\$ 12,500
Construction Mgt. & Inspection	1	Lump	\$15,000	\$ 12,500
<b>Total</b>				<b>\$150,000</b>

## 4.5 ALTERNATIVE 3 – MAJOR REHABILITATION

With this alternative, the deteriorated sections of the bridge would be repaired or replaced. Repair work is typically not as effective as full replacement. As a result, the rehabilitation work is estimated to extend the remaining service life to no more than 20 years. The rehabilitation work would focus on correcting the most significant defects and installing protective systems to slow the rate of deterioration. One of the necessary repairs will be to rehabilitate the spalling of the deck. This will require removal and replacement of spalled areas of the concrete along the edges. Fence post supports will also need to be replaced.

### Scope of Rehabilitation

- Remove and replace deck spalls along edges and overhangs
- Jack and replace steel bearing plates
- Jacket Columns 5 and 6 with additional reinforced concrete
- Repaint steel main girder
- Deck patching and overlay seal
- Concrete seal (pigmented)
- New fencing and railing
- East approach ramp upgrades to match new development

a. Advantages:

- Deteriorated elements would be removed and replaced.
- Extends structural life to 10-15 years.
- Not as costly as a full replacement.

b. Disadvantages:

- Does not provide as long of a life as a full replacement.
- Higher up-front cost.
- Requires lane closures and possible full traffic closures during construction.

*Table 2 - Cost Estimate Rehabilitation*

Cost Estimate – Alternative 3 – Major Rehabilitation				
Description	Quantity	Units	Unit Price	Cost
Mobilization	1	Lump	\$ 20,000	\$ 20,000
Deck Spall Repairs, Partial	600	Ft2	\$125	\$75,000
Fencing & Base Plates - Main Span	180	FT	\$100	\$18,000
Fencing & Base Plates - Ramps	450	FT	\$50	\$22,500
Columns Encasement (Piers 5 & 6)	2	Each	\$20,000	\$40,000
Bearing Repairs or Replacement	2	Each	\$5,000	\$10,000
Steel Girder Repainting	700	FT2	\$50	\$35,000
Other Concrete Spall & Crack	200	FT2	\$40	\$8,000
Waterproofing Deck Overlay	2700	FT2	\$7	\$ 18,900
Utility & ROW Coordination	1	Lump	\$25,000	\$25,000
Column Encasement	2	Each	\$25,000	\$50,000
Traffic Control – MOT, Permitting	30	Days	\$1,200	\$36,000
<b>Subtotal – Construction</b>				<b>\$358,400</b>
Preconstruction (Design)				\$ 75,000
Construction Management & Insp.				\$ 50,000
Contingency – Unforeseen 10%				\$36,000
<b>Total</b>				<b>\$519,400</b>

#### 4.6 ALTERNATIVE 4 – FULL REPLACEMENT

A full replacement of the structure would include removal and replacement of both the main span over State Street and the approach ramps. The cost to replace the bridge at its current location is estimated to be \$2.60 Million. This is for a typical pedestrian bridge. A custom landmark or unique signature type bridge such would be higher and as much as \$ 5 Million.

If funding allows, a replacement option is likely the most cost effective over time with an average cost per year (cost/benefit) of \$35,000/year ( $\$2,600,000 / 75\text{-year life}$ ). In comparison, a rehabilitation option would have an average annual cost of \$52,000 per year ( $\$520,000 / 10 \text{ years additional life}$ ). This difference would be even greater if cost savings could be observed with the replacement option.

If state or federal funding could be found for a full replacement, the City's portion would only be approximately a 10% match of funding. For this reason, it is recommended for the City to explore other funding options in addition to technical alternatives. If outside funding were obtained, the replacement option could potentially be the lowest cost option to the city.

For a typical pedestrian bridge, the majority the approach ramps and associated right of way (property) can account for as much as 60% of the total cost. As a result, anything that can be done to reduce the approach ramps size and footprint or use prefabricated components, innovative materials could provide significant cost savings.

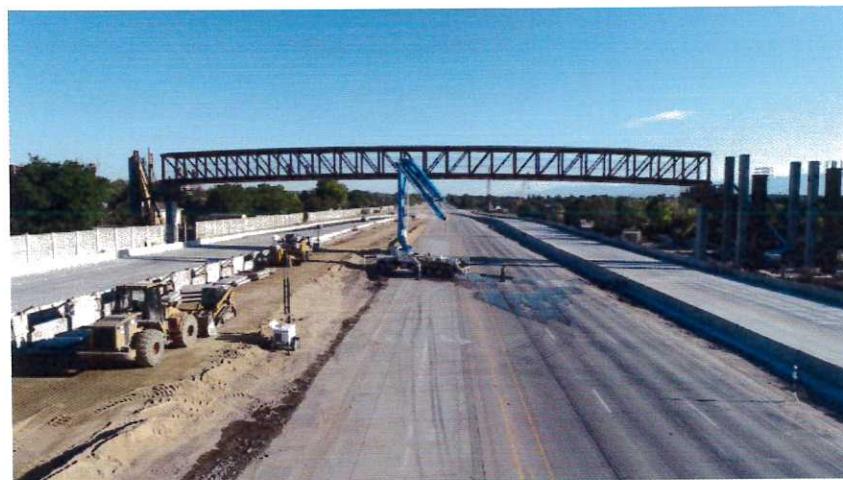
A new bridge would also create an opportunity to upgrade the bridge to current ADA and seismic standards, as well as improving the aesthetics of the bridge to fit the surrounding redevelopment in the area.

*Table 3 - Cost Estimate Replacement*

Cost Estimate – Alternative 4 – Replacement				
Description	Quantity	Units	Unit Price	Cost
Mobilization	1	Lump	\$ 35,000	\$50,000
Remove Existing Bridge	1	Lump	\$ 125,000	\$125,000
Structural Backfill, Borrow,	2,875	YD3	\$40	\$115,000
Utility Coordination - Relocation	1	Lump	\$50,000	\$50,000
Prefabricated Main Span	1	Each	\$400,000	\$400,000
Foundations, Retaining Walls	2	Each	\$100,000	\$200,000
Approach Ramp West Side *	1500	FT2	\$200	\$300,000
Approach Ramp East Side *	1500	FT2	\$200	\$300,000
Right of Way – Property	1	Each	\$150,000	\$150,000
Traffic Control – MOT	1	Lump	\$35,000	\$35,000
Revegetation, Landscaping,	1	Lump	\$25,000	\$25,000
Bridge Aesthetics & Lighting	1	Lump	\$200,000	\$200,000
Roadway & Traffic Items	1	Lump	\$150,000	\$150,000
<b>Subtotal – Construction Items</b>				<b>\$2,000,000</b>
Preconstruction (Design)	1	Lump	\$100,000	\$100,000
Construction Management	1	Lump	\$50,000	\$50,000
Contingency 15% - Other	1	Lump		\$300,000
Public Inv. – Stakeholder Coord	1	Lump	\$50,000	\$50,000
<b>Total – All Project Items</b>				<b>\$2,600,000</b>



*Figure 13 - Example of Approaches on Fill*



*Figure 14 - Example of Prefabricated Pedestrian Truss (main span)*



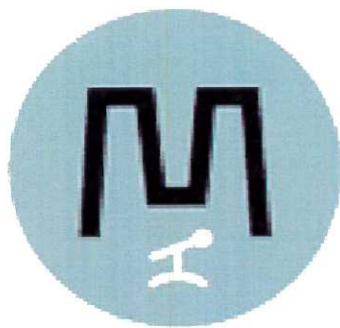
*Figure 15 - Example of Approach Ramps – Opportunities to Simplify*

## 5.1 RECOMMENDATIONS

1. Recommendation: The existing bridge has at least 10 years of remaining life. Unless there are other non-structural factors, there is not an immediate need to remove the existing bridge, which could be left in place for another 5-10 years while alternatives are further refined, plans are developed, and funding is acquired.
2. Recommendation: A full replacement provides the lowest average cost per year (cost/benefit ratio), and if up front funding is available is the best long-term financial decision. If state or federal funding could be secured, the City may only have to provide 10% of the cost in matching funds, making a full replacement a more cost-effective alternative for the City.
3. Recommendation: The original design and plans were developed by UDOT and the bridge crosses a State roadway. The approach ramps are on Murray City School District property. Work for any of the alternatives will require permitting and coordination with these stakeholders. Early and ongoing planning meetings are encouraged.
4. Recommendation: The original construction likely involved coordination, shared funding, and agreements between UDOT, Murray City School District, and Murray City. It is recommended to meet with these stakeholders to explore new opportunities.
5. Recommendation: There are opportunities to reduce costs with the Replacement Alternative. Specifically, the footprint and size of the approach ramp spans could be greatly reduced by using alternative geometric layouts, fill and trials instead of above grade structural spans.
6. Recommendation: Prior to finalizing a decision on the preferred alternative, it is recommended to coordinate with UDOT to inspect the interior of the box girder and the top bearing areas of the main span supports (piers 5 & 6).
7. Recommendation: The consideration of prefabricated and precast bridge superstructure systems and materials such as steel trusses, precast concrete girders, and timber are recommended as opportunities to reduce costs and construction times.
8. Recommendation: A dedicated project manager with a structural background is recommended to help the city with planning, alternative refinement, stakeholder coordination, funding solicitation, and the management of designers and contractors.
9. Recommendation: It is recommended to consider alternative delivery processes including design-build and CMGC as these processes have been proven to introduce innovative and cost saving ideas, methods, and materials.
10. Recommendation: It is recommended to consider the future needs and use of the existing drop off and pick up zones on both the east and west sides of the existing bridge in relationship to how each of the alternatives may impact their future use.

## REFERENCE DOCUMENTS

1. Previous UDOT Bridge Inspection Report 2017.
2. Previous Plans for original construction 1972.
3. Murray School District Boundary Maps
4. Commercial Development Plans (former Junior High School property)



**MURRAY**  
CITY COUNCIL

# Discussion Item #3



**MURRAY**

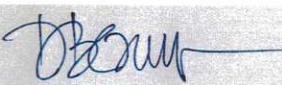
**Council Action Request**

# **Community & Economic Development**

## **Accessory Structure Height in Residential Zoning Districts**

### **Council Meeting**

Meeting Date: November 12, 2019

<b>Department</b> <b>Director</b> Melinda Greenwood	<b>Purpose of Proposal</b>  Proposed Ordinance Amendment regarding Accessory Structure Height in Residential Zoning Districts.
<b>Phone #</b> 801-270-2428	<b>Action Requested</b>  Discussion item & public hearing to consider the proposed Land Use Ordinance Amendment scheduled for November 19, 2019.
<b>Presenters</b>  Melinda Greenwood Jim McNulty	<b>Attachments</b>  Draft Ordinance and Power Point Presentation.
<b>Required Time for Presentation</b>  15 Minutes	<b>Budget Impact</b>  No Budget impact.
<b>Is This Time Sensitive</b>  Yes	<b>Description of this Item</b>  The Community & Economic Development Department has drafted a proposed ordinance amendment to the Murray Land Use Ordinance regarding Accessory Structure Height in Residential Zoning Districts. The proposed text amendment is intended to allow for increased height in cases where the primary structure has a low roof height. Recently, City staff has received several building permit applications for accessory structures and it's apparent that our ordinance needs to be updated to allow for residents to have useable accessory structures. Other general clean-up items are proposed in the draft ordinance.
<b>Mayor's Approval</b>  	The following includes the chapters where the proposed revisions apply:
<b>Date</b> October 28, 2019	

**Continued from Page 1:**

- Chapter 17.92, Agricultural District A-1;
- Chapter 17.96, Single Family Medium Density Residential District R-1-6;
- Chapter 17.100, Single Family Low Density Residential District R-1-8;
- Chapter 17.104, Single Family Low Density Residential District R-1-10;
- Chapter 17.108, Single Family Low Density Residential District R-1-12;
- Chapter 17.112, Medium Density Residential District R-2-10;
- Chapter 17.116, Multi-Family Low Density Residential District R-M-10;
- Chapter 17.120, Multi-Family Medium Density Residential District R-M-15;
- Chapter 17.124, Multi-Family High Density Residential District R-M-20;
- Chapter 17.128, Multi-Family High Density Residential District R-M-25.

**Accessory Structure Height – Existing Language**

The Murray City Land Use Ordinance currently includes the following language:

"An accessory building may consist only of one story, and may not exceed the lesser of twenty feet (20'), or the height of the residential dwelling on the property".

**Accessory Structure Height – Proposed Language**

City staff is proposing the following language:

"An accessory structure may consist of a one-story building and may not exceed sixteen feet (16') to the peak of the roof if the primary residential dwelling is less than twenty feet (20') in height. If the primary residential dwelling is greater than twenty feet (20') in height, an accessory structure is allowed at a height of twenty feet (20') to the peak of the roof."

**FINDINGS**

1. The proposed text amendments are consistent with the purpose of Title 17, Murray City Land Use Ordinance.
2. The proposed text amendments are consistent with the Goals & Policies of the Murray City General Plan.
3. The proposed text amendments will allow Murray City residents to have useable accessory structures in residential zoning districts.

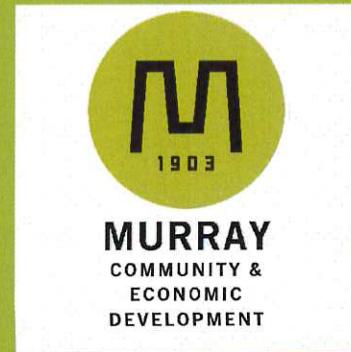
**STAFF RECOMMENDATION**

Based on the findings, proposed text and other revisions as outlined, City staff recommends that the City Council APPROVE the proposed text amendment to multiple chapters of the Murray City Land Use Ordinance regarding Accessory Structure Height in Residential Zoning Districts.

# CITY COUNCIL MEETING

---

November 12, 2019



# ACCESSORY STRUCTURES IN RESIDENTIAL ZONES

## Text Amendment

### Title 17, Land Use Ordinance Sections:

17.92 – Agricultural Zone

17.104 – R-1-10 Zone

17.116 – R-M-10 Zone

17.128 – R-M-25 Zone

17.96 – R-1-6 Zone

17.108 R-1-12 Zone

17.120 – R-M-15 Zone

17.100 – R-1-8 Zone

17.112 – R-2-10 Zone

17.124 – R-M-20 Zone



# ACCESSORY STRUCTURE HEIGHT

## Existing Language:

“Height: An accessory building may consist only of one story, and may not exceed the lesser of twenty feet (20’), or the height of the residential dwelling on the property.”

## Proposed Language:

“Height: An accessory structure may consist of a one-story building, and may not exceed sixteen feet (16’) to the peak of the roof if the primary residential dwelling is less than twenty feet (20’) in height. If the primary residential dwelling is greater than twenty feet (20’) in height, an accessory structure is allowed at a height of twenty feet (20’) to the peak of the roof.”



# Findings

- i. The proposed text amendments are consistent with the purpose of Title 17, Murray City Land Use Ordinance.
- ii. The proposed text amendments are consistent with the Goals & Policies of the Murray City General Plan.
- iii. The proposed text amendments will allow Murray City residents to have useable accessory structures in residential zoning districts.



# Staff & Planning Commission Recommendations

Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the proposed text amendments to multiple chapters of the Murray City Land Use Ordinance regarding Accessory Structure Heights in Residential Zoning Districts.

On October 17, 2019, the Planning Commission held a public hearing and forwarded a recommendation of APPROVAL to the City Council for the proposed text amendments.

The Planning Commission vote was unanimous for this item.



# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 12<sup>th</sup> day of November, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing to receive public comment concerning an ordinance amending sections 17.92.090, 17.96.090, 17.100.090, 17.104.090, 17.108.090, 17.112.090, 17.116.060, 17.120.060, 17.124.060 and 17.128.060 of the Murray City Municipal Code relating to accessory structure height in residential zoning districts.

DATED this 29<sup>th</sup> day of October, 2019.

MURRAY CITY CORPORATION

*Jenny Kennedy*  
\_\_\_\_\_  
City Recorder

DATE OF PUBLICATION: November 1, 2019  
PH 19-39



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTIONS 17.92.090, 17.96.090, 17.100.090, 17.104.090, 17.108.090, 17.112.090, 17.116.060, 17.120.060, 17.124.060 AND 17.128.060 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO ACCESSORY STRUCTURE HEIGHT IN RESIDENTIAL ZONING DISTRICTS

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this Ordinance is to amend sections 17.92.090, 17.96.090, 17.100.090, 17.104.090, 17.108.090, 17.112.090, 17.116.060, 17.120.060, 17.124.060 and 17.128.060 of the Murray City Municipal Code relating to accessory structure height in residential zoning districts.

*Section 2. Amendment.* Sections 17.92.090, 17.96.090, 17.100.090, 17.104.090, 17.108.090, 17.112.090, 17.116.060, 17.120.060, 17.124.060 and 17.128.060 of the Murray City Municipal Code shall be amended to read as follows:

## **Chapter 17.92**

### **AGRICULTURAL DISTRICT A-1**

17.92.090: USE RESTRICTION FOR YARD AREA

...

C. Location Criteria: Accessory buildings or structures may be located in a corner lot side yard subject to these criteria:

1. An accessory building may be located in that portion of a corner lot side yard which could be enclosed by a six-foot (6') fence (referred herein as "6-foot fence line") as defined in chapter 17.64 of this title;
2. ~~An accessory building located in a corner lot side yard may not exceed one hundred sixty eight (168) square feet in area;~~
3. 2. An accessory building may not be located closer than one-foot (1') to the six-foot (6') fence line;
4. 3. The maximum height for the accessory building is determined according to the distance between the six-foot (6') fence line and the nearest point of the accessory building. The maximum height for an accessory building located at the closest allowable point (1 foot) from the six foot (6') fence line is eight feet (8'); the accessory building

may be one foot (1') greater in height for each additional two feet (2') it is located nearer the dwelling, up to a maximum height of twelve feet (12'). Height is measured from ground to the peak, if any, of the roof of the accessory building;

5. 4. Garage buildings or any building or structure designed or intended to be used for motor vehicle parking or storage may not be located in a corner lot side yard area;

6. 5. An accessory building located in a corner lot side yard may not be located less than six feet (6') from the dwelling or less than ten feet (10') from a dwelling on an adjacent lot;

7. 6. Accessory buildings and structures may not cover more than twenty five percent (25%) of a corner lot side yard. This restriction may not be construed to modify the general coverage restriction described in section 17.10092.1320 of this chapter.

...

F. Side Yard Accessory Buildings: Such buildings and structures located in a side yard must comply with this chapter's setback requirements for dwellings and have adequate facilities for the discharge of all roof or other drainage onto the subject property and meet all city fire and building codes. ~~Building and structure height shall not exceed the lesser of twenty feet (20') or the height of the residential dwelling on property.~~ Accessory buildings and structures shall be compatible with the exterior color and materials of the dwelling or shall utilize earthen tones.

G. Height: ~~An accessory building may consist only of one story, and may not exceed the lesser of twenty feet (20'), or the height of the residential dwelling on the property.~~ An accessory structure may consist of a one-story building, and may not exceed sixteen feet (16') to the peak of the roof if the primary residential dwelling is less than twenty feet (20') in height. If the primary residential dwelling is greater than twenty feet (20') in height, an accessory structure is allowed at a height of twenty feet (20') to the peak of the roof.

...

L. Determination: The ~~community development director~~ Community & Economic Development Director shall determine what constitutes an accessory use, building, or a structure as those terms are used in this title, and a person aggrieved by that determination may appeal to the appeal authority as provided by law.

...

## Chapter 17.96

### SINGLE-FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT R-1-6

#### 17.96.090: USE RESTRICTION FOR YARD AREA

...

C. Location Criteria: Accessory buildings or structures may be located in a corner lot side yard subject to these criteria:

1. An accessory building may be located in that portion of a corner lot side yard which could be enclosed by a six-foot (6') fence (referred herein as "6-foot fence line") as defined in chapter 17.64 of this title;
2. An accessory building located in a corner lot side yard may not exceed one hundred sixty eight (168) square feet in area;
3. An accessory building may not be located closer than one-foot (1') to the six-foot (6') fence line;
4. The maximum height for the accessory building is determined according to the distance between the six-foot (6') fence line and the nearest point of the accessory building. The maximum height for an accessory building located at the closest allowable point (1 foot) from the six foot (6') fence line is eight feet (8'); the accessory building may be one foot (1') greater in height for each additional two feet (2') it is located nearer the dwelling, up to a maximum height of twelve feet (12'). Height is measured from ground to the peak, if any, of the roof of the accessory building;
5. Garage buildings or any building or structure designed or intended to be used for motor vehicle parking or storage may not be located in a corner lot side yard area;
6. An accessory building located in a corner lot side yard may not be located less than six feet (6') from the dwelling or less than ten feet (10') from a dwelling on an adjacent lot;
7. Accessory buildings and structures may not cover more than twenty five percent (25%) of a corner lot side yard. This restriction may not be construed to modify the general coverage restriction described in section 17.10096.1330 of this chapter.

...

F. Side Yard Accessory Buildings: Such buildings and structures located in a side yard must comply with this chapter's setback requirements for dwellings and have adequate facilities for the discharge of all roof or other drainage onto the subject property and meet all city fire and building codes. ~~Building and structure height shall not exceed the lesser of twenty feet (20') or the height of the residential dwelling on property.~~ Accessory buildings and structures shall be compatible with the exterior color and materials of the dwelling or shall utilize earthen tones.

G. Height: ~~An accessory building may consist only of one story, and may not exceed the lesser of twenty feet (20'), or the height of the residential dwelling on the property.~~ An accessory structure may consist of a one-story building, and may not exceed sixteen feet (16') to the peak of the roof if the primary residential dwelling is less than twenty feet (20') in height. If the primary residential dwelling is greater than twenty feet (20') in height, an accessory structure is allowed at a height of twenty feet (20') to the peak of the roof.

...

L. Determination: The ~~community development director~~ Community & Economic Development Director shall determine what constitutes an accessory use, building, or a structure as those terms are used in this title, and a person aggrieved by that determination may appeal to the appeal authority as provided by law.

## **Chapter 17.100**

### **SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT R-1-8**

#### **17.100.090: USE RESTRICTION FOR YARD AREA**

...

C. Location Criteria: Accessory buildings or structures may be located in a corner lot side yard subject to these criteria:

1. An accessory building may be located in that portion of a corner lot side yard which could be enclosed by a six-foot (6') fence (referred herein as "6-foot fence line") as defined in chapter 17.64 of this title;
2. ~~An accessory building located in a corner lot side yard may not exceed one hundred sixty eight (168) square feet in area;~~
- 3.2. An accessory building may not be located closer than one-foot (1') to the six-foot (6') fence line;
- 4.3. The maximum height for the accessory building is determined according to the distance between the six-foot (6') fence line and the nearest point of the accessory building. The maximum height for an accessory building located at the closest allowable point (1 foot) from the six foot (6') fence line is eight feet (8'); the accessory building may be one foot (1') greater in height for each additional two feet (2') it is located nearer the dwelling, up to a maximum height of twelve feet (12'). Height is measured from ground to the peak, if any, of the roof of the accessory building;
- 5.4. Garage buildings or any building or structure designed or intended to be used for motor vehicle parking or storage may not be located in a corner lot side yard area;
- 6.5. An accessory building located in a corner lot side yard may not be located less than six feet (6') from the dwelling or less than ten feet (10') from a dwelling on an adjacent lot;
- 7.6. Accessory buildings and structures may not cover more than twenty five percent (25%) of a corner lot side yard. This restriction may not be construed to modify the general coverage restriction described in section 17.100100.1330 of this chapter.

...

F. Side Yard Accessory Buildings: Such buildings and structures located in a side yard must comply with this chapter's setback requirements for dwellings and have adequate facilities for the discharge of all roof or other drainage onto the subject property and meet all city fire and building codes. ~~Building and structure height shall not exceed the lesser of twenty feet (20') or the height of the residential dwelling on property.~~ Accessory buildings and structures shall be compatible with the exterior color and materials of the dwelling or shall utilize earthen tones.

G. Height: ~~An accessory building may consist only of one story, and may not exceed the lesser of twenty feet (20'), or the height of the residential dwelling on the property.~~ An accessory structure may consist of a one-story building, and may not exceed sixteen feet (16') to the peak of the roof if the primary residential dwelling is less than twenty feet (20') in height. If the primary residential dwelling is greater than twenty feet (20') in height, an accessory structure is allowed at a height of twenty feet (20') to the peak of the roof.

...

L. Determination: The ~~community development director~~ Community & Economic Development Director shall determine what constitutes an accessory use, building, or a structure as those terms are used in this title, and a person aggrieved by that determination may appeal to the appeal authority as provided by law.

...

#### **Chapter 17.104**

#### **SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT R-1-10**

##### **17.104.090: USE RESTRICTION FOR YARD AREA**

...

C. Location Criteria: Accessory buildings or structures may be located in a corner lot side yard subject to these criteria:

1. An accessory building may be located in that portion of a corner lot side yard which could be enclosed by a six-foot (6') fence (referred herein as "6-foot fence line") as defined in chapter 17.64 of this title;

~~2. An accessory building located in a corner lot side yard may not exceed one hundred sixty eight (168) square feet in area;~~

~~3.2.~~ An accessory building may not be located closer than one-foot (1') to the six-foot (6') fence line;

~~4. 3.~~ The maximum height for the accessory building is determined according to the distance between the six-foot (6') fence line and the nearest point of the accessory

building. The maximum height for an accessory building located at the closest allowable point (1 foot) from the six foot (6') fence line is eight feet (8'); the accessory building may be one foot (1') greater in height for each additional two feet (2') it is located nearer the dwelling, up to a maximum height of twelve feet (12'). Height is measured from ground to the peak, if any, of the roof of the accessory building;

5. 4. Garage buildings or any building or structure designed or intended to be used for motor vehicle parking or storage may not be located in a corner lot side yard area;

6. 5. An accessory building located in a corner lot side yard may not be located less than six feet (6') from the dwelling or less than ten feet (10') from a dwelling on an adjacent lot;

7. 6. Accessory buildings and structures may not cover more than twenty five percent (25%) of a corner lot side yard. This restriction may not be construed to modify the general coverage restriction described in section 17.100104.1330 of this chapter.

...

F. Side Yard Accessory Buildings: Such buildings and structures located in a side yard must comply with this chapter's setback requirements for dwellings and have adequate facilities for the discharge of all roof or other drainage onto the subject property and meet all city fire and building codes. ~~Building and structure height shall not exceed the lesser of twenty feet (20') or the height of the residential dwelling on property.~~ Accessory buildings and structures shall be compatible with the exterior color and materials of the dwelling or shall utilize earthen tones.

G. Height: ~~An accessory building may consist only of one story, and may not exceed the lesser of twenty feet (20'), or the height of the residential dwelling on the property.~~ An accessory structure may consist of a one-story building, and may not exceed sixteen feet (16') to the peak of the roof if the primary residential dwelling is less than twenty feet (20') in height. If the primary residential dwelling is greater than twenty feet (20') in height, an accessory structure is allowed at a height of twenty feet (20') to the peak of the roof.

...

L. Determination: The ~~community development director~~ Community & Economic Development Director shall determine what constitutes an accessory use, building, or a structure as those terms are used in this title, and a person aggrieved by that determination may appeal to the appeal authority as provided by law.

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## Chapter 17.108

### SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT R-1-12

#### 17.108.090: USE RESTRICTION FOR YARD AREA

...

C. Location Criteria: Accessory buildings or structures may be located in a corner lot side yard subject to these criteria:

1. An accessory building may be located in that portion of a corner lot side yard which could be enclosed by a six-foot (6') fence (referred herein as "6-foot fence line") as defined in chapter 17.64 of this title;
- ~~2. An accessory building located in a corner lot side yard may not exceed one hundred sixty eight (168) square feet in area;~~
- ~~3.2.~~ An accessory building may not be located closer than one-foot (1') to the six-foot (6') fence line;
- ~~4. 3.~~ The maximum height for the accessory building is determined according to the distance between the six-foot (6') fence line and the nearest point of the accessory building. The maximum height for an accessory building located at the closest allowable point (1 foot) from the six foot (6') fence line is eight feet (8'); the accessory building may be one foot (1') greater in height for each additional two feet (2') it is located nearer the dwelling, up to a maximum height of twelve feet (12'). Height is measured from ground to the peak, if any, of the roof of the accessory building;
- ~~5. 4.~~ Garage buildings or any building or structure designed or intended to be used for motor vehicle parking or storage may not be located in a corner lot side yard area;
- ~~6. 5.~~ An accessory building located in a corner lot side yard may not be located less than six feet (6') from the dwelling or less than ten feet (10') from a dwelling on an adjacent lot;
- ~~7. 6.~~ Accessory buildings and structures may not cover more than twenty five percent (25%) of a corner lot side yard. This restriction may not be construed to modify the general coverage restriction described in section 17.100108.1330 of this chapter.

...

F. Side Yard Accessory Buildings: Such buildings and structures located in a side yard must comply with this chapter's setback requirements for dwellings and have adequate facilities for the discharge of all roof or other drainage onto the subject property and meet all city fire and building codes. ~~Building and structure height shall not exceed the lesser of twenty feet (20') or the height of the residential dwelling on property.~~ Accessory buildings and structures shall be compatible with the exterior color and materials of the dwelling or shall utilize earthen tones.

G. Height: ~~An accessory building may consist only of one story, and may not exceed the lesser of twenty feet (20'), or the height of the residential dwelling on the property.~~ An accessory structure may consist of a one-story building, and may not exceed sixteen feet (16') to the peak of the roof if the primary residential dwelling is less than twenty feet (20') in height. If the

primary residential dwelling is greater than twenty feet (20') in height, an accessory structure is allowed at a height of twenty feet (20') to the peak of the roof.

...

L. Determination: The ~~community development director~~ Community & Economic Development Director shall determine what constitutes an accessory use, building, or a structure as those terms are used in this title, and a person aggrieved by that determination may appeal to the appeal authority as provided by law.

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## Chapter 17.112

### MEDIUM DENSITY RESIDENTIAL DISTRICT R-2-10

#### 17.112.090: USE RESTRICTION FOR YARD AREA

...

C. Location Criteria: Accessory buildings or structures may be located in a corner lot side yard subject to these criteria:

1. An accessory building may be located in that portion of a corner lot side yard which could be enclosed by a six-foot (6') fence (referred herein as "6-foot fence line") as defined in chapter 17.64 of this title;
2. ~~An accessory building located in a corner lot side yard may not exceed one hundred sixty eight (168) square feet in area;~~
3. ~~2.~~ An accessory building may not be located closer than one-foot (1') to the six-foot (6') fence line;
4. ~~3.~~ The maximum height for the accessory building is determined according to the distance between the six-foot (6') fence line and the nearest point of the accessory building. The maximum height for an accessory building located at the closest allowable point (1 foot) from the six foot (6') fence line is eight feet (8'); the accessory building may be one foot (1') greater in height for each additional two feet (2') it is located nearer the dwelling, up to a maximum height of twelve feet (12'). Height is measured from ground to the peak, if any, of the roof of the accessory building;
5. ~~4.~~ Garage buildings or any building or structure designed or intended to be used for motor vehicle parking or storage may not be located in a corner lot side yard area;
6. ~~5.~~ An accessory building located in a corner lot side yard may not be located less than six feet (6') from the dwelling or less than ten feet (10') from a dwelling on an adjacent lot;

7.6. Accessory buildings and structures may not cover more than twenty five percent (25%) of a corner lot side yard. This restriction may not be construed to modify the general coverage restriction described in section 17.400112.1320 of this chapter.

D. Side Yard Accessory Buildings: When a side yard is used for access to a detached garage or carport to be used by one dwelling, that side yard shall be wide enough to provide an unobstructed twelve foot (12') paved driveway. Such buildings and structures located in a side yard must comply with this chapter's setback requirements for dwellings and have adequate facilities for the discharge of all roof or other drainage onto the subject property and meet all city fire and building codes. ~~Building and structure height shall not exceed the lesser of twenty feet (20') or the height of the residential dwelling on property.~~

...

F. Height: ~~An accessory building may consist only of one story, and may not exceed the lesser of twenty feet (20'), or the height of the residential dwelling on the property. An accessory structure may consist of a one-story building, and may not exceed sixteen feet (16') to the peak of the roof if the primary residential dwelling is less than twenty feet (20') in height. If the primary residential dwelling is greater than twenty feet (20') in height, an accessory structure is allowed at a height of twenty feet (20') to the peak of the roof.~~

...

K. Determination: The ~~community development director~~ Community & Economic Development Director shall determine what constitutes an accessory use, building, or a structure as those terms are used in this title, and a person aggrieved by that determination may appeal to the appeal authority as provided by law.

...

## Chapter 17.116

### MULTIPLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT R-M-10

#### 17.116.060: YARD REQUIREMENTS

...

F. Rear Yard; Accessory Buildings: Accessory buildings located at least six feet (6') to the rear of the main building may have a minimum rear yard of one foot (1'), provided no accessory building shall be located closer than ten feet (10') to a dwelling on an adjacent lot and provided that the building may not encroach upon a public utility easement. Said accessory buildings must have adequate facilities for the discharge of all roof drainage onto the subject property and must meet all city fire and building codes. ~~Building height shall not exceed one story or twenty feet (20') and shall not be higher than the height of the main dwelling.~~

...

H. Side Yard; Accessory Buildings: Accessory buildings and structures are permitted to occupy side yards. Such buildings and structures must comply with this chapter's setback requirements for dwellings and have adequate facilities for the discharge of all roof or other drainage onto the subject property and meet all city fire and building codes.

~~Building and structure height shall not exceed one story or twenty feet (20') and shall not be higher than the height of the principal building or structure.~~ Accessory buildings and structures shall be compatible with the exterior color and materials of the dwelling or shall utilize earthen tones.

I. Height: An accessory structure may consist of a one-story building, and may not exceed sixteen feet (16') to the peak of the roof if the primary residential dwelling is less than twenty feet (20') in height. If the primary residential dwelling is greater than twenty feet (20') in height, an accessory structure is allowed at a height of twenty feet (20') to the peak of the roof.

J. Determination: The Community & Economic Development Director shall determine what constitutes an accessory use, building, or a structure as those terms are used in this title, and a person aggrieved by that determination may appeal to the appeal authority as provided by law.

## Chapter 17.120

### MULTIPLE-FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT R-M-15

#### • 17.120.060: YARD REQUIREMENTS

...

F. Rear Yard; Accessory Buildings: Accessory buildings located at least six feet (6') to the rear of the main building may have a minimum rear yard of one foot (1'), provided no accessory building shall be located closer than ten feet (10') to a dwelling on an adjacent lot and provided that the building may not encroach upon a public utility easement. Said accessory buildings must have adequate facilities for the discharge of all roof drainage onto the subject property and must meet all city fire and building codes. ~~Building height shall not exceed one story or twenty feet (20') and shall not be higher than the height of the main dwelling.~~

...

H. Side Yard; Accessory Buildings: Accessory buildings and structures are permitted to occupy side yards. Such buildings and structures must comply with this chapter's setback requirements for dwellings and have adequate facilities for the discharge of all roof or other drainage onto the subject property and meet all city fire and building codes.

~~Building and structure height shall not exceed one story or twenty feet (20') and shall not be higher than the height of the principal building or structure.~~ Accessory buildings and structures shall be compatible with the exterior color and materials of the dwelling or shall utilize earthen tones.

I. Height: An accessory structure may consist of a one-story building, and may not exceed sixteen feet (16') to the peak of the roof if the primary residential dwelling is less than twenty feet (20') in height. If the primary residential dwelling is greater than twenty feet (20') in height, an accessory structure is allowed at a height of twenty feet (20') to the peak of the roof.

J. Determination: The Community & Economic Development Director shall determine what constitutes an accessory use, building, or a structure as those terms are used in this title, and a person aggrieved by that determination may appeal to the appeal authority as provided by law.

## **Chapter 17.124**

### **MULTIPLE-FAMILY HGH DENSITY RESIDENTIAL DISTRICT R-M-20**

#### **17.124.060: YARD REQUIREMENTS**

...

F. Rear Yard; Accessory Buildings: Accessory buildings located at least six feet (6') to the rear of the main building may have a minimum rear yard of one foot (1'), provided no accessory building shall be located closer than ten feet (10') to a dwelling on an adjacent lot and provided that the building may not encroach upon a public utility easement. Said accessory buildings must have adequate facilities for the discharge of all roof drainage onto the subject property and must meet all city fire and building codes. Building height shall not exceed one story or twenty feet (20') and shall not be higher than the height of the main dwelling.

...

H. Side Yard; Accessory Buildings: Accessory buildings and structures are permitted to occupy side yards. Such buildings and structures must comply with this chapter's setback requirements for dwellings and have adequate facilities for the discharge of all roof or other drainage onto the subject property and meet all city fire and building codes. Building and structure height shall not exceed one story or twenty feet (20') and shall not be higher than the height of the principal building or structure. Accessory buildings and structures shall be compatible with the exterior color and materials of the dwelling or shall utilize earthen tones.

I. Height: An accessory structure may consist of a one-story building, and may not exceed sixteen feet (16') to the peak of the roof if the primary residential dwelling is less than twenty feet (20') in height. If the primary residential dwelling is greater than twenty feet (20') in height, an accessory structure is allowed at a height of twenty feet (20') to the peak of the roof.

J. Determination: The Community & Economic Development Director shall determine what constitutes an accessory use, building, or a structure as those terms are used in this title, and a person aggrieved by that determination may appeal to the appeal authority as provided by law.

## Chapter 17.128

### MULTIPLE-FAMILY HIGH DENSITY RESIDENTIAL DISTRICT R-M-25

#### 17.128.060: YARD REQUIREMENTS

...

F. Rear Yard; Accessory Buildings: Accessory buildings located at least six feet (6') to the rear of the main building may have a minimum rear yard of one foot (1'), provided no accessory building shall be located closer than ten feet (10') to a dwelling on an adjacent lot and provided that the building may not encroach upon a public utility easement. Said accessory buildings must have adequate facilities for the discharge of all roof drainage onto the subject property and must meet all city fire and building codes. ~~Building height shall not exceed one story or twenty feet (20') and shall not be higher than the height of the main dwelling.~~

...

H. Side Yard; Accessory Buildings: Accessory buildings and structures are permitted to occupy side yards. Such buildings and structures must comply with this chapter's setback requirements for dwellings and have adequate facilities for the discharge of all roof or other drainage onto the subject property and meet all city fire and building codes. ~~Building and structure height shall not exceed one story or twenty feet (20') and shall not be higher than the height of the principal building or structure.~~ Accessory buildings and structures shall be compatible with the exterior color and materials of the dwelling or shall utilize earthen tones.

I. Height: An accessory structure may consist of a one-story building, and may not exceed sixteen feet (16') to the peak of the roof if the primary residential dwelling is less than twenty feet (20') in height. If the primary residential dwelling is greater than twenty feet (20') in height, an accessory structure is allowed at a height of twenty feet (20') to the peak of the roof.

J. Determination: The Community & Economic Development Director shall determine what constitutes an accessory use, building, or a structure as those terms are used in this title, and a person aggrieved by that determination may appeal to the appeal authority as provided by law.

Section 3. *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

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Dave Nicponski, Chair

ATTEST:

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Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2019.

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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D. Blair Camp, Mayor

ATTEST:

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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.

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Jennifer Kennedy, City Recorder

ORDINANCE TEXT AMENDMENT – Accessory Structure Heights in Residential Zones -  
Project #19-134

Jared Hall presented the proposed draft Land Use Ordinance amendments for Accessory Structure Heights in Residential Zoning Districts where it applies to Chapter 17. Mr. Hall explained that the proposed draft is to address the regulations for rear yard accessory structures in all Residential Zones. In the respective zones the height currently allowed for rear yard accessory structures is limited to 20 feet at the peak of the roof or the height of the house, whichever is less. In many cases that is acceptable, but we are encountering some homes that are shorter than that 20 feet and the current regulations makes it difficult for the construction of a shed or garage to be built. The issue presented itself many times over this last summer and we had to deny a lot of people the opportunity of having a simple shed. Staff is proposing to allow a rear yard structure of 20 feet high if the home is 20 feet or taller; and a rear yard structure of 16 feet in height if the home is less than 20 feet tall. This would allow a rear yard structure to be built that would not be more than 4 or 5 feet taller than the home and we would not end up with a jarring height difference between the two structures and is a good compromise.

Mr. Markham stated that he personally feels that this is a welcomed change and knows that some of the homes built in the 1950's & 1960's did not include garages, and commented that if people can add garages and make them look like it belongs on the property, it is a good change.

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

Mr. Woodbury made a motion that the Planning Commission forward a recommendation of approval to the City Council for the proposed text amendment to multiple chapters of the Murray City Land Use Ordinance regarding Accessory Structure Height in Residential Zoning Districts.

Seconded by Ms. Milkavich.

Call vote recorded by Mr. Hall.

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

Motion passed 5-0

ORDINANCE TEXT AMENDMENT – Chapter 17.170, MCCD Zone Regulations Update-  
Project #19-136

Ms. Greenwood provided a background on the process that Staff has undertaken thus far which led to this draft of amendments. Staff started working on this in March of 2019. We met with City Council that included a survey, reviewing the results, having a workshop with them. Staff also analyzed the current MCCD ordinance that was adopted in 2005. It was understood that there were several elements of the ordinance that were a deterrent to development, and we have worked towards removing those deterrents. Staff worked closely with the Mayor's



**TO: Murray City Planning Commission**  
**FROM: Jim McNulty, Development Services Manager**

**DATE OF REPORT: October 10, 2019**

**DATE OF HEARING: October 17, 2019**

**PROJECT NAME: Accessory Structure Height in Residential Zoning Districts**

**PROJECT NUMBER: 19-134**

**PROJECT TYPE: Murray City Municipal Code Text Amendment**

**APPLICANT: Murray City Corporation**

**I. REQUEST:**

The Community & Economic Development Department has drafted a proposed ordinance amendment to the Murray City Land Use Ordinance regarding Accessory Structure Height in Residential Zoning Districts. The following includes the chapters where the proposed revisions apply:

- Chapter 17.92, Agricultural District A-1;
- Chapter 17.96, Single-Family Medium Density Residential District R-1-6;
- Chapter 17.100, Single-Family Low Density Residential District R-1-8;
- Chapter 17.104, Single-Family Low Density Residential District R-1-10;
- Chapter 17.108, Single Family Low Density Residential District R-1-12;
- Chapter 17.112, Medium Density Residential District R-2-10;
- Chapter 17.116, Multi-Family Low Density Residential District R-M-10;
- Chapter 17.120, Multi-Family Medium Density Residential District R-M-15;
- Chapter 17.124, Multi-Family High Density Residential District, R-M-20;

- Chapter 17.129, Multi-Family High Density Residential District R-M-25.

## II. STAFF REVIEW

The Community & Economic Development Department has drafted a proposed text amendment to the Murray City Land Use Ordinance regarding Accessory Structure Height in Residential Zoning Districts. The proposed text amendment is intended to allow for increased accessory structure height in cases where the primary structure has a low roof height. Recently, City staff has received several building permit applications for accessory structures and it's apparent that our ordinance needs to be updated to allow for residents to have useable accessory structures.

### Accessory Structures in A-1, R-1-6, R-1-8, R-1-10, R-1-12 and R-2-10 Zones

Item 090(C) includes location criteria and use restrictions for yard areas in each of these chapters. Item 090(C)(2) under this section will be removed because it no longer applies and accessory structures up to 200 square feet in size do not require a building permit. Item 090(G) within this section discusses height. CED staff has proposed new wording for this section which includes the following:

*“An accessory structure may consist of a one-story building and may not exceed sixteen feet (16') to the peak of the roof if the primary residential dwelling is less than twenty feet (20') in height. If the primary residential dwelling is greater than twenty feet (20') in height, an accessory structure is allowed at a height of twenty feet (20') to the peak of the roof.”*

Item 090(L) under this section has been updated from Community Development Director to Community & Economic Development Director.

### Accessory Structures in R-M-10, R-M-15, R-M-20 and R-M-25 Zones

Item 060(F) includes rear yard requirements for accessory structures in each of these chapters. The reference to building height has been removed in this section. Item 060(H) includes side yard requirements for accessory structures in each of these chapters. The reference to building height has been removed in this section. Item 060(I) is being proposed for this section within each of these chapters. CED staff has proposed new wording for this section which matches the previous language in the preceding paragraph. Item 060(J) is being proposed for this section within each of these chapters. CED staff is proposing new wording for this section which includes a reference to the Community & Economic Development Director.

### Proposed Ordinance Amendment

The proposed ordinance amendments have been attached to the staff report for review and consideration. This includes a draft copy of the proposed language for each of the chapters identified earlier within this report.

### **III. FINDINGS**

- i. The proposed text amendments are consistent with the purpose of Title 17, Murray City Land Use Ordinance.
- ii. The proposed text amendments are consistent with the Goals & Policies of the Murray City General Plan.
- iii. The proposed text amendments will allow Murray City residents to have useable accessory structures in residential zoning districts.

### **IV. 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 text amendment to multiple chapters of the Murray City Land Use Ordinance regarding Accessory Structure Height in Residential Zoning Districts.



October 3, 2019

**NOTICE OF PUBLIC HEARING**

This notice is to inform you of a Planning Commission Public Hearing scheduled for Thursday, October 17, 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 an amendment to the Murray City Land Use Ordinance, regarding Accessory Structure Height in Residential Zoning Districts.

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 Jim McNulty, with the Murray City Community Development Division at 801-270-2477, or e-mail to [jmcnulty@murray.utah.gov](mailto:jmcnulty@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.

**Order Confirmation for 0001269438**

Client MURRAY CITY RECORDER  
 Client Phone 8012642660 Account # 9001341938  
 Address 5025 S STATE, ROOM 113 Ordered By Susan  
 MURRAY, UT 84107 Account Exec Itapusoa2  
 Email snixon@murray.utah.gov PO Number PH - Accessory Structu

<b>Total Amount</b>	<b>\$52.04</b>
<b>Payment Amt</b>	<b>\$0.00</b>
<b>Amount Due</b>	<b>\$52.04</b>

Text: PH - Accessory Structure Heights in Residential Zones

<u>Ad Number</u>	0001269438-01	<u>Ad Type</u>	Legal Liner
<u>Ad Size</u>	1 X 28 li	<u>Color</u>	

**WYSIWYG Content**

 MURRAY CITY  
CORPORATION  
NOTICE OF  
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 17th day of October, 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 regarding Accessory Structure Height in Residential Zoning Districts.

 Jared Hall, Manager  
Community Development  
Planning Division  
1269438 UPAxLP

<u>Product</u>	<u>Placement</u>	<u>Position</u>
Salt Lake Tribune	Legal Liner Notice	Public Meeting/Hear

<u>Scheduled Date(s):</u>	10/06/2019
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utahlegals.com	utahlegals.com	utahlegals.com
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<u>Scheduled Date(s):</u>	10/06/2019
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Deseret News	Legal Liner Notice	Public Meeting/Hear
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<u>Scheduled Date(s):</u>	10/06/2019
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MURRAY CITY CORPORATION  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 17<sup>th</sup> day of October, 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 regarding Accessory Structure Height in Residential Zoning Districts.

Jared Hall, Manager  
Community Development Planning Division

**P/C AGENDA MAILINGS**  
**"AFFECTED ENTITIES"**  
Updated 9/2019

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

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

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

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

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

SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKwy  
SANDY UT 84070

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

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

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

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

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

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

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT 84117

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

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

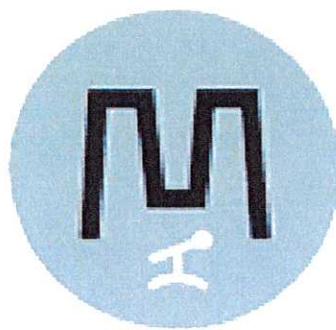
MIDVALE CITY  
PLANNING DEPT  
7505 S HOLDEN STREET  
MIDVALE UT 84047

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

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

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

COMCAST  
ATTN: GREG MILLER  
1350 MILLER AVE  
SLC UT 84106



MURRAY  
CITY COUNCIL

# Discussion Item #4



**MURRAY**

**Council Action Request**

# **Community & Economic Development**

## **Chapter 17.48, Off-Premise Sign Regulations Amendment**

**Committee of the Whole**

Meeting Date: November 12, 2019

<b>Department Director</b> Melinda Greenwood	<b>Purpose of Proposal</b> Proposed Ordinance Amendment regarding Off-Premise Sign Regulations.
<b>Phone #</b> 801-270-2428	<b>Action Requested</b> Discussion item to consider the proposed Sign Code Amendment scheduled for a public hearing on November 19, 2019.
<b>Presenters</b> Melinda Greenwood Jim McNulty	<b>Attachments</b> Draft Ordinance and Power Point Presentation.
<b>Budget Impact</b>	<b>No Budget impact.</b>
<b>Required Time for Presentation</b> 15 Minutes	<b>Description of this Item</b> The Community & Economic Development Department and City Attorney's office have drafted proposed text amendments to Chapter 17.48 of the Murray City Municipal Code regulating Off-Premise Signs, and amending the Land Use Ordinance as follows: <ol style="list-style-type: none"><li>1. Section 17.48.040: Definitions;</li><li>2. Section 17.48.260; Off-Premise Signs;</li><li>3. Section 17.48.270: Height Adjustments &amp; Relocation for Existing Outdoor Advertising Signs;</li><li>4. Section 17.48.280: Electronic Message Center Signs.</li></ol>
<b>Is This Time Sensitive</b> Yes	
<b>Mayor's Approval</b> 	
<b>Date</b> October 28, 2019	The Utah Legislature has passed statutes that require municipalities to allow for Off-Premise Signs. The following revisions are intended to meet State Code requirements: <span style="float: right;">+</span>

**Continued from Page 1:**

**Definitions**

City staff is proposing new definitions that are specific to Off-Premise Signs within Sections 17.48.260, 17.48.270 and 17.48.280 of the Sign Code.

**Off-Premise Signs**

Utah Code, Sections 10-9a-512 through 513 addresses Nonconforming Off-Premises Advertising Signs as well as allowed maintenance. The proposed language in this section is being revised allowing for the owner of an off-premise sign to repair, refurbish, repaint, modify or upgrade, or otherwise keep a legal nonconforming off-premise sign safe and in a state suitable for use. Other revisions include terminology and general clean-up to this section.

**Height Adjustment & Relocation for Existing Signs**

Utah Code, Sections 72-7-507 and 72-7-510 addresses height adjustments and relocation for existing off-premise signs. The proposed language in this section allows for the relocation of a sign within five thousand two-hundred and eighty (5,280) feet of its prior location, and no closer than three hundred (300) feet from an off-premise sign along the same side of a street, highway or interstate. This section also includes language allowing for additional height for non-interstate highway oriented off-premise signs and interstate oriented off-premise signs.

**Electronic Message Center Signs**

Utah Code, Section 10-9a-513 allows for a sign owner to structurally modify or upgrade a billboard. The proposed language in this section allows for an interstate oriented off-premise sign to have an EMC adjacent to I-15 and I-215 without conditional use approval if located a minimum of 300 feet away from a residential use. This section also allows for a non-interstate highway oriented off-premise sign to have an EMC with conditional use approval if located a minimum of 300 feet away from a residential use.

**FINDINGS**

1. The proposed text amendments are consistent with the Utah Code, Section 10-9a-512 through 513.
2. The proposed text amendments are consistent with the Utah Code, Sections 72-7-507 and 72-7-510.
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.

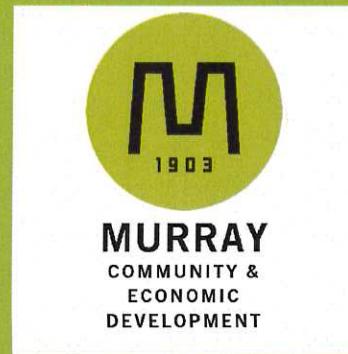
## **STAFF RECOMMENDATION**

Based on the above findings, proposed text and other revisions as outlined, City staff recommends that the City Council APPROVE the proposed ordinance amendments to Chapter 17.48, Off-Premise Signs within the Murray City Municipal Code.

# COMMITTEE OF THE WHOLE

---

November 12, 2019



# OFF-PREMISE SIGN REGULATIONS

## Text Amendment

Chapter 17.48, Sign Code



## Section 17.48.040: Definitions

City staff is proposing new definitions that are specific to Off-Premise Signs within Sections 17.48.260, 17.48.270 and 17.48.280 of the Sign Code.

Other definitions have been removed from this section as they are already located within the Definitions Section of the Sign Code.



## Section 17.48.260: Off-Premise Signs

Utah Code, Sections 10-9a-512 through 513 addresses Nonconforming off-Premises Advertising Signs as well as allowed maintenance. The proposed language in this section is being revised allowing for an owner of an off-premise sign to repair, refurbish, repaint, modify or upgrade, or otherwise keep a legal nonconforming off-premise sign safe and in a state suitable for use.



## Section 17.48.270: Height Adjustment & Relocation

Utah Code, Sections 72-7-507 and 72-7-510 addresses height adjustments and relocation for existing off-premise signs. The proposed language in this section allows for the relocation of a sign within five thousand two-hundred and eight (5,280) feet of its prior location, and no closer than three hundred (300) feet from an off-premise sign along the same side of a street, highway or interstate.

This section also includes language allowing for additional height for non-interstate highway oriented off-premise signs and interstate oriented off-premise signs.



## Section 17.48.280: Electronic Message Center Signs

Utah Code, Section 10-9a-513 allows for a sign owner to structurally modify or upgrade a billboard. The proposed language in this section allows for an interstate oriented off-premise sign to have an EMC adjacent to I-15 and I-215 without conditional use approval if located a minimum of 300 feet away from a residential use. This section also allows for a non-interstate highway oriented off-premise sign to have an EMC with conditional use approval if located a minimum of 300 feet away from a residential use.



# Findings

- i. The proposed text amendments are consistent with the Utah Code, Section 10-9a-512 through 513.
- ii. The proposed text amendments are consistent with the Utah Code, Sections 72-7-507 and 72-7-510.
- 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 & Planning Commission Recommendations

City staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the proposed ordinance amendments to Chapter 17.48, Off-Premise Signs within the Murray City Municipal Code.

On October 3, 2019, the Planning Commission held a public hearing and forwarded a recommendation of APPROVAL to the City Council for the proposed ordinance amendments.

The vote by the Planning Commission was unanimous.



# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19<sup>th</sup> day of November, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing to receive public comment concerning an ordinance amending sections 17.48.040, 17.48.260, 17.48.270 and 17.48.280 relating to off premise and electronic message signs.

DATED this 4<sup>th</sup> day of November, 2019.

MURRAY CITY CORPORATION

Jenni Kennedy  
\_\_\_\_\_  
City Recorder

DATE OF PUBLICATION: November 8, 2019  
PH 19-38



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTIONS 17.48.040, 17.48.260, 17.48.270 AND 17.48.280 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO OFF-PREMISE AND ELECTRONIC MESSAGE SIGNS.

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this Ordinance is to amend sections 17.48.040, 17.48.260, 17.48.270 and 17.48.280 of the Murray City Municipal Code relating to off-premise and electronic message signs.

*Section 2. Amendment.* Sections 17.48.040, 17.48.260, 17.48.270 and 17.48.280 of the Murray City Municipal Code shall be amended to read as follows:

#### **17.48.040: DEFINITIONS**

...

**FREEWAY:** A highway, in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands, or in respect to which such owners have only limited or restricted right or easement of access, the precise route for which has been determined and designed as a freeway by an authorized agency of the state or a political subdivision thereof. This term includes the main traveled portion of the trafficway, all land situated within the right of way, and all ramps and appurtenant land and structures.

Freeway Interstate: for the purposes of sections 17.48.260, 17.48.270 and 17.48.280, freewayinterstate means Interstate 15 (I-15) or Interstate 215 (I-215).

Freeway Interstate Oriented Sign: for the purposes of sections 17.48.260, 17.48.270 and 17.48.280, means any sign within 660 feet of an interstate freeway right-of-way, and oriented toward the freewayinterstate or otherwise designed to be viewed from the freeway.

...

Non-interstate Street or Highway: Any state, county or municipal road within the City, excluding I-15 or I-215.

Highway Non-interstate Oriented Sign: any sign located on a parcel of land adjacent to a street or highway that is not an interstate, and oriented toward the street or highway or otherwise designed to be viewed from the non-interstate street or highway.

...

**17.48.260: OFF PREMISES SIGNS:**

**A. Definitions: The following terms as used in this section are defined as follows:**

1. **ILLEGAL OFF PREMISES ADVERTISING SIGN:** An off premises advertising sign that does not conform or comply with the requirements, including, without limitation, height restrictions, of the version of this code in effect when the sign was originally erected.
2. **LEGAL NONCONFORMING OFF PREMISES SIGN:** An off premises advertising sign that conformed and complied with the requirements of the version of this code in effect when the sign was originally erected but no longer conforms or complies with an amended version of this code.
3. **OFF PREMISES ADVERTISING SIGN:** A commercial sign that directs the attention of the public to a business activity conducted or product sold or offered at a location not on the same premises where the commercial sign is located. For purposes of this section, easements and other appurtenances and noncontiguous parcels under the same ownership are considered off the premises of the parcel of land on which the business or activity is located or conducted. The definition of off premises advertising sign includes, without limitation, billboards, poster panels, marquees, painted bulletins and other similar advertising displays. Signs that are no more than twelve (12) square feet in area and no more than five feet (5') above uniform ground surface grade and which provide only directions to a business or establishment are excluded from the definition of off premises advertising sign. The definition of off premises advertising sign does not include mass transit bus stop bench and shelter and light and commuter rail station advertising displays.

**NON-INTERSTATE BILLBOARD:** An off premises advertising sign that is intended to be viewed from a street or highway that is not an interstate.

**INTERSTATE BILLBOARD:** An off premises advertising sign that is intended to be viewed from a highway that is an interstate.

**B. Off Premises Advertising Signs Prohibited:** All off premises advertising signs are prohibited within the jurisdiction of the City.

**C. Nonconforming Off Premises Advertising Signs:** A legal nonconforming off premises advertising sign may be continued only to the extent allowed by Sections 10-9a-5124 through 513 of the Utah code. A legal nonconforming off premises advertising sign must not be extended, altered, expanded or substituted. A legal nonconforming off premises advertising sign may be removed without any obligation to compensate the owner of the sign if after the Community & Economic Development Director or designee city code enforcement officer conducts an investigation and makes a recommendation, the Murray City Municipal Council finds in a public hearing for which reasonable notice of the hearing has been provided to the sign owner that:

1. The owner or the owner's agent of the off premises advertising sign in connection with seeking approval for the sign intentionally made false or misleading oral or written statements to a city or state of Utah agency, department, division, employee or official; or
2. The legal nonconforming off premises advertising sign is unsafe; or
3. The legal nonconforming off premises advertising sign is in an unreasonable state of repair; or
4. The legal nonconforming off premises advertising sign has been abandoned for more than twelve (12) months.

**D**C. Maintenance Of Legal Nonconforming Off Premises Signs: Subject to this section of this chapter and Utah Code Annotated Sections 10-9a-513(2)(b)(+) and 72-7-510(2)(b), the owner of an legal nonconforming off-premise sign billboard owner may a legal nonconforming off premises sign may receive maintenance to repair, refurbish, repaint, modify or upgrade, or otherwise keep a legal non conforming off premisethe the sign safe and in a state suitable for use, including if the sign is destroyed by casualty, vandalism or an act of God.

**E**D. Permit: After written notice of hearing has been sent to the owner of a legal nonconforming off premises sign, no work may be conducted on the sign for any purpose whatsoever without first obtaining a permit from the City and only after the Murray City Municipal Council conducts its hearing and finds that the sign should not be removed, unless the owner of the sign consents in writing that the sign may be removed immediately and releases the City from any and all liability related to the sign or its removal and the City issues a permit to the sign owner for removal of the sign.

**F**E. Removal Of Legal Nonconforming Advertising Signs: A legal nonconforming off premises advertising sign the Murray City Municipal Council declares must be removed pursuant to Subsection C of this section is a public nuisance that the sign owner must abate by not more than sixty (60) days after the date of a written notice that the sign must be removed sent to the sign owner from the City. After sixty (60) days from the date that the written notice was sent, the sign may be removed by the City, and the costs of removal may be charged to the owner.

**G**F. Removal Of Illegal Off Premises Advertising Signs: Upon written notice, the owner of an illegal off premises advertising sign will have thirty (30) days from the date of the written notice to bring the illegal off premises advertising sign into compliance with all requirements, including, without limitation, height restrictions, of the version of this code in effect when the sign was originally erected. If the illegal off premises advertising sign is not brought into compliance before the expiration of thirty (30) days from the date of the written notice, and after the Murray City Municipal Council provides written notice to the owner and conducts a public hearing on the matter, then the owner must remove the sign within three (3) days after the decision by the Murray City Municipal Council that the off premises advertising sign is illegal, or the City may remove the sign, and the costs of removal may be charged to the owner. After the removal period, each day will constitute a new violation subject to the penalty provisions of this chapter. After the owner receives written notice, the owner must obtain a

permit from the City, and no work may be performed on the sign until the city has issued an approved permit to the owner.

HG. Severability And and Conflict: This section and its various parts are hereby declared to be severable if any subsection, clause, provision, or portion of this section is declared invalid or unconstitutional by a court of competent jurisdiction. No court decision will affect the validity of either this section as a whole or any parts not declared invalid or unconstitutional by that decision. If any part of this section is found to be in conflict withconflict with any other ordinance provision of the City, the most restrictive or highest standard will apply, prevail and govern. (Ord. 07-30 § 2)

#### **17.48.270: HEIGHT ADJUSTMENTS & RELOCATION FOR EXISTING OUTDOOR ADVERTISING SIGNS:**

A. Adjustment Criteria: If the view and readability of an outdoor advertising off-premise sign, including a nonconforming sign as defined in Section 72-7-510 Utah Code Annotated, is obstructed due to a noise abatement or safety measure, grade change, construction, aesthetic improvement made by an agency of the state, directional sign, or widening along an interstate, federal aid primary highway existing as of June 1, 1991, or national highway systems highway, the owner of the sign may:

1. Adjust the height of the sign provided necessary structural modifications are made to comply with the International Building Code; or

2. Relocate the sign to a point within five thousand two-hundred and eightyhundred feet (5,2800) feet of its prior location, and no closer than three hundred (300) feet from an off-premise sign along the same side of a street, highway or interstate if the sign complies with spacing requirements under section 72-7-507 Utah Code Annotated, and Annotated and is in a C-D or M-G zone.

B. Height Adjustment Not Substantial Change: A height adjusted sign under this section does not constitute substantial change to the sign.

C. Visibility: The height adjusted sign may be erected to a height and angle to make it clearly visible to traffic on the main traveled way of the highway as defined above in subsection 17.48.260A of this chapter and shall be the same size as the previous sign.

D. Billboard Height:

1. “Interstate Height” means a height that is the higher of:  
a. 65 feet above the ground; and  
b. 25 feet above the grade of the interstate.

2. The highest point of any new billboard off-premise sign, excluding temporary embellishments, shall be: not be more than:

1a. For a non-interstate freeway highway oriented off-premise sign:

- i. if the height of the previous use or structure is 45 feet or higher, the height of the previous use or structure; or
- ii. if the height of the previous use or structure is less than 45 feet, the height of the previous use or structure or the height to make the entire advertising content of the off-premise sign visible, whichever is higher, but no higher than 45 feet; not be more than Non Interstate billboard: A height that is the higher of forty five (45) Forty five feet feet (45') above the existing grade; or twenty five (25) feet above the grade of the roadway.

2.b. For a freeway an interstate oriented off-premise sign:.

- i. if the height of the previous use or structure is at or above Interstate Height, the height of the previous use or structure; or
- ii. if the height of the previous use or structure is less than Interstate Height, the height of the previous use or structure or the height to make the entire advertising content of the off-premise sign clearly visible, whichever is higher, but no higher than the Interstate Height.

Interstate billboard: A not be more than a height that is the higher of sixty five (65) feet above the existing grade, or twenty five (25) feet above the grade of the interstate.

32. For a relocated off-premise sign, not more than the height that is the higher of forty five (45) feet above the existing grade, or twenty five (25) feet above the pavement elevation of the highest grade If of a street within a one hundred feet (100') horizontal diameter of the billboard relocated off-premise sign, measured from the street at the point at which the billboard off-premise sign is perpendicular to the street, is on a different grade than the new billboard off-premise sign, twenty five twenty five feet (25') feet above pavement elevation of the street. (Ord. 07-30 § 2)

#### 17.48.280: ELECTRONIC MESSAGE CENTER SIGNS:

**A. Where Allowed.** Electronic Message Center (EMC) signs for both on-premise and off-premise signs are only allowed require conditional use permit approval in the C-D, M-G, B-P and P-O zones.

**B. Conditional Use Permit Required.** EMC signs require conditional use permit approval.

**1. Exception.** However, a An off-premise, freeway interstate oriented interstate sign (billboard) which includes an EMC adjacent to I-15 or I-215 does not require conditional use approval if located a minimum of three hundred feet away from a residential use.

**C.** In addition to the restrictions found in this Chapter and the other chapters which apply to the zones mentioned above, EMC electronic Message Center signs are subject to the following restrictions:

A. Electronic Message Centers are not allowed off premises.

- | **A1B.** All Electronic Message Centers must have an automatic dimmer to reduce sign intensity after dark.
- | **B2C.** Electronic Message Centers shall be carefully oriented so that light emitted from a sign is not a traffic hazard, obtrusive, or a nuisance to adjacent properties.
- | **C3D.** Persons installing or manufacturing an Electronic Message Center (EMC) sign which has an LED, LCD, or flipper matrix must demonstrate that the brightness of such sign will not exceed 0.3 foot-candles over ambient lighting conditions along the property line as measured 6 feet above curb grade. Such signs must also be equipped with a dimmer switch to change the intensity of light emitted from the sign to meet the 0.3 foot-candle brightness if needed after installation.
- | **D4E.** Any display on the Electronic Message Center must remain lighted for at least two (2) seconds.
- | **E5F.** An Electronic Message Center located within three hundred feet (300') of a residential use, or as otherwise determined by the Planning Commission, may not operate between the hours of 10:00 P.M. and 6:00 A.M. of the following day.
- | **F6G.** -A minimum of five percent (5%) of the time the sign is in use the message shall be devoted to public service messages. ~~(Ord. 07-30 § 2)~~

**G7.** ~~An freeway-interstate oriented off-premise sign may have a total EMC sign area of 672 square feet per side (a maximum of two sides are allowed) and must be located a minimum of 300 feet away from a residential use.~~

**H8.** ~~A highway non-interstate oriented off-premise sign may have a total EMC sign area of 300 square feet per side (a maximum of two sides are allowed) and must be located a minimum of 300 feet away from a residential use. A conditional use permit is required.~~

**Section 3. 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

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Dave Nicponski, Chair

ATTEST:

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Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2019.

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

---

D. Blair Camp, Mayor

ATTEST:

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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

Call vote recorded by Mr. Hall.

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

Motion passed 6-0

LAND USE TEXT AMENDMENT – Title 17.48, Off-Premise Sign Regulations Amendment – Project #19-069

Jim McNulty presented the proposed Land Use Ordinance Chapter 17.48, of the Murray City Municipal Code regulating Off-Premise Signs and amending the Land Use Ordinance. The amendment is in relation to Off-Premise Signs and Outdoor advertising. The proposed new definitions are to sections: 17.48.040: Definitions, 17.48.260: Off-Premise Signs, 17.48.270: Height Adjustments & Relocation for Existing Outdoor Advertising Signs, 17.48.280: Electronic Message Center Signs. Other definitions have been removed from this section as they are already located within the definitions section of the Sign Code. Utah Code, Sections 10-9a-512 & 10-9a-513 addresses non-conforming Off-Premise advertising signs as well as allowed maintenance. The proposed language in this section is being revised allowing for an owner of an Off-Premise Sign to make repair, refurbish, repaint, modify, or upgrade or otherwise keep legal non-conforming Off-Premise signs safe and in a state suitable for use. This would allow these types of signs to upgrade from a static message to an Electronic Message Center Sign (EMC). Mr. McNulty addressed the height adjustment & relocation for existing signs within Utah Code, Sections 72-7-507 and 72-7-510 which addresses height adjustments and relocation for existing off-premise signs. The proposed language in this section allows for the relocation of a sign within 5,280 feet of its prior location, and no closer than 300 feet from another off-premise sign along the same side of a street, highway or interstate. This section also includes language allowing for additional height for non-interstate highway oriented off-premise signs and interstate oriented off-premise signs. Mr. McNulty addressed the Electronic Message Center Signs within Utah Code, Section 10-9a-513 that allows for a sign owner to structurally modify or upgrade a billboard. The proposed language in this section allows for an interstate oriented off-premise sign to have an EMC adjacent to I-15 and I-215 without conditional use approval if located a minimum of 300 feet away from a residential use. This section also allows for a non-interstate highway oriented off-premise sign to have an EMC with conditional use approval if located a minimum of 300 feet away from a residential use. Murray City has some of these types of signs located on I-15 and I-215 and some on other primary interior City streets. Any proposed modifications made to these signs will require Conditional Use Permit Review. Mr. McNulty reviewed the findings and stated that the proposed text amendments are consistent with the Utah Code, Section 10-9a-512 through 513, 72-7-507, and 72-7-510. The proposed text amendments are consistent with the purpose of Title 17, Murray City Land Use Ordinance and with the Goals & Policies of the Murray City General Plan. The proposed changes will allow our Code to be compliant with Utah State Code. Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed ordinance amendments to Chapter 17.48, Off-Premise Signs within the Murray City Municipal Code.

Ms. Milkavich asked if Section 10-9a-513, which allows for an interstate oriented off-premise sign to have an EMC adjacent to I-15 and I-215 without conditional use approval if located a

minimum of 300 feet away from a residential use is the same as our existing sign code. Mr. McNulty stated that we're proposing that to be compliant with State Code.

Mr. Woodbury thanked Staff for being so thorough on these amendments. Mr. Hacker agreed.

Mr. Patterson made a motion that the Planning Commission forward a recommendation of approval to the City Council for the proposed ordinance amendments to Chapter 17.48, Off-Premise Signs within the Murray City Municipal Code.

Seconded by Ms. Wilson.

Call vote recorded by Mr. Hall.

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

Motion passed 6-0

**POLICIES AND PROCEDURES – Planning Commission Polices and Procedures amendment regarding Deadline submission of materials for Planning Commission Meetings**

Zac Smallwood stated that on August 8, 2019, the Planning Commission had a discussion in regard to any material submitted to the Commissioners at Public Hearings, such as detailed reports, annotated images. He stated that regardless if the material was reviewed or accepted at the meeting, it could become part of the record. If an appeal were to happen then the material could be taken into account without review of the materials by the Planning Commissioners. If materials are submitted prior to the deadline and the Commission does not have time to adequately review the material, they may decide to postpone a decision to allow for time to review the material. Staff will make efforts to communicate this requirement to applicants and the general public. The City has proposed to set a deadline for acceptance of submitted materials for Public Hearings which is 1 p.m. two days prior to the meeting. This is an amendment to the Policies and Procedures and Staff recommends that the Planning Commission adopt the prosed changes to the Murray City Planning Commission Policies and Procedures.

Mr. Woodbury stated that the 48-hour rule seems to be a recommendation from Utah Code. He stated if the proposed requirement allows for a longer time period, would it be possible that we could get a complaint about being different. Mr. Smallwood replied no, and we did reach out to Meg Ryan with the Utah League of Cities and Towns and she informed us that there is not any State Law requiring a certain amount of time a citizen can present information.

Mr. Markham asked if the new policy would prohibit a citizen from giving us a simple photo or presenting a small petition during the public comment portion when they are speaking. Mr. Smallwood replied, that someone could still submit a small annotated photo or document if it is something that can be easily considered at the moment. If the material is larger and requires more time to consider, then the Planning Commissioners have the option to turn it away or continue the item to review submittals that may have an important impact on the item.



**TO:** Murray City Planning Commission  
**FROM:** Jim McNulty, Development Services Manager

**DATE OF REPORT:** September 26, 2019

**DATE OF HEARING:** October 3, 2019

**PROJECT NAME:** Chapter 17.48, Off-Premise Signs

**PROJECT NUMBER:** 19-069

**PROJECT TYPE:** Murray City Municipal Code Text Amendment

**APPLICANT:** Murray City Corporation

**I. REQUEST:**

The Community & Economic Development Department and City Attorney's Office have drafted proposed text amendments to Chapter 17.48 of the Murray City Municipal Code regulating Off-Premise Signs, and amending the Land Use Ordinance as follows:

- Section 17.48.040: Definitions;
- Section 17.48.260: Off-Premise Signs;
- Section 17.48.270: Height Adjustment & Relocation for Existing Outdoor Advertising Signs;
- Section 17.48.280: Electronic Message Center Signs.

**II. STAFF REVIEW**

The Community & Economic Development Department has been working with the City Attorney's Office to draft the proposed revisions to Chapter 17.48, Off-Premise Signs. City staff has taken the time to research and discuss this issue thoroughly before presenting this item to the Planning Commission and City Council. It's our understanding that several cities along the Wasatch Front will be or have put ordinances in place to address recent updates to State Code.

The Utah Legislature has passed statutes that require municipalities to allow for Off-Premise Signs. The proposed revisions are intended to meet the requirements in State Code and are briefly reviewed as follows:

#### Definitions

City staff is proposing new definitions that are specific to Off-Premise Signs within Sections 17.48.260, 17.48.270 and 17.48.280 of the Sign Code.

#### Off-Premise Signs

Utah Code, Sections 10-9a-512 through 513 addresses Nonconforming Off-Premises Advertising Signs as well as allowed maintenance. The proposed language in this section is being revised allowing for the owner of an off-premise sign to repair, refurbish, repaint, modify or upgrade, or otherwise keep a legal nonconforming off-premise sign safe and in a state suitable for use. Other revisions include terminology and general clean-up to this section.

#### Height Adjustment & Relocation for Existing Signs

Utah Code, Sections 72-7-507 and 72-7-510 addresses height adjustments and relocation for existing off-premise signs. The proposed language in this section allows for the relocation of a sign within five thousand two-hundred and eighty (5,280) feet of its prior location, and no closer than three hundred (300) feet from an off-premise sign along the same side of a street, highway or interstate. This section also includes language allowing for additional height for non-interstate highway oriented off-premise signs and interstate oriented off-premise signs.

#### Electronic Message Center Signs

Utah Code, Section 10-9a-513 allows for a sign owner to structurally modify or upgrade a billboard. The proposed language in this section allows for an interstate oriented off-premise sign to have an EMC adjacent to I-15 and I-215 without conditional use approval if located a minimum of 300 feet away from a residential use. This section also allows for a non-interstate highway oriented off-premise sign to have an EMC with conditional use approval if located a minimum of 300 feet away from a residential use.

### **III. FINDINGS**

- i. The proposed text amendments are consistent with the Utah Code, Section 10-9a-512 through 513.
- ii. The proposed text amendments are consistent with the Utah Code, Sections 72-7-507 and 72-7-510.

- 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.

#### **IV. 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 amendments to Chapter 17.48, Off-Premise Signs within the Murray City Municipal Code.**



September 19, 2019

**NOTICE OF PUBLIC HEARING**

This notice is to inform you of a Planning Commission Public Hearing scheduled for Thursday, October 3, 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 an amendment to the Murray City Land Use Ordinance, Chapter 17.48, Off-Premise Sign Regulations.

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 Jim McNulty, with the Murray City Community Development Division at 801-270-2477, or e-mail to [jmcnulty@murray.utah.gov](mailto:jmcnulty@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.

**FILE COPY**

**MURRAY CITY CORPORATION  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on the 3<sup>rd</sup> day of October, 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 17.48, Off-Premise Sign Regulations.

Jared Hall, Manager  
Community Development Planning Division

Remit to:  
 Utah Media Group  
 4770 S 5600 W  
 West Valley City, UT 84118

**Order Confirmation for 0001267970**

Client MURRAY CITY RECORDER  
 Client Phone 8012642660 Account # 9001341938  
 Address 5025 S STATE, ROOM 113 Ordered By Susan  
 MURRAY, UT 84107 Account Exec lwhitmer2  
 Email snixon@murray.utah.gov PO Number Sct 17.48 - Off-Premise

<b>Total Amount</b>	<b>\$52.04</b>
<b>Payment Amt</b>	<b>\$0.00</b>
<b>Amount Due</b>	<b>\$52.04</b>

Text: Sct 17.48 - Off-Premise Sign Regs.

<b>Ad Number</b>	0001267970-01	<b>Ad Type</b>	Legal Liner
<b>Ad Size</b>	1 X 28 li	<b>Color</b>	

**WYSIWYG Content**

MURRAY CITY  
CORPORATION  
NOTICE OF  
PUBLIC HEARING  
  
NOTICE IS HEREBY GIVEN  
that on the 3rd day of  
October, 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 Com-  
mission will hold and con-  
duct a Public Hearing for  
the purpose of receiving  
public comment on and  
pertaining to a Land Use  
Ordinance Text Amend-  
ment to Section 17.48,  
Off-Premise Sign Regula-  
tions.

Jared Hall, Manager  
Community Development  
Planning Division  
1267970 UPAJLP

<b>Product</b>	<b>Placement</b>	<b>Position</b>
Salt Lake Tribune	Legal Liner Notice	Public Meeting/Hear

**Scheduled Date(s):** 09/22/2019

utahlegals.com	utahlegals.com	utahlegals.com
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**Scheduled Date(s):** 09/22/2019

Deseret News	Legal Liner Notice	Public Meeting/Hear
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**Scheduled Date(s):** 09/22/2019

Off-Premise Sign Regulations  
P/C 10/3/19

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

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

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

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

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

SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKwy  
SANDY UT 84070

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

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

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

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

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

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

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT 84117

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

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

MIDVALE CITY  
PLANNING DEPT  
7505 S HOLDEN STREET  
MIDVALE UT 84047

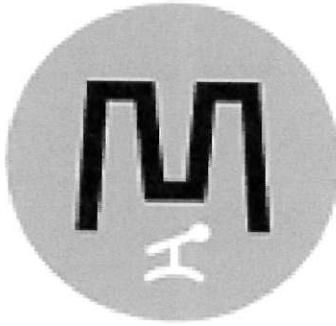
UTAH POWER & LIGHT  
ATTN: KIM FELICE  
12840 PONY EXPRESS ROAD  
DRAPER UT 84020

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

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

COMCAST  
ATTN: GREG MILLER  
1350 MILLER AVE  
SLC UT 84106

REAGAN OUTDOOR ADVERTISING  
C/O REAL ESTATE MANAGER  
1775 WARM SPRINGS ROAD  
SLC UT 84116



**MURRAY**  
CITY COUNCIL

# Discussion Item #5



**MURRAY**

## **Council Action Request**

# **Community & Economic Development**

## **General Plan Amendment, Moderate Income Housing update**

### **Committee of the Whole**

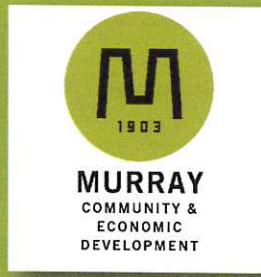
Meeting Date: November 12, 2019

<b>Department Director</b> Melinda Greenwood	<b>Purpose of Proposal</b>  Proposed Amendment to Chapter 9 of the General Plan, Moderate Income Housing to comply with Senate Bill 34.
<b>Phone #</b> 801-270-2428	<b>Action Requested</b>  Discussion item to consider the proposed Land Use Ordinance Amendment scheduled for November 12, 2019.
<b>Presenters</b> Melinda Greenwood Jared Hall	<b>Attachments</b>  Planning Commission Staff Report, Power Point Presentation, ULCT March 22, 2019 Summary of SB 34
<b>Required Time for Presentation</b> 10 Minutes	<b>Budget Impact</b>  No Budget impact.
<b>Is This Time Sensitive</b> Yes	<b>Description of this Item</b>  The Community & Economic Development Department has proposed a small amendment to Chapter 9 of the General Plan regarding Moderate Income Housing (MIH). In order to comply with the requirements for MIH plans, it will be necessary to add two additional strategies to Chapter 9:  Strategy: Maintain reduced residential parking requirements in the MCCD, Mixed Use, and Transit Oriented Development Zones.  Strategy: Implement transit oriented development and/or mixed use zoning for properties in and around transit stations.
<b>Mayor's Approval</b> 	
<b>Date</b> October 28, 2019	

# COMMITTEE OF THE WHOLE

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November 12, 2019



# GENERAL PLAN AMENDMENT

## Moderate Income Housing Update

2017 Murray City General Plan Chapter 9 – Moderate Income Housing



# Recommended Amendment

In order to appropriately meet the requirements of SB 34, staff recommends that two additional strategies be added to Chapter 9.3, Objective 1 as follows:

**Strategy: Maintain reduced residential parking requirements in the MCCD, Mixed Use, and Transit Oriented Development zones.**

**Strategy: Implement transit oriented development and/or mixed use zoning for properties in and around transit stations.**

The addition of these strategies to Objective 1 will bring the 2017 Murray City General Plan into full compliance with the requirements of SB 34.



# Findings

- i. The proposed amendments are in harmony with the goals and objectives established by the 2017 Murray City General Plan.
- ii. The proposed amendments are necessary ensure compliance with current Utah State Code.



## Staff Recommendation

Staff recommends that the City Council APPROVE the proposed amendments to Chapter 9 of the 2017 Murray City General Plan.



# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19<sup>th</sup> day of November, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing to receive public comment concerning a proposed ordinance amending the Murray City General Plan relative to moderate income housing.

DATED this 5<sup>th</sup> day of November, 2019.

MURRAY CITY CORPORATION

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City Recorder

DATE OF PUBLICATION: November 8, 2019  
PH 19-41

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATED TO LAND USE; AMENDS THE GENERAL PLAN TO INCLUDE STRATEGIES RELATED TO MODERATE INCOME HOUSING UNDER CHAPTER 9.3

Background

In March 2019, the Utah State Legislature adopted SB 34, Affordable Housing Modifications. SB 34 encourages local communities to plan for housing for residents of all income levels, and to coordinate that housing with transportation. SB 34 requires municipalities to develop a moderate income housing plan as a part of their community's General Plan. Municipalities must now report annually on the implementation of the moderate income housing plan and satisfy specific requirements in order to remain eligible for state transportation investment funding.

NOW, THEREFORE, be it enacted by the Municipal Council of Murray City as follows:

*Section 1.* Purpose. The purpose of this ordinance is to adopt amendments to the General Plan.

*Section 2.* Amendment. The General Plan, Chapter 9.3, Objective 1 shall be amended to add the following two strategies:

Strategy: Maintain reduced residential parking requirements in the MCCD, Mixed Use and Transit Oriented Development zones.

Strategy: Implement transit oriented development and/or mixed use zoning for properties in and around transit stations.

*Section 3.* Effective date. This Ordinance shall take effect upon first publication and filing of copy thereof in the office of the City Recorder of Murray City, Utah.

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

MURRAY CITY MUNICIPAL COUNCIL

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Dave Nicponski, Chair

ATTEST:

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Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2019.

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019

---

D. Blair Camp, Mayor

ATTEST:

---

Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

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

---

Jennifer Kennedy, City Recorder.



**TO:** Murray City Planning Commission  
**FROM:** Jared Hall, Planning Division Manager

**DATE OF REPORT:** October 11, 2019

**DATE OF MEETING:** October 17, 2019

**PROJECT NAME:** Amendments to the General Plan, (LIST CHAPTERS)

**PROJECT NUMBER:** 19-137

**PROJECT TYPE:** General Plan Amendment

**APPLICANT:** Murray City Community & Economic Development

**I. REQUEST:**

The Murray City Community & Economic Development Department is proposing amendments to the 2017 Murray City General Plan in order to comply with the requirements of Senate Bill 34 regarding moderate income housing.

**II. STAFF REVIEW AND ANALYSIS**

Background

In March, 2019, the Utah State Legislature adopted SB 34, Affordable Housing Modifications. SB 34 encourages local communities to plan for housing for residents of all income levels, and to coordinate that housing with transportation. SB 34 requires municipalities to develop a moderate income housing (MIH) plan as a part of their community's General Plan. Municipalities are now required to report annually on the implementation of the MIH plan and satisfy specific requirements in order to remain eligible for state transportation investment.

Review

In this section, staff will review the requirements of SB 34, and identify the sections that must be amended in order to comply.

A. Land Use Element: The land use element of the General Plan must consider housing for residents of various income levels in addition to the other categories of public and private uses of land.

Chapter 5 of the 2017 General Plan is the “land use element” referenced by this requirement. Objective 9 of the land use element directly relates to and fulfills this requirement:

**OBJECTIVE 9: PROVIDE A MIX OF HOUSING OPTIONS AND RESIDENTIAL ZONES TO MEET A DIVERSE RANGE OF NEEDS RELATED TO LIFESTYLE AND DEMOGRAPHICS, INCLUDING AGE, HOUSEHOLD SIZE, AND INCOME.**

**Strategy:** Ensure residential zoning designations offer the opportunity for a spectrum of housing types.

**Strategy:** Simplify the residential zoning district designations.

B. Transportation Element: There are several requirements from SB 34 for this element of the General Plan. Chapter 6 of the 2017 General Plan relates to these requirements.

- *Provide the general location and extent of active transportation facilities in addition to freeways, arterial and collector streets, public transit, and other modes of transportation.*

Chapter 6 actively addresses bikeways and pedestrian paths to satisfy the requirements to identify the location and extent of “active transportation” in SB 34.

- *Plan residential and commercial development around “major transit investment corridors” to improve connections between housing, employment, education, recreation, and commerce.*

The goals and narratives of Chapter 6 recognize the connection of transit corridors to various land uses. For example, see Objective 7 below.

**OBJECTIVE 7: PROMOTE TRANSIT ORIENTED DEVELOPMENT AND CONNECTIVITY TO TRANSIT STATION AREAS.**

**Strategy:** Review zoning to ensure that appropriate designations are supporting transit oriented development and transit supportive neighborhoods.

**Strategy:** Develop an Active Transportation Plan and implement as recommended.

- *Correlate the transportation plan with population and employment projections, and the proposed land use element.*

Goals and objectives generally support the transportation system providing better connections between destinations:

**OBJECTIVE 6: ENHANCE CONNECTIVITY BETWEEN CITY DESTINATIONS, NEIGHBORHOODS, TRANSIT STATIONS, AND OPEN SPACES.**

**Strategy:** Perform a Transportation Network Analysis between major destinations to identify where connectivity is lacking.

**OBJECTIVE 7: PROMOTE TRANSIT ORIENTED DEVELOPMENT AND CONNECTIVITY TO TRANSIT STATION AREAS.**

**Strategy:** Review zoning to ensure that appropriate designations are supporting transit oriented development and transit supportive neighborhoods.

**Strategy:** Develop an Active Transportation Plan and implement as recommended.

- *Consider the regional transportation plan developed by the metropolitan planning organization (MPO).*

The final objectives and strategies of Chapter 6 address this issue.

**OBJECTIVE 8: ENSURE TRANSPORTATION/MOBILITY DECISIONS ARE MADE WITH RESPECT TO EXISTING AND FUTURE ADJACENT LAND USES.**

**Strategy:** Identify corridors for future corridor concept planning development.

**Strategy:** Work with UDOT to develop detailed context-sensitive corridor concept plans to guide future improvements on UDOT managed roadways.

**OBJECTIVE 9: SUPPORT REGIONAL COOPERATION AND COORDINATION IN REGARD TO ALL TYPES OF TRANSPORTATION SYSTEMS AND MODES.**

**Strategy:** Continue to appoint representatives of the City to regularly attend and participate in Cooperative County Plan (Plan-TAC) meetings and other regional transportation planning meetings to share transportation plans. Have these representatives report back to the city on discussions.

C. Moderate Income Housing Element: The first requirement of SB 34 is that moderate income housing plans be included as an element of the City's General Plan. Many cities have historically either not adopted an MIH plan

and ignored the requirements of state code or have adopted an MIH plan independent of the General Plan.

The 2017 Murray City General Plan includes a specific element (Chapter 9) for moderate income housing, which satisfies this first requirement of SB 34. SB 34 also requires that such an element of plan include a recommendation to implement three (3) or more specific strategies from a list of 23 potential strategies. The Murray City General Plan's Moderate Income Housing Element (Chapter 9) contains the following Objectives and Strategies:

### 9.3 MODERATE INCOME HOUSING GOAL, OBJECTIVES & STRATEGIES

#### MODERATE INCOME HOUSING OVERALL GOAL

**Provide a diversity of housing through a range of types and development patterns to expand the moderate income housing options available to existing and future residents.**

#### MODERATE INCOME HOUSING OBJECTIVES & STRATEGIES

##### **OBJECTIVE 1: ENSURE HOUSING AFFORDABILITY TARGETS ARE ACHIEVABLE USING A RANGE OF STRATEGIES.**

**Strategy:** Promote affordable housing options that address the needs of low to moderate income households and individuals and offer options for a range of demographics and lifestyles.

**Strategy:** Ensure zoning of residential areas does not prohibit compatible types of housing.

**Strategy:** Continue to support ADUs (Accessory Dwelling Units) in all residential zones.

**Strategy:** Continue to support the use of density bonuses for constructing affordable housing options.

##### **OBJECTIVE 2: PROVIDE THE OPPORTUNITY FOR AFFORDABLE HOME OWNERSHIP BY OFFERING A RANGE OF HOUSING TYPES FOR PURCHASE, INCLUDING ATTACHED DWELLINGS.**

**Strategy:** Support a range of housing types, including townhomes, row-homes, and duplexes, which appeal to younger and older individuals as well as a variety of population demographics.

**Strategy:** Review zoning ordinances and make modifications where necessary to allowable housing types, lot size, setbacks and other factors that limit types of housing in a zone.

Although these stated strategies more than fill the requirements of SB 34 with respect to the required three from the list, because Murray is a city with transit stations (Murray Central, Murray North, and Fashion Place West) SB 34 requires that the moderate income housing element MUST contain one of the two following strategies specifically:

- *Encourage higher density or moderate income residential development near major transit investment corridors; or*
- *Eliminate or reduce parking requirements for residential development where a resident is less likely to rely on their own vehicle, e.g. residential development near major transit investment corridors or senior living facilities.*

In order to appropriately meet the requirements of SB 34, staff recommends that two additional strategies be added to Chapter 9.3, Objective 1 as follows:

**Strategy: Maintain reduced residential parking requirements in the MCCD, Mixed Use, and Transit Oriented Development zones.**

**Strategy: Implement transit oriented development and/or mixed use zoning for properties in and around transit stations.**

The addition of these strategies to Objective 1 will bring the 2017 Murray City General Plan into full compliance with the requirements of SB 34.

### **III. FINDINGS AND CONCLUSION**

- i. The proposed amendments are in harmony with the goals and objectives established by the 2017 Murray City General Plan.
- ii. The proposed amendments are necessary ensure compliance with current Utah State Code.

### **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 2017 Murray City General Plan.**

**Summary of SB 34 Affordable Housing Modifications (4th Substitute)**

**Sen. Jake Anderegg / Rep. Val Potter**

**Summary:** SB34 encourages local communities to plan for housing for residents of all income levels, and coordinate that housing with transportation. Communities are required to develop a moderate income housing (MIH) plan as part of their general plan. Communities that are required to annually report on their MIH plan implementation must satisfy these requirements to remain eligible for state transportation investments.

**Rewards to required elements of municipal and county general plans:**

Land Use element must now consider location of land for housing for residents of various income levels in addition to the other categories of public and private uses of land (line 481 for municipalities; 1172 for counties).

Transportation and Traffic Circulation element:

- “Provide the general location and extent” of active transportation facilities in addition to freeways, arterial and collector streets, public transit, and other modes of transportation (491; 1182).
- Plan residential and commercial development around “major transit investment corridors” to improve connections between housing, employment, education, recreation, and commerce (494; 1185).
  - Defines “major transit investment corridor” as public transit service that uses or occupies: (a) public transit rail right-of-way; (b) dedicated road right-of-way for the use of public transit, such as bus rapid transit; or (c) fixed-route bus corridors subject to an interlocal agreement or contract between a municipality or county and (i) a public transit district as defined in Section 17B-2a-802, or (ii) an eligible political subdivision as defined in Section 59-12-2219 (246; 858).
  - Municipalities without a major transit investment corridor must plan for residential and commercial development in areas that maintain and improve these connections (498).
- Correlate the transportation plan with population and employment projections, and the proposed land use element (502, 1188).
- Consider the regional transportation plan developed by the region’s metropolitan planning organization (MPO); if outside an MPO, consider the long-range transportation plan developed by UDOT (575; 1258).

Moderate Income Housing (MIH) element:

- ***Municipalities/counties covered:*** Utah Code has long required municipalities and counties to plan for moderate income housing growth. SB34 requires, by December 1, 2019, the following municipalities and counties to update and adopt the moderate income housing element of their general plan (444; 1074), and annually report on implementation (614; 1296):
  - all municipalities of the 1st, 2nd, 3rd, and 4th class;
  - cities of the 5th class with a population of 5,000 or more that are located in counties of the 1st, 2nd, and 3rd class;
  - metro townships with a population of 5,000 or more; and
  - all counties must plan and adopt a MIH element including strategies from the ‘menu’ (see below) but only counties of the 1st, 2nd, and 3rd class with an unincorporated population of 5,000 or more must annually report on implementation.
- Facilitate a reasonable opportunity for a variety of housing including MIH and shall now 1) meet the needs of people of various income levels living, working, or desiring to live or work in the community (509; 1198); 2) “allow people with various incomes to benefit from and participate in all aspects of neighborhood and community life” (511; 1200); 3) towns may and cities shall analyze how they will provide a realistic opportunity for the development of MIH within 5 years for cities (513) and within the planning horizon for counties (1203).

- **Menu:** Shall include a recommendation to implement 3 or more of the following strategies, aka the 'menu' (518; 1205):
  - (A) rezone for densities necessary to assure the production of MIH
  - (B) facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of MIH
  - (C) facilitate the rehabilitation of existing uninhabitable housing stock into MIH
  - (D) consider general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the city
  - (E) create or allow for, and reduce regulations related to, accessory dwelling units in residential zones
  - (F) allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers
  - (G) encourage higher density or moderate income residential development near major transit investment corridors
  - (H) eliminate or reduce parking requirements for residential development where a resident is less likely to rely on their own vehicle, e.g. residential development near major transit investment corridors or senior living facilities
  - (I) allow for single room occupancy developments
  - (J) **implement zoning incentives for low to moderate income units in new developments**
  - (K) utilize strategies that preserve subsidized low to moderate income units on a long-term basis
  - (L) preserve existing MIH
  - (M) reduce impact fees, as defined in Section 11-36a-102, related to low and MIH
  - (N) participate in a community land trust program for low or MIH
  - (O) implement a mortgage assistance program for employees of the municipality or of an employer that provides contracted services to the municipality
  - (P) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of MIH
  - (Q) apply for or partner with an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity
  - (R) apply for or partner with an entity that applies for affordable housing programs administered by the Department of Workforce Services
  - (S) apply for or partner with an entity that applies for programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act [not in county list of recommendations]
  - (T) apply for or partner with an entity that applies for services provided by a public housing authority to preserve and create MIH
  - (U) apply for or partner with an entity that applies for programs administered by a metropolitan planning organization or other transportation agency that provides technical planning assistance
  - (V) utilize a MIH set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency
  - (W) any other program or strategy implemented by the municipality to address the housing needs of residents of the municipality who earn less than 80% of the area median income
- In addition to the recommendations required above, municipalities that have a "fixed guideway public transit station" shall include a recommendation to implement either "G" or "H" (568) [not required for counties].

- ***Annual reporting and review of the moderate income housing plan:*** The municipal/county legislative body shall annually review their MIH plan and implementation of that plan; prepare and post a report of their findings on their website; and send the report to Dept. of Workforce Services, AOG, and MPO if applicable (612; 1294).
  - The report shall include: a) revised estimate of the need for MIH in the next 5 years; b) description of progress made to provide MIH by analyzing and publishing data on the # of housing units that are at or below 80%, 50%, and 30% adjusted median family income; c) description of efforts to utilize a MIH set-aside from community reinvestment agency, redevelopment agency, or community development and renewal agency; d) description of the implementation of the MIH recommendations aka 'menu'.
  - Requires the DWS Division of Housing and Community Development to (i) assist in the creation of the MIH reports, and (ii) evaluate the reports for purposes of determining eligibility for state transportation funds. Gives DWS rulemaking authority to develop the evaluation process (1414).

**Revisions to Olene Walker Housing Loan Fund (1325):** SB34 did not provide any additional funding for housing. Revises Olene Walker Housing Loan Fund board to add 1 member w/expertise in transit-oriented development and 1 member who represents rural interests. The board must hold two public input meetings each year, once in a rural area. Allows fund money to be used to purchase land for low-income housing (1388).

**Revisions to state transportation funding:**

- Adds access to educational facilities and MIH to the prioritization process for new transportation capacity projects administered by the Utah Transportation Commission (1749).
- State Transportation Investment Fund (TIF) or Transit Transportation Investment Fund (TTIF) funds may not be used in a municipality or unincorporated county that has failed to adopt a MIH plan or has failed to report on implementation of their MIH plan as determined by DWS. TIF funds can still be used for a limited-access facility, but not for construction, reconstruction, or renovation of an interchange. TTIF funds can still be used for a multi-community fixed-guideway public transportation project, but not for the construction, reconstruction, or renovation of a station (1808).



October 3, 2019

**NOTICE OF PUBLIC HEARING**

This notice is to inform you of a Planning Commission Public Hearing scheduled for Thursday, October 17, 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 an amendment to the Murray City General Plan, Chapter 9, Moderate Income Housing.

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 Planning Division at 801-270-2427, or e-mail to [jhall@murray.utah.gov](mailto: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.

MURRAY CITY CORPORATION  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 17<sup>th</sup> day of October, 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 General Plan Amendment to Chapter 9, Moderate Income Housing.

Jared Hall,  
Planning Division Manager

Order Confirmation for **0001269442**

Client MURRAY CITY RECORDER  
 Client Phone 8012642660 Account # 9001341938  
 Address 5025 S STATE, ROOM 113 Ordered By Susan  
 MURRAY, UT 84107 Account Exec Itapusoa2  
 Email snixon@murray.utah.gov PO Number PH - Gen Plan - Chap 9

<b>Total Amount</b>	<b>\$48.68</b>
<b>Payment Amt</b>	<b>\$0.00</b>
<b>Amount Due</b>	<b>\$48.68</b>

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Text: PH - Gen Plan - Chap 9 Moderate Income Housing

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Ad Number 0001269442-01      Ad Type Legal Liner

Ad Size 1 X 26 li      Color

**WYSIWYG Content**

MURRAY CITY  
CORPORATION  
NOTICE OF  
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 17th day of October, 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 General Plan Amendment to Chapter 9, Moderate Income Housing.

Jared Hall,  
Planning Division Manager  
1269442      UPAXLP

<u>Product</u>	<u>Placement</u>	<u>Position</u>
Salt Lake Tribune	Legal Liner Notice	Public Meeting/Hear

Scheduled Date(s): 10/06/2019

utahlegals.com	utahlegals.com	utahlegals.com
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Scheduled Date(s): 10/06/2019

Deseret News	Legal Liner Notice	Public Meeting/Hear
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Scheduled Date(s): 10/06/2019

**P/C AGENDA MAILINGS**  
“AFFECTED ENTITIES”  
Updated 9/2019

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

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

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

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

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

SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKwy  
SANDY UT 84070

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

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

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

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

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

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

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT 84117

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

OLYMPUS SEWER  
3932 500 E,  
Millcreek, UT 84107

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

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

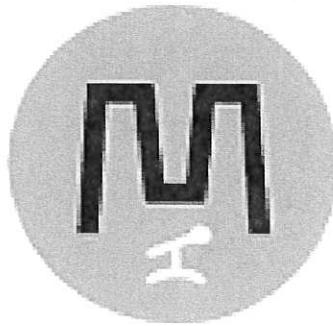
MIDVALE CITY  
PLANNING DEPT  
7505 S HOLDEN STREET  
MIDVALE UT 84047

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

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

COTTONWOOD HEIGHTS CITY  
ATTN: PLANNING & ZONING  
2277 E Bengal Blvd  
Cottonwood Heights, UT 84121  
COMCAST  
ATTN: GREG MILLER  
1350 MILLER AVE  
SLC UT 84106

UTAH AGRC  
STATE OFFICE BLDG #5130  
SLC UT 84114



MURRAY  
CITY COUNCIL

# Discussion Item #6



**MURRAY**

**Council Action Request**

# **Community & Economic Development**

## **Murray City Center District Proposed Revisions**

**Committee of the Whole**

Meeting Date: November 12, 2019

<b>Department Director</b> Melinda Greenwood	<b>Purpose of Proposal</b> Proposed amendments to the Murray City Center District, MCCD Zone.
<b>Phone #</b> 801-270-2428	<b>Action Requested</b> Discussion to consider the proposed Land Use Ordinance Amendment scheduled for November 19, 2019.
<b>Presenters</b> Melinda Greenwood Jared Hall	<b>Attachments</b> Staff Report, Draft Amendments and Power Point Presentation.
<b>Required Time for Presentation</b> 15 Minutes	<b>Budget Impact</b> No Budget impact.
<b>Is This Time Sensitive</b> Yes	<b>Description of this Item</b> The Community & Economic Development Department proposes amendments to the Murray City center District (MCCD) Zone, Chapter 17.170 of the Murray Land Use Ordinance. The changes proposed are intended to encourage redevelopment of Murray's downtown by streamlining the development application process, allowing greater flexibility, eliminating over-regulation and restoring and protecting basic property rights. The proposed amendments were reviewed by the Planning Commission in a public hearing on October 17, 2019. the changes recommended by staff can be divided into three broad categories: 1) changes to the process of applications, 2) changes to historic preservation requirements, and 3) changes to building and site regulations. the following briefly summarizes the proposed amendments by category, and highlights the differences in the recommendation of staff and the recommendation of the Planning Commission.
<b>Mayor's Approval</b> 	
<b>Date</b> October 28, 2019	

1. Changes to the process. The MCCD Zone requires Planning Commission approval for all new construction, major alterations of existing buildings, and demolitions. Approvals are called "Certificates of Appropriateness". Before the Planning Commission can review and approve an application, the application must be reviewed by the MCCD Design Review Committee (DRC). Staff proposes replacing the term "Certificate of Appropriateness" with "Design Review Approval" and removing the requirement for review by the DRC in order to simplify and streamline the process. The Planning Commission recommends approval of the changes proposed except for the removal of requirement for review by the DRC.
2. Changes to the requirements for demolition of historically significant buildings. Staff proposes the addition of incentives to encourage the preservation of historically significant buildings, the removal of requirements for excessive performance bonding (125% value of the entire project), development agreements, demonstration of job creation and property value increase, and other requirements intended to deter any demolition. Staff has also proposed the removal of the list of historically significant buildings from the Land Use Ordinance, allowing property owners to request that their buildings be removed without the burden of public hearings. The Planning Commission recommends no changes to the requirements for demolition of historically significant buildings.
3. Changes to building and site regulations. Planning Commission recommended that the City Council approve Staff's proposed changes to building and site regulations, including the following:
  - Limiting the requirement for ground floor commercial development of multi-family residential structures to a 40' depth where the buildings face a street. This is an important and needed change to encourage redevelopment. Additionally, requirements for Master Site Plan approval for projects greater than 5-acres and those including horizontal mixed use elements have been included.
  - Exceptions for requirements to provide ground floor windows and entrances at an average of one per 75' of building façade have been added for projects with demonstrated security concerns.
  - Staff proposes slight increases to the maximum allowance for building setback from the street in order to encourage outdoor dining and other uses to activate the street level and to facilitate better design for on-street parking and ADA accessibility.
  - Maximum height in the zone is 135' unless a building is located closer than 150' to the nearest residential zoning boundary. Staff has proposed changes to reduce the distance requirement in two stages.

Allowed building height	Distance from property line in Residential Zoning
50 feet	Less than 80 feet
75 feet	Between 80 and 100 feet
135 feet	More than 100 feet

- Staff proposes slight increases to the maximum allowed parking (no change to minimum).

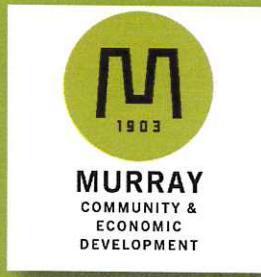
Number of bedrooms per unit	Current maximum allowed parking	Proposed maximum allowed parking
2 bedrooms or less	1.25	1.5
More than 2 bedrooms	1.4	2

- Other proposed amendments include simplified requirements for the use of indigenous species in required landscaping, sustainability requirements applying only to public buildings, and allowances for wayfinding signage.

# COMMITTEE OF THE WHOLE

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November 12, 2019



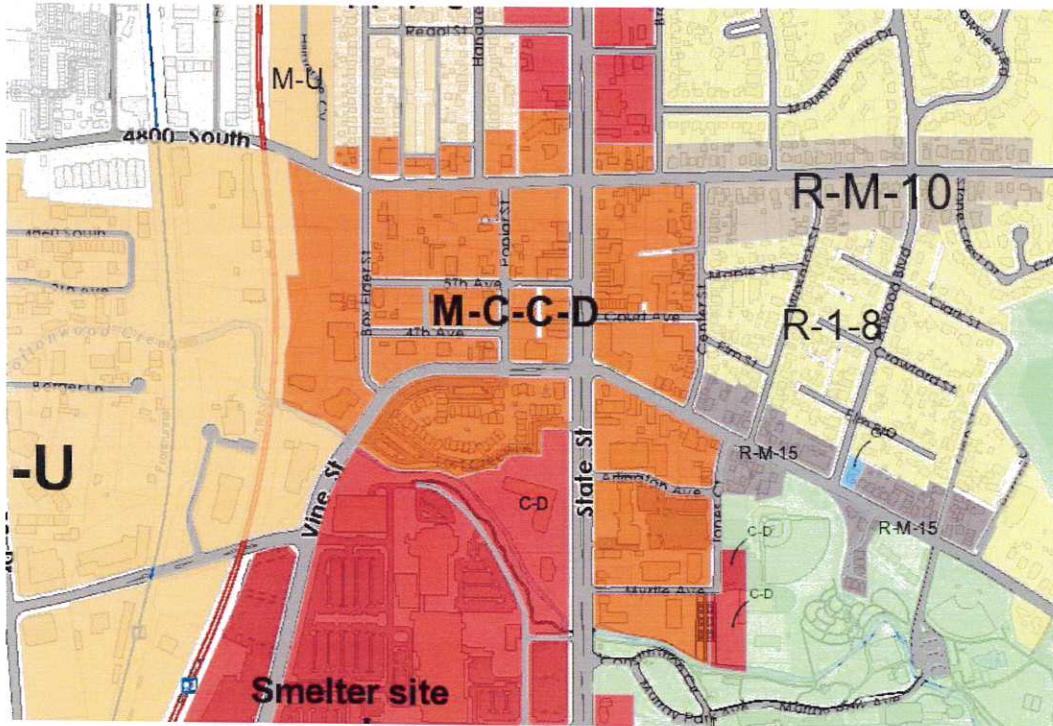
# LAND USE TEXT AMENDMENT

## MCCD Zone Regulations Updates

Title 17.170, Murray City Center District MCCD



## The Murray City Center District Zone



## Purpose

Language taken from the 2017 General Plan.

The Murray City Center District is envisioned as the commercial, civic and cultural center for the community and is intended to enhance physical, social and economic connections by redeveloping “downtown” Murray City resulting in a richer, more vibrant cultural environment. The 2017 Murray City General Plan suggests that the city center should include development which is pedestrian oriented with a strong emphasis on the urban design and streetscape.



## Process

- Major alterations and new construction require Planning Commission approval
- Minor alterations reviewed by Planning Division staff
- “Design Review” approval substituted for “Certificate of Appropriateness”
- The Design Review Committee will no longer be a step in the process



# Design Guidelines

“The guidelines shall be consulted during the review of proposed development in order to provide guidance, direction and options which will further the stated purposes of the MCCD. Wherever practicable, development should adhere to the objectives and principles contained in the Design Guidelines.”



## Protect the Pedestrian Where the Building Meets the Street

### Values Supported

Unique Character  
Dense Urban Character  
Humane Character  
Economic Vitality  
Connection with the Outdoors



The pedestrian is kept away from the elements and can provide adequate protection from the elements.

**Issue**  
The comfort of the pedestrian is crucial to the development of any dense development which strives to be walkable. This is especially the case in Austin, where people have come to expect the climate control provided by buildings. Located in the south, Austin has many months of extremely hot and humid weather. It can also have very cold and wet winters. The tendency to dash across a parking lot from an air conditioned car into an air conditioned building is normal behavior in Texas today, and is the tendency to shop or eat only in places where parking can be found directly in front of the store or restaurant.

Making the transition to a pedestrian oriented streetscape will require special attention to the comfort of the pedestrian. Developers and citizens can increasingly expect pedestrians to arrive by mass transit and walk to their destination. Because they are the primary base for any development it is important that pedestrians are comfortable. They will choose the most comfortable route, avoiding blocks which are less comfortable or which create gaps in the continuity of the protection.

### Recommendations

- Overhead cover, offering adequate pedestrian protection from the sun and rain should be provided along the right-of-way where downtown buildings meet the street. This should occur between nine and fourteen feet above the level of the sidewalk, and should provide a minimum of eight feet of cover in width. Covers should be closer to the curb than the centerline.
- Overhead cover at the sidewalk may provide continual protection without being continuous itself.
- Cover may take the form of either a projection from the building, an awning, or a combination of the two. Areas shall be open on the side of the building.
- Projections may take the form of fabric awnings which are retractable, fabric awnings which are not retractable, or fixed non-fabric projected covers.
- Projected covers may be occupied by the building user, but should be accessed only from the building and not from the sidewalk. Where projected covers are occupied by the building, they should be supported by columns located in the right-of-way. Columns in the right-of-way should not interfere with the maintenance or emergency functions of the sidewalk. Maintain clear sidewalk width not interrupted by columns. Provide sufficient space between curb and columns to accommodate the passage of vehicles and other sidewalk users.
- Where buildings have projections, as will be significantly later from the property line, a free standing cover should be provided along the right-of-way. Owners are encouraged in this condition to provide pedestrian cover additionally at the edge of the building where it does not touch the property line.
- Existing buildings which experience significant renovation should provide pedestrian protection as well. Landmark buildings may comply by installing a detached cover in front of the building.

## Example Design Guidelines

### Clear one single page designs

#### • Values Supported

- Linking back to the General Plan

#### • Issue being addressed

- Why the specific guideline is important to the MCD

#### • Recommendations

- Items that could be incorporated to address the issue or guideline



A2

## MODULATE BUILDINGS VERTICALLY AND HORIZONTALLY

San Francisco is predominantly a city of narrow lots with vertically-oriented facades composed of bays and recesses. In many cases, buildings are horizontally composed of strongly defined and differentiated bases, bodies, and tops.

Buildings that relate to the city fabric and the human activity within them help unify the existing neighborhood experience and character.



Structure can help establish a vertical or horizontal building rhythm.

- Reflect neighborhood-prevailing lot widths and proportion and size of architectural elements in the scaling and ordering of the proposed building.
- Sculpt massing to harmonize with the rhythm of adjacent buildings and add a human-scale. Adjacent buildings may include an entire block face and the block face across the street in mixed-character locations.
- Provide bays and balconies where found in the prevailing pattern.
- Use the internal building program or circulation to externally express different volumetric or facade elements.
- Utilize a hierarchy of scales within the overall values established in these guidelines if there is no consistent neighborhood pattern
- Proportion the scale, the amount of transparency, and the character of entrances at the ground floor to the type of uses and street interaction.



Traditional elements provide horizontal and vertical modulation. Consider meaningful adaptations for contemporary projects to address the same scale or rhythm of familiar inflections.

## Example Design Guidelines

Clear, single page designs

Examples of the guideline



## Historic Preservation

### Existing

“If demolition is approved, the applicant/property owner must be willing to provide a performance security and financial guarantee equal to 125% of the estimated cost of the project...”

### Incentive Based Approach

“Application and permit fees for projects involving the renovation of historically significant buildings will be waived. Fees to be waived include fees for design review approval, conditional use permits, building permits, sign permits, land disturbance permits, and excavation permits.”





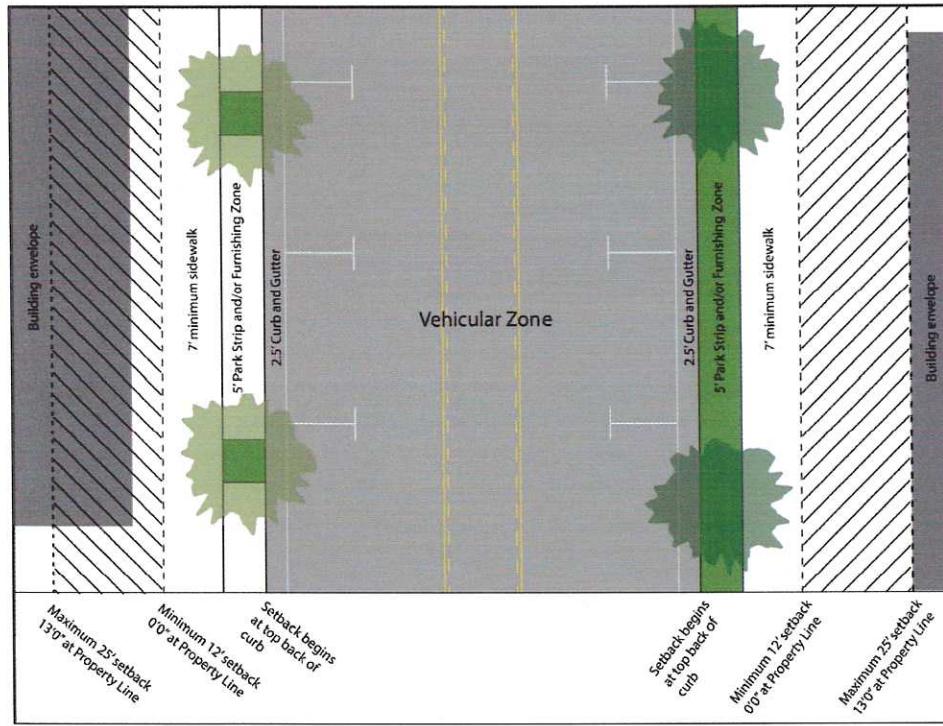
## Area & Frontage Regulations, Public Improvements

Building facades must occupy at least 50% of the property frontage on streets. Maximum allowed setbacks are between 12' – 18' from the back of curb and gutter (0' – 5' feet from property line).

Setbacks up to 25' from the back of curb and gutter (13' from property line) may be allowed if building facades occupy at least 80% of the property frontage on public streets.

Municipal, public, or quasi-public buildings can be considered with greater setbacks if the additional setback is used for public plazas, parks, etc.







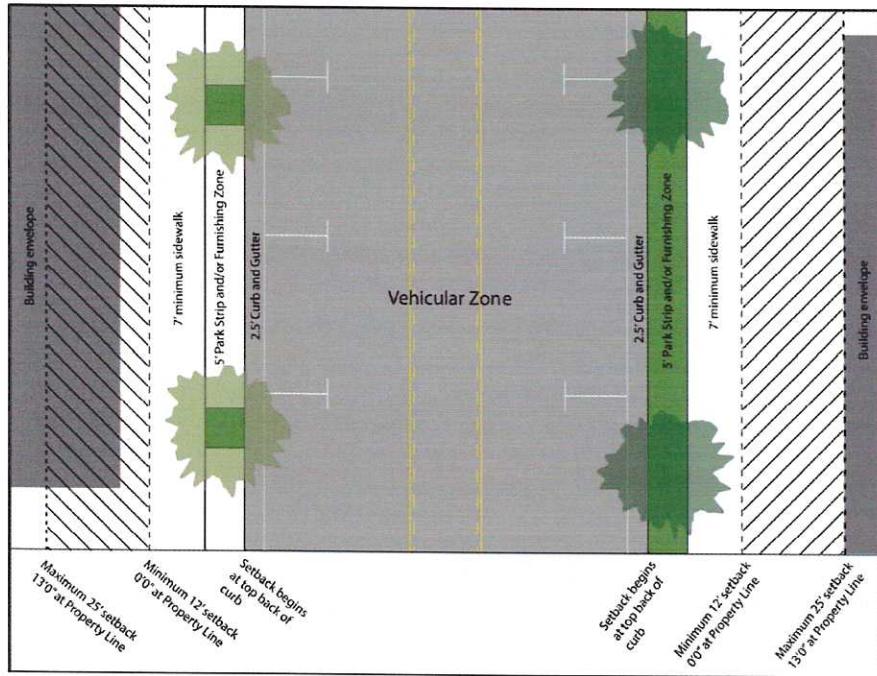
Setbacks up to 25' from the back of curb and gutter (13' from property line) may be allowed if building facades occupy at least 80% of the property frontage on public streets.



Building facades must occupy at least 50% of the property frontage on streets. Maximum allowed setbacks are between 12' – 18' from the back of curb and gutter (0' – 5' feet from property line).



# Public Improvements



## Building Scaling & Density

- Ground floor commercial required along public streets, for a depth of 40'
- Parking or additional retail may be located behind that minimum 40'
- Horizontal Mixed Use and any mixed use project over 5 acres requires a Master Site Plan
- Projects with practical and demonstrated security concerns may request an exception and alternate design.



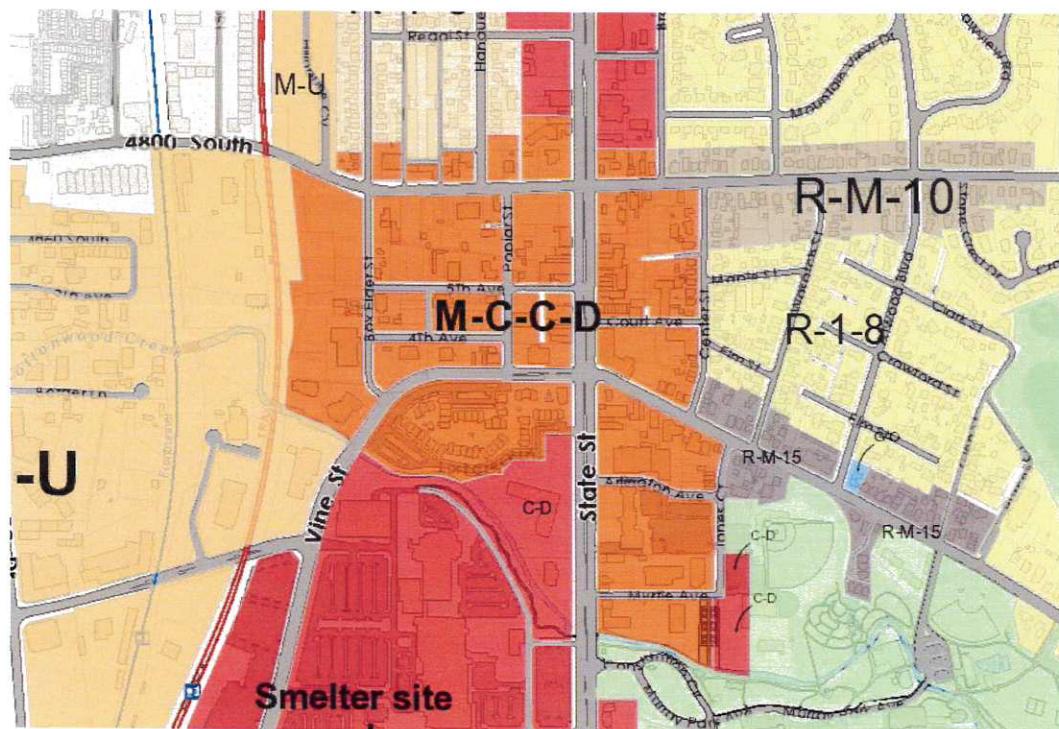
## Height

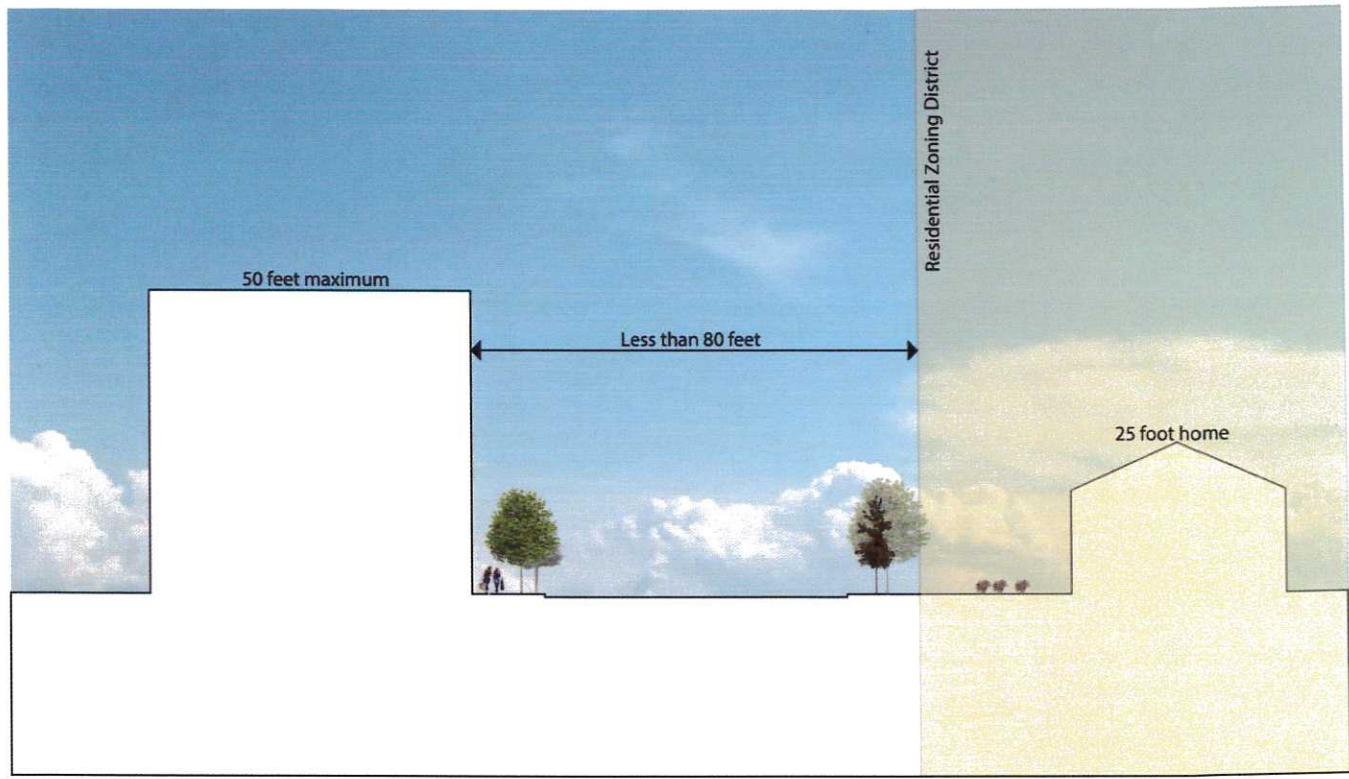
- Properties east of State Street are not subject to minimum 40' height
- Buildings on properties in the MCCD Zone adjacent to Center Street north of Court Avenue are limited to a maximum height of 35'.



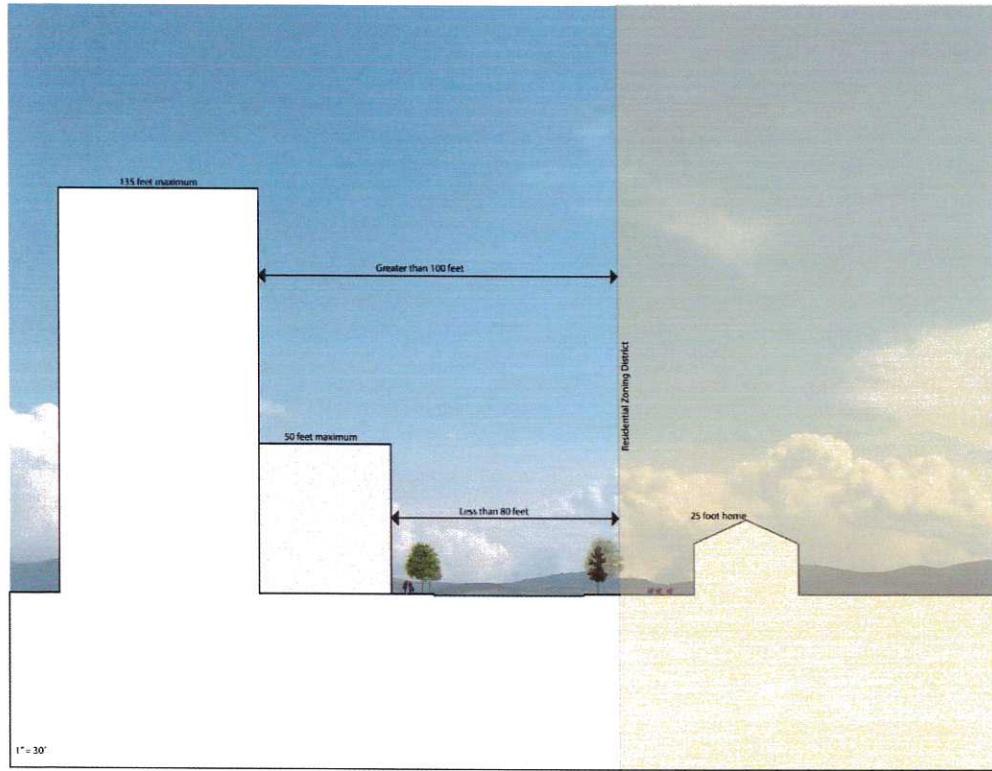
Allowed building height	Distance from property line in Residential Zoning
50 feet	Less than 80 feet
75 feet	Between 80 and 100 feet
135 feet	More than 100 feet











# Parking

## Residential

Number of bedrooms per unit	Current maximum allowed parking	Proposed maximum allowed parking
2 bedrooms or less	1.25	1.5
More than 2 bedrooms	1.4	2

## Non-Residential

Minimum: 1 space / 500 s.f.

Maximums: between 1 space / 265 – 350 s.f.



\*Parking may exceed allowed maximums in parking structures or within the building envelope, as approved by the Planning Commission.



# Findings

- i. The proposed amendments are in keeping with the purpose, goals, and objectives of the Murray City General Plan.
- ii. The proposed amendments will help facilitate quality, mixed use redevelopment of properties in the city center.



## Staff Recommendation

Staff recommends APPROVAL of the proposed amendments to the Murray City Land Use Ordinance Section 17.170, Murray City Center District, MCCD Zone.



## Planning Commission Recommendation

The Planning Commission recommends APPROVAL of the proposed amendments to the Murray City Land Use Ordinance Section 17.170, Murray City Center District, MCCD Zone, **excluding** the proposed elimination of the requirement for application review by the Design Review Committee and any modifications to the requirements for demolition of historically significant buildings.



# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19<sup>th</sup> day of November, 2019, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing to receive public comment concerning an ordinance amending chapter 17.170 of the Murray City Municipal Code relating to the Murray City Center District.

DATED this 4<sup>th</sup> day of November, 2019.

MURRAY CITY CORPORATION

*Jenni Kennedy*  
\_\_\_\_\_  
City Recorder

DATE OF PUBLICATION: November 8, 2019  
PH 19-40



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 17.170 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO THE MURRAY CITY CENTER DISTRICT (MCCD)

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this Ordinance is to amend chapter 17.170 of the Murray City Municipal Code relating to the Murray City Center District.

*Section 2. Amendment.* Chapter 17.170 of the Murray City Municipal Code shall be amended to read as follows:

**Chapter 17.170**  
**MURRAY CITY CENTER DISTRICT MCCD**

**17.170.010: PURPOSE:**

The Murray City Center District (MCCD) is envisioned as the commercial, civic and cultural center for the community and is a new Mixed-Use-District intended to enhance physical, social and economic connections by redeveloping "downtown" Murray City resulting in a richer, more vibrant cultural environment. The 2017 Murray City General Plan suggests that the city center should include development which is pedestrian oriented with a strong emphasis on the urban design and streetscape.

This district The regulations and design guidelines of the MCCD are intended to promote mixed use development, applies similar characteristics to those found in the Transit Oriented Development District (TOD—chapter 17.168 of this title) by encouraging encourage pedestrian oriented design, promoting promote development opportunities, and increasing increase residential and commercial densities. The anticipated development model promotes sustainable, compact, mixed use, transit oriented uses with neighborhood oriented commercial, restaurant, civic, cultural and residential spaces to promote street life and activity, by regulating building orientation and design. The City's downtown general plan element notes that historic downtown is a valuable community asset. The City's historic downtown includes live theater, social dancing, music stores, photography, dance studios, and other contributing businesses. The City Hall, Murray Park amenities, Boys and Girls Club of South Valley, Ken Price Ballpark, and City Library are located in or border the historic downtown area. The downtown general plan element suggests "these uses can form the entertainment, cultural, and civic area".

The general plan suggests preserving historic buildings and character, urban design and appearance of the area including streetscape, compatibility of land uses and the need for buffers and transition areas, development of downtown economic niches, and new business opportunities, and parking.

The Historic Advisory Board has recommended inclusion of historic buildings into a designated area of the downtown. The designation of historic buildings was previously part of the Downtown Historic Overlay District (DHOD). Adoption of the MCCD eliminates the DHOD but will still maintain a historic preservation element.

Development goals and objectives for the area include:

A. Enhance the integrity of Murray City;

Maintain the historic fabric;

Create a true downtown/civic center;

Create synergy with the hospital and transportation opportunities.

B. Create a vibrant neighborhood;

~~Create a place to live, work and play;~~

~~Provide a mix of quality housing;~~

~~Provide neighborhood services and entertainment including smaller local restaurants, coffee shops and destination-oriented entertainment.~~

C. Provide attractive and compatible architecture and streetscape;

~~Focus on the pedestrian experience;~~

~~Buffer the parking;~~

~~Enhance green corridors and trail connections.~~

D. Capitalize on transit opportunities;

~~Promote alternate modes of transportation including rail, bicycle, and walking;~~

~~Provide access and connections including TRAX, Frontrunner, Interstate 15, Interstate 215.~~

E. Increase opportunities for growth;

~~Evolve over time;~~

~~Make the City center self-sufficient;~~

~~Keep people in Murray.~~

F. Set a standard for sustainability;

~~Adopt standards that promote sustainability while maintaining affordability.~~

~~Design standards including required development processes, development goals and objectives, sustainability, neighborhood, site, and building standards are outlined in the Murray City Center District Design Guidelines. All development within the MCCD is facilitated by the standards and guidelines in this document. (Ord. 11-09)~~

#### **17.170.020: BOUNDARIES:**

~~The Murray City Center District comprises approximately ninety seven (97) acres of properties and right of way located generally between the TRAX rail lines to the west, Center Street and Jones Court on the east, 4800 South Street and several additional properties north of 4800 South, and Little Cottonwood Creek to the south as described in the legal description adopted with this chapter. (Ord. 11-09)~~

#### **17.170.030020: CITY COUNCIL ADOPTION OF MURRAY CITY CENTER DISTRICT DESIGN GUIDELINES; CONFORMANCE:**

~~The Murray City Council shall has adopted the Murray City Center District (MCCD) Design Guidelines. The guidelines shall be consulted during the review of proposed development in order to provide guidance, direction, and options which will further the stated purposes of the MCCD. Wherever practicable, development should adhere to the objectives and principles contained in the Design Guidelines Property located within the MCCD shall be developed in conformance with the provisions set forth in this chapter and with the MCCD Guidelines. (Ord. 11-09)~~

#### **17.170.040030: DEFINITIONS:**

**ADMINISTRATIVE STAFF:** Representatives from the Community and Economic Development staff Department.

CERTIFICATE OF APPROPRIATENESS: A certificate issued by the City's Planning Commission indicating its approval of plans for alteration, construction, removal, restoration, or demolition of a building or development of a site.

DESIGN GUIDELINES: The standards principles of appropriate development activity that adheres promotes to the purposes and standards of this title.

DESIGN-REVIEW COMMITTEE OR COMMITTEE: The committee established under title 2, chapter 2.68 of this Code. This committee acts in an advisory capacity to the City Planning Commission and to the Murray City Council and serves to facilitate the design review process.

DESIGN REVIEW PROCESS: The review of an application undertaken by the Design Review Committee using standards defined by the City's design guidelines and, in the case of significant historic buildings, the Secretary of the Interior standards for rehabilitation of historic buildings. The process includes a conference between the Design Review Committee and the applicant. The committee recommends approval or disapproval of the application and outlines its recommendation in a report that accompanies the referral of the application to the City Planning Commission. The process by which applications for development within the MCCD Zone are reviewed for conformance with the applicable standards of this section. The process can include pre-application conferences and review by Community and Economic Development Department staff as well as referral to and review by the Planning Commission.

MAJOR ALTERATION: A physical modification to a building that involves the entire building or has a substantial visual impact on the building or the surroundings. By way of illustration, major alteration includes, without limitation, overall building design, exterior facades, site landscape and parking.

MINOR ALTERATION: A physical modification that is limited in scope or has a minor visual impact in relation to the total building. By way of illustration, minor alteration includes, without limitation, lighting and other appurtenant fixtures, signs and awnings.

ORDINARY MAINTENANCE AND REPAIR: Work to repair or prevent deterioration of a building that does not constitute a minor or major alteration. Examples of ordinary maintenance and repair include repairing deteriorated masonry, replacing

broken windows or damage caused by weather or natural disaster, repainting a building in the same color as existing, replacing doors, etc. Maintenance and repair does not include major changes in color or building materials.

PLANNING AND ZONING COMMISSION OR COMMISSION: The City's Planning and Zoning Commission.

PRIVATE STREET: Means a right of way of easement in private ownership, not dedicated or accepted as a public street, which affords the principal means of access to two (2) or more sites.

PUBLIC STREET: Means a thoroughfare which has been dedicated to the public and accepted by proper public authority, or a thoroughfare which has been adjudicated to be a public street by public use as provided by law.

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.

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

SUSTAINABLE DESIGN: Includes methods and materials that conserve natural resources, promote adaptive reuse of materials, buildings and sites, and promote the health and welfare of residents and property owners. (Ord. 19-07: Ord. 11-09)

## **17.170.050040: DESIGN REVIEW PROCESS:**

A. Certificate Of AppropriatenessDesign Review: The purpose and intent of the certificate of appropriateness design review within the MCCD is to secure the purposes of this chapter and the general plan and to ensure that the general appearance of buildings, signs, and the development of the lands shall does not detract from the purposes and intent set forth in of this chapter.

B. Certificate Of AppropriatenessDesign Review Approval Required: No exterior portion of any buildings or improvements on any properties shall be erected, altered, restored, or moved or demolished within the MCCD, until after an application for a certificate of appropriateness design review approval has been submitted, reviewed, and approved. Application for certificate of appropriateness design review approval shall be made on forms furnished by the City's Community and Economic Development Department. The Director or his or her designee shall determine if the application is a major or minor alteration. The determination of the Director may be appealed to the Appeal Authority.

1. Minor Alterations: Administrative staff shall review and approve applications for minor alterations, signs, awnings, and lighting. Minor alterations denied by the administrative staff may be appealed to the Appeal Authority. A ~~certificate of appropriateness~~design review application, when determined to involve signs, awnings, lighting, or minor alterations may be reviewed and approved by administrative staff. A ~~certificate of appropriateness~~A design review application for minor alterations must be approved or denied within thirty (30) days from receipt of a complete application.
2. Major Alterations And New Construction: ~~A~~The design review process ~~for major alterations and all new construction consists~~ consisting of the following:
  - a. Pre-application Conference: Application materials will be submitted to the Community and Economic Development Department and a time will be scheduled for a general concept review of the application. The applicant will receive input from staff on the process, design standards and other applicable elements prior to submittal of a final application.
  - b. Design Review: After ~~the~~a complete application for formal review is submitted, meetings will be scheduled for ~~staff~~ site plan review to gain City department input on the plans ~~and~~. A conference(s) between the MCCD Design Review Committee and the applicant shall be required for all applications for major alterations and new construction to review the proposal in relation to this chapter and design review guidelines. The application will then be forwarded to the planning commission for final action. The application shall be made on a form available from the community and economic development department and shall include minimum application submittal requirements as determined by the community and economic development department.
  - c. Design Review Approval~~Certificate Of Appropriateness Issuance~~: A certificate of appropriateness shall ~~Design review approval must~~ be issued by the planning commission prior to the issuance of a building permit or other permit granted for purposes of major alterations including constructing, altering, ~~and~~ moving or demolishing structures and buildings. A certificate of appropriateness shall ~~Design review approval is~~ be required whether or not a building permit is required. Therefore, a certificate of appropriateness is a prerequisite to the issuance of such a building permit or such other permits. The planning commission shall review the plans for conformance with the requirements of this title and the MCCD design guidelines that have been adopted by the Murray City council. The city ~~City~~ shall determine the following before approval is given:
    - (1) The project is in general conformance with the ~~current~~ Murray City general ~~General~~ plan ~~Plan~~.
    - (2) The project is in general conformance with the specific area plan, if any, adopted for the area.
    - (3) The project conforms to the requirements of the applicable sections of the land use ordinance.
    - (4) The project does not jeopardize the health, safety, or welfare of the public.
    - (5) The project is ~~in harmony with the purpose of~~ conforms to the applicable standards outlined in the MCCD ~~Zone and adheres to the principles of the~~ Design review guidelines ~~Guidelines~~.
  - d. Obtaining A Building Permit: No person shall obtain a building permit for new construction or for renovation of existing buildings without first preparing and presenting the information required by this section, paying the applicable design review fees, and receiving design approval from the community and economic development department. Any building permits or such other permits not issued in conformity with this chapter shall be invalid.
  - e. Public Utility Companies: The state of Utah, the city, Salt Lake County, and all public utility companies shall be required to obtain ~~a~~certificate of appropriateness~~design review approval~~ prior to initiating any changes in the character of street paving, sidewalks, utility installations, lighting, walls, fences, structures and buildings.
  - f. Design Elements Subject To Review To Determine Appropriateness:
    - (1) Overall building design including design character, alignment and setback, size, height, proportion, and scale of the building;
    - (2) Compatibility with adjacent significant historic buildings;
    - (3) Exterior facades including exterior walls and building materials, roof and parapet, storefronts including windows and doors, bulkheads, cornices, ornamental detail, color, and back entrances;
    - (4) Site landscape including pavement, steps, lighting, trees, and ground cover;
    - (5) Parking;
    - (6) Lighting and other appurtenant fixtures;
    - (7) Signs and awnings;
    - (8) Public improvements;

(7)(8) Site amenities.

g. Exceptions: Even if all design guidelines are not met, a certificate of appropriateness design review approval may be issued granted after it is determined if the Planning Commission finds that compliance with the design guidelines or certain design guidelines would: 1) deprive owner of all viable economic use of the owner's property, or 2) result in substantial diminution in value of owner's property.

g.h. Compliance: Design review approvals shall be issued for a period of eighteen (18) months. All work performed pursuant to a design review approval shall conform to the requirements of the approval. If the construction of building improvements has not commenced within eighteen (18) months of the design approval or if construction has ceased for a period of one year or longer, the approval and any associated building permits shall expire. Applicants may request two extensions of six (6) calendar months during the final month prior to expiration. Requests for extension must be made in writing to the Community and Economic Development Department.

3. Demolitions Of Nonsignificant Historical Structures: A certificate of appropriateness application submitted for demolition of a nonsignificant building or structure is not required to be reviewed by the design review committee. The application shall be considered by the planning commission for final action.

C. Certificate Of Appropriateness Compliance:

1. All work performed pursuant to an issued certificate of appropriateness shall conform to the requirements of such certificate.
2. Upon receiving a written complaint alleging a violation or failure to comply with any requirement of a certificate of appropriateness, the community and economic development department shall investigate the complaint. If the complaint has merit, and attempts to remedy the complaint fail, the community and economic development department may place the complaint on the agenda of the regular meeting of the planning and zoning commission, provided that the certificate holder shall have at least fourteen (14) days' notice of the meeting.
3. Certificate holder shall be given written notice of the exact nature of the complaint and the date and time of the hearing before the commission. The hearing shall be held in accordance with customary administrative hearing procedures.
4. The commission, after hearing the evidence presented regarding the complaint, may continue the hearing from time to time, modify or rescind any condition or requirement of the certificate of appropriateness as it deems necessary, revoke the certificate of appropriateness, or take no action and dismiss the complaint.
5. Any certificate holder aggrieved by an order entered by the commission pursuant to this section may maintain an action for relief therefrom in any court of competent jurisdiction. Action for relief must be filed with the court within thirty (30) days after the order from which relief is sought is made.
6. All notices required herein shall be provided by personal service or by certified mail.
7. If the construction of building improvements has not commenced within eighteen (18) months of the design approval or if construction has ceased for a period of one year or longer, the certificate of appropriateness and any associated building permit shall expire. Certificates of appropriateness shall be issued for a period of eighteen (18) months and shall become void unless construction is commenced within eighteen (18) months of date of issuance. Applicants may request an extension of up to six (6) calendar months during the final month prior to expiration. After the expiration of a design approval, the applicant shall be required to resubmit the plans, pay all required fees, and obtain a certificate of appropriateness prior to the issuance of a building permit. (Ord. 14-10: Ord. 14-03: Ord. 11-09)

**17.170.060050: HEARING PROCEDURES:**

A. Applications: The community and economic development department shall receive applications for certificates of appropriateness design review approval as required under section 17.170.050 of this chapter. Applications for new construction or major alteration must be forwarded The design review committee must provide a recommendation to the commission within sixty (60) days from the date of application. Members of the design review committee and the planning Planning commission Commission may enter, solely in performance of their official duties and only at reasonable times, upon private lands for examination or survey thereof. However, no member, employee, or agent of the committee or commission Commission may enter any private building without express consent of the owner or occupant thereof.

B. Public Hearing Meeting: Prior to issuance or denial of a certificate of appropriateness action on an application for design review approval, the commission shall hold a public hearing meeting concerning an application for a certificate of appropriateness for major alterations and new construction. The commission shall take such action as may reasonably be required to inform the owners of any property likely to be materially affected by the application and shall give the applicant and such owners an opportunity to be heard. A written notice of the proposal- shall be sent at least ten (10) days prior to the hearing to the

applicant and to owners of property (i.e., lots, parcels or tracts -of land) within three hundred feet (300') of the property that is the subject of an application for a certificate of appropriateness design review approval.

C. Final Action: Unless otherwise agreed to by the applicant, the commission shall hold the public hearing and take a final action on an application for a certificate of appropriateness within thirty (30) days from the date the commission receives a recommendation from the design review committee. The commission's final action on an application for a certificate of appropriateness design review approval for major alterations and new construction shall be by the passage of a motion to take one of the following actions:

1. Grant the certificate of appropriateness design review approval as proposed;
2. Grant the certificate of appropriateness design review approval subject to specific conditions and/or modifications of the proposal presented in the application for a certificate of appropriateness;
3. Deny the certificate of appropriateness design review approval as proposed or modified.

D. Appeal:

1. Minor Alterations: Minor alterations denied by the administrative staff may be appealed to the appeal authority planning commission by filing written notice with or the appeal authority within thirty (30) calendar days from issuance of the written decision by the administrative staff.
2. Major Alterations And New Construction: Planning Commission decisions on applications for design review approval may be appealed to the Hearing Officer by an aggrieved party. Written notice of the appeal must be filed with the Community and Economic Development Department. An appeal of the commission's action in granting or denying any certificate may be taken to the appeal authority by filing written notice to the appeal authority within thirty (30) calendar days from the date of the commission's decision. The appeal shall be a review of the record to determine whether the decision was so unreasonable as to be arbitrary and capricious. issuance of the written decision by the commission:
  - a. By any aggrieved party; and
  - b. Shall be taken within times prescribed by the commission; and
  - c. Shall be a review of the record to determine whether the decision was so unreasonable as to be arbitrary and capricious. (Ord. 14-10: Ord. 11-09)

## **17.170.070060: HISTORIC PRESERVATION:**

The city has identified certain buildings of special historical significance that should be preserved. The following standards designate the buildings the city has identified as historically significant and the process for making alterations to historically significant buildings:

A. Designation Process: Significant historic buildings are identified based on meeting two (2) or more of the following criteria:

1. Has major historical significance associated with significant events, activities, or persons in the history and development of Murray;
2. Has major architectural significance by reflecting a particular architectural style or time period at least fifty (50) years or older and retains its character defining elements;
3. Any alterations that have compromised its character defining features can reasonably be reversed in whole or part.

The following properties are deemed historically significant and will be preserved and must meet the preservation requirements outlined below: 4836, 4838, 4842, 4844, 4841, 4859, 4861, 4863, 4871, 4873, 4877, 4881, 4883, 4889, 4901, 4959, 4961, 4963, 4973 South State Street; 166, 184, 186, 190, 192 East Vine Street; 4843, 4872, 4886 South Poplar; 120 East 4800 South; and 5000, 5002, 5004, 5006 South Jones Court.

B. Alterations: Alterations of significant historic structures shall be reviewed through the certificate of appropriateness process outlined above. Changes will be reviewed for general compliance with the MCCD design guidelines including the additional guidelines for significant historic properties found in this title and the design guidelines. Owners of historic buildings may request exemptions from design standards or guidelines of the MCCD which would alter the historic appearance of the building.

**C. Relocation:** Relocation of an existing significant historic building is allowed and is subject to approval of a certificate of appropriateness including review by the design review committee and approval by the planning commission. Details on the site for the relocation and technical reports will be required to ensure the building preserves its historical character.

**D. Demolition:** An application for a certificate of appropriateness authorizing the relocation, demolition or destruction of a designated significant historic building shall be discouraged. The planning commission shall not issue a certificate of appropriateness for demolition of a designated significant historic building within the MCCD except under at least one of the following circumstances:

1. The owner of the property would suffer extreme hardship or be permanently deprived of all economic use or return by virtue of the denial; or
2. The value of owner's property would be substantially diminished; or
3. A city building official has verified in writing that the building is an imminent hazard to public safety or health and repairs are impractical.

**E. Exception Process:** An exception may be considered by the planning commission to allow demolition of a significant building if a development proposal is presented meeting the following criteria:

1. **Condition Of Building:** The applicant has demonstrated to the planning commission that incorporation of the significant historic building in the proposed development is impractical based on the condition of the existing building, structural incompatibility or other similar constraints;
2. **Adherence:** A new proposal is presented that demonstrates adherence to the goals and objectives of the MCCD;
3. **Compliance:** The proposal must demonstrate compliance with ordinance standards and design guidelines;
4. **Monument/Inscription:** If demolition is granted, developer must implement a monument and narrative inscription describing the history of the building or a public arts project approved by the history advisory board;
5. **Development Agreement:** A development agreement must be executed between the city and property owner regarding the project. The development agreement shall be approved by the city council prior to the issuance of the certificate of appropriateness and shall include the following elements:
  - a. There must be immediacy of the project and a development time line must be submitted with a twenty four (24) month project completion period;
  - b. If demolition is approved, the applicant/property owner must be willing to provide a performance security and financial guarantee equal to one hundred twenty five percent (125%) of the estimated cost of the project to ensure project completion if demolition of the historic building is granted;
  - c. Demolition shall not be approved until a building permit has been issued for the proposed development and evidence of adequate financing has been submitted to the city;
  - d. Proposed projected value of the project must be at least five (5) times the current assessed valuation of the property;
  - e. Project must include all commercial or a mix of residential and commercial equal to square footage amounts of one hundred percent (100%) ground floor commercial and an additional twenty five percent (25%) commercial in upper level floors;
  - f. Demonstration of the proposed number of jobs created and quality of jobs (including wage and benefit projections) must be provided as part of the development proposal;
  - g. Public benefit must be substantiated.
6. **Demolition Request Denial:** The planning commission shall make a determination after all of these criteria have been addressed by the applicant and evaluated through the design review process. If the planning commission determines that any of the criteria are not met, they shall deny a requested demolition.

**F. Land Use, Interior Arrangement, Maintenance, Emergency Repairs Not Considered:**

1. Nothing herein shall be construed to prevent a property owner from making any use of his or her property not prohibited by other statutes, ordinances or regulations.
2. The committee and commission shall have no jurisdiction over interior arrangement and shall take no action except to prevent the construction, reconstruction, alteration, restoration, moving or demolition of buildings, structures, appurtenant

features, outdoor advertising signs, or other significant features which would be incongruous with the special character of a historic structure.

3. The jurisdiction of the committee and commission shall be limited to specific interior features of architectural, artistic or historical significance in publicly owned buildings designated as historically significant buildings.
4. The ordinary maintenance or repair of any exterior architectural feature of a building in areas which does not involve replacing the feature or a change in design, material, color or outer appearance thereof, shall not be prevented by the requirements of this chapter.
5. Nothing in this chapter shall be construed to prevent:
  - a. The maintenance; or
  - b. In the event of an emergency, the immediate restoration of any existing aboveground utility structure without approval by the commission.
6. The construction, reconstruction, alteration, restoration, moving or demolition of any exterior architectural features, which the city building inspector or similar official shall certify is required for public safety because of an unsafe or dangerous condition, shall not be prevented by the requirements of this chapter. (Ord. 11-09)

The preservation, restoration, re-use and/or incorporation of historically significant buildings into new development within the MCCD Zone is encouraged wherever possible. Applications for design review approval that include the alteration, renovation, or demolition in whole or in part of any of the historically significant buildings identified herein shall be subject to special considerations outlined in this section.

- A. Designation of Historically Significant Buildings: A list of designated historically significant buildings located within the MCCD Zone shall be maintained by the Community & Economic Development Department. Buildings designated as historically significant are subject to the special considerations of this section. A property owner may remove their property from the list of designated historically significant buildings by submitting a written request to the Community and Economic Development Department or the office of the Mayor. The City shall update the list and respond in writing to the property owner demonstrating the removal within thirty (30) days of the receipt of the written request. The Mayor shall notify the City Council of the removal of a property from the list of historically significant buildings within thirty (30) days of the removal.
- B. Relocation: Relocation of an existing significant historic building is allowed subject to design review approval by the Planning Commission if it can be demonstrated that the historical character of the building can be preserved. Application and permit fees for projects involving the relocation of historically significant buildings will be waived. Fees to be waived include fees for design review approval, conditional use permits, building permits, sign permits, land disturbance permits, and excavation permits.
- C. Renovation: Any renovation of all or part of a historically significant building will be considered a major alteration. Application and permit fees for projects involving the renovation of historically significant buildings will be waived. Fees to be waived include fees for design review approval, conditional use permits, building permits, sign permits, land disturbance permits, and excavation permits.
- D. Alteration and/or Demolition: Alteration or demolition of designated historically significant buildings requires design review approval. Design review approval for projects involving the demolition of designated historically significant buildings is subject to the following requirements:
  1. Adherence: The planning commission must find that the proposed development requiring demolition of the historically significant building demonstrates adherence to the goals and objectives of the Murray City General Plan and the MCCD Zone.
  2. Monument: If demolition is granted, the applicant must propose and install a monument with a narrative inscription describing the historical significance of the building, or a public arts project commemorating the same. The monument or commemoration should be incorporated into the project at or near the original location of the historically significant building and will be installed at the applicant's expense. The location, design, and content of the narrative inscription of the monument must be reviewed by the Murray City History Advisory Board for recommendation to the Planning Commission as a component of the design review application.
  3. Memorandum of Understanding: A memorandum of understanding must be executed between the city and applicant regarding the project. The memorandum of understanding must be approved by the city council prior to the issuance of demolition permits. The memorandum of understanding must establish the following:
    - a. That there is immediacy of the project and thus for demolition. A development timeline must be submitted demonstrating a twenty four (24) month project completion period for that portion of the project where a historically significant building is to be demolished;

- b. That demolition of the historically significant building shall not occur until a building permit has been issued for the proposed development or phase of the development that requires the demolition.
- c. That the history advisory board has approved a monument and inscription as required by this section. The memorandum will establish the receipt of a bond from the applicant with the city to provide for the installation of the monument and inscription.

E. Land Use, Interior Arrangement, Maintenance, Emergency Repairs Not Considered:

1. Nothing herein shall be construed to prevent a property owner from making any use of his or her property not prohibited by other statutes, ordinances or regulations.
2. The ordinary maintenance or repair of any exterior architectural feature of a building in areas which do not involve replacing the feature or a change in design, material, color or outer appearance thereof, shall not be prevented by the requirements of this chapter.
3. Nothing in this chapter shall be construed to prevent:
  - a. The maintenance; or
  - b. In the event of an emergency, the immediate restoration of any existing aboveground utility structure without approval by the commission.
4. The construction, reconstruction, alteration, restoration, moving or demolition of any exterior architectural features, which the city building inspector or similar official shall certify is required for public safety because of an unsafe or dangerous condition, shall not be prevented by the requirements of this chapter.

**17.170.080070: USES:**

- A. The inclusion of a major heading includes all subcategories listed under the major heading unless otherwise excepted. (For example, listing 6900 miscellaneous service organizations includes all categories and subcategories listed from 6910 through 6999.) Any use not specifically listed shall be prohibited.
- B. The following uses are permitted in the Murray City center district (MCCD):

<u>Use No.</u>	<u>Use Classification</u>
1120	Two-family dwelling (residential not permitted on ground floor <u>subject to requirements for ground floor commercial uses, see section 17.170.100</u> ).
1130	Multiple-family dwelling (residential not permitted on ground floor <u>subject to requirements for ground floor commercial uses, see section 17.170.100</u> ).
1150	Apartment high rise (residential not permitted on ground floor <u>subject to requirements for ground floor commercial uses, see section 17.170.100</u> ).
1511	Hotels.
2180	Beverages (only in conjunction with a restaurant, 5,000 square feet or smaller).
2300	Manufacture; apparel (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).
2510	Household furniture (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
2740	Commercial printing (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).
2760	Greeting cards (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).
3259	Pottery (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).

3911	Jewelry (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).
3920	Musical instruments and parts (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).
3950	Costume jewelry (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).
<u>42104</u> <u>602</u>	Commercial parking lots and garages on a fee basis (except surface parking lots not associated with a permitted use).
5400	Food stores.
5600	Apparel and accessories.
5810	Eating places (except 5813; CUP required for drive-through sales).
5820	Drinking places; alcoholic beverages.
5910	Drug and proprietary.
5920	Liquor, package (state store).
5930	Antiques and secondhand merchandise (except 5935, 5938 and 5939 - construction materials).
5940	Books, stationery, art, and hobby supplies.
5950	Sporting goods, bicycles, and toys (except 5951).
5969	Garden supplies.
5970	Jewelry.
5990	Miscellaneous retail trade.
6100	Finance, insurance, and real estate services (except 6112, 6123, 6124, 6141 - surety bail bonding only).
6213	Dry cleaning (in no more than 7,500 square feet).
6216	Self-service laundries.
6220	Photographic services.
6230	Beauty and barber services.
6250	Apparel repair, alteration, and cleaning, shoe repair services (except 6256).
6290	Personal services (except 6293, 6294).
6310	Advertising services (office only; no billboards).

6330	Duplicating, mailing, stenographic, and office services.
6340	Dwelling and building services (office only, except 6342, 6345).
6350	News syndicate services.
6360	Employment services.
6390	Business services (office only, except 6393, 6394 and 6397).
6493	Watch, clock, jewelry repair, engraving.
6494	Re-upholstery and furniture repair (includes antiques, etc.).
6496	Locksmiths and key shops.
6499	Miscellaneous small item repair (maximum 5,000 square feet).
6500	Professional services (office only, except 6513 and 6516, 6518, 6518.1, 6550).
6600	General construction services (office only, no material storage or equipment service yards).
6700	Governmental services (except 6714, 6740, 6750, and 6770).
6800	Educational services.
6900	Miscellaneous service organizations.
7100	Cultural activities and nature exhibitions (except 7123, 7124, 7129).
7210	Entertainment assembly (except 7213).
7220	Sports assembly (except 7221, 7222, 7223, 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	Bicycle rental, tourist guides only.
7410	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).
7910	Other cultural, entertainment, recreational activities.
8221	Veterinarian services (completely enclosed within a building; no overnight boarding).
8224	Pet grooming (completely enclosed within a building; no overnight boarding).

C. A development parcel may have more than one main building.

D. The following accessory structures and buildings, which are customarily used in conjunction with and are incidental to the principal uses and structures, are permitted:

1. Parking structures; and
2. Other accessory buildings which do not in aggregate have a footprint greater than twenty five percent (25%) of the footprint of the main buildings on a development parcel.

E. More than one permitted use may be located on a development parcel and within a building.

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

<u>Use No.</u>	<u>Use Classification</u>
1241	Retirement homes, independent living or congregate care (subject to meeting the area, height and yard requirements of the R-M-25 zone).
3250	Pottery and related products (excepting 3251 and 3255; handwork trades only; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors).
3500	Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks (handwork trades only; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors).
5813	Drive-through restaurant ( <u>must be located more than one-quarter mile from a transit station</u> ; parking and maneuvering areas must be located to the rear of building; drive-through windows and lanes may not be located between the street and building front).
6111	Banking services, including drive-through services, members and nonmembers of Federal Reserve System. (Service windows and all related maneuvering lanes and any associated structures must be located to the rear or side of the building; drive-through windows and lanes may not be located between the street and building front. Includes national, state, commercial, mutual, private, trust companies.)
6513	Hospitals.

6516.1 Assisted living facilities.

G. The following are uses not permitted in the area:

<u>Use No.</u>	<u>Use Classification</u>
5510	Motor vehicle sales.
5530	Service stations.
5590	Automotive, marine crafts, aircrafts and accessories.
5960	Farm and garden supplies.
6379	Self-storage units.
6394	Equipment rental and leasing services.
6397	Automobile, truck and trailer services.
6410	Automobile repair and related services.
7213	Drive-in movies (outdoor theater).
7394	Go-cart tracks.
7398	Auto racing, miniature.

H. No outside storage will be allowed for any of the uses in the MCCD. (Ord. 16-41: Ord. 16-16: Ord. 15-30: Ord. 14-15: Ord. 14-03: Ord. 12-10: Ord. 11-09)

## **17.170.090080: SUSTAINABILITY STANDARDS:**

A. The City has adopted the goal of pursuing and achieving sustainable development practices in the MCCD. The City may provide incentives for developers who achieve third-party sustainable development certification for buildings. Sustainable development standards are defined in the MCCD Design Guidelines and are recommended as standards for the development of the area. No sustainable development certifications are required under this section.

B. The City recognizes that, regardless of third-party certification level, there are standards that are in the best interest of the health, safety, and general welfare of the residents of Murray. Standards to promote efficient and sustainable development have been included in the parking, landscaping and building and site design standards of the MCCD and are required whether or not an individual development attains a third-party sustainable development certification. In addition, the following sustainability standards apply:

1. New Public Development: All new public buildings and uses shall, as practicable, be designed and built to comply with the High-Performance Building Standards developed by the Utah Division of Facilities Construction and Management;
2. New Non-Public Development:
  - a. All new developments shall provide for on-site treatment of stormwater runoff from rooftops and hardscape areas. Each development shall be responsible for pretreating the runoff from their site through the use of bioswales or green roofs prior to allowing the water to enter the Little Cottonwood Creek watercourses, or the City stormwater drainage system;
  - b. All new construction shall minimize site disturbance and include a stormwater pollution prevention plan (SWPPP) for the site and obtain a land disturbance permit from the City on sites greater than one acre in size;
  - c. WaterSense labeled plumbing fixtures are also required in all new developments and all new plumbing fixtures in existing buildings;
  - d. All new buildings must demonstrate an average ten percent (10%) improvement over ANSI/ASHRAE/IESNA standard 90.1-2007 (with errata but without addenda). Buildings undergoing major renovations must demonstrate an average five percent (5%) improvement over ANSI/ASHRAE/IESNA standard 90.1-2007. Documentation of energy efficiency will be

in accordance with the standards outlined in appendix A of the adopted Design Guidelines for the MCCD. New multi-family residential buildings three (3) stories or fewer, ninety percent (90%) of buildings must meet Energy Star or equivalent criteria. Projects may demonstrate compliance with Energy Star criteria through the prescriptive requirements of a builder option package, the home energy rating system (HERS) index, or a combination of the two;

- e. For nonresidential buildings, mixed use buildings, and multi-family residential buildings four (4) stories or more indoor water usage in new buildings and buildings undergoing major renovations must be an average of twenty percent (20%) less than in baseline buildings as defined in appendix A of the adopted Design Guidelines for the MCCD;
- f. For new multi-unit residential buildings three (3) stories or fewer, ninety percent (90%) of buildings must use a combination of fixtures that would reduce water usage in accordance with appendix A of the adopted Design Guidelines for the MCCD. (Ord. 19-07)

#### **17.170.100090: AREA, WIDTH, FRONTAGE AND YARD REGULATIONS:**

The main entry to a building should provide a strong connection to the street, one which is expressive, welcoming and easily located. The following standards for setbacks or facades and entries are intended to contribute to the vibrant, connected, active, pedestrian oriented streetscape that is envisioned for the district:

- A. All street facing building facades are to be designed so that fifty percent (50%) of the total linear feet of frontage is contiguous to the sidewalk (setback: 0 feet from front property line) Proposed development must be designed such that building facades occupy a minimum of fifty percent (50%) of the total linear feet of property frontage on public and streets with setbacks between twelve feet (12') and eighteen feet (18') from the back of curb and gutter; or
- B. If greater setbacks are proposed to accommodate site features such as outdoor dining or gathering spaces:
  1. All street facing building facades are to be designed so that eighty percent (80%) of the total linear feet are within twenty five feet (25') from the back face of curb and gutter; and/or
  2. All street facing building facades are to be designed so that fifty percent (50%) of the total linear feet are within eighteen feet (18') from the back face of curb and gutter; and/or

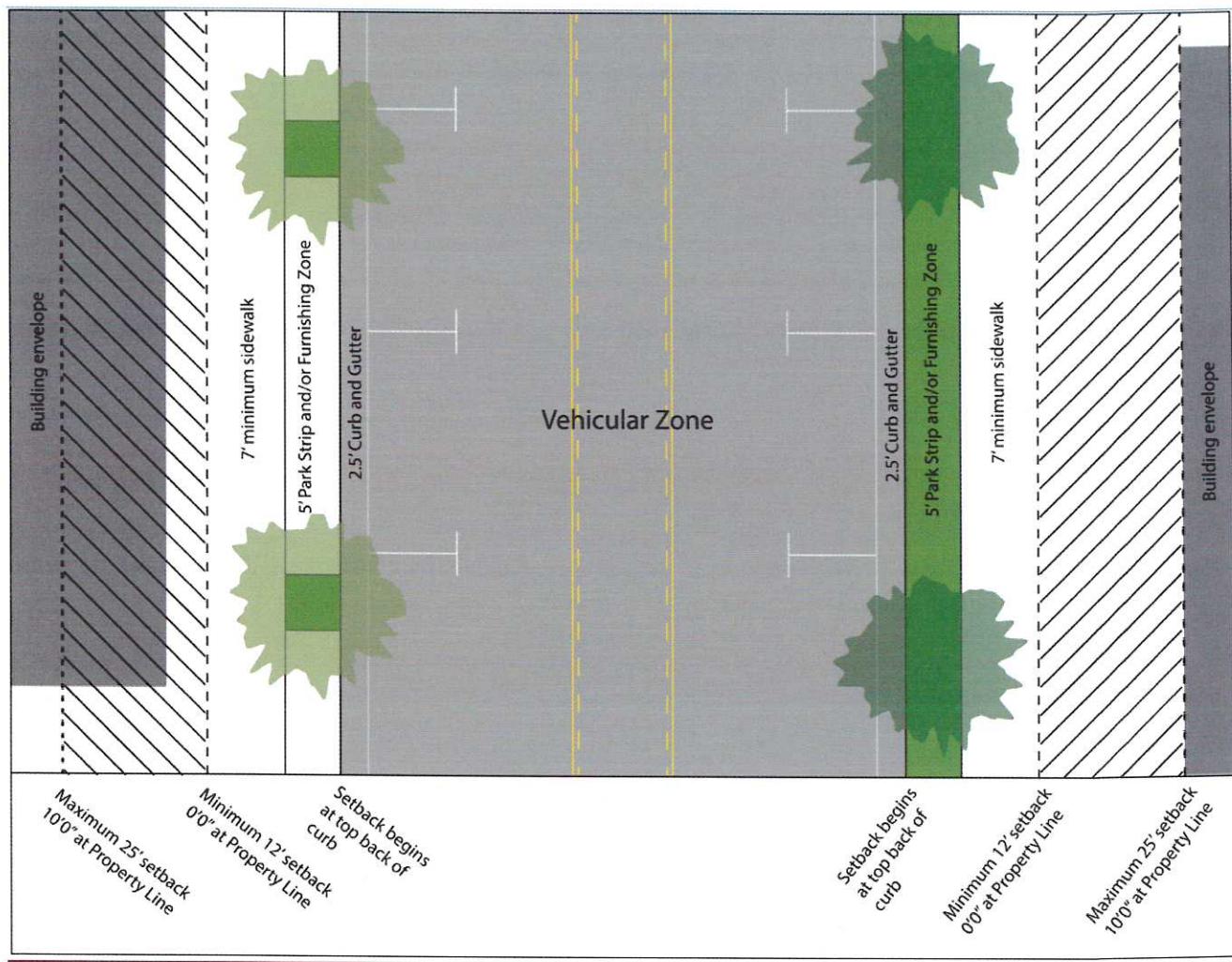
2. Municipal, public or quasi-public buildings may have a greater setback as determined through the design review process. The additional setback shall require the development of public plazas, parks or open spaces and comply with the design standards within this chapter. (Ord. 18-24)

3. \_\_\_\_\_

#### **17.170.100: PUBLIC IMPROVEMENTS AND STREET CHARACTER:**

- A. Construction of new buildings or renovations of existing buildings where 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 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 and as further described in the Design Guidelines.
- B. The improvements within the rights-of-way for public streets shall include, but not be limited to, the following standards:
  1. The right-of-way widths within the Murray City Center District vary from one hundred forty feet (140') to seventy feet (70') and respond to the site conditions and traffic volume. There are five (5) primary public streets that run through the Murray City center including State Street, 5th Avenue, Box Elder Street, Hanauer Street, 4800 South, and Vine Street;
  2. Within the right-of-way, the drive lanes vary from ten feet (10') to twelve feet (12') with most streets having seven (7) to eight foot (8') on street parallel parking areas. A minimum twelve foot (12') pedestrian sidewalk is included within the right-of-way that includes a seven (7') pedestrian zone along with a five foot (5') furnishing or landscape strip between the sidewalk and edge of curb.
- C. Benches and other street furniture shall be provided and spaced as approved by the City through the design review process.
- D. All streets and sidewalks shall be available for general public use and access and not gated.

E. District standard street furniture shall be used for public sidewalks, seating areas, and trails to provide visual continuity. Courtyards, pedestrian ways, plazas, and seating areas located on private property should also include furnishings that are compatible with the projects and surrounding areas in which they are located.



#### **17.170.110: BUILDING DESIGN, SCALING AND DENSITY:**

- A. The primary entrance to buildings must be clearly identifiable and must be oriented to face a street, plaza or pedestrian way. Other street facing entries must appear at least once every seventy-five feet (75') on average. Alternate designs for public, quasi-public, and commercial buildings may be approved if the Planning Commission finds that there are demonstrated security concerns which cannot be reasonably mitigated without the elimination of multiple entries as required here.
- B. The primary entrance of a building must be oriented to face a street, plaza or pedestrianway. Functional entries must appear at least once every seventy five feet (75') on average.
- C. The functional entry of each new buildings must be oriented to face the public street, public square, park, or plaza, but not a parking lot.
- D. The primary entrance to a building shall have a pedestrian scaled facade.
- E. Building entries must be covered with canopies/awnings and/or recessed entries.
- F. Building entries must meet all local, State, and Americans With Disabilities Act accessibility requirements.
- G. For corner buildings, entries are required on both street facades.

H.G. All front setback areas, if proposed, shall be landscaped in accordance with the MCCD Design Guidelines or used as pedestrian ways, plazas, courtyards, or for outdoor seating and dining areas.

I.H. Off street parking is not permitted in the front setback area and/or between the street and building. Parking shall be located to the side or rear of the building. However, parking associated with municipal, public, or quasi-public buildings may be located between the street and the building provided that the parking serves multiple uses or planned multiple uses.

J.I. 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.

K.J. 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.

L.K. Encroachments may project into the public right-of-way provided that the encroachments are between nine feet (9') and seventeen feet (17') above the sidewalk height, subject to City and Utah Department of Transportation approval where applicable. They must not obstruct or prevent the placement of street trees or other improvements within the public right-of-way.

M.L. 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 or glass entry door. 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 visibility are prohibited as ground floor windows. Alternate designs for public, quasi-public, and commercial buildings may be approved if the Planning Commission finds that there are demonstrated security concerns that cannot be reasonably mitigated with full compliance to this requirement.

N. All buildings must meet the ground with some form of base element or detailing to visually connect the building to the landscape. The base element may be smooth concrete (architectural grade), masonry, or stone.

O.M. Ground level unit entries shall have a finished floor less or equal to twenty four inches (24") above sidewalk grade.

P.N. Exceptions to these standards are allowed if buildings are located in designated open space area as identified in the design guidelines. Structures located or being relocated into these areas shall be allowed residential setback standards.

O. Commercial uses shall occupy the width of the ground floor of multi-story residential buildings facing a public street for a minimum depth of forty feet (40'). The balance of the ground floor may be occupied by residential uses or parking.

Residential uses are not permitted on the ground floor of multi-story residential buildings with the exception of a A leasing office or lobby allowing access to the upper floors may. Such uses shall not occupy no more than fifteen percent (15%) of the ground floor or no more than one thousand (1,000) square feet, whichever is less. Horizontal Mixed Use projects shall provide a minimum commercial square footage component equal to an area calculated as 100% 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.

P. 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 the MCCD 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.

Q. 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

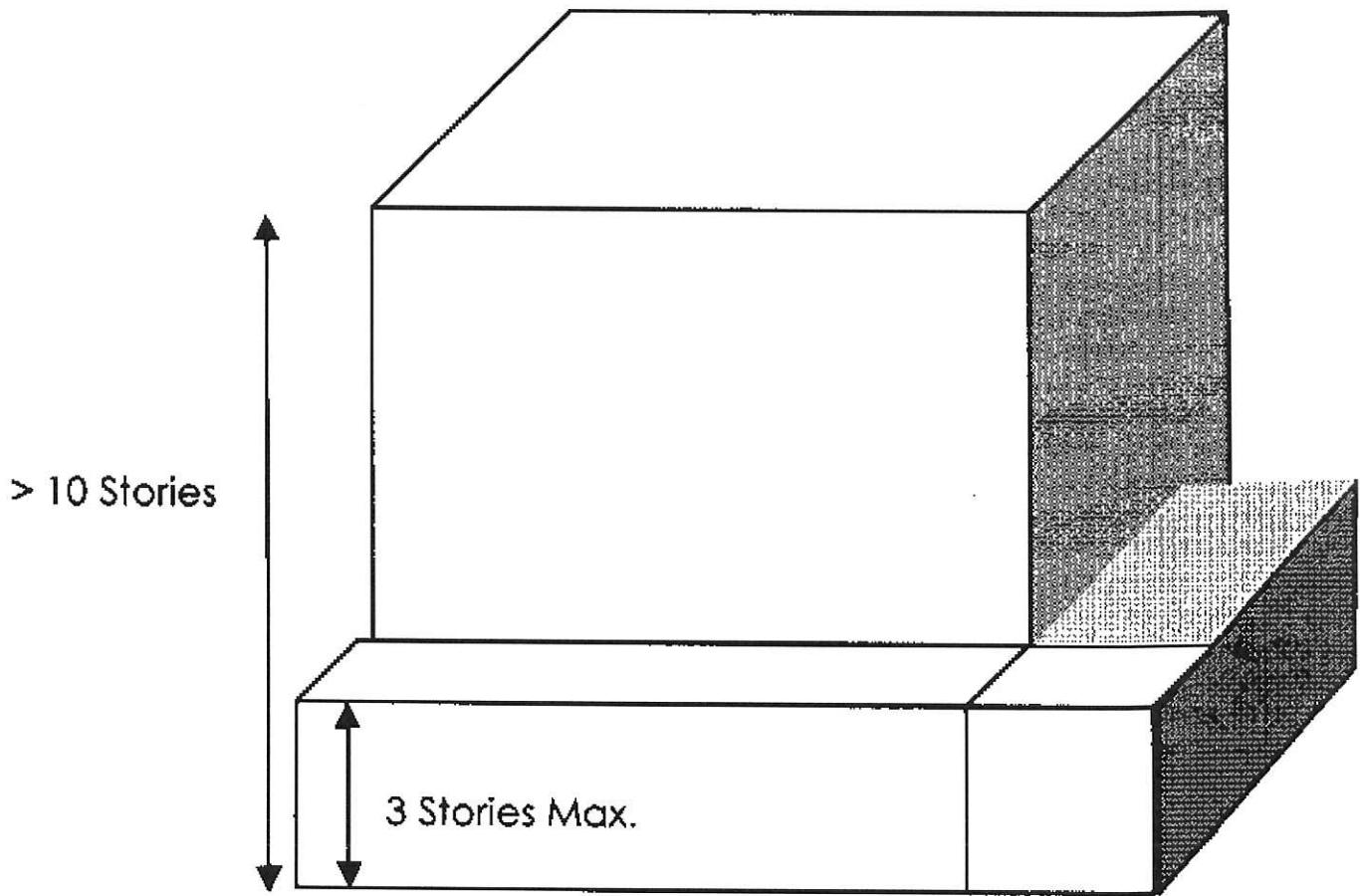
R.Q. The maximum residential density for a project shall not exceed eighty one-hundred (80100) units per acre. (Ord. 18-24: Ord. 17-37: Ord. 11-09)

#### **17.170.120120: HEIGHT REGULATIONS:**

There are no height restrictions in the district except as provided herein:

- A. For new buildings located west of State Street and south of 4800 South, a minimum height of forty feet (40') or four (4) stories, whichever is less, is required;
- B. The height of a structure located adjacent to a residential zoning district may not exceed fifty feet (50') within ~~one hundred fifty feet (150')~~sixty feet (60') of a residential zoning district. On properties located north of Court Avenue that are adjacent to Center Street, buildings shall not be erected to a height greater than thirty five feet (35');
- C. Buildings shall not exceed ten (10) stories in height, or one hundred thirty five feet (135'), whichever is less. ~~Buildings that are six (6) stories or greater must have a third floor podium which addresses the pedestrian nature of the street. A pedestrian scaled facade must be provided on lower floors. The tower portion shall step back. The required podium stepback is a minimum of fifteen feet (15') and a maximum of twenty feet (20'). Location and extent of podium will be determined through the design review process;~~

FIGURE 17.170.120-1  
PODIUM



| Figure to be deleted

- D. Buildings located east of State Street are exempt from the minimum height requirement;
- E. Public or quasi-public utility buildings and structures are exempt from the minimum height regulations above. This exemption does not include office buildings for public or quasi-public utility companies. (Ord. 18-24: Ord. 14-03: Ord. 11-09)

| **17.170.430130: 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.F. 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.

H.G. Banners may be attached to banner arms on light standards between sixteen feet (16') and twenty three feet (23') in height. A top banner arm is required with a bottom eyelet, or eyebolt for a banner to be attached to a light standard (see [chapter 17.48, "Sign Code", of this title](#)). The bottom of a banner must be at least eight feet (8') above a walkway, surfaced area, or ground level below. (Ord. 18-22)

## **17.170.440140: PARKING REGULATIONS:**

This section establishes the standards for the amount, location, and development of motor vehicle parking, standards for bicycle parking, and standards for on-site loading areas in the MCCD. Other titles of this Code and guidelines of the MCCD may regulate other aspects of parking and loading.

### A. General Regulations:

1. General: The regulations of this chapter apply to all parking areas in the MCCD, whether required by this Code or constructed for the convenience of property owners or users. Parking areas include those that are accessory to a use, part of a commercial parking use, or for a park and ride facility in the community services use category.

2. Occupancy: All parking areas must be paved, striped and landscaped prior to occupancy of any structure unless a deferral agreement is completed with appropriate security as allowed in section [17.76.110](#) of this title.

#### 3. Calculations Of Amounts Of Required And Allowed Parking:

a. When computing parking spaces based on floor area, areas inside of structures which are used for parking are not counted;

b. The number of parking spaces is computed based on the primary uses on the site except as stated in subsection B3 of this section. When there are two (2) or more separate primary uses on a site, the required or allowed parking is the sum of the required or allowed parking for the individual primary uses;

c. For joint use parking, see subsection B3 of this section;

d. When more than twenty percent (20%) of the floor area on a site is in an accessory use, parking is calculated separately for the accessory use;

e. On street parking spaces immediately adjacent to the property may not be used to meet the parking requirements set forth herein.

4. Use Of of Required Parking Spaces: Required parking spaces must be available for the use of residents, customers, or employees of the use. Fees may be charged for the use of required off street parking spaces. Required parking spaces may not be assigned in any way to a use on another site, except for joint parking situations. See subsection B3 of this section. Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.

5. Proximity Of Parking To Use: Required parking spaces for residential uses must be located on the site of the use or within a tract owned in common by all the owners of the properties that will use the tract or in public parking facilities. Required parking spaces for nonresidential uses must be located on the site of the use or in parking areas within five hundred feet (500') of the development site property boundary.

#### 6. Stacked Parking:

a. The requirements for parking spaces and all parking area development standards continue to apply for stacked parking.

b. Stacked (individual mechanical lift), tandem, or valet parking is allowed for nonresidential sites if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee or affidavit must be filed with the City ensuring that an attendant will always be present when the lot is in operation.

c. Tandem parking is allowed for residential sites if parking spaces (front and back stalls) are reserved or designated for a single unit. Each stall constitutes a separate stall as counted toward the total required number of parking stalls.

- d. Stacked (multiple mechanical lift systems, or other automatic parking where individuals are not required to manually access and control the equipment) may be utilized for all uses without requiring an on-site attendant.
- e. Proper equipment safety labels, operational protocols, equipment maintenance and other fire, life and safety issues must be reviewed and approved by all applicable City departments and meet any International Building Code and any other applicable Plumbing, Electric, or Building Codes.

7. Buildings That Exceed Four Stories: For parking for buildings that exceed four (4) stories in height, at least fifty percent (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.

8. Parking ~~And and~~ Access Review And Approval: In addition to Community and Economic Development Department review, the Streets Division and Engineering Division shall review the layout of parking areas, curb cut and access restrictions as set forth in [chapter 17.72](#), "Off Street Parking And Motor Vehicle Access Standards", of this title. Parking for projects located along State Street shall also require approval from the Utah Department of Transportation (UDOT) related to access locations, curb cuts, etc. ~~On street overnight parking is prohibited in this area.~~

B. Required Parking Spaces:

1. Purpose: The purpose of required parking spaces is to provide enough on-site parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. ~~Mixed use~~ ~~S~~sites that are located in close proximity to transit, have good street connectivity, and good pedestrian facilities may need ~~little or no~~ less off street parking ~~than other types of development~~. Transit supportive plazas and bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to broad use categories, not specific uses, in response to this long term emphasis. Provision of car pool parking, and locating it located close to the building entrance, will encourage car pool use.
2. Required Parking Spaces ~~For~~~~for~~ The MCCD: Table A of this section outlines the required number of spaces for each specified use category. The standards of table A of this section apply to the entire MCCD unless specifically superseded by other portions of this Code.

TABLE A  
REQUIRED PARKING<sup>4</sup>

	Required	Maximum
Office	1 space/500 net usable sq. ft.	1 space/350 net usable sq. ft.
Medical/clinic	1 space/500 net usable sq. ft.	1 space/300 net usable sq. ft.
Retail	1 space/500 net usable sq. ft	1 space/265 net usable sq. ft.
Restaurants	1 space/500 net usable sq. ft.	1 space/265 net usable sq. ft.
Residential (multi-family dwellings)	1 space/unit	1.25 <del>5</del> spaces/unit (2 bedrooms or less) 1.4 <del>2</del> spaces/unit (more than 2 bedrooms)
Disabled/accessible	See section <a href="#">17.72.070</a> of this title. Other requirements as provided by the Americans With Disabilities Act	

Uses not listed	As determined by the Planning Commission based on the nearest comparable use standards
Parking in excess of maximum	Parking in excess of the maximums outlined above may be approved by the Planning Commission if provided in parking structures or within the envelope of the building

Note:

1. This is limited to the boundaries in section 17.170.020 of this chapter.

3. Joint Use Parking: Joint use of required parking spaces may occur where two (2) or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing to the City Planning Commission as part of a building or zoning permit application or land use review:

- The names and addresses of the uses and of the owners or tenants that are sharing the parking;
- The location and number of parking spaces that are being shared;
- An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
- A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.

4. Limit On Size: ~~A single parking area shall not exceed two (2) acres in size. If~~ the total parking area of a project exceeds an two (2) acres, it shall be divided into a series of separate lots. No single parking area shall exceed one (1) acre.

5. Car-Pool pool Spaces: For new commercial and nonresidential portions of mixed use buildings, the number of car-pooling parking spaces equivalent to ten percent (10%) of the total automobile parking for each nonresidential and mixed use building on the site. Signage indicating car-pool parking spots must be provided. Car-pool parking must be within two hundred feet (200') of entrances to buildings served.

6. Compact Stalls: Compact stalls may be used within the MCCD and shall not constitute more than fifteen percent (15%) of the total provided spaces for a use or development. In the case of parking structures, compact spaces shall be limited to fifteen percent (15%) of the total spaces in the structure. Minimum dimension for compact spaces shall be eight feet by sixteen feet (8' x 16').

7. Bicycle Parking: Bicycle parking may be substituted for up to ten percent (10%) of required parking. For every five (5) non-required bicycle parking spaces that meet the short or long term bicycle parking standards, the motor vehicle parking requirement may be reduced by one space. Parking existing prior to the effective date hereof may be converted in accordance with this provision. Bicycle parking is required for most use categories to encourage the use of bicycles by providing safe and convenient places to park bicycles. These regulations ensure adequate short and long term bicycle parking based on the demand generated by the different use categories and on the level of security necessary to encourage the use of bicycles for short and long stays. Bicycle racks shall be placed on every development as follows:

- 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;
- At least two feet by six feet (2' x 6') per bicycle;
- 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;
- Located to prevent damage to bicycles by vehicles, etc.;
- In a convenient, visible, lighted area;
- Located so as not to interfere with pedestrian movements;
- Located to provide safe access to and from the street;
- Designed to allow each bicycle to be supported by its frame;
- Designed to allow the frame and wheels of each bicycle to be secured against theft;
- Anchored to resist rust or corrosion, or removal by vandalism;
- Designed to accommodate a range of bicycle shapes and sizes and facilitate easy locking without interfering with adjacent bicycles;

- I. Bike lockers designed for long term storage may be substituted for up to half the required bicycle parking spaces;
- m. Except for bike lockers, bicycle parking must be located within fifty feet (50') of a building's primary entrance. (Ord. 18-24: Ord. 14-12: Ord. 11-09)

#### **17.170.150150: LOADING AND SERVICE AREAS:**

Utilities, mechanical equipment placement and screening and service entries shall be considered early on in a project to minimize the impact both visually and acoustically and to address safety concerns. The visual impacts of utilities and mechanical equipment and any service area canopy shall be minimized using the following techniques:

- A. Service entrances, waste disposal areas and other similar uses shall be located to the side or rear of buildings and shall be oriented toward service lanes and away from major streets;
- B. Service areas shall be positioned to minimize conflicts with other abutting uses;
- C. Screening walls/landscaping shall be provided to minimize visual impact of service and utility areas, using materials consistent with building design to integrate service and utility areas into design;
- D. Screen height shall be sufficient to conceal view from right-of-way and public areas of site;
- E. Screening shall be required for both ground level mounted and rooftop mounted mechanical equipment and utilities;
- F. Height of screening around outdoor/rooftop equipment shall be limited to the minimum height necessary to screen equipment from public view including adjacent properties' circulation routes;
- G. Mechanical equipment, satellite dishes, vents, flues, and associated penetrations shall not be located on a roof slope that faces the public right-of-way;
- H. Mechanical equipment may be screened by extension of the roof parapet if no rooftop equipment is visible from any public right-of-way within five hundred feet (500');
  - I. Ground screening materials shall be of the same or complementary material/detailing as that of the main structure. (Ord. 11-09)

#### **17.170.160160: OPEN SPACE/LANDSCAPING:**

- A. 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. Sustainable landscaping including xeriscape species and innovative water recycling or irrigation systems is encouraged. All landscape plans must be approved by the City.
- B. 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 shall comply with applicable landscape requirements found in [chapter 17.68](#) of this title, except lawn shall not be required as stated in subsection [17.68.040](#)A1a of this title. At plant maturity the landscaping shall represent, as a minimum standard, compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.
- C. The preservation of All existing trees located at least fifteen feet (15') outside of the building footprint is encouraged wherever possible. Applicants for new construction shall submit tree surveys in conjunction with landscaping plans in order to identify trees that may be preserved. shall be preserved unless otherwise approved by the City Forester. All proposed tree removals must also be approved by the City.

D. Trees shall be spaced in order to provide shade for fifty percent (50%) of sidewalk length within five (5) years of planting when combined with shade provided by approved structures.

E. Where new plant materials are to be used, ~~employ indigenous species should be included~~ into the plant palette. A minimum of seventy percent (70%) of ground cover and shrub plantings shall be indigenous species. A minimum of fifty percent (50%) of the trees planted shall be native species. No more than fifty percent (50%) of the landscaping areas shall be turf. If Where turf is specified, -an eco-lawn mix shall be used. Appropriate, indigenous species of plant materials and trees will be established by Community and Economic Development staff and the City Forester.

F. A one hundred foot (100') minimum setback shall be provided from top of bank of Little Cottonwood Creek to any structure. Top of bank shall be located by a licensed surveyor or engineer.

G. Public spaces that are adjacent to wetlands or watercourse setbacks must have a native planting transition zone that blends into sensitive habitat areas.

A. Fifteen percent (15%) of the area of each project shall be developed as landscaped setbacks, public plazas, parks open spaces, or walkways. In addition, each project shall have a system of pedestrian walkways and sidewalks that provide connections between building entrances, neighboring building entrances, sidewalks, parking areas, open spaces and walkways. (Ord. 18-24: Ord. 11-09) Amenity areas provided in conjunction with multi-family uses will qualify as open space.

H.

#### **17.170.170: ACCESS IMPROVEMENTS AND STREET CHARACTER:**

A. Construction of new buildings or renovations of existing buildings where 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 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 and as further described in the Design Guidelines.

B. The improvements within the rights-of-way for public streets shall include, but not be limited to, the following standards:

1. The right-of-way widths within the Murray City Center District vary from one hundred forty feet (140') to seventy feet (70') and respond to the site conditions and traffic volume. There are five (5) primary public streets that run through the Murray City center including State Street, 5th Avenue, Box Elder Street, Poplar Street, and Vine Street;
2. Within the right-of-way, the drive lanes vary from ten feet (10') to twelve feet (12') with most streets having seven (7) to eight foot (8') on street parallel parking areas. A minimum twelve foot (12') pedestrian sidewalk is included within the right-of-way that includes an eight foot (8') pedestrian zone along with a four foot (4') furnishing or landscape strip between the sidewalk and edge of curb.

C. Benches shall be provided and spaced as approved by the City through the design review process.

D. All streets and sidewalks shall be available for general public use and access and not gated.

E. District standard street furniture shall be used for public walks, seating areas, courtyards, plazas, recreation areas, and trails.

F. Within the public right-of-way and also on privately owned and maintained plazas/open spaces, a palette of site furnishings has been chosen for the area to provide visual continuity. Site furnishings shall comply with the standards outlined in the Design Guidelines. In areas that are adjacent to commercial or mixed use areas, the furnishing zone may be treated as space that is actively used for seating, tables and other site furnishings. The surface material shall be a permeable paver or equivalent approved by the City through the design review process. (Ord. 11-09)

#### **17.170.180170: SIGN REGULATIONS:**

A. Signage in the MCCC shall be governed by the standards of the City Sign Code found in chapter 17.48 of this title unless modified by the standards below. In calculating allowed sign area for attached signs the standards of section 17.48.200 of this title related to signs in Commercial and Manufacturing Zones shall apply. Residential buildings shall be limited to

signage indicating the name and address of the project and required informational and regulatory signs such as lobby hours or parking garage wayfinding.

B. Signs shall be designed in accordance with the MCCD Design Guidelines in relation to materials, color and sign type. New signs in the MCCD shall require the approval of a certificate of appropriateness and shall be considered a minor alteration requiring administrative design review approval.

B.C. Wayfinding and directional signage related to parking and access up to a maximum of eight (8) square feet may be located on the same building or property or reasonably located elsewhere within the same project if necessity for such locations can be demonstrated through the design review process.

C. New developments shall develop a master sign plan for the entire property which shall be used to guide individual sign design decisions. The master sign plan shall be submitted with a certificate of appropriateness for a major alteration. The master sign plan will contain information related to size, materials, colors and once the master sign plan is approved by the commission, signage which complies with the overall design and materials of the master sign plan shall not be required to obtain an additional certificate of appropriateness. Approval of the master sign plan does not eliminate the requirement for a building permit for new signs where a permit is required.

D. Existing properties and developments may submit a master sign plan for an entire site. The master sign plan shall be reviewed as a major alteration and shall require review by the Design Review Committee and approval by the Planning Commission. Once the master sign plan is approved by the commission, signage which complies with the overall design and materials of the master sign plan shall not be required to obtain an additional certificate of appropriateness. Approval of the master sign plan does not eliminate the requirement for a building permit for new signs where a permit is required.

E. Sign removal from a building shall include restoration of the building face to the original condition and design.

F. The following signs are exempt from the requirements of the MCCD:

1. Signs/messages painted on the inside or outside of windows provided the signage covers no more than fifty percent (50%) of the window;
2. Government signs such as street signs;
3. Directional signs less than four (4) square feet in size containing no commercial message.

G. The following signs are prohibited within the MCCD:

1. Internally illuminated sign cabinets, or "box/can" signs with acrylic, panaflex, or similar illuminated sheet material faces (Note: This is in contrast to the allowance in chapter 17.48 of this title for internally ["directly"] illuminated signs.);
2. Vacuum formed acrylic sign faces, letters, or cabinets;
3. Internally illuminated awnings;
4. Signage shall not be permitted on the exterior facades of buildings or lease space that is not occupied by the business being promoted by the signage;
5. Pole mounted signs (except public street signage), unless approved by the Planning Commission as part of a master sign plan;
6. Letters or logos applied or sewn onto externally illuminated opaque awnings;
7. Internally illuminated pan channel letters with exposed neon unless approved by the Planning Commission;
8. Any other sign type specifically prohibited by chapter 17.48 of this title. (Ord. 11-09)

#### **17.170.190180: VIOLATION AND PENALTY****NONCONFORMING USES AND DEVELOPMENTS:**

Any person, firm or corporation whether acting as owner or occupant of the premises involved, or contractor or otherwise, who violates or refuses to comply with any of the provisions of this chapter, shall be guilty of a Class C misdemeanor and, upon conviction, punished as provided by law. A separate offense shall be deemed to be committed on each day an offense occurs or continues. (Ord. 11-09) 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.

*Section 3. 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

ATTEST:

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Dave Nicponski, Chair

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Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2019.

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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D. Blair Camp, Mayor

ATTEST:

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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.

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Jennifer Kennedy, City Recorder

**This is suggested language for your consideration for the MCCD zone revisions.**

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**17.170.080: SUSTAINABILITY STANDARDS:**

- A. The City has adopted the goal of pursuing and achieving sustainable development practices in the MCCD. No sustainable development certifications are required under this section, however the City encourages sustainable development through green building rating or certification systems such as LEED™, the State of Utah Division of Facilities and Construction Management High-Performance Building Standards or the equivalent. The City may provide incentives for developers who achieve third-party sustainable development certification for buildings.
- B. Any incentives provided will be based on post-performance outcomes, negotiated specifically for each development project and specified through a development agreement which shall be approved by the City Council and/or the Redevelopment Agency of Murray City.
  - 1. Sustainability focus areas include water conservation, stormwater management, energy efficiency and support of transit and active transportation.
  - 2. Sustainable development principles and goals are further defined in the MCCD Design Guidelines and are recommended as standards for the development of the area.
- C. The City recognizes that, regardless of third-party certification level, there are standards that are in the best interest of the health, safety, and general welfare of the residents of Murray. Standards to promote efficient and sustainable development have been included in the parking, landscaping and building and site design standards of the MCCD and are required whether or not an individual development attains a third-party sustainable development certification. In addition, the following sustainability standards apply:
  - 1. New Public Development: All new public buildings and uses shall, as practicable, be designed and built to comply with the High-Performance Building Standards developed by the Utah Division of Facilities Construction and Management;

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**Moved up [1]:** No sustainable development certifications are required under this section.



**TO:** Murray City Planning Commission

**FROM:** Jared Hall, CED Supervisor

**DATE OF REPORT:** October 11, 2019

**DATE OF MEETING:** October 17, 2019

**PROJECT NAME:** Amendments to Section 17.170, Murray City Center District, MCCD Zone

**PROJECT NUMBER:** 19-136

**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 Chapter 17.170 of the Land Use Ordinance, the Murray City Center District, MCCD Zone.

**II. STAFF REVIEW AND ANALYSIS**

Background

The Murray City Center District is a mixed use zone applied to approximately 100 acres located roughly between 4800 South and Vine Street, and 200 East and Box Elder Street. The core of this area is considered Murray's historic downtown. The proposed amendments impact multiple sections of the ordinance and are intended to streamline the development process and allow greater flexibility in order to facilitate redevelopment in this unique and important part of the City. The changes address issues related to parking, height, historic preservation, process, required ground-floor commercial, density, and others.

Review

The draft of the proposed changes to the MCCD Zone (17.170) is attached to this report in both redline & strikeout format, as well as a revised "clean" version. This report summarizes the main ordinance changes, all of which are intended to streamline the process, allow greater flexibility, spur redevelopment, eliminate over-regulation and restore and protect basic private property rights. Throughout

this revision process, Staff has incorporated feedback from the City Council, property owners, residents and developers. We have also tried to preserve the important requirements and components of this zone that support its worthy goals to create a compact, vibrant, mixed use zone in Murray's downtown.

The draft changes have been based on the comments and direction received, but also upon the premise of bringing the MCCD zone into alignment with the M-U zone as much as possible, recognizing that there are formatting as well as other important differences.

The following is only a basic summation of the various changes, intended to assist in reading the redline copy or clean copy of the proposed ordinance.

**17.170.010 – Purpose.** The purpose statement has been shortened and modified to reflect statements in the 2017 General Plan's vision for the City Center. The purpose statement currently includes a lengthy list of goals and objectives. Staff finds these goals to reflect broad design principles that are more appropriately identified and described in the Design Guidelines.

**17.170.020 – Design Guidelines.** The statements about how design guidelines are applied to development proposals have been modified significantly, and planning staff is actively working to update the design guidelines in terms of content, format, and overall size. Design Guidelines are key to the success of development in the zone.

**17.170.040 – Design Review Process.** Design Review replaces the Certificates of Appropriateness. The term "Certificate of Appropriateness" comes from general use in historic preservation. Staff recommends that design review is a more appropriate descriptor of the process and the goals of the MCCD ordinance. Aside from the change to the name, the process has been simplified. While "minor alterations" of buildings or properties will still be reviewed and approved by staff, all "major alterations" and new construction will include an internal administrative staff review before being forwarded to Planning Commission for final design review. There is no longer a need for the MCCD Design Review Committee. Staff's proposed draft would eliminate the DRC in favor of a more streamlined process.

**17.170.060 – Historic Preservation.** The intent of the changes proposed here is to spur development, restore basic property rights, and limit some of the regulation that hinders redevelopment in the MCCD area. With that said, staff respects that there is significant interest in historic preservation within our community. Staff feels strongly that the City should continue to encourage renovation and restoration of historic properties. To that end, staff proposes changes to incentivize restoration and preservation. The "list" of historically significant buildings has been removed from the ordinance, however; the list is still in existence but will no longer be codified. The list of historic properties will

be maintained by CED staff. In a full restoration of private property rights, property owners will be able to request removal from the list by submitting a written request to CED or to the Mayor's office. Upon receipt, CED staff will remove the property from the list, and notify the Mayor, so that he or she can notify the City Council of the change within 30 days. If the list of addresses were left embedded in the ordinance, any change to that list would be legislative and require a public hearing with the Planning Commission and the City Council. We do not wish to subject a property owner to public hearings or allow the possibility of their property remaining on the list against their will.

Should a property owner not wish to keep or renovate a building on the historic property list, a monument noting the historical significance of the property is required. If the property owner proceeds with this route, the History Advisory Board will be involved with approving the monument.

**17.170.090 – Area & Yard Regulations.** We have added slightly greater allowances for building setbacks. Staff feels that requiring the proximity of buildings to the street is important to promote the goals for this or any other mixed-use zone. The additional allowance for setback is intended to provide flexibility in design to accommodate outdoor spaces for dining, greater pedestrian access, accommodation of ADA requirements, etc.

**17.170.100 – Public Improvements.** This section has been renamed “public” instead of “access” improvements and has also been relocated within the chapter to follow directly after “yard regulations” which details building setback requirements. Because building setbacks and public improvements in the MCCD Zone can be confusing to the public and to potential developers, a figure explaining the improvements and setbacks has been added.

Public furniture and lights should be the “district standard” that is already in heavy use nearby, but staff has recommended that on-site furniture and lighting can be distinct if it is coordinated.

**17.170.110 – Building Scaling & Density.** Ground floor commercial space will be required along public streets, with a depth of 40'. After the initial 40', parking or additional residential is allowed. Vertical and horizontal mixed use is contemplated, and the requirement for Master Site Plan has been included for horizontal mixed use and any project over five acres.

Requirements for entrances at an average of every 75 feet of building frontage as well as architectural standards regarding ground floor windows have been maintained, but an exception has been added for projects with practical, demonstrated security concerns. Ground floor windows and multiple entrances along street facades will remain the norm.

**17.170.120 – Height.** Staff has received feedback from the RDA Board and City Council and has proposed to keep the maximum height of 135' or ten stories, as well as maintaining the requirement for new construction to be a minimum of 40' or 4 stories for properties west of State Street. The height is necessary in this small area to push smaller parcels toward consolidation and to maximize the land use, which in turn supports the street level activation.

Height is also limited to 50 feet for buildings located closer than within 150 feet of residential zones. Staff has recommended scaled changes to the height limitation based on distances from the residentially zoned property lines. Please note the table below.

Allowed building height	Distance from property line in Residential Zoning
50 feet	Less than 80 feet
75 feet	Between 80 and 100 feet
135 feet	More than 100 feet

Please note that these are proposed height allowances generally: properties east of State Street will still be exempt from the requirement to build at least 40 feet, and buildings on MCCD zoned properties adjacent to Center Street north of Court Avenue will still be limited to no more than 35 feet in height.

**17.170.140 – Parking.** Currently, the minimum required parking for multi-family residential development is one (1) parking space per unit, with additional maximum allowed parking spaces per unit as well. Staff proposes increases to the allowed maximums per the table below.

Number of bedrooms per unit	Current maximum allowed parking	Proposed maximum allowed parking
2 bedrooms or less	1.25	1.5
More than 2 bedrooms	1.4	2

Additionally, the Planning Commission can approve more than the maximum allowed parking spaces for any project or use if the parking is being provided in structures or within the building envelope.

**17.170.160 – Open Space & Landscaping.** Staff has proposed softening the language requiring indigenous species, etc. as this has been traditionally difficult to work with. With help from the forester and other resources, staff will develop a list of appropriate species that can be considered “native” for purposes of the ordinance. Staff anticipates that the updated design guidelines will reference and provide information on the use of native species as well.

**17.170.170 – Sign Regulations.** Most of these regulations have been moved to the new sign code in 17.48. Staff has proposed a small allowance for wayfinding

under item C. This is in response to common concerns among developers, staff, and public officials about parking locations which are likely to be found in the back of buildings.

**17.170.180 – Nonconforming Uses and Developments.** Staff proposes replacing the “Violations” section in favor of the nonconforming uses clarification such as the one used currently in the M- U Zone.

### **III. FINDINGS AND CONCLUSION**

- i. The proposed amendments are in keeping with the purpose, goals, and objectives of the Murray City General Plan.
- ii. The proposed amendments will help facilitate quality, mixed use redevelopment of properties in the city center.

### **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 17.170, Murray City Center District, MCCD Zone.



October 3, 2019

**NOTICE OF PUBLIC HEARING**

This notice is to inform you of a Planning Commission Public Hearing scheduled for Thursday, October 17, 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 an amendment to the Murray City Land Use Ordinance, Section 17.170, MCCD Zone regulations.

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 Planning Division at 801-270-2427, or e-mail to [jhall@murray.utah.gov](mailto: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.

MURRAY CITY CORPORATION  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 17<sup>th</sup> day of October, 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 17.170, MCCD Zone regulations.

Jared Hall,  
Planning Division Manager

## Order Confirmation for 0001269439

Client	MURRAY CITY RECORDER		
Client Phone	8012642660	Account #	9001341938
Address	5025 S STATE, ROOM 113	Ordered By	Susan
	MURRAY, UT 84107	Account Exec	ltapuso2
		PO Number	PH - MCCD Zone Upda
Email	snixon@murray.utah.gov		

**Total Amount** **\$48.68**

Payment Amt \$0.00

**Amount Due** **\$48.68**

Text: PH - MCCD Zone Updates

Ad Number 0001269439-01 Ad Type Legal Liner

Ad Size 1 X 26 li Color

## WYSIWYG Content

MURRAY CITY  
CORPORATION  
NOTICE OF  
PUBLIC HEARING

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Jared Hall,  
Planning Division Manager  
1269439 UPAXLP

Product

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Salt Lake Tribune Legal Liner Notice

## Position

## Public Meeting/Hearings

Scheduled Date(s): 10/06/2019

utahlegals.com      utahlegals.com

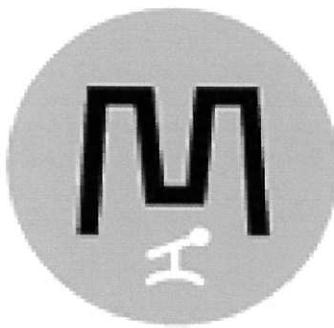
utahlegals.com

Scheduled Date(s): 10/06/2019

Deseret News Legal Line Notice

## Public Meeting/Hea

Scheduled Date(s): 10/06/2019



**MURRAY**  
CITY COUNCIL

# Discussion Item #7



# City Council

## Ordinance on Employee Holidays

### MURRAY

#### Council Action Request

#### Committee of the Whole

Meeting Date: November 12, 2019

<b>Department Director</b> Janet M. Lopez	<b>Purpose of Proposal</b>  To provide employees the benefit of having four hours of holiday time on Christmas Eve day.
<b>Phone #</b> 801-264-2622	<b>Action Requested</b>  Approval of the ordinances attached.
<b>Presenters</b> Dale Cox	<b>Attachments</b>  Two ordinances: 1.) Effective 2019 and 2.) January 1, 2020
<b>Required Time for Presentation</b> 5 Minutes	<b>Budget Impact</b>
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b>  Murray City Municipal Code 2.62.120 A  1.) Amendment for Calendar Year 2019: Additional holiday vacation at full pay, Christmas Eve, December 24, from 12:00 p.m. to 5:00 p.m. At full pay.  2.) Amendment beginning January 1, 2020: Additional holiday vacation for Christmas Eve, December 24, from 12:00 p.m. to 5:00 p.m. Four employee appreciation hours shall be used for Christmas Eve.  Section C: Four (4) employee appreciation hours must be reserved for use on Christmas Eve.
<b>Mayor's Approval</b>	
<b>Date</b> November 7, 2019	

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 2.62.120 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO EMPLOYEE HOLIDAYS.

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this Ordinance is to amend section 2.62.120 of the Murray City Municipal Code relating to employee holidays.

*Section 2. Amendment for Calendar Year 2019.* For the calendar year 2019, section 2.62.120 of the Murray City Municipal Code shall be amended to read as follows:

**2.62.120: HOLIDAYS:**

A. Each regular full time employee in City service shall be granted holiday vacations at full pay in accordance with the following schedule:

New Year's Day: January 1

Martin Luther King Day: Third Monday in January

Presidents' Day: Third Monday in February

Memorial Day: Last Monday in May

Independence Day: July 4

Pioneer Day: July 24

Labor Day: First Monday in September

Veterans Day: November 11

Thanksgiving Day: Fourth Thursday in November

Day after Thanksgiving: Friday after Thanksgiving

Christmas Eve: December 24, from 12:00 p.m. to 5:00 p.m.

Christmas Day: December 25

3 employee appreciation days

...

*Section 3. 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

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Dave Nicponski, Chair

ATTEST:

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Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2019.

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

---

D. Blair Camp, Mayor

ATTEST:

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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

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 2.62.120 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO EMPLOYEE HOLIDAYS.

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this Ordinance is to amend section 2.62.120 of the Murray City Municipal Code relating to employee holidays.

*Section 2. Amendment.* Beginning January 1, 2020, section 2.62.120 of the Murray City Municipal Code shall be amended to read as follows:

**2.62.120: HOLIDAYS:**

A. Each regular full time employee in City service shall be granted holiday vacations at full pay in accordance with the following schedule:

New Year's Day: January 1

Martin Luther King Day: Third Monday in January

Presidents' Day: Third Monday in February

Memorial Day: Last Monday in May

Independence Day: July 4

Pioneer Day: July 24

Labor Day: First Monday in September

Veterans Day: November 11

Thanksgiving Day: Fourth Thursday in November

Day after Thanksgiving: Friday after Thanksgiving

Christmas Eve: December 24, from 12:00 p.m. to 5:00 p.m. Four employee appreciation hours shall be used for Christmas Eve.

Christmas Day: December 25

Up to 3 employee appreciation days, subject to subsections C, D and E below.

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B. If any of the above listed holidays falls on a Saturday, all employees shall take the preceding Friday as the holiday, and if it falls on a Sunday, then all employees shall take the following Monday as the holiday.

C. The three (3) employee appreciation days may be taken as a day off work by each employee. Employee appreciation days may not be accumulated or used for any calendar year past December 31 of each year, and in no event will employees be allowed to receive pay in lieu of taking the three (3) employee appreciation days. Notwithstanding anything to the contrary, four (4) employee appreciation hours must be reserved for use on Christmas Eve.

D. Eligible new hires are entitled to receive up to three (3) employee appreciation days (24 hours) the first year of employment based upon the following schedule:

Hire Date	Employee Appreciation Hours Available
January 1 to March 31	24
April 1 to June 30	18
July 1 to September 30	12
October 1 to December 31	6

E. Employee appreciation hours are not available to part time employees.

F. Due to differences in shifts, employees in the Fire and Police Department will receive vacation and holidays as determined by the Fire and Police Chiefs respectively and approved by the Mayor.

*Section 3. 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

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2019.

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



**MURRAY**  
CITY COUNCIL

# Adjournment