

MURRAY
CITY COUNCIL

Council Meeting November 19, 2019



Murray City Municipal Council

Notice of Meeting

November 19, 2019

Murray City Center

5025 South State Street, Murray, Utah 84107

Meeting Agenda

3:45 p.m. **Board of Canvassers** – Separate Agenda

4:15 p.m. **Committee of the Whole** – Council Chambers
Dave Nicponski conducting.

Approval of Minutes

1. Committee of the Whole – August 6, 2019

Discussion Items

1. Community Revitalization Toolbox – Jim Brass and Ben Levenger (60 minutes)

Announcements

Adjournment

5:30 p.m. Redevelopment Agency Meeting – Separate Agenda

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

6:30 p.m. **Council Meeting** – Council Chambers
Jim Brass conducting.

Opening Ceremonies

Call to Order

Pledge of Allegiance

Approval of Minutes

None scheduled.

Special Recognition

1. Murray City Council **Employee of the Month, Josh Sturges, Facilities Maintenance Supervisor.** Kim Sorensen and Brett Hales presenting.
2. Swearing-In **Murray City Patrol Officer Anthony Griffiths.** Jennifer Kennedy and Chief Burnett presenting.

Citizen Comments

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

Consent Agenda

1. Consider confirmation of the Mayor's reappointment of **Clark Bullen** to the Arts Advisory Board for a three-year term to expire January 1, 2023.
2. Consider confirmation of the Mayor's appointment of **Mike Romero** to the Personnel Advisory Board to fulfill a vacant position for a term to expire June 30, 2020. Mayor Camp presenting.

Public Hearing

1. Consider an ordinance related to land use; amends the General Plan to include strategies related to moderate income housing under Chapter 9.3. Jared Hall presenting.
2. Consider 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. Jim McNulty presenting.
3. Consider an ordinance amending Chapter 17.170 of the Murray City Municipal Code relating to the Murray City Center District (MCCD). Jared Hall presenting.

Business Items

1. Consider an ordinance amending Section 2.62.120 of the Murray City Municipal Code relating to employee holidays. Dale Cox presenting.

Mayor's Report and Questions

Adjournment

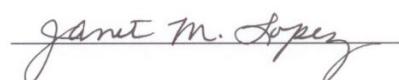
NOTICE

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 15, 2019, at 11:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov, and the state noticing website at <http://pmn.utah.gov>.



Janet M. Lopez
Council Executive Director
Murray City Municipal Council



MURRAY
CITY COUNCIL

Committee of the Whole



MURRAY
CITY COUNCIL

Committee of the Whole Minutes



MURRAY
CITY COUNCIL

MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, August 6, 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	Jim McNulty	CED Manager
Brenda Moore	Finance and Administration Dir.	Blaine Haacke	Power
G.L. Critchfield	City Attorney	Dave Kimball	Citizen
Jennifer Kennedy	City Recorder	Pattie Johnson	Council Office
Connie Carpenter	City Council	Kat Martinez	Citizen
Robert White	IT Director	Stephen Hopkins	Citizen
Danny Astill	Public Works Director	Jennifer Brass	Citizen
Kim Sorensen	Parks and Recreation	Greg Bellon	Power
Janet Lopez	City Council Director		

Chair Dave Nicponski called the Meeting of the Committee of the Whole to order at 5:16 p.m. There were no minutes to approve.

Discussion Items

Quarterly Financial Report FY 2019 – Brenda Moore.

Ms. Moore said reports were preliminary in nature and her intent was to have final numbers prepared by November. She noted a 1.5% increase in sales taxes compared to this time last year, which did not reflect the homeless shelter deduction that had since been added back in. She said the trend for sales tax to slightly increase above the prior year – puts the fund close to budget. (Attachment #1) The following was highlighted:

- **Enterprise Funds** - A statement was noted to review revenues, expenditures, and changes to fund balance. Ms. Moore highlighted the following:
 - **Water Fund**. Revenue was down only 3% from budget but trending upward. Due to a late start to watering season (a two-month delay), revenue was down \$175,000. A change in net position was negative \$28,000 because bond proceeds were not included, which had since been received.
 - **Power Fund** - The final UAMPS bill received, reflected a \$300,000 credit instead an \$800,000 charge. It was due to UAMPS reallocating plant costs that the credit resulted, which was a \$1.1 million swing in their fund balance for the year; very good news.
 - **Parkway Fund** - While the fund balance is still in the negative, and although the golf season was delayed, due to a wet spring, the fund = 98% of budget. This is still more than the previous year, which was encouraging. The golf course is doing well, and costs are down.
 - **Solid Waste Fund** – Due to an increase in recycling fees, the fund reflected a decrease to \$600,000, as projected.
- **General Fund** – Ms. Moore noted the budgeted transfer of .2% city option sales tax to be made next week. The overall fund balance would be left at 27% before considering restricted funds. She noted \$5.5 million was to be moved to Capital Projects. Also noted:
 - Revenues: \$509,000 over budget without transfers. (Includes an estimate for sales tax revenue from the previous month.)
 - Expenses: Under budget \$2 million, due to Class C road money, other projects that need to be moved and reallocated in the FY 2020 Budget. Every department was slightly under budget, for operations and payroll.
 - Transfers In: Under budget, as a result from water, power and other enterprise funds being under budget.
- **Library Fund** – Revenue = 109% of budget. Primarily due to property taxes and an increase in interest. The library did well this year, costs were also held down. If the situation remains unchanged, over \$1 million will go into reserves to help pay for a new Library.

In summary, all accounts are in good standing, and revenues continue to come in. Ms. Moore would inform the council of changes, resulting from the current audit; and would work on Capital Project rollovers, related to spring projects, and report back in a few weeks.

City Hall Bond Reimbursement Resolution – Brenda Moore.

Ms. Moore presented the resolution to ensure incurred expenses can be reimbursed by the bond proceeds; the Bond Parameters Resolution will not be ready for a few months. She explained the

importance of the resolution since expenses are currently incurring for architecture and various preliminary work to build a new City Hall. She noted the cost was not expected to exceed \$35 million.

Mr. Nicponski asked the target date for attaining the Bond Parameters Resolution. Ms. Moore expected completion in September or October, and bonds to be issued in January or February 2020.

Brownfields Grant Agreement – Mayor Camp, Jim McNulty.

Mr. McNulty confirmed staff approached the city council in November of 2018 about entering into a Brownfields Coalition Agreement with Salt Lake County and Salt Lake City. As a result, on June 5, 2019 the EPA (Environmental Protection Agency) informed the city that an award of \$600,000 would be given to the coalition group. Funds would help with environmental cleanup that included mitigation, site assessment, and phase one of environmental work (not the actual cleanup itself) but for studies on projects, such as, the following areas identified when the application was made to the EPA:

- A beauty salon on 4800 South
- A mechanic business on 4800 South and Box Elder
- Bart Warner's ore sampling; a costly project which could utilize most of the funds.

Mr. McNulty explained the next step is to consider an Interlocal Agreement with involved entities. Murray City legal counsel reviewed the agreement along with Salt Lake County and Salt Lake City's legal counsel, who all agreed to the wording in the proposed agreement. He said it was beneficial to have had all three entities agree to one Interlocal Agreement rather than three separate agreements. He noted the contract allows 50 years' time to utilize funds; however, he expected spending to occur in two to three years after another grant is pursued.

He clarified \$600,000 would be divided equally between the three entities, however, additional money was available for training; so, he and staff would attend coalition meetings with the County, (the lead sponsor). The hope is to inform staff on valuable EPA Brownfields training by the end of the year. He confirmed grant money would afford them to attend a four-day workshop and other trainings to learn more about utilizing the funds effectively.

With regard to the ore sampling mill, Mr. Brass reported CVWR (Central Valley Water Reclamation Facility) experienced a similar problem; they discovered uranium while digging a trench. He said the total cost to clean it up was \$2.11 million; transferring uranium to Enviro-Care, Inc. is \$2,600 per bag, therefore, he stressed spending \$200,000 could occur quickly. The city council would consider adopting the agreement in three weeks.

Rezone Proposal for 4670 South 900 East – Jim McNulty

Mr. McNulty reported the proposed rezone was heard by the Planning Commission on July 18. It includes a General Plan amendment, as well as, a rezoning of the 10.52-acre K-Mart property site at 4670 South 900 East. The request is for a rezone from G-C (General Commercial) to M-U (Mixed-Use) and amend the General Plan Land Use Map from Commercial to Mixed-Use. A rendering of the site was displayed. The developer is Kimball Investment, who is currently developing an assisted living facility

across the street from the high school, as well as, a hotel. At this site, Kimball is working with Ivory Commercial to possibly develop a multi-family high-density residential project, as well as, commercial structures adjacent to 900 East.

Mr. McNulty shared concerns heard from residents during the planning commission public hearing, who noted a lack of space in the area. A primary concern raised was related to access from 4680 South to 900 East. He discussed aspects of specific streets and said the matter will need to be addressed in detail going forward. Density was an issue, as was building height; by changing to M-U, a residential component is introduced to the project. He affirmed the council would only be considering a rezone at this point.

He said Murray City has no intention of purchasing the property, and if rezoned to M-U, there is a requirement that 15% of the site be maintained as open/green space. The property is currently zoned Commercial Development, and the General Plan shows it as General Commercial. Therefore, two motions would be required to amend both the General Plan, and Zoning Map to allow for M-U.

While visiting the site, Mr. McNulty observed neighbors do utilize the access lane to get in and out of the neighborhood, and to his knowledge, it is the only point of access. He confirmed the General Plan was adopted in May of 2017, when the decision was made to keep the area as General Commercial, and noted over past years, individuals came forward with concerns about big box commercial being located there. While it was not likely to be developed as pure commercial, developers can pursue M-U that allows for horizontal mixed-use development with commercial and residential components.

Mr. McNulty read findings noted as: Re-designation of the Future Land Use Map for the subject property, as requested, is in keeping with the patterns of development in the area, which currently includes a mix of residential and commercial uses. The amendment from C-D to M-U is supported by the description and the intent of the General Commercial Land Use designation, as well as, supporting criteria within the General Plan. The Future Land Use Map and Zoning Map were carefully considered for the site and surrounding area and the policies and objectives of the 2017 General Plan were found to be in harmony with the goals of the plan.

He thought the time was right to get a good project at this location and noted Millcreek residents recognized something is bound to happen on the property, because it sat idle for so long. Public input was expected and residents in the area will have concerns during the site plan and conditional use review process.

Ms. Turner asked the maximum height allowed. Mr. McNulty said there are few restrictions in the M-U Zone, however, within 100 feet of residential, if proposed, a maximum height of 50 feet is allowed with multi-family residential. Mr. Cox asked what could be done to improve access. Mr. McNulty said city staff, the Development Review Committee, and the city engineer will conduct more research on the easement issue. Inevitably, a public road of some type will be required providing access from the neighborhood to 900 East. Mr. Brass stated the property was also shown on Millcreek City's General Plan and there was doubt as to whether the intention was for it to be straight residential. Mr. McNulty confirmed Mr. Hall received a call from a Millcreek City Council Member, prior to the public hearing on July 18, who was in support of a rezone.

Mr. McNulty affirmed the exciting prospect belonged in Murray City, and the land should not go to Millcreek in any way. He reported staff's recommendation to the Murray Planning Commission, on July 18, was to forward a positive recommendation to the City Council for both the General Plan Land Use Amendment, and the Zoning Map Amendment in support of Mixed-Use rather than Commercial development. Mayor Camp noted the Murray Planning and Zoning Commission's positive recommendation to the council, as well. Mr. Brass confirmed. Mr. McNulty stated the vote was 5-0 in support of the rezone.

Red Mesa Tapaha Solar Project – Mayor Camp, Blaine Haacke

Mayor Camp said the power department continues to look at ways to diversify resources. Mr. Haacke confirmed and noted a map to discuss a large-scale solar project located in the Four Corners area. At a future meeting, staff will request adoption of a resolution allowing the city to enter into an agreement through UAMPS to buy into the solar project. Mr. Haacke liked the fact that the project is a PPA (Power Purchase Agreement) versus ownership; the goal of the project is to participate in a renewable project.

He estimated 250 people in the city have small scale solar on their roofs, which is helpful at certain times of the day; but other times, generation is minimal. In this case, by entering into the agreement, the city's involvement will show environmental stewardship, as well as, progressive movement on behalf of municipal power systems. As a result, REC (Renewable Energy Credits) will be received that at some point may become valuable. The proposed resolution will allow the city to enter into a long-term agreement with the NTUA (Navajo Tribal Utility Authority). The following details were highlighted:

Murray will have five megawatts of the 66-megawatt project. NTUA already has two similarly sized projects in operation that are revenue resources for them. Plans are to use the money to complete the Light Up Navajo Project. The intent is to enter into a 25-year contract that starts at \$23.15 Mwh (per megawatt-hour) and escalates 2% every year for the life of the contract. However, by the time generation reaches a Murray substation, it will be necessary to add transmission and administration costs, so, the actual 25-year average cost Mwh, could range from \$25 up to \$30.

He said the cost is comparable to the federal power, and Hunter resource in Price, which is approximately \$35 Mwh; he noted the Cottonwood Hydro resource is about \$15 Mwh, the San Juan resource is \$50 to \$60, and the Landfill facility is \$60 to \$70. He stressed the solar project is a very reasonable resource at \$23. The terms of the PPA were described. Degradation was expected to be .5% per year.

It was noted that they were not currently looking at battery storage. By the end of September, UAMPS was expected to present a firm contract to the NTUA who will begin construction. Completion was anticipated in May of 2022. It is a green resource and will mix nicely with the city's dispatchable resources. Other solar resources were considered, but each had problems; this was the best option they had found. He reported the five megawatts would meet three to five percent of the city's energy needs. Power demand in the City was described. Mr. Haacke would return in three weeks when to the council would consider the adoption of the resolution.

Proposed Revisions to the Murray City Council Rules – Jan Lopez

Ms. Lopez presented proposed revisions to the council rules as follows:

A. The Audit Committee shall consist of the City Council Budget and Finance Committee Chair, and Vice-Chair, and the Council Executive Director as staff support. This committee shall convene as required:

1. During the selection of the audit firm;
2. Annually to review audit procedures and conclusions, and
3. For any other such purposes, as the city council deems appropriate.

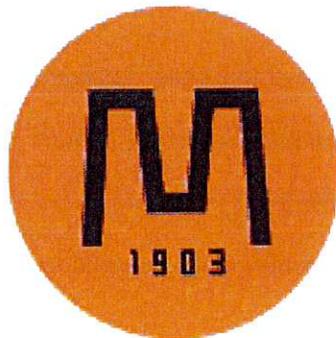
Announcements: None

Adjournment: 6:02 p.m.

Pattie Johnson
Council Office Administrator II

ATTACHMENT #1

**QUARTERLY FINANCIAL STATEMENT
FOR THE FISCAL YEAR 2018-2019
4th QUARTER
Preliminary**



MURRAY CITY CORPORATION

Prepared by
Murray City Finance & Administration
Brenda Moore - Director of Finance and Administration

Wastewater Fund

- 🟡 Revenues – Revenues are consistent with the prior year at the same time; however, they remain 3% below budget.
- 🟢 Expenditures – All expenditure categories are below budget. Debt is ahead of budget due to payment timing.

Power Fund

- 🟢 Revenues – Revenues are 1% lower than the same time last fiscal year. With no rate change, revenues have decreased with lower power use during the period. However, revenues are trending ahead of budget.
- 🟢 Expenditures – All expenditure categories ended below budget.

Storm Water Fund

- 🟢 Revenues finished the year 4% above the previous year and expenditures were budget. Revenues increased due to the rate change effective July 1.

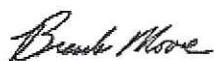
Golf Fund

- 🔴 Net Position – The Golf Fund's year end net position is (\$1,132,892) due to the interfund loans from the Power and Water Funds. Fund balance is expected to remain negative until these loans are paid in full or the next 5 years, whichever is soonest.
- 🟡 Revenues – Revenues are 1% higher than they were the last fiscal year and finished 2% below budget.
- 🟢 Expenditures – Expenditures finished below budget for the year.

Solid Waste Fund

- 🟡 Revenues finished the year 2% above budget and expenditures as of now are below budget. Revenues increased due to the rate change effective July 1. We have been informed of a coming 40% increase in the recycling tipping fees starting as early as May.

In summary, the City's revenues finished slightly above budget. Expenditures are also solidly at or below budget. At this time, there are no areas for concern.

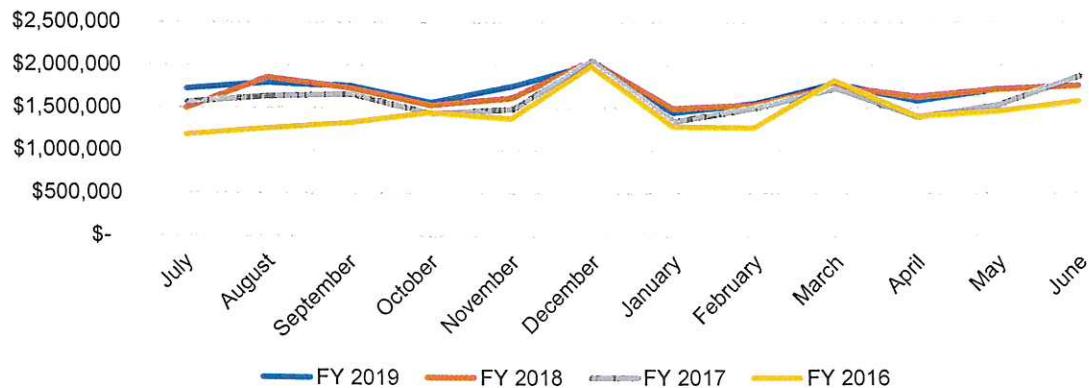


Murray City Finance & Administration Director
July 30, 2019

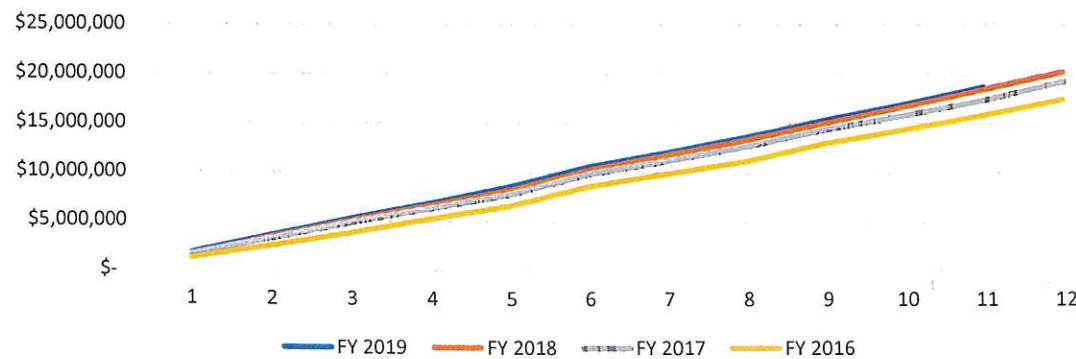
Murray City
 Sales Tax Revenue Report
 Sales through May 2019

	FY 2019	FY 2018	FY 2017	FY 2016	FY 2015	19 to 18	18 to 17	17 to 16
	Actual	Actual	Actual	Actual	Actual			
July	\$ 1,715,381	\$ 1,487,836	\$ 1,565,489	\$ 1,180,182	\$ 1,084,065	15.3%	-5.0%	32.6%
August	1,788,806	1,853,361	1,638,399	1,258,480	1,177,199	-3.5%	13.1%	30.2%
September	1,759,485	1,733,822	1,663,953	1,329,396	1,245,431	1.5%	4.2%	25.2%
October	1,565,314	1,532,812	1,434,946	1,449,241	1,074,719	2.1%	6.8%	-1.0%
November	1,753,025	1,614,066	1,488,961	1,379,989	1,076,636	8.6%	8.4%	7.9%
December	2,009,631	2,053,229	2,060,524	1,993,805	1,553,361	-2.1%	-0.4%	3.3%
January	1,444,460	1,492,598	1,346,648	1,280,590	1,047,309	-3.2%	10.8%	5.2%
February	1,547,079	1,532,714	1,498,861	1,269,571	973,039	0.9%	2.3%	18.1%
March	1,787,498	1,754,234	1,731,358	1,819,874	1,285,179	1.9%	1.3%	-4.9%
April	1,580,402	1,629,575	1,393,785	1,406,301	1,096,071	-3.0%	16.9%	-0.9%
May	1,722,550	1,716,907	1,537,145	1,462,599	1,082,262	0.3%	11.7%	5.1%
June	-	1,755,954	1,867,616	1,577,418	1,328,927		-6.0%	18.4%
	\$ 18,673,630	\$ 20,157,106	\$ 19,227,686	\$ 17,407,445	\$ 14,024,199			
Change		1.5%	4.8%	10.5%	24.1%			

Sales Tax Revenue



Fiscal Year to Date Sales Tax Collected



MURRAY CITY

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - GOVERNMENTAL FUNDS

As of June 30, 2019 (Unaudited) Preliminary as of 7/29/2019

Includes estimate for June sales tax collection

GENERAL FUND

	Annual Budget	YTD to Budget	Current YTD	Prior YTD	Chg
REVENUES					
Sales tax	\$ 16,392,000	100%	\$ 16,465,338	\$ 16,240,155	1%
Sales tax (option)	4,133,000	100%	4,145,934	4,079,961	2%
Sales tax (Transportation)	-		19,298	-	100%
Property tax	9,671,000	105%	10,179,734	6,836,547	49%
Franchise tax	4,672,000	95%	4,424,362	4,630,311	-4%
Charges for services					
Permits and licensing	1,390,500	132%	1,830,569	1,776,481	3%
Public safety	1,777,556	86%	1,534,118	1,803,510	-15%
Parks & recreation	1,591,700	114%	1,815,331	1,786,669	2%
Intergovernmental	2,832,206	83%	2,357,691	2,496,480	-6%
Fines and forfeitures	1,202,000	103%	1,238,102	1,208,321	2%
Other	604,000	127%	765,202	6,441,005	-88%
Total revenues	<u>44,265,962</u>	<u>101%</u>	<u>44,775,679</u>	<u>47,299,440</u>	<u>-5%</u>
EXPENDITURES					
Personnel					
General government	(2,630,706)	95%	(2,509,332)	(2,411,375)	4%
Police	(10,498,986)	102%	(10,688,551)	(9,016,201)	19%
Fire	(7,898,034)	98%	(7,739,201)	(6,635,556)	17%
Other public safety	(1,351,249)	88%	(1,193,373)	(1,202,911)	-1%
Public works	(2,152,414)	99%	(2,123,097)	(1,883,871)	13%
Parks and recreation	(4,612,345)	96%	(4,445,795)	(4,018,431)	11%
Development services	(1,087,996)	91%	(993,755)	(935,087)	6%
	<u>(30,231,730)</u>	<u>98%</u>	<u>(29,693,104)</u>	<u>(26,103,433)</u>	<u>14%</u>
Operations					
General government	(1,260,528)	85%	(1,068,569)	(1,078,265)	-1%
Police	(2,383,619)	88%	(2,100,690)	(2,038,285)	3%
Fire	(1,350,569)	83%	(1,117,504)	(1,125,250)	-1%
Other public safety	(359,083)	85%	(306,948)	(314,524)	-2%
Public works	(2,266,539)	89%	(2,007,439)	(1,439,603)	39%
Parks and recreation	(2,593,054)	86%	(2,223,246)	(1,944,504)	14%
Development services	(188,120)	90%	(169,230)	(239,468)	-29%
	<u>(10,401,512)</u>	<u>86%</u>	<u>(8,993,626)</u>	<u>(8,179,899)</u>	<u>10%</u>
UTOPIA	(1,783,332)	100%	(1,783,326)	(1,748,359)	2%
Debt service	(710,756)	98%	(697,946)	(369,967)	89%
Capital outlay	(581,639)	81%	(472,063)	(1,230,422)	-62%
Total expenditures	<u>(43,708,969)</u>	<u>95%</u>	<u>(41,640,065)</u>	<u>(37,632,080)</u>	<u>11%</u>
Transfers in	4,161,725	98%	4,089,992	4,242,846	-4%
Transfers out	(5,510,000)	1%	(60,000)	(12,839,000)	-100%
Change in fund balance	<u>(791,282)</u>		<u>7,165,606</u>	<u>1,071,206</u>	<u>12%</u>
Fund balance, beginning	<u>10,336,983</u>		<u>10,336,983</u>	<u>9,265,777</u>	<u>69%</u>
Fund balance, ending	<u>\$ 9,545,701</u>		<u>\$ 17,502,589</u>	<u>\$ 10,336,983</u>	

CAPITAL PROJECTS FUND

	Annual Budget	YTD to Budget	Current YTD	Prior YTD	Chg
Revenue	\$ 3,754,637		\$ 1,497,985	\$ 425,849	252%
Expenditures					
Maintenance	-		-	-	-
Capital	(2,540,419)	66%	(1,667,754)	(608,590)	174%
Transfer in	(14,810,762)	58%	(8,605,434)	7,910,236	-209%
Transfers out	(310,000)	100%	(310,000)	(275,000)	13%
Change in fund balance	<u>\$ (13,906,544)</u>		<u>\$ (9,085,202)</u>	<u>\$ 7,452,494</u>	
Fund balance, beginning	<u>20,167,892</u>		<u>20,167,892</u>	<u>12,715,399</u>	<u>59%</u>
Fund balance, ending	<u>\$ 6,261,348</u>		<u>\$ 11,082,690</u>	<u>\$ 20,167,893</u>	<u>-45%</u>

REDEVELOPMENT FUND

	Annual Budget	YTD to Budget	Current YTD	Prior YTD	Chg
Revenue	\$ 2,538,706	97%	\$ 2,469,650	\$ 1,998,689	24%
Expenditures					
Administration	(123,600)	93%	(114,617)	(120,962)	-5%
Redevelopment	(1,273,985)	46%	(585,014)	(1,399,790)	-58%
Capital	(453,292)	0%	-	(1,595,217)	-100%
Debt	(573,668)	100%	(572,418)	(575,134)	0%
Transfers out	(334,400)	100%	(334,400)	(338,302)	-1%
Change in fund balance	<u>\$ (220,239)</u>		<u>\$ 863,201</u>	<u>\$ (2,030,715)</u>	
Fund balance, beginning	<u>1,989,593</u>		<u>1,989,593</u>	<u>4,020,308</u>	<u>-51%</u>
Fund balance, ending	<u>\$ 1,769,354</u>		<u>\$ 2,852,794</u>	<u>\$ 1,989,593</u>	<u>43%</u>

LIBRARY FUND

	Annual Budget	YTD to Budget	Current YTD	Prior YTD	Chg
Revenue	\$ 2,542,000	109%	\$ 2,765,453	\$ 1,726,478	60%
Expenditures					
Personnel	(1,166,939)	93%	(1,087,987)	(1,004,992)	8%
Operations	(706,393)	89%	(631,807)	(550,228)	15%
Capital	(139,478)	23%	(31,656)	(28,049)	13%
Change in fund balance	<u>\$ 529,190</u>		<u>\$ 1,014,003</u>	<u>\$ 143,209</u>	
Fund balance, beginning	<u>722,403</u>		<u>722,403</u>	<u>579,194</u>	<u>25%</u>
Fund balance, ending	<u>\$ 1,251,593</u>		<u>\$ 1,736,406</u>	<u>\$ 722,403</u>	<u>140%</u>

CEMETERY FUND

	Annual Budget	YTD to Budget	Current YTD	Prior YTD	Chg
Revenue	\$ 19,100	238%	\$ 45,510	\$ 12,819	255%
Transfers out	(129,100)	100%	(129,100)	-	-
Change in fund balance	<u>\$ (110,000)</u>		<u>\$ (83,590)</u>	<u>\$ 12,819</u>	
Fund balance, beginning	<u>1,432,979</u>		<u>1,432,979</u>	<u>1,420,160</u>	<u>1%</u>
Fund balance, ending	<u>\$ 1,322,979</u>		<u>\$ 1,349,389</u>	<u>\$ 1,432,979</u>	<u>-6%</u>

MURRAY CITY

BALANCE SHEET - INTERNAL SERVICE FUNDS (Unaudited)

As of June 30, 2019 (Unaudited) Preliminary as of 7/29/2019

	CENTRAL GARAGE			RISK MANAGEMENT			TOTAL		
	Current YTD	Prior YTD	Chg	Current YTD	Prior YTD	Chg	Current YTD	Prior YTD	Chg
ASSETS									
Cash and investments	\$ 231,310	\$ 191,365		\$ 2,042,866	\$ 1,809,404		\$ 2,274,176	\$ 2,000,769	
Other (including inventory)	57,593	69,292		-	-		57,593	69,292	
Capital assets, net	122,596	136,290		-	-		122,596	136,290	
Total assets	411,500	396,947	4%	2,042,866	1,809,404	13%	2,454,366	2,206,351	11%
LIABILITIES									
Payables and other liabilities	(31,328)	(28,482)		(312,865)	(302,329)		(344,193)	(330,811)	
OPEB & pension liabilities	(72,679)	(72,679)		(46,269)	(46,269)		(118,948)	(118,948)	
Total liabilities	(104,007)	(101,161)	3%	(359,134)	(348,598)	3%	(463,141)	(449,759)	3%
NET POSITION									
Net investment, capital assets	122,596	136,290		-	-		122,596	136,290	
Net position, unassigned	184,897	159,496		1,683,732	1,460,806		1,868,629	1,620,302	
Total net position	\$ 307,493	\$ 295,786	4%	\$ 1,683,732	\$ 1,460,806	15%	\$ 1,991,225	\$ 1,756,592	13%

MURRAY CITY

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - PROPRIETARY FUNDS

As of June 30, 2019 (Unaudited) Preliminary as of 7/29/2019

This statement excludes Net investment in capital assets and depreciation expense.

TELECOM FUND

	Annual Budget	YTD to Budget	Current YTD	Prior YTD	Chg
Revenue	\$ 71,500	108%	\$ 77,191	\$ 85,319	-10%
Expenditures					
Ops	(71,500)	100%	(71,789)	(83,179)	-14%
Transfer in	-		-	-	
Change in net position			\$ 5,402	\$ 2,141	
Net position, beginning	\$ 114,728		114,728	112,587	
Net position, ending	\$ 114,728		\$ 120,130	\$ 114,728	

CENTRAL GARAGE

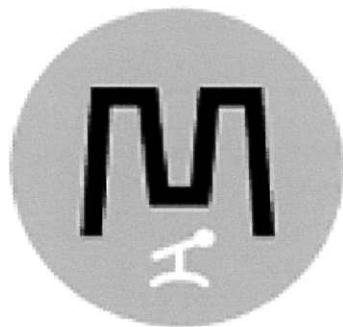
(Internal Service Fund)

	Annual Budget	YTD to Budget	Current YTD	Prior YTD	Chg
Revenue	\$ 427,066	101%	\$ 433,122	\$ 436,058	-1%
Expenditures					
Personnel	(344,084)	99%	(341,521)	(313,164)	9%
Ops	(51,369)	106%	(54,329)	(35,882)	51%
Capital	(27,106)	44%	(11,870)	(44,017)	-73%
Transfers out	-		-	-	
Change in net position	\$ 4,507		\$ 25,401	\$ 42,996	
Net position, beginning	\$ 159,495		159,495	116,500	
Net position, ending	\$ 164,002		\$ 184,896	\$ 159,496	

RISK MANAGEMENT

(Internal Service Fund)

	Annual Budget	YTD to Budget	Current YTD	Prior YTD	Chg
Revenue	\$ 1,158,981	104%	\$ 1,211,019	\$ 1,064,139	14%
Expenditures					
Personnel	(380,339)	93%	(353,785)	(288,176)	23%
Ops	(788,074)	80%	(634,307)	(587,234)	8%
Capital	-		-	-	
Transfers out	-		-	-	
Change in net position	\$ (9,432)		\$ 222,926	\$ 188,729	
Net position, beginning	1,460,806		1,460,806	1,272,077	
Net position, ending	\$ 1,451,374		\$ 1,683,732	\$ 1,460,806	



MURRAY
CITY COUNCIL

Discussion Item #1



MURRAY

City Council

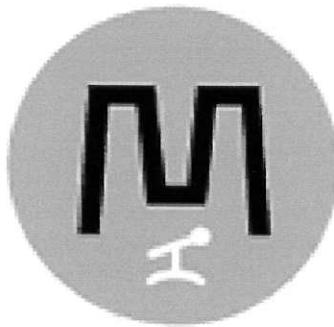
Community Revitalization Toolbox

Council Action Request

Committee of the Whole

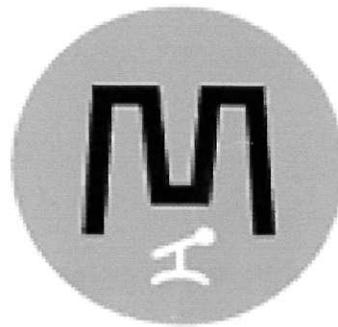
Meeting Date: November 19, 2019

Department Director Janet M. Lopez	Purpose of Proposal Workshop on Downtown Redevelopment Services.
Phone # 801-264-2622	Action Requested Informational.
Presenters Jim Brass Ben Levenger	Attachments Power Point slide presentation.
Budget Impact	Description of this Item Community development related presentation as given during the ULCT Annual Conference. Mr. Levenger will cover Vibrant Community Assessment; Pillars of the Community; Revitalization Road-map; Discovery; Downtown Evaluation.
Required Time for Presentation 60 Minutes	
Is This Time Sensitive No	
Mayor's Approval	
Date September 23, 2019	



MURRAY
CITY COUNCIL

Adjournment



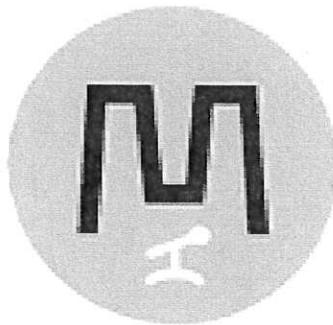
MURRAY
CITY COUNCIL

Council Meeting

6:30 p.m.

Call to Order

Pledge of Allegiance



MURRAY
CITY COUNCIL

Special Recognition #1



MURRAY

Parks and Recreation Department

**Employee of the Month, Josh Sturges,
Facilities Maintenance Supervisor**

Council Action Request

**Council Meeting
November 19, 2019**

Department Director Kim Sorensen	Purpose of Proposal <ul style="list-style-type: none">• City Council Employee of the Month Award Action Requested <ul style="list-style-type: none">• Informational only.
Presenter Kim Sorensen and Brett Hales	Attachments <ul style="list-style-type: none">• Employee of the Month Recognition Form
Required Time for Presentation	Budget Impact <ul style="list-style-type: none">• None
Is This Time Sensitive No	Description of this item Josh has 7 years of service with Murray City. He has a positive attitude, is extremely friendly and well-liked by his staff, coworkers and Murray citizens.
Approval: November 7, 2019	

EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

DATE:

Parks and Recreation

11/19/19

NAME of person to be recognized:

Submitted by:

Josh Sturges

Kim Sorensen

DIVISION AND JOB TITLE:

Building Maintenance, Facilities Maintenance Supervisor

YEARS OF SERVICE:

7

REASON FOR RECOGNITION:

Josh Sturges has worked F/T for Murray City for the past seven years. The City has been rewarded with a valuable and committed employee. Josh's hard work has helped him grow from a Park's Maintenance Worker, to Irrigation Specialist and into his current position as Facilities Maintenance Supervisor. He has a positive attitude, is extremely friendly and well-liked by his staff, coworkers, and Murray Citizens.

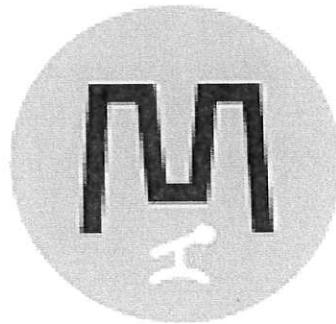
Josh has recently overseen several Park Center Capital improvement projects that have transformed the KidZone, Lounge, and Pools into appealing, clean, and more functional spaces for the Center.

It is a pleasure to work with him and we are so happy that he is being recognized for the diligent work he has provided to our City.

COUNCIL USE:

MONTH/YEAR HONORED

Nov. 19, 2019



MURRAY
CITY COUNCIL

Special Recognition #2



MURRAY

Police Department

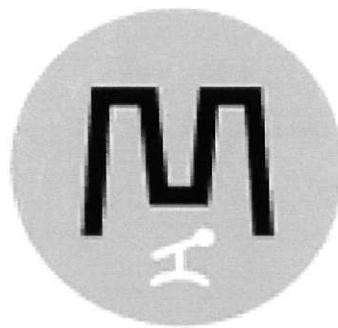
Swearing In Officer Anthony Griffiths

Council Action Request

Council Meeting

Meeting Date: November 19, 2019

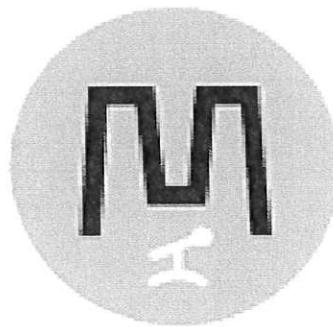
Department Director Craig Burnett	Purpose of Proposal Swearing In of newest Patrol Officer Griffiths
Phone # 801-264-2613	Action Requested City Recorder Jennifer Kennedy to issue Oath of office to New Police Office.
Presenters Jennifer Kennedy Craig Burnett	Attachments None
Required Time for Presentation 10-15 Minutes	Budget Impact None
Is This Time Sensitive Yes	Description of this Item New Hire Swearing in - The officers will be taking their Oath of Office under the Murray City Recorder's Office. Badge Pinning by Officer's family and/or badge presentation by Chief Burnett.
Mayor's Approval 	
Date November 4, 2019	



MURRAY
CITY COUNCIL

Citizen Comments

Limited to three minutes, unless otherwise approved by Council



MURRAY
CITY COUNCIL

Consent Agenda



MURRAY

Mayor's Office

Re-appointment of Clark Bullen to the Arts Advisory Board

Council Action Request

Council Meeting

Meeting Date: November 19, 2019

Department Director Kim Sorenson	Purpose of Proposal Re-appointment of board member
Phone # 801-264-2619	Action Requested Consider confirmation of the Mayor's re-appointment of Clark Bullen to the Arts Advisory Board.
Presenters Mayor Camp	Attachments biography
Required Time for Presentation	Budget Impact None
Is This Time Sensitive Yes	Description of this Item Clark Bullen will be re-appointed to the Arts Advisory Board for a 3-year term, January 2020 - January 2023.
Mayor's Approval 	
Date November 6, 2019	

Clark Bullen

5051 S Treetop Circle

Murray, UT 84107

clarkbullen@gmail.com

801.718.2017

Clark has participated in the arts from an early age. His mother was an art teacher who taught him about various art form and their famous practitioners. Clark took particular interest in the performing arts. He participated in school and community theater. He competed in storytelling competitions, placing 2nd in state competition.

Upon returning from his LDS mission, Clark resumed his interest in performing. He took classes from the University of Utah in dance and theater performance and was the president of the "Encore" show choir at the LDS Institute.

He performed in *Seussical, the Musical* at the Egyptian theatre, where he met his now wife of ten years. His wife continued to perform at theaters such as the Egyptian and Hale Center Theatre while he supported her by watching their children.

He and his wife produced a musical she wrote (called *Shelter*) that was performed at the Murray theater and also had a limited run off-Broadway as part of the New York Musical Theatre Festival.

He has recently started performing again as Charlie in the Murray Arts Council production of *You're a Good Man Charlie Brown* and Richard Henry Lee in the Murray City Cultural Arts production of *1776*.



MURRAY

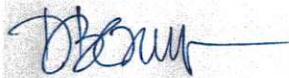
Council Action Request

Mayor's Office

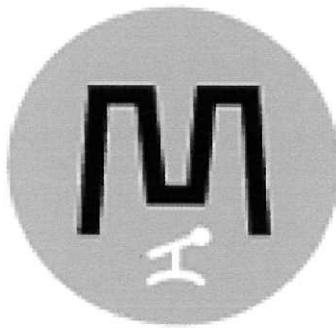
Appointment of Mike Romero to the Personnel Advisory Board

Council Meeting

Meeting Date: November 19, 2019

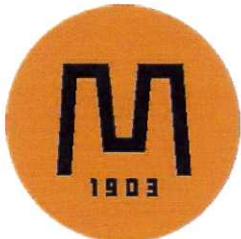
Department Director Robyn Colton	Purpose of Proposal Appointment of new board member
Phone # 801-264-2657	Action Requested Consider confirmation of the Mayor's appointment of Mike Romero to the Personnel Advisory Board.
Presenters Mayor Camp	Attachments biography
Required Time for Presentation	Budget Impact None
Is This Time Sensitive Yes	Description of this Item Mike Romero will be appointed to the Personnel Advisory Board for a partial term, November 19, 2019 - June 30, 2020. Mike is finishing the term for Richard Hutchison.
Mayor's Approval 	
Date November 6, 2019	

Michael Romero was born and raised in Murray City. He has a BA and MPA from the University of Utah. His career background is in the Property and Casualty field where he has 30 years experience handling coverage, liability, property and personal injury claims in both personal and commercial lines insurance. He and his wife are former owners of Creative Graphics, a silk screening, embroidery, and promotional item business from 1989-2009. From 2007 to 2017 he served an appointment on the Utah Transit Authority Board of Trustees representing Salt Lake and Tooele Counties. Currently, he has his own consulting firm which provides independent claim handling services. Mr. Romero is married to the former Kathy Poulsen and they have four adult children.



MURRAY
CITY COUNCIL

Public Hearing #1



MURRAY

Council Action Request

Community & Economic Development

General Plan Amendment, Moderate Income Housing update

Council Meeting

Meeting Date: November 19, 2019

Department Director Melinda Greenwood	Purpose of Proposal Proposed Amendment to Chapter 9 of the General Plan, Moderate Income Housing to comply with Senate Bill 34.
Phone # 801-270-2428	Action Requested Consider the proposed Land Use Ordinance Amendment scheduled for November 19, 2019.
Presenters Jared Hall	Attachments Planning Commission Staff Report, Power Point Presentation, ULCT March 22, 2019 Summary of SB 34
Required Time for Presentation 10 Minutes	Budget Impact No Budget impact.
Is This Time Sensitive Yes	Description of this Item 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.
Mayor's Approval 	
Date November 6, 2019	

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19th 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 _____ day of November, 2019.

MURRAY CITY CORPORATION

City Recorder

DATE OF PUBLICATION: November 8, 2019

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

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 was published according to law on the _____
day of _____, 2019.

Jennifer Kennedy, City Recorder.

GENERAL PLAN AMENDMENT – Chapter 9, Moderate Income Housing Update.

Mr. Hall presented the proposed amendments to the 2017 Murray City General Plan that outline the changes necessary to be compliant with the requirements of Senate Bill 34 regarding moderate income housing. Mr. Hall explained that every city is required to have a moderate income housing plan (MIH). Senate Bill 34 modified the existing requirements for cities regarding MIH plans. For example, one requirement is that the MIH plan needs to be adopted as part of the General Plan. Murray already does this and is compliant. Another requirement involves the transportation element of the General Plan. Staff reviewed our plan and again, we already meet those requirements. The list of changes to SB 34 includes 24 goals and strategies and they require cities to be compliant with at least 4 of them. The Murray City General Plan is currently compliant with 18 of the requirements. However, 2 of the goals and strategies required because Murray includes transit stations were missing out of a specific part of our General Plan. City staff recommends that the Planning Commission forward a recommendation of approval to the City Council to add two additional strategies and goals to Chapter 9.3: Objective 1. The first strategy should say “Maintain reduced residential parking requirements in the MCCD, Mixed Use, and Transit Oriented Development zones” and the second strategy should say, “Implement transit oriented development and/or mixed use zoning for properties in and around transit stations”. We already do these things in practice, but we need to state it explicitly in this specific part of our General Plan and we won’t lose any of our transportation funding in the coming year.

Ms. Wilson commented that she was glad to see the part of the code that encourages town homes, row-homes and duplexes, that appeal to younger and older individuals because this is something our City can really expand on and it is a valuable part of the market. Mr. Hall agreed and added that Murray City has embraced many of those things, but the State is trying to make sure that other non-compliant cities do that as well. Moderate income housing is a huge problem all over the Wasatch front, but Murray is in a better position than a lot of other cities. Mr. Markham asked how they calculate moderate income. Mr. Hall replied that it goes in ranges from 85% down to 35% of the median.

The meeting was opened for public comment on this item.

DeLynn Barney, 4902 South Box Elder Street, stated that he has concerns about limiting the amount of parking spots because cars are already parked on both sides of the street near the Trax Station. Additionally, Mr. Barney wondered what will happen in the future when City Hall is built and if reduced parking will force people to park in front of his house. Mr. Barney suggested that signage be placed in front of the residences near the future City Hall and Hospital that would prohibit public parking.

Kim Anderson, 1144 Chevy Chase Drive, stated he believes there are major problems in many areas of Murray City. Salt Lake City is having issues with limited parking where they build high rise buildings and hoped that as a society people will be able to leave cars at home and use public transportation instead.

The public comment portion for this agenda item was closed.

Mr. Hall addressed the public comments and stated that he is unable to say for sure if SB 34 will decrease parking availability to residents. This is an amendment to our General Plan supporting something that we are already doing in our Mixed-Uses and Transit Oriented

Development Zone, and the MCCD. In some districts in Salt Lake City they are not requiring parking at all for development. We are not proposing anything like that, we are simply trying to comply with the State's mandate that in order for us to receive more transportation funds we must state that we will preserve these goals. The goals already reflect our current practices.

Mr. Woodbury stated that we are doing this for the right reasons, and he shares the parking concern with Mr. Anderson. So much of this battle is cultural, and until people start to take public transportation we will continue to have a lot of cars. Utah is not to the point where people can get all their shopping needs close to Trax yet, so they still need to use a vehicle. I really appreciate the work and vision of City Staff to get us to this point, because it would be great to have a walkable downtown with all the business and shop fronts full of different things and I am supportive of this.

Mr. Markham stated that he wanted to point out the parking problems in the Fireclay area are due to a developer who misused the standards. One of the initial buildings was not in compliance and no one who is here today was involved with enforcing that. Staff and City official have done an excellent job with future development, because there are not nearly the problems there were.

Mr. Hacker added that even though we are adding these statements into the General Plan, the City does not have to take any action to meet all the requirements for the SB 34. As Mr. Hall stated, the General Plan does not change the actual parking requirements, they are still the same. This is another good faith effort, and Murray is seen across the County and State as a model City.

Mr. Markham made a motion to send a recommendation of approval to the City Council for the proposed amendments to the 2017 Murray City General Plan.

Seconded by Ms. Milkavich.

Call vote recorded by Mr. Hall.

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

Motion passed 5-0

OTHER BUSINESS

Mr. Hall stated that CED will host the annual Planning Commission Training on October 24, 2019. Staff will present some training topics but much of the forum will be left open to ask questions and have a discussion.

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

A voice vote was made, motion passed 5-0.

The meeting was adjourned at 7:58 p.m.



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.**



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.

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 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

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

Total Amount	\$48.68
Payment Amt	\$0.00
Amount Due	\$48.68

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

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 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

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

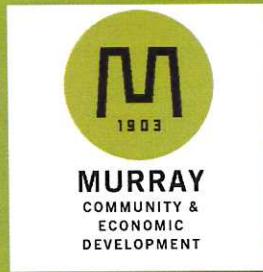
JORDAN VALLEY WATER
ATTN: LORI FOX
8215 S 1300 W
WEST JORDAN UT 84088

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

COMMITTEE OF THE WHOLE

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.



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.

Revisions 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).

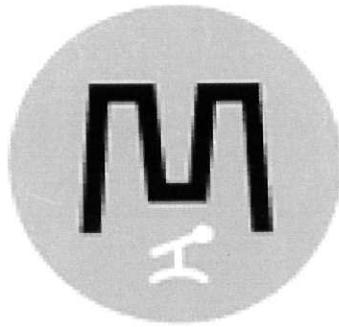
- **Menu:** Shall include a recommendation to implement 3 or more of the following strategies, aka the 'menu' (518; 1205):
 - (A) rezone for densities necessary to assure the production of MIH
 - (B) facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of 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).



MURRAY
CITY COUNCIL

Public Hearing #2



MURRAY

Council Action Request

Community & Economic Development

Chapter 17.48, Off-Premise Sign Regulations Amendment

Council Meeting

Meeting Date: November 19, 2019

Department Director Melinda Greenwood	Purpose of Proposal Proposed Ordinance Amendment regarding Off-Premise Sign Regulations.
Phone # 801-270-2428	Action Requested Discussion item to consider the proposed Sign Code Amendment scheduled for a public hearing on November 19, 2019.
Presenters Jim McNulty	Attachments Draft Ordinance and Power Point Presentation.
Required Time for Presentation 15 Minutes	Budget Impact No Budget impact.
Is This Time Sensitive Yes	Description of this Item 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">1. Section 17.48.040: Definitions;2. Section 17.48.260; Off-Premise Signs;3. Section 17.48.270: Height Adjustments & Relocation for Existing Outdoor Advertising Signs;4. Section 17.48.280: Electronic Message Center Signs. 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:
Mayor's Approval 	
Date November 6, 2019	

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.

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19th 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 4th day of November, 2019.

MURRAY CITY CORPORATION



Jennifer 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.

FreewayInterstate: 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).

FreewayInterstate 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.

HighwayNon-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.A. Off Premises Advertising Signs Prohibited: All off premises advertising signs are prohibited within the jurisdiction of the City.

C.B. Nonconforming Off Premises Advertising Signs: A legal nonconforming off premises advertising sign may be continued only to the extent allowed by Sections 10-9a-512~~4~~ 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.

DC. Maintenance Of Legal Nonconforming Off Premises Signs: Subject to this section of this chapter and Utah Code Annotated Sections 10-9a-513(2)(b)(4) 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 premise the sign safe and in a state suitable for use, including if the sign is destroyed by casualty, vandalism or an act of God.

ED. 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.

FE. 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.

GF. 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 Andand 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 advertisingoff-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, andAnnotated 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 billboardoff-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 (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

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

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 Policies 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.

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 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 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

Total Amount \$52.04

Payment Amt \$0.00

Amount Due \$52.04

Text: Sct 17.48 - Off-Premise Sign Regs.

Ad Number 0001267970-01 **Ad Type** Legal Liner

Ad Size 1 X 28 li **Color**

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 Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on an ad pertaining to a Land Use Ordinance Text Amendment to Section 17.48, Off-Premise Sign Regulations.

Jared Hall, Manager
Community Development
Planning Division
1267970 UPAXLP

Product Salt Lake Tribune **Placement** Legal Liner Notice **Position** Public Meeting/Hear

Scheduled Date(s): 09/22/2019

utahlegals.com utahlegals.com utahlegals.com

Scheduled Date(s): 09/22/2019

Deseret News Legal Liner Notice Public Meeting/Hear

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 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

CHRISTIANSEN OUTDOOR
ADVERTISING

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

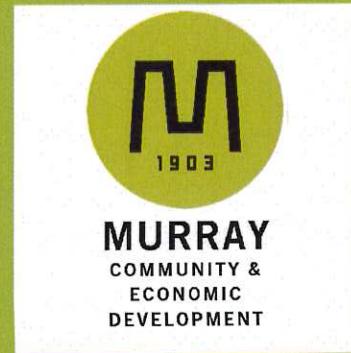
COTTONWOOD HEIGHTS CITY
ATTN: PLANNING & ZONING
2277 E Bengal Blvd
Cottonwood Heights, UT 84121

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

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.



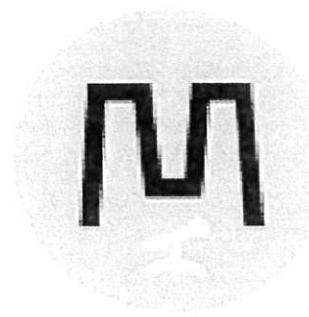
Staff & Planning Commission Recommendations

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 COUNCIL

Public Hearing #3



MURRAY

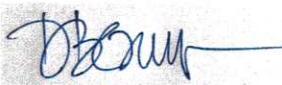
Council Action Request

Community & Economic Development

Amendments to the Murray City Center District

Council Meeting

Meeting Date: November 19, 2019

Department Director Melinda Greenwood	Purpose of Proposal Proposed amendments to the Murray City Center District, MCDD Zone.
Phone # 801-270-2428	Action Requested Consider the proposed Land Use Ordinance Amendment scheduled for public hearing on November 19, 2019.
Presenters Jared Hall	Attachments Staff Report, Draft Amendments and Power Point Presentation.
Budget Impact	No Budget impact.
Required Time for Presentation 15 Minutes	Description of this Item The Community & Economic Development Department proposes amendments to the Murray City center District (MCDD) 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.
Is This Time Sensitive Yes	
Mayor's Approval 	
Date November 6, 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.

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19th 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 _____ day of October, 2019.

MURRAY CITY CORPORATION

City Recorder

DATE OF PUBLICATION: November 8, 2019

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 pedestrian oriented design, promoting 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;

~~Evolv 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)~~

17.170.030~~020~~: 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 GuidelinesProperty 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)~~

17.170.040~~030~~: 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~~ promote to the purposes and standards of ~~the~~ 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 Appropriateness~~ Design 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 Appropriateness~~ Design 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 ~~d~~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) ~~(2)~~ 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) ~~(3)~~ Site landscape including pavement, steps, lighting, trees, and ground cover;
 - (5) ~~(4)~~ Parking;
 - (6) ~~(5)~~ Lighting and other appurtenant fixtures;
 - (6) ~~(5)~~ Signs and awnings;
 - (7) ~~(6)~~ 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 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 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~~ of 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 (must be located more than one-quarter mile from a transit station; 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:

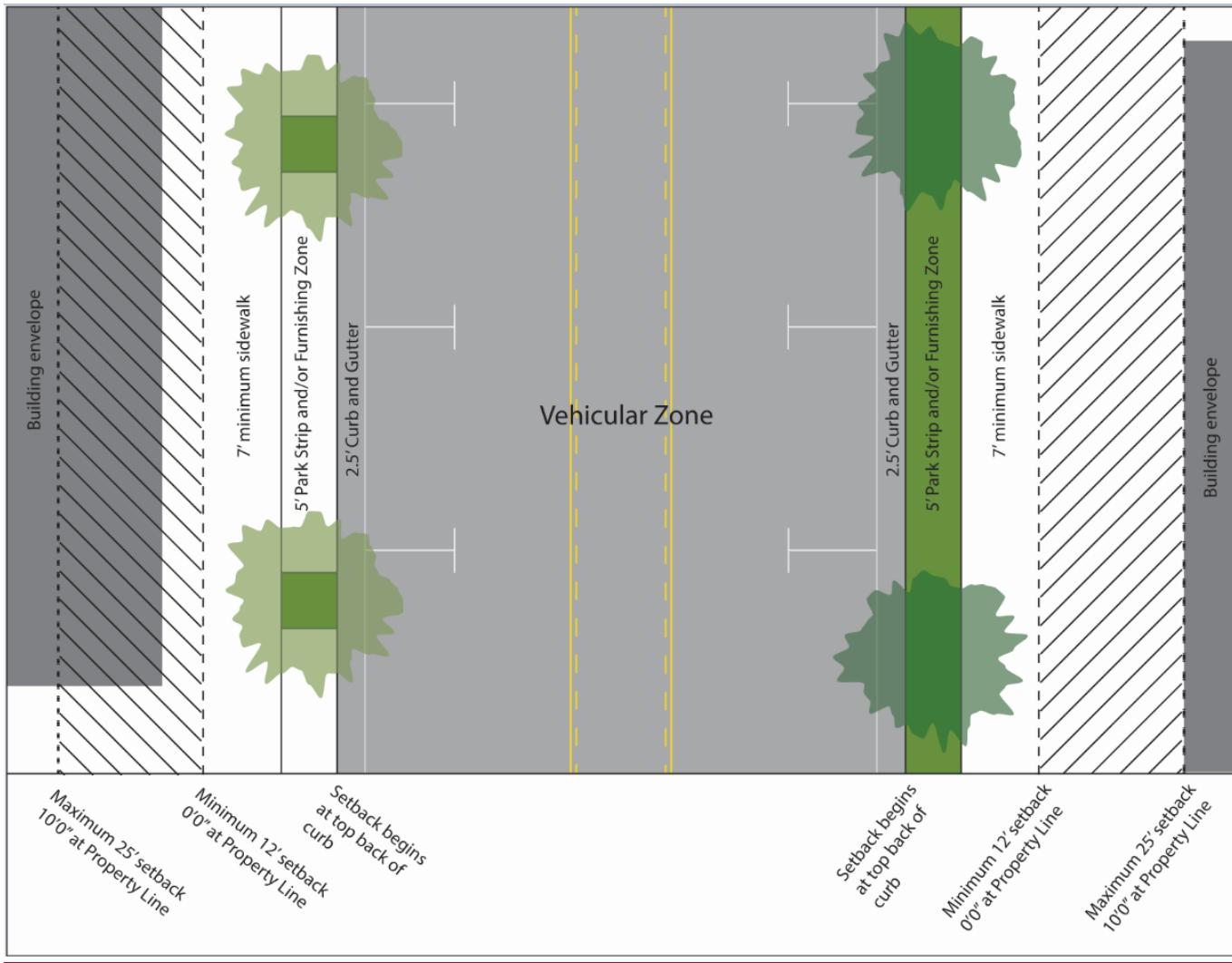
- A. All street facing building facades are to be designed so that fifty percent (50%) of the total linear feet of frontage is contiguous to the sidewalk (setback: 0 feet from front property line) Proposed development must be designed such that building facades occupy a minimum of fifty percent (50%) 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 pedestrian way. Functional entries must appear at least once every seventy-five feet (75') on average.
- C. The functional entry of each new building 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.~~

~~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 ~~m~~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.~~ 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

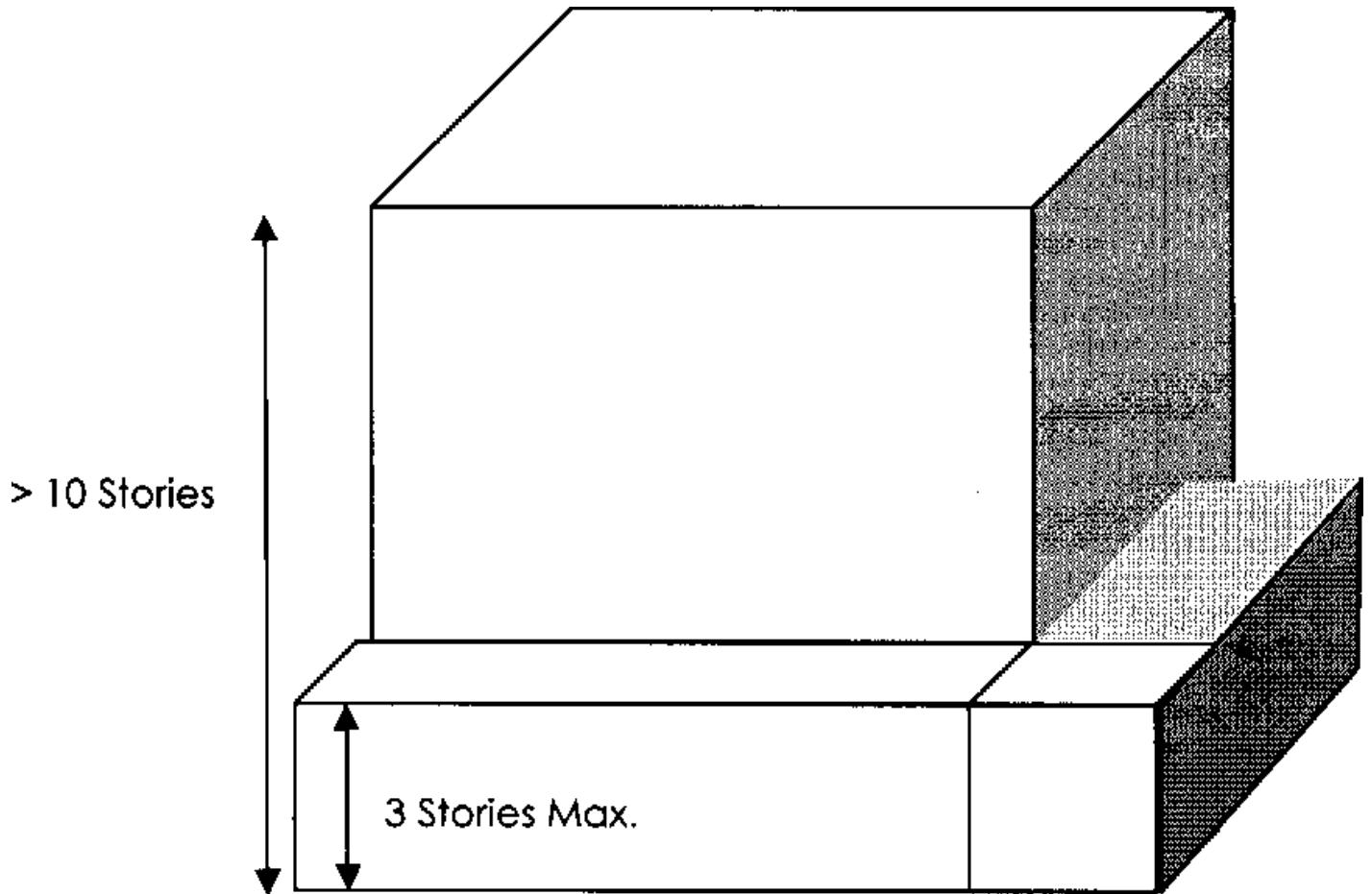
R.Q. The maximum residential density for a project shall not exceed eighty one-hundred (80100) units per acre. (Ord. 18-24: Ord. 17-37: Ord. 11-09)

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)

| **17.170.130130: 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)

17.170.140140**: 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~~ 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~~ 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 PARKING¹

	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 5 spaces/unit (2 bedrooms or less) 4.4 2 spaces/unit (more than 2 bedrooms)
Disabled/accessible	See section 17.72.070 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:

- a. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
- b. The location and number of parking spaces that are being shared;
- c. 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
- d. 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 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:

- a. The minimum number of bicycle parking spaces for any use shall be five percent (5%) of the vehicular parking spaces required for such use, up to a maximum of twelve (12) spaces;
- b. At least two feet by six feet (2' x 6') per bicycle;
- c. 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;
- d. Located to prevent damage to bicycles by vehicles, etc.;
- e. In a convenient, visible, lighted area;
- f. Located so as not to interfere with pedestrian movements;
- g. Located to provide safe access to and from the street;
- h. Designed to allow each bicycle to be supported by its frame;
- i. Designed to allow the frame and wheels of each bicycle to be secured against theft;
- j. Anchored to resist rust or corrosion, or removal by vandalism;
- k. 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)

17.170.180~~170~~: SIGN REGULATIONS:

A. Signage in the MCCD 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 review.

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

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

The Community and Economic Development Director and Councilwoman Diane Turner suggested including the additional amendments to the sustainability standards, as follows:

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 standards-principles and goals are further 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.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;

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

Jared Hall presented the proposed amendments for Accessory Structure Heights in Residential Zoning Districts. Mr. Hall explained that the proposed draft addresses 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 residents to build a shed or garage on their property. The issue presented itself many times over this last summer and we had to deny many residents the opportunity of having even 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 that would never be more than four or five feet taller than the home and we would not end up with a jarring height difference between the two structures. It is a good compromise and will benefit many residents.

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 if people can add garages and make them look like they belong 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 spoke about the process that Staff undertook in the creation of the draft amendments presented tonight. Ms. Greenwood stated that Staff first started working on this project in March of 2019 by meeting with the City Council. We provided a survey to them, reviewed the results, and then presented the information back to them in a workshop. The findings of that process showed that the MCCD ordinance which was adopted in 2005 contains several elements which are deterrent to development, and we have worked towards removing those deterrents. Staff gathered a lot of input from developers, property owners,

public comments, the Mayor's office, and the Attorney's office as we have gone through the process of revising this ordinance. We wanted to come forward with a gentler approach that would deregulate and fully restore private property rights to property owners as well as remove development barriers, encourage development, remove uncommon provisions, simplify and streamline the process and move toward changing the MCCD into a true Mixed-Use Zone. We wanted to be mindful of those who own property in the MCCD, those who have had restrictions placed on their properties over the years and some of the detrimental outcomes of those restrictions.

Jared Hall presented the proposed draft to Chapter 17.170 of the Land Use Ordinance, the Murray City Center District, (MCCD Zone). Mr. Hall stated that the MCCD covers approximately 100 acres in the center of town. All the proposed changes are specific only to the MCCD and will not have any impact on any other zones. Mr. Hall explained that the first change is to the Purpose Statement, which has been significantly shortened but the dominant elements that are encouraged by the General Plan have been kept. The next change is to Process. Currently, major alterations and new construction require internal review before being forwarded to Planning Commission for final decisions. The draft amendments also include removing the Design Review Committee from the process. We are recommending that this process no longer be referred to as Certificates of Appropriateness, but as Design Review Approval. Minor alterations of buildings or properties will be reviewed and approved by staff. Examples of minor alterations include adding an awning, sign, changing a doorway, etc. The MCCD Zone not only has regulations contained in the code, but includes a set of design guidelines related to it. Staff has proposed language clarifying the intent of the Design Guidelines as providing guidance, direction and options which will further the stated purposes of the MCCD. The current MCCD guidelines will remain in place, but Staff will work to adjust them and make them more relevant to the current trends in Architecture and Design, and easier to understand and utilize. Mr. Hall explained the changes to the Historic Preservation code and stated that currently the language is written to deter the removal or redevelopment of structures that have been identified as historically significant. Staff proposes encouraging historic preservation supported through incentives instead. The City does not have large monetary incentives to provide right now, but we feel like we can offer to waive building permit fees and other fees that could range from a few hundred dollars to many tens of thousands of dollars. Staff also proposes to remove the list of historically significant buildings from the ordinance. The list would remain in-tact, but would no longer be codified. This will enable properties owners to petition the Community Development Department or Mayor's Office to remove themselves from the list if they are not able to redevelop under code requirements. Mr. Hall clarified that Historic preservation is an important element of Murray's development and over the years the City has directed a lot of effort and resources into historic preservation. For example; the City owns the Murray Mansion and is preparing to spend a significant amount of money for renovations. The Murray Theater is also being renovated by the Parks and Recreation Department. In the past there were grants for building and façade restoration given to the Desert Star property, as well as Day Murray Music and several other small projects. Mr. Hall explained the proposed changes to the Area & Yard Regulations and stated that the setbacks for buildings in the MCCD are measured from the back of the curb in order to pull buildings out toward the street and create the vibrant street frontage activity we want to see. The new language and added graphic explain the setbacks more clearly. Ground floor requirements for commercial development have been a huge impediment in the MCCD for development and redevelopment because of the way the requirement is written. Staff has proposed to modify the requirement to include commercial development along street frontages with a minimum depth of 40 feet. This will allow more effective development of deeper properties, and more efficient parking schemes. A Master Site Plan requirement has been

added for Horizontal Mixed Use and any project over five acres. For properties that demonstrate a security concern, the amendments include an exception for the requirements to have ground floor windows, and entrances every 75 ft., etc. Mr. Hall explained the proposed changes to height requirements and stated that currently, properties east of State Street are not subject to the minimum 40 ft. height, but properties on the west side of State Street in the MCCD must be built with a minimum of height of 40 ft. Also, any building in the MCCD Zone within 150 feet of a Residential Zone boundary can't exceed 50 feet in height. We have proposed to reduce the requirement to 100 ft. to allow greater height, but the overall maximum of 135 feet would still apply. The 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. Mr. Hall explained that the proposed change to Parking in Multi-Family zones would slightly increase the maximum number of allowed stalls per unit from 1.25 to 1.5 parking spaces per unit. The minimum parking per unit would remain 1 to 1. Ms. Milkavich asked if the proposed changes to the parking standards will conflict with the state's requirements in Item 9. Mr. Hall answered no, they will not conflict because we are still below parking maximums according to the State's requirements. In addition, Staff is not proposing any parking changes to non-residential requirements. Mr. Hall explained that the intent of the proposed amendments to landscaping requirements is to soften the language requiring indigenous species as this has been difficult to work with in the past. City Staff will develop a list of appropriate species considered "native" for purposes of the ordinance. Mr. Hall concluded by stating that the proposed amendments are in keeping with the purpose, goals, and objectives of the Murray City General Plan and the proposed amendments will help facilitate quality, mixed use redevelopment of properties in the City Center. 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.

Ms. Milkavich stated she has concerns about disbanding the Design Review Committee and asked if the reason is because the City used to build using LEED standards and is now using High Performance Building Standards to develop public buildings. Mr. Hall stated that the City still wants to use many of the standards required by the LEED program, but we do not want to be subject to the high costs of LEED recertification. Private buildings are not required to use the High Performance Building Standards, but they are encouraged. Currently our design guidelines are not as simple and clear as the new standards, and it was difficult to implement them in development and it created the need for an extra review step by the Design Review Committee (DRC). Now that we have simplified the process, we won't need the extra review step. Mr. Markham expressed his concern with eliminating the DRC and stated that he wished the process was streamlined but still included the valuable input from the DRC. Mr. Woodbury stated he shares the concerns about disbanding the DRC and that we may be sacrificing some of our review process, but he does agree with giving property rights back. Ms. Milkavich wondered if this agenda item will be determined by one motion or if we will break down the topics into several motions. Mr. Hall explained that it is one motion, but the Planning Commission can recommend approval or denial with certain changes. Mr. Hacker stated that they can make any changes to the language they agree on before it goes to the City Council.

Ms. Milkavich asked Mr. Hall if he could review the proposed changes to Height, 17.170.120. Mr. Hall stated, to be clear, west of State Street has a minimum height requirement of at least 4 stories or 40 feet. East of State Street, but north of Court Avenue, and along Center Street you are restricted to build no higher than 35 feet. Also, east of State Street you are exempt from the minimum height requirement, but you are not limited in height by anything other than the same 150 foot distance from a residential zoning boundary that applies west of State Street as well. Ms. Greenwood added that you would be limited to build 35 feet or less east

side of State Street and that Staff was very thoughtful when taking into consideration feedback from the public and elected officials when deciding these height requirements. The result was that there will not be any building constructed in the MCCD that would exceed 135 feet.

The meeting was opened for public comment on this item.

Rebecca Santa Cruz, 5197 South Wesley Road, Chairman of the History Advisory Board (HAB), stated that the MCCD code was a result of 13 public meetings, open houses, and input. The MCCD code is far less restrictive than the Historic Overlay District Code which was implemented in 2005. Ms. Santa Cruz was in favor of the proposed incentive program that would be provided to those who want to restore or renovate historic buildings because it makes it a viable option. Ms. Santa Cruz is concerned how the City would use the historic list of buildings as well as how they would continue the HAB's mission to record historical submissions, protect historic buildings by limiting demolition and wishes the HAB will be allowed to remain involved in the preservation process. Ms. Santa Cruz also wished that if a historic property is going to be demolished that there should be more sense of mitigation than a plaque.

Mike Lamson, 2004 South 1600 East, SLC, stated his family owns the former Murray Library and the former Murray 1st Ward Church buildings and also operated Mount Vernon Academy for 42 years until it relocated to a different Murray location. Mr. Lamson stated that his family is very much in favor of the proposed ordinance change because they have suffered great financial hardship because of the current ordinance that is in place. In the past we have been blocked from being able to sell our property to developers due to the many appeals and lawsuit of a Murray resident. We have been unsuccessful in selling the property since then because of the interference of a neighbor, which has cost us several hundreds of thousands of dollars. We have shown the property to hundreds of interested parties but the cost to restore, get the buildings up to code and the strict guidelines of the Design Review phase contribute to the reason we are unable to sell the property. As property owners we struggle daily to keep these vacant buildings from deteriorating. The roofs on both buildings have major leaking issues and will eventually give way to mother nature. We have had multiple break-ins that have caused substantial damage and vandalism. We must care for the grounds and keep them somewhat attractive to the community which takes time and money. We still have mortgages on the buildings, make monthly utility and property tax payments. Eventually the banks will take ownership and they may board up the windows and install chain link fences around the perimeter which will not benefit Murray City. Mr. Lamson concluded by stating he believes that private property rights are an important part of being an American and feels that they have had their rights violated.

Andy Hulka, 1396 East Greenfield, stated he is a concerned resident and a volunteer on the Murray City DRC and commended City Staff on all the hard work they have put into these changes. Mr. Hulka stated he is concerned that the change would eliminate a checks and balance system as well as eliminate an important way to preserve the special character that exists in our City Center. The language has been changed to soften the requirements, but it also makes it more difficult to maintain the vision that the City put forth with the creation of the DRC, General Plan and the ordinances. Mr. Hulka expressed additional concerns with the changes to the sustainability standards, tree preservation, and the need for bike infrastructure and that he believes it would be a mistake to get rid of the DRC.

Sam Eads, 379 East Vine Street, stated he has concerns about Subsection 60, which mentions the removal of the historical list because it keeps it out of the public eye and makes

it voluntary to remove a property from the list. Mr. Eads also has a concern about Subsection 40, that eliminates the Design Review process which would allow a property owner in the MCCD area to demolish a building and skirt the entire process that would otherwise preserve the historic nature of the building.

Kathleen Stanford, 487 East Vine Street, stated she would like to submit a letter to the record from Mary Ann Kirk, the former Murray City Cultural Programs Director. The letter was not officially accepted into the record due to the policy on submitting additional materials, she was advised to read it into the record. Ms. Stanford did not wish to read the letter into the record. Ms. Stanford recited a quote from Allen Roberts, American Institute of Architecture. Ms. Stanford apologized for the suffering she caused Mike Lamson and stated that she still believes that property owners should have some rights, but developers should not have any rights that matter more than concerned citizens that value their history and architecture. Ms. Stanford stated she has set up a non-profit foundation to raise enough money to renovate Mr. Lamson's building for whom ever wished to buy it. Ms. Stanford added that Murray City is a certified CLG that is required to pass an approved Historic Preservation Ordinance and appoint a Historic Preservation Commission. The Historic Preservation must be approved in order to maintain CLG status.

DeLynn Barney, 4902 South Box Elder Street, stated his property is located in the MCCD and his home was broken into last night and some personal items went missing. Mr. Barney stated that he feels a city with a lack of historic buildings would be as terrible or worse as having his home getting burglarized. Mr. Barney stated that he believes the design review committee should be kept and involve somebody else other than Murray City employees. Also, the Historic Buildings list would lose its value if a property owner could choose to remove their property from it. Mr. Barney concluded by stating there should be a balance between historic preservation and economic development.

Rachel Morot, 741 East Arrowhead Lane, stated she is the Vice President of the board of the Historic Murray Foundation, and she read aloud Mary Ann Kirk's letter into the record. Ms. Kirk's letter indicated she values historic preservation and historic buildings. Ms. Kirk also wished the city would come up with a plan to preserve historic buildings and be proactive in promoting critical buildings by offering incentives. It was also suggested that a revised list of historic buildings should be considered by the City and property mitigation should be in place to honor historic buildings that cannot be saved.

Janice Strobell, 4912 Wasatch, stated she had attended some of the DRC meetings and that she experienced seeing a proposed development on an entirely different level. It was interesting to see the design layout and listen to the feedback provided by the DRC and it was all on record. Ms. Strobell stated she is not in favor of removing the DRC but if it is disbanded, we should encourage a committee to be made that would include citizens, property owners and Staff to talk about solutions and ideas for the MCCD.

Wendy Parsons Baker, 190 East 5600 South, Murray Historic Board Committee, stated her family owns many properties in Murray which they keep preserved and hopes to keep them in her family. It is important for Murray City to maintain itself the way it is, and I do not like it when historic properties are demolished. The list of historic homes should also be kept.

Brent Barnett, 491 East Vine Street, indicated that he hopes we can all work together to preserve the City and maintain the DRC and wants this message to get to the Mayor. Mr. Barnett stated that he believes very few citizens have any knowledge of this meeting and

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October 17, 2019

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encouraged the City to send an email to everyone who requests it because Millcreek sends out a weekly newsletter to residents that tells what is going on in their City. Mr. Barnett also believes that the proposed code was never available to the citizens and they cannot appropriately comment on an unknown topic. Also, the amount of content to address tonight is too much for one meeting. Mr. Barnett stated that he believes the good Mayor of our City is interested in finding a way to initiate transparency in all processes and situations.

Kim Anderson, 1144 Chevy Chase Drive, stated he is a resident of Murray City and is concerned about the lack of public meetings on this topic. When the MCCD code was proposed there were lots of meeting and there was an opportunity to speak and make suggestions. It is hoped that this item would not be passed tonight to allow more time to get the citizens involved. Most people who have spoken tonight are not in favor of this change. Mr. Anderson stated that he is not in favor of the proposed current trends to guide our building codes because that is not Murray's style. It is apparent the Mayor is in favor of demolishing buildings and renovation by the editorial that he had written a few months ago. Mr. Anderson suggested that the item be tabled to let the citizens have more input.

The public comment portion for this agenda item was closed.

Mr. Hall addressed citizen concerns and stated that they are all good points. Firstly, monies that are available for historic restoration from grants are not available for Murray to offer at the present time. It is a misunderstanding that this ordinance change will eliminate existing or future grant monies or credits that may be available to preserve or restore historic buildings. Murray has invested significant funds for restoration programs, buying historic buildings and investing public funds. Murray City has bought, protected, and preserved many historic buildings. The proposed change will not diminish the duties of the History Advisory Board; which is making recommendations for properties to be nominated to the Federal Register. This change is intended to be applied to 100 Acres of the downtown, and historic buildings that qualify to be on the list have already been nominated. Mr. Hall stated that he and Staff still believe that historic preservation is very important. Lastly, if a property owner chooses to remove their building from the historic list and demolish it, it is not the "City" that is doing it, it is the property owner, and they should have that right.

Mr. Markham stated that he recognizes that there is a lack of communication in getting this information out to residents. We lost our only City newspaper and there has been a void that has never been filled since. Maybe the City can find a way to start something like this again but that matter that is out of the control of the Planning and Zoning Committee. Mr. Hall stated that the City does have a way to sign up for emails and they could receive the agendas and other information.

Mr. Markham commented that he has great concerns about eliminating the DRC and believes it is important for them to review the applications for development in the MCCD. If the DRC review delays the process, then maybe they need to meet more often or establish accelerated timelines. Mr. Woodbury stated that he has been on the Planning Commission for eight years and the lack of progress in the Downtown area has been frustrating. This was a known issue before I started on the Committee, and the incentives have been in place for a long time and still nothing is happening. In the meantime, the buildings are deteriorating. If we rebuild by the current standards of our MCCD Code, all of our new buildings will represent the old time Murray, which does not represent reality or the needs of today. We need to do something about downtown Murray, and this is an attempt to spur some action and I support it for the most part. My two major concerns are the removal of the DRC and the ability of a property owner to remove their structure from the historical list.

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Mr. Woodbury stated that he often travels for work and visits many old Cities in which he sees dilapidated buildings that are falling down and then it unfortunately leads to a blighted area. Being on the Planning Commission for over 8 years, I also share Commissioner Markham's concern that we want Murray to be a vibrant downtown along with respecting the history and past. But we also need the ability to be business and development friendly. I also have concerns that the DRC is proposed to disband, and I understand to an extent why the Historical List would be removed from the code because of the requirements but I do not like the idea of the application being vetted only by Staff. It should be to Staff and some other Community or Public interaction. I would suggest finding a process with more checks and balances regarding historic buildings.

Ms. Wilson stated that she believes the proposed ordinance needs a little bit more fine tuning because as it currently stands it does not feel like it's what we need.

Ms. Milkavich stated that she agrees with everything that was said, and everything in the proposal is great, except removing the DRC and concerns with a personal property owner being able to remove a property from the list.

Mr. Hall indicated that at this time he does not have any suggestion about how the City would go about changing the DRC and Historical List removal processes at this time. If it voted to change, a new ordinance would need to be created by and vetted by City Staff and Elected Officials. Mr. Woodbury indicated that he would like to form a Recommendation of Approval for the proposed text amendments, but it would exclude Section 17.170.040 and 17.170.060. Most of the comments made tonight were around these two issues and it would give Staff time to work up some changes and bring them back to us. Mr. Markham agreed. Mr. Hall stated that the Planning Commission has the authority to do so but, warned if they exclude those sections, they include other changes including re-naming Design Review instead Certificates of Appropriateness, and modifying ground floor commercial requirements. Mr. Markham indicated that the motion could just state the exclusion of certain things and not be so broad. Mr. Woodbury stated the intent would be to keep the DRC and that we would recommend that Section 17.170.060 about Historic Preservation stay as it is. Ms. Wilson stated that she likes the direction that the motion is going. Mr. Woodbury stated that he wants the DRC to remain involved in some fashion but whatever that process is called in not an issue.

Mr. Woodbury made a motion 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 District, MCCD Zone, with the exception of keeping the Design Review Committee in the ordinance as an important part of the process, and allowing the change to the term "Design Review" from Certificate of Appropriateness, and that Section 17.170.060 will remain in its original format prior to the red line changes.

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.

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

Motion passed 5-0



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.

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 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 to Section 17.170, MCCD Zone regulations.

Jared Hall,
Planning Division Manager

Order Confirmation for 0001269439

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

Client MURRAY CITY RECORDER
 Client Phone 8012642660 Account # 9001341938
 Address 5025 S STATE, ROOM 113 Ordered By Susan
 MURRAY, UT 84107 Account Exec Itapuso2
 Email snixon@murray.utah.gov PO Number PH - MCCD Zone Upda

Total Amount	\$48.68
Payment Amt	\$0.00
Amount Due	\$48.68

Text: PH - MCCD Zone Updates

<u>Ad Number</u>	0001269439-01	<u>Ad Type</u>	Legal Liner
<u>Ad Size</u>	1 X 26 li	<u>Color</u>	

WYSIWYG Content

MURRAY CITY
CORPORATION
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Jared Hall,
Planning Division Manager
1269439 UPAXLP

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

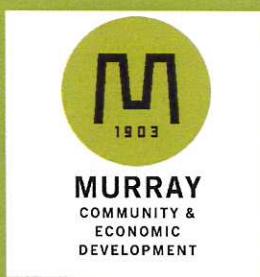
<u>Scheduled Date(s):</u>	10/06/2019
utahlegals.com	utahlegals.com

<u>Scheduled Date(s):</u>	10/06/2019
Deseret News	Legal Liner Notice

<u>Scheduled Date(s):</u>	10/06/2019
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COMMITTEE OF THE WHOLE

November 12, 2019



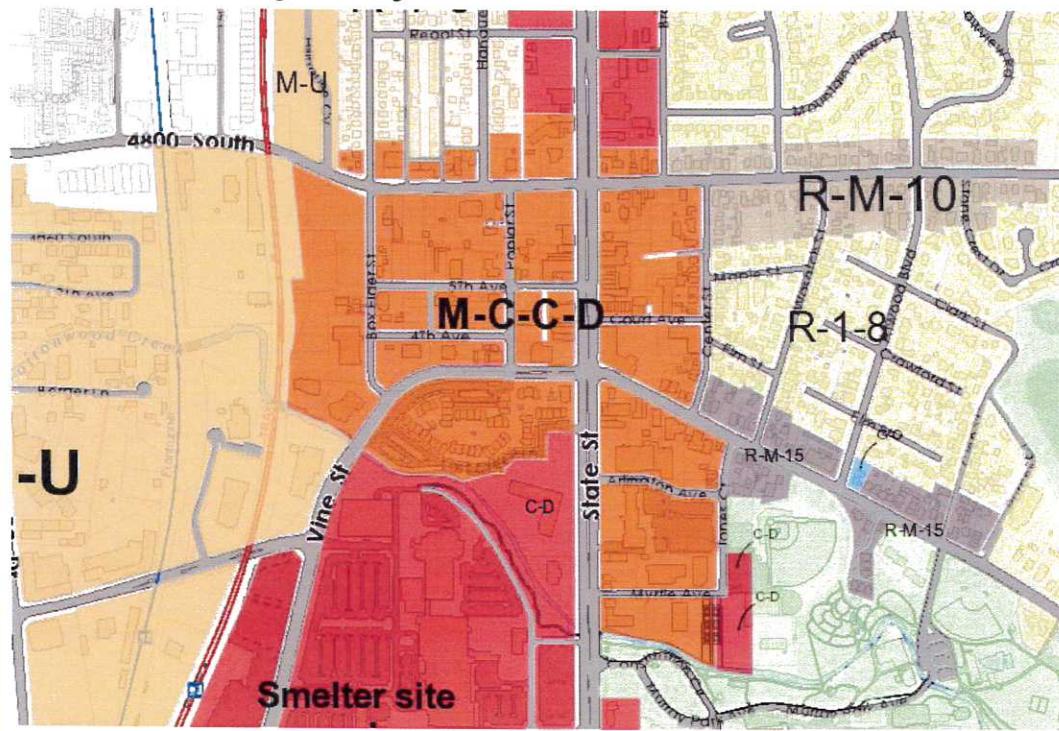
LAND USE TEXT AMENDMENT

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.”



Streetscape 1

Protect the Pedestrian Where the Building Meets the Street

Values Supported **Issue**

Unique Character
Dense Urban Character
Humane Character
Economic Vitality
Connection with the Outdoors

The concern of the pedestrian is crucial to the development of any dense development which strives to be economically viable. This is especially the case today, when people have come to realize the ultimate economic value of a pedestrian friendly, walkable city. Like any other city, Austin's main problem is extremely hot and humid weather, which can also be 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 so is the tendency to shop or eat only in places where parking can be found directly in front of the store or restaurant.

Recommendations

- **Canopy covers**, offering shade, 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. Canopies should project closer to the curb than three feet.
- **Canopy covers** at the sidewalk may provide continuous 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. Awnings shall be open to the street.
- **Projections** may take the form of flat awnings which are retractable, fabric awnings, or cantilevered awnings, or canopies which are permanent.
- **Projected covers** may be occupied by the building owner, but should be accessed only from the building and not from the sidewalk. Where projected covers are occupied, they may also be supported by columns which fall in the right-of-way. Columns in the sidewalk and not the building should be recessed or emerge from the sidewalk. Maintain clear sidewalks with no interruptions by columns. Provide sufficient space between curb and columns to accommodate the potential of vehicles jumping the curb.
- **Where buildings** have been constructed, fall significantly away from the property line, a canopy may 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 renovations should provide pedestrian protection as well. Landmark buildings may comply by installing attached cover in front of the building.

The pedestrians in this image average extended sun and rain protection from 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 MCCD

• 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 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."





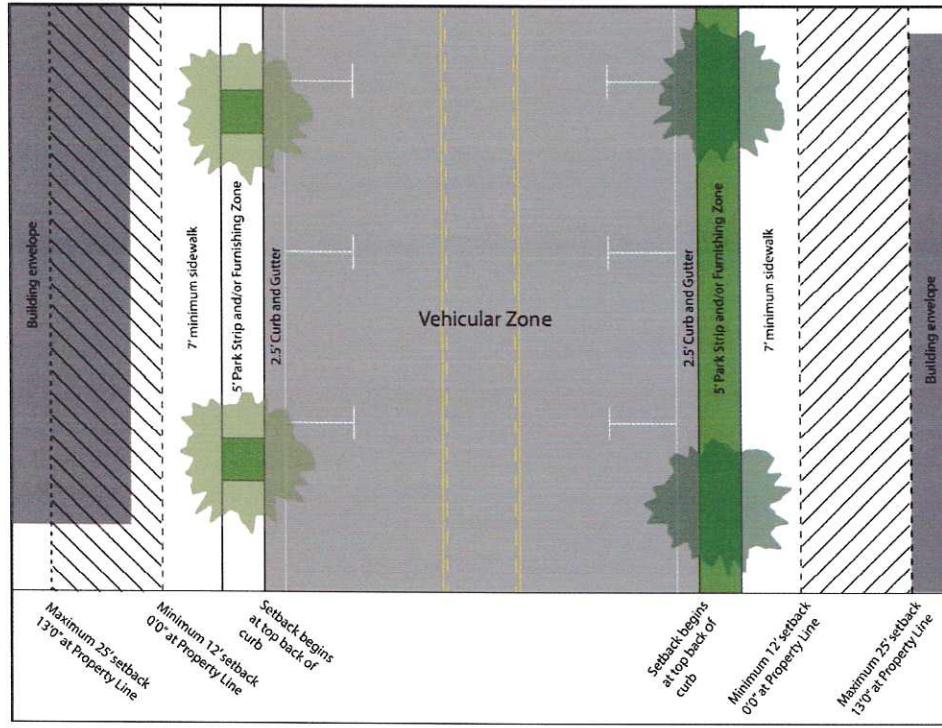
Area & Frontage Regulations, Public Improvements

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.







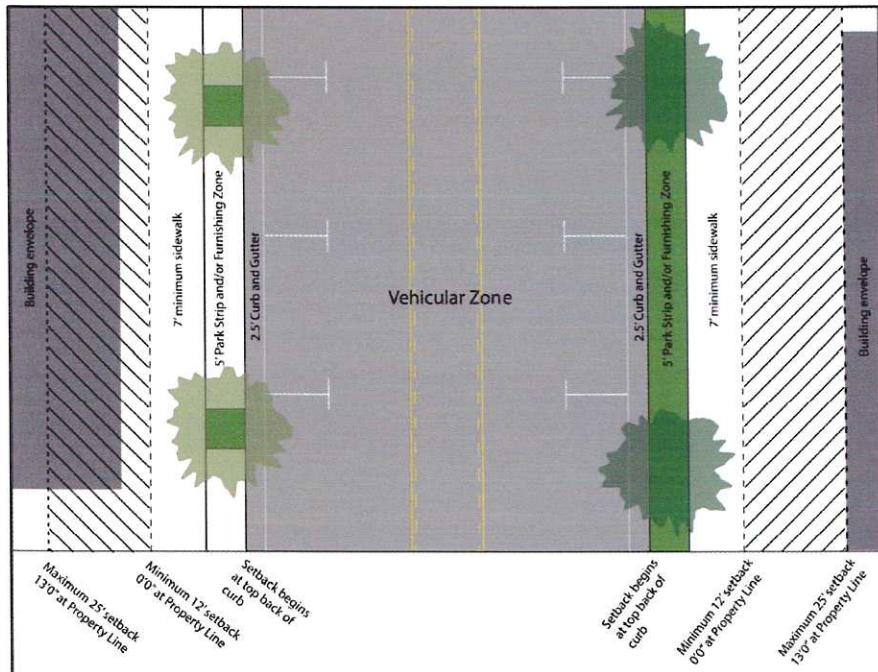
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Building facades must occupy at least 50% of the property frontage on streets. Maximum allowed setbacks are between 12' – 18' from the back of curb and gutter (0' – 5' feet from property line).



Public Improvements



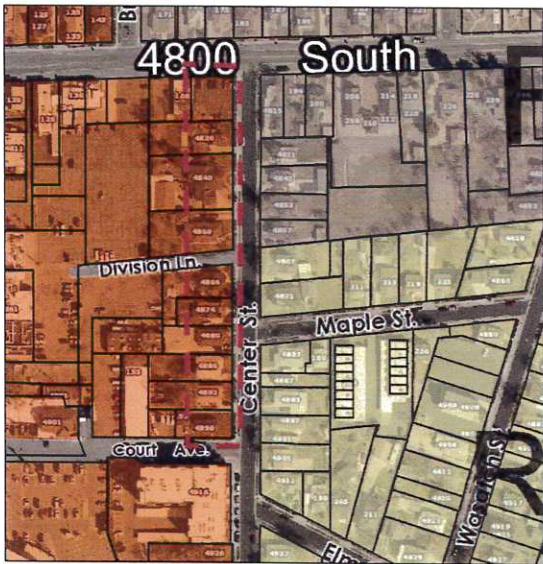
Building Scaling & Density

- 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.

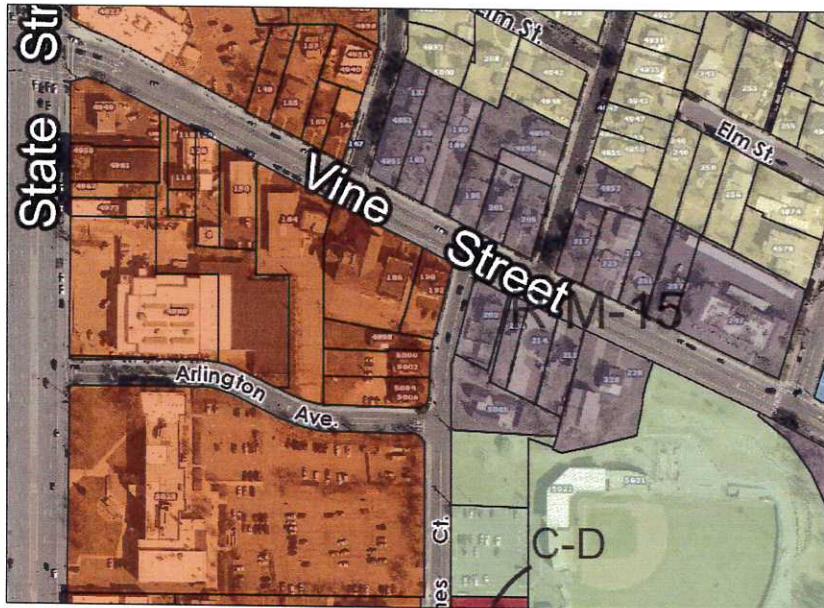


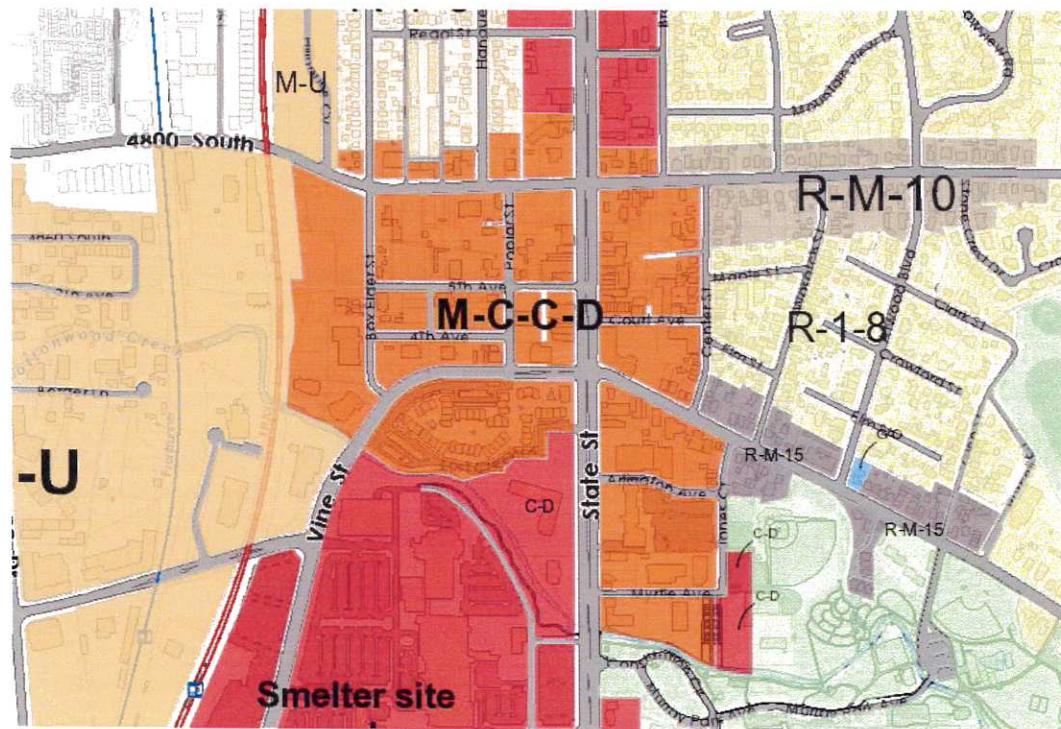
Height

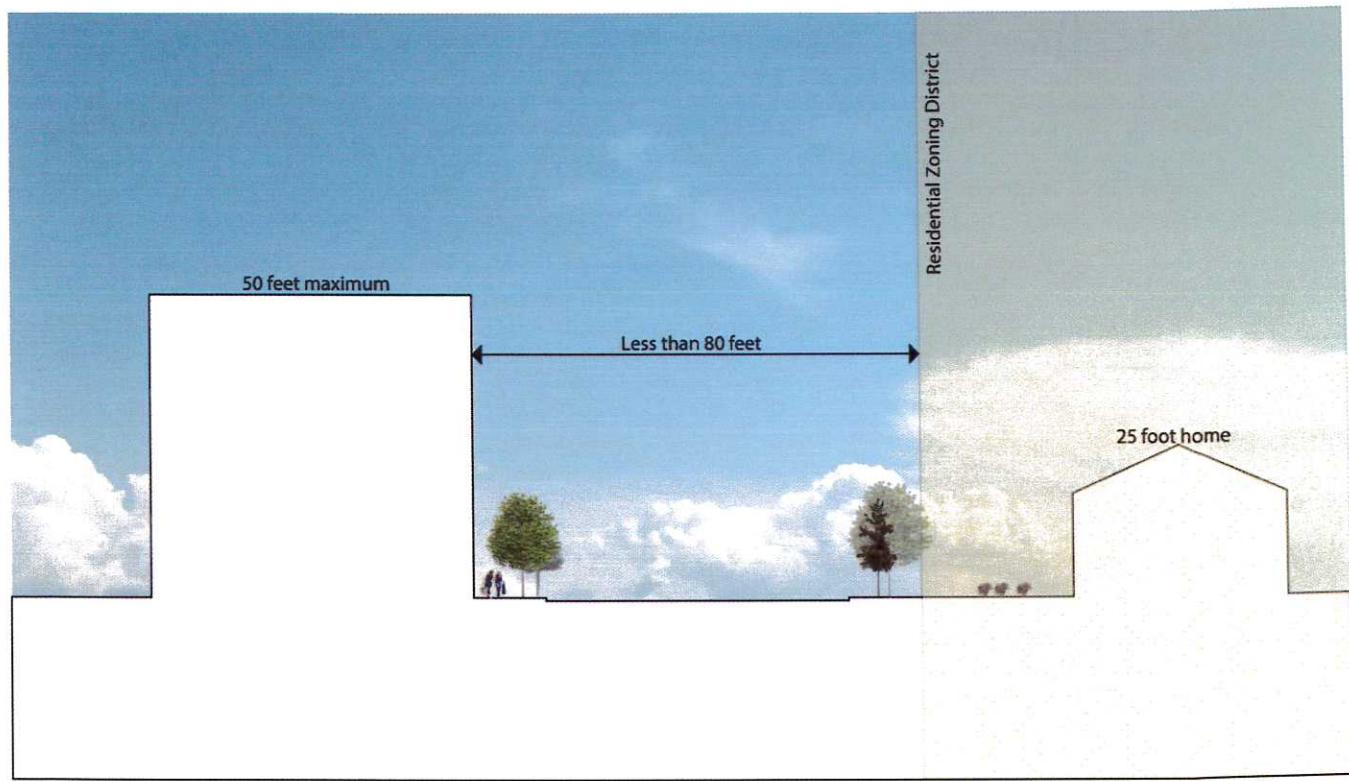
- Properties east of State Street are not subject to minimum 40' height
- Buildings on properties in the MCCD Zone adjacent to Center Street north of Court Avenue are limited to a maximum height of 35'.



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







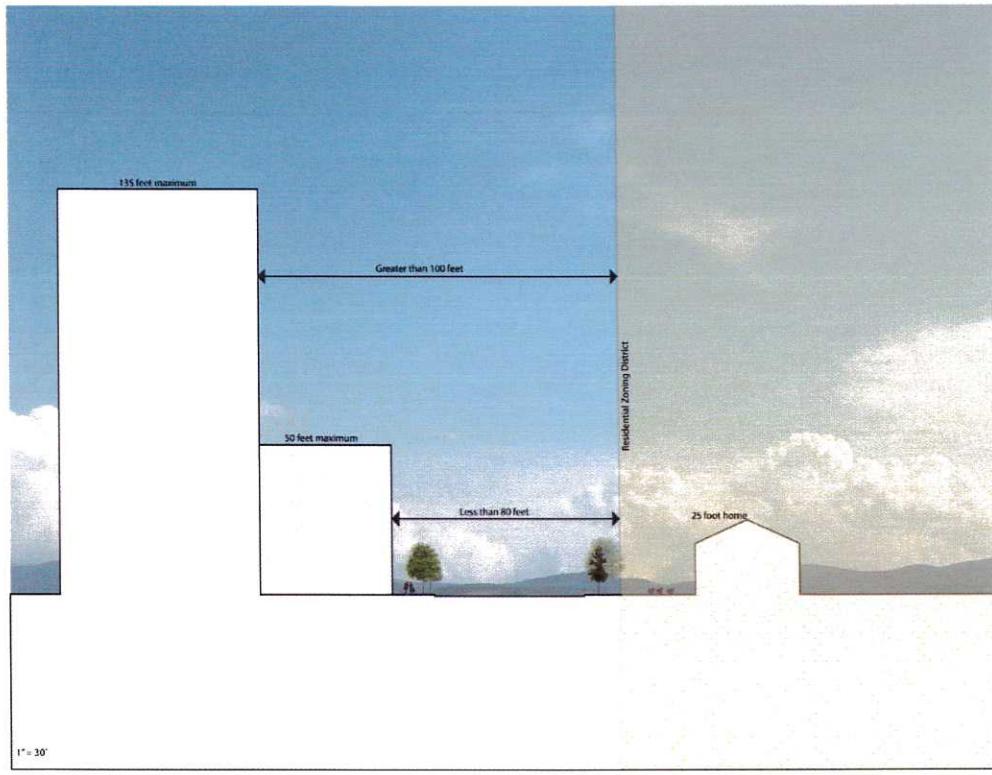
75 feet maximum

80 to 100 feet

Residential Zoning District

25 foot home





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

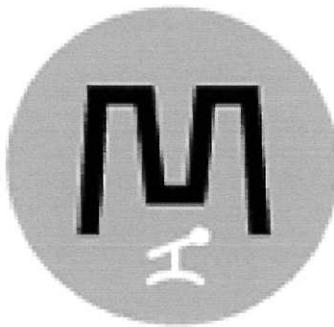
Staff recommends APPROVAL of the proposed amendments to the Murray City Land Use Ordinance Section 17.170, Murray City Center District, MCCD Zone.



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 COUNCIL

New Business #1



City Council

Ordinance on Employee Holidays

MURRAY

Council Action Request

Council Meeting

Meeting Date: November 19, 2019

Department Director Janet M. Lopez	Purpose of Proposal To provide employees the benefit of having four hours of holiday time on Christmas Eve day.
Phone # 801-264-2622	Action Requested Approval of the revised ordinance attached.
Presenters Dale Cox	Attachments Proposed Ordinance, Email from the MCEA Board
Budget Impact	Approximately \$19,000
Required Time for Presentation 5 Minutes	Description of this Item Murray City Municipal Code 2.62.120 A Amendment for Employee Holidays: Christmas Eve: December 24, the last four hours of an employee's workday.
Is This Time Sensitive No	
Mayor's Approval	
Date November 15, 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, the last four hours of an employee's workday.

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

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

Janet Lopez

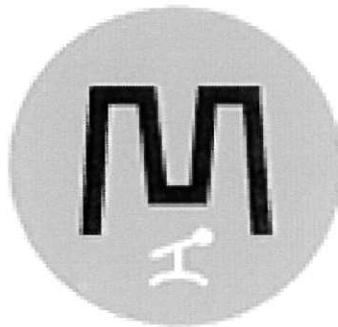
From: Jackie Sadler
Sent: Thursday, November 14, 2019 4:23 PM
To: Janet Lopez
Subject: Holiday Ordinance

Dear Council Members,

Jackie Sadler (President) and Chelsea Hofmann (Vice President) had the opportunity to attend the Committee of the Whole on November 12th where the holiday ordinance revisions were discussed. Directly following this meeting, we spoke with a few members of the council about the amendment for section 2.62.120 HOLIDAYS, beginning January 1, 2020. We, as members of the board of the Murray City Employees Association, requested that this amendment be postponed to allow us time to get feedback from the employees and discuss other options to be considered. Dale Cox agreed to that request.

Thank you for your willingness to continually listen to the concerns of the Murray City Employees.

Sincerely,
Murray City Employees Association Board



MURRAY
CITY COUNCIL

Adjournment