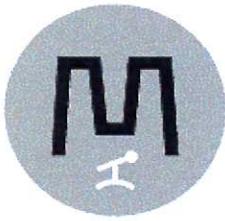


MURRAY
CITY COUNCIL

**Council Meeting
November 17, 2020**



Murray City Municipal Council

Notice of Meeting

Murray City Center
5025 South State Street, Murray, Utah 84107

Electronic Meeting Only

November 17, 2020

Public Notice is hereby given that this meeting will occur electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Council Chair has determined that conducting a meeting with an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers. (See attached Council Chair determination.)

The public may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>.

***Citizen comments or public hearing comments may be made as follows:**

- Live through the Zoom meeting process. Those wishing to speak during these portions of the meeting must send a request to city.council@murray.utah.gov by 3:00 p.m. on the meeting date. You will receive a confirmation email with instructions and a Zoom link to join the meeting.
- Read into the record by sending an email in advance or during the meeting to city.council@murray.utah.gov.
- Comments are limited to less than three minutes, include your name and contact information.

Meeting Agenda

5:15 p.m. Committee of the Whole

Rosalba Dominguez conducting.

Approval of Minutes

None scheduled.

Discussion Items

1. Home Serve USA Presentation – Rosalba Dominguez and Dennis Lyon (20 minutes)
2. General Plan and Zone Map Amendments 5448 & 5452 South 700 West – Melinda Greenwood (10 minutes)
3. State Fraud Risk Assessment – Brenda Moore (15 minutes)
4. Fiscal Year 2020-2021 Budget Amendment – Brenda Moore (15 minutes)

Announcements

Adjournment

Break

6:30 p.m. Council Meeting

Brett Hales conducting.

Opening Ceremonies

Call to Order

Pledge of Allegiance

Approval of Minutes

None scheduled.

Special Recognition

1. Murray City Council **Employee of the Month**, **Laura Bown**, Human Resource Analyst – Brett Hales and Robyn Colton presenting.
2. Murray City Council **Employee of the Month**, **Justen Park**, Equipment Operator II – Brett Hales and Danny Astill presenting.

Citizen Comments

*See instructions above. Email to city.council@murray.utah.gov. Comments are limited to less than 3 minutes, include your name and contact information.

New Business

1. Consider an ordinance amending Section 3.10.650(A) of the Murray City Municipal Code relating to defining significant parcel of real property for procurement purposes. G.L. Critchfield presenting.

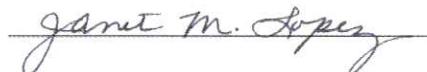
Mayor's Report and Questions

Adjournment

NOTICE

Supporting materials are available for inspection on the Murray City website at www.murray.utah.gov.

On Friday, November 13, 2020, at 10:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov, and the state noticing website at <http://pmn.utah.gov>.



Janet M. Lopez
Council Executive Director
Murray City Municipal Council



**Murray City Council Chair Determination
Open and Public Meeting Act
Utah State Code 52-4-207(4)
November 2, 2020**

In accordance with, Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus, I have determined that meeting in an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

Federal, state and local leaders have all acknowledged the global pandemic. Salt Lake County Public Health Order 2020-13 dated August 19, 2020, recognizes that COVID-19 is a contagion that spreads from person to person and poses a continuing and immediate threat to the public health of Salt Lake County residents.

It is my intent to safeguard the lives of Murray residents, business owners, employees and elected officials by meeting remotely through electronic means without an anchor location.

The public may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/> .

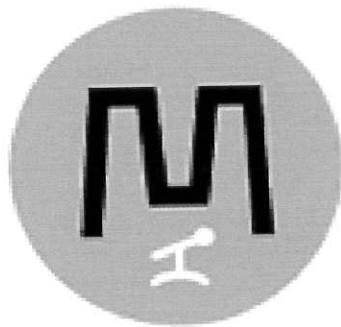
Citizen comments or public hearing comments may be made live through the Zoom meeting process or read into the record by sending an email to city.council@murray.utah.gov .

Rosalba Dominguez
Murray City Council Chair



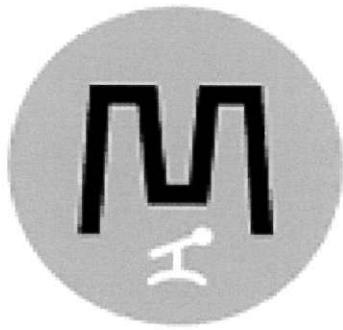
MURRAY
CITY COUNCIL

Committee of the Whole



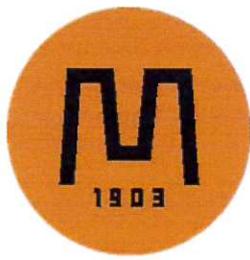
MURRAY
CITY COUNCIL

Discussion Items



MURRAY
CITY COUNCIL

Discussion Item #1



MURRAY

Murray City Council

Home Serve, USA Presentation

Council Action Request

Committee of the Whole: November 17, 2020

| | |
|--|---|
| Department Director Janet M. Lopez 801-264-2622 | Purpose of Proposal <ul style="list-style-type: none">Informative presentation related to the water and service line protection programs offered by Home Serve, USA. Action Requested <ul style="list-style-type: none">Determine Council Members interest in this program for Murray City residents. Attachments <ul style="list-style-type: none">Power Point presentation. Budget Impact <ul style="list-style-type: none">This program comes at no cost to the City and requires minimal City involvement. Description of this item <p>Home Serve is an educational program the City can offer to homeowners in Murray regarding their responsibilities for the water and sewer lateral lines that are on the property. The program also provides them with the opportunity to enroll in voluntary protection, which would cover them should an incident occur resulting in the need for a repair or replacement of these lines.</p> |
| Presenter Rosalba Dominguez Dennis Lyon | |
| Required Time for Presentation 20 minutes | |
| Is This Time Sensitive No | |
| Approval: N/A | |
| November 5, 2020 | |

Solutions for Aging Infrastructure

NLC Service Line Warranty Program

**NLC Service Line
Warranty Program**

by



Dennis Lyon
dennis.lyon@homeserveusa.com
412.266.9545

NLC NATIONAL
LEAGUE
OF CITIES
CITIES STRONG TOGETHER

NLC Service Line Warranty Program



EXPERIENCE

Offering services
for over 17 years



REPUTATION

Accredited BBB
business A+ Rating



PARTNERSHIP

Endorsed by National
League of Cities since
2010



Clarence Anthony
Executive Director
National League of Cities



Better Business Bureau of Western PA

"The National League of Cities is proud to partner with this highly reputable and reliable program. Their exemplary record of customer service and transparency is what has driven the success of this partnership over the years."



NLC Service Line
Warranty Program by 

Infrastructure Challenges – A National Problem

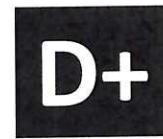
Coronavirus pandemic is compounding issues for municipalities and utilities.

- Approximately 17% loss in annualized revenue in the drinking water sector
- Includes more than \$5 billion in losses related to suspending water service disconnections and increased customer delinquencies

2017 ASCE Infrastructure Report Card grades are dismal.



drinking water infrastructure



wastewater infrastructure

EPA estimates that cities will spend heavily on infrastructure over the next 20 years.

- \$77 billion for repair or replacement of public water distribution systems
- \$10 billion for wastewater collection system upgrades
- \$22 billion for new sewer construction
- \$45 billion to control combined sewer overflows
- \$7 billion to control municipal storm water

Aging Infrastructure Is Problematic For Cities And Homeowners

- Lateral lines subjected to same elements as public lines - ground shifting, fluctuating temperatures, tree root penetration, corrosion, and more
 - Public maintains & upgrades
 - Homeowners left behind
- Failed lines waste thousands of gallons of water, increase cost, and present an environmental hazard
- Common homeowner misconception is the municipality is responsible for maintenance of the water and sewer lines on their property, or repairs are covered by their homeowner's policy
 - Reduces wasted time, money, and resources for municipality
 - Reduces frustration for homeowner



Homeowners Are Unprepared For Emergencies And Expect Solutions From The City/Utility

78% of homeowners surveyed believe the utility provider should educate them on repairs and preventative measures



59% of homeowners surveyed have had a home repair emergency in the past year



62% of Americans can't afford a \$500 emergency expense (and would have to sell something or take out a loan to cover it).*

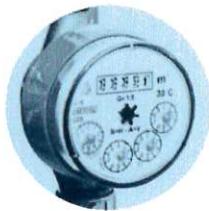


NLC Service Line Warranty Program Benefits



- Only Service Line Program endorsed by the National League of Cities and Utah League of Cities and Towns
- No cost to municipality & no public funds used; we administer completely
 - Marketing, billing, claims, customer service, contractors
- Optional revenue share for municipality
- Free public awareness campaign for municipality
- Educates residents on their lateral line responsibilities
- Peace of mind – one call solution – reputable plumber dispatched
- All repairs performed to code by local licensed contractor
- Contractors undergo rigorous vetting process to ensure quality service

Our Service (3 Separate Products)



WATER LINE
COVERAGE



SEWER LATERAL
COVERAGE



IN-HOME PLUMBING
COVERAGE

- Exterior water and sewer – up to \$8,500 coverage per incident for repair/replacement of broken, cracked, and leaking pipes; tree root penetration, thawing of frozen lines; clogs; from the point of utility connection to home exterior
- In-home plumbing - up to \$3,000 per incident on all water, sewer, and drain lines inside the home after the point of entry (clogged toilets)
- No annual or lifetime limits, deductibles, service fees, forms or paperwork
- Homeowner opt in or out at any time – no pre-inspection (30 day wait)
- Regulated by Utah Insurance Department

Optional Revenue Share

- Municipality receives \$.50 per month per paid warranty agreement
 - Paid as royalty each January
- Yours to use as you wish
 - Examples:
 - Supplement low income utility assistance program
 - Donate to charity
 - Use towards NLC/State League dues
- Can decline revenue
 - Savings passed directly to residents

Marketing Approach

- No Public Funds are used in marketing, distribution, or administration of the program
- Only market by direct mail, no telemarketing or door to door sales
- Limited to 3 mailing campaigns per year
- Would never mail without your review and approval of marketing material before each and every campaign
- Marketing clearly states city does not provide program & is voluntary for homeowner
- City role: logo & review of material
 - Economy of scale & Transparency
- Compliance with UT SB 45 & Maximize proactive education of homeowner

Consumers can enroll one of three ways:

- Call our toll free number provided on the mailing
- Return the bottom of the letter in self addressed stamped envelope provided by us
- Visiting our consumer website www.slwofa.com at any time

Solutions For Municipalities And Homeowners



- 850+ Munis & Utilities participating
- Currently serving over 5 million customers
- 1.34 million jobs completed over the past 3 years (1 every 49 seconds)
- Saved customers over \$454 million in repair costs over the past 3 years
- Nearly 70% of homeowners would approve of a utility offering an optional emergency home repair plan to protect them from financial shock.
- 9 of 10 customers have recommended the program to friends, family, and neighbors

Current Utah Partners (14)

- *Orem City*
- *Clearfield City*
- *Salt Lake City*
- *Kaysville City*
- *Payson City*
- *Tooele City*
- *Roosevelt City*
- *Washington Terrace*
- *Ballard W & S Improvement Dist*
- *Cedar City*
- *Delta*
- *Green River*
- *Lehi City*
- *Clarkston*

- Over 38,000 UT residents currently enrolled in program
- Over \$5.1 million paid in repair costs over the last 3 years



Our Promise:

We will become a trusted steward of your brand and reputation.

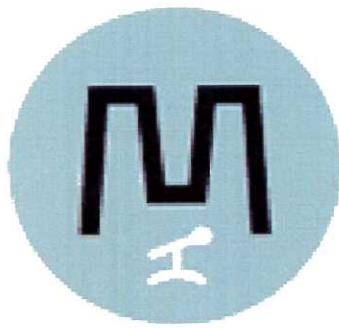
Questions?

For more information contact:

Dennis Lyon
Regional Director
dennis.lyon@homeserveusa.com
412.266.9545 (cell)



NLC Service Line
Warranty Program by  HomeServe



MURRAY
CITY COUNCIL

Discussion Item #2



MURRAY

Council Action Request

Community & Economic Development

**General Plan Amendment and Zone Map
Amendment for 5448 & 5452 South 700 West**

Committee of the Whole

Meeting Date: November 17, 2020

| | |
|--|--|
| Department Director Melinda Greenwood | Purpose of Proposal Amend the Future Land Use Map from Residential Business to Medium Density Residential and Zoning of 5448 & 5452 South 700 West to facilitate residential development. |
| Phone # 801-270-2428 | Action Requested General Plan and Zone Map Amendment from C-N, Commercial Neighborhood to R-M-15, Multi-Family Low Density Residential |
| Presenters Melinda Greenwood Jared Hall | Attachments Presentation slides |
| Required Time for Presentation 10 Minutes | Budget Impact N/A |
| Is This Time Sensitive No | Description of this Item Ivory Development has applied for a General Plan Amendment from Neighborhood Residential to Medium Density Residential and for a Zone Map Amendment from C-N, Commercial Neighborhood to R-M-15, Multi-Family Low Density Residential for the properties located at 5448 and 5452 South 700 West. The properties, totaling 2.74 acres, have been used as a single residence with agricultural activities. Though the current zoning is commercial, the configuration of the intersection of 700 West and 5400 South have made the property unsuitable for commercial development. |
| Mayor's Approval  | Permitted uses in the current C-N Zone include single-family dwellings attached to nonresidential uses, variety stores, restaurants, banks, charter schools, and pet grooming among others. Conditional uses in the C-N Zone include gas stations, check cashing, assisted living facilities, commercial child-care centers, repair services, discount stores, and veterinarian services. |
| Date November 3, 2020 | |

Continued from Page 1:

Permitted uses in the proposed R-M-15 include single-family detached dwellings on 8,000 ft² lots, two-family dwellings on 10,000 ft² lots, charter schools, and residential childcare. Conditional uses in the R-M-15 Zone include attached single-family dwellings, multi-family dwellings (12 units per acre), bed and breakfasts, retirement homes, radio and television transmitting stations, and churches.

Murray City staff have reviewed the application and found no issues with the proposed zoning amendment.

Planning Commission

A Planning Commission meeting was held on October 15, 2020, and a public hearing for this item was held. A total of 103 public hearing notices were mailed out regarding this item. Five email comments were received, which expressed concern about traffic, privacy, density, lighting and noise pollution.

The Planning Commission voted unanimously (6-0) to forward a recommendation of approval to the City Council based on the findings below.

Findings

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The requested amendment to the Future Land Use Map of the 2017 Murray City General Plan represents a correction based on the limited accessibility of the property and the potentially limited ability for traditional subdivision.
3. The proposed Zone Map Amendment from C-N to R-M-15 has been considered based on the characteristics of the site and surrounding area, the potential impacts of the change, and on the policies and objectives of the 2017 Murray City General Plan.
4. The proposed Zone Map Amendment from C-N to R-M-15 conforms to the goals and objectives of the 2017 Murray City General Plan and will allow the appropriate development of the subject property.

Recommendation - Request to Amend the Murray City General Plan

Based on Staff recommendation, Planning Commission recommendation, the background, analysis, and the findings within this report, Staff recommends the City Council **APPROVE** the requested amendment to the General Plan Future Land Use Map, re-designating the property located at 5448 & 5452 South 700 West from Residential Business to Medium Density Residential.

Recommendation - Request to Amend the Murray City Zoning Map

Based on Staff recommendation, Planning Commission recommendation, the background, analysis, and the findings within this report, Staff recommends the City Council **APPROVE** the requested amendment to the Zoning Map designation of the property located at 5448 & 5452 South 700 West from C-N, Neighborhood Commercial to R-M-15, Multi-Family Medium Density Residential.

GENERAL PLAN & ZONE MAP AMENDMENT

Applicant: Ivory Development

Address: 5448 and 5452 South 700 West
(2.74 acres)

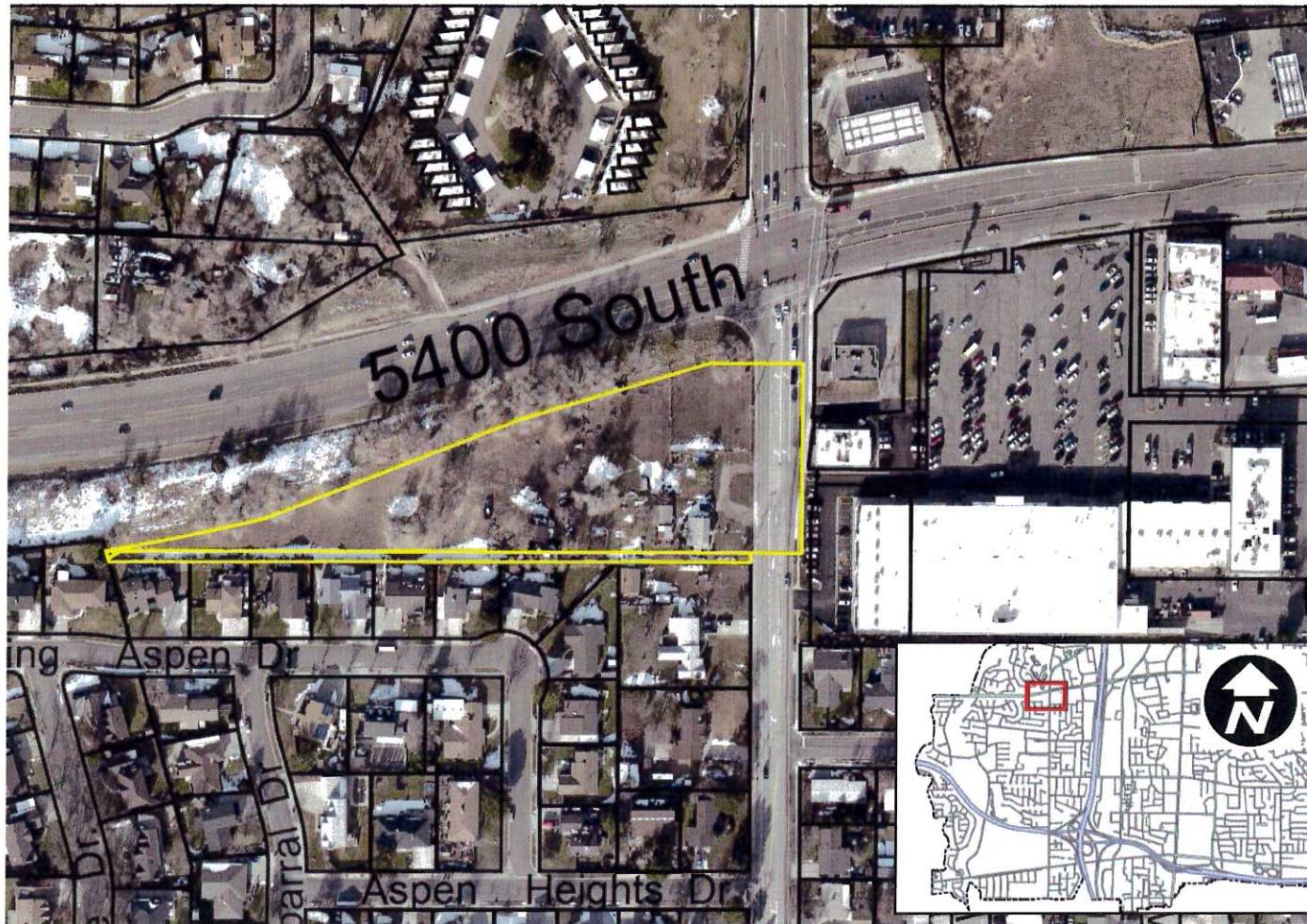
Current Zone: C-N, Commercial Neighborhood

Requested Zone: R-M-15, Multi Family Low Density
Residential



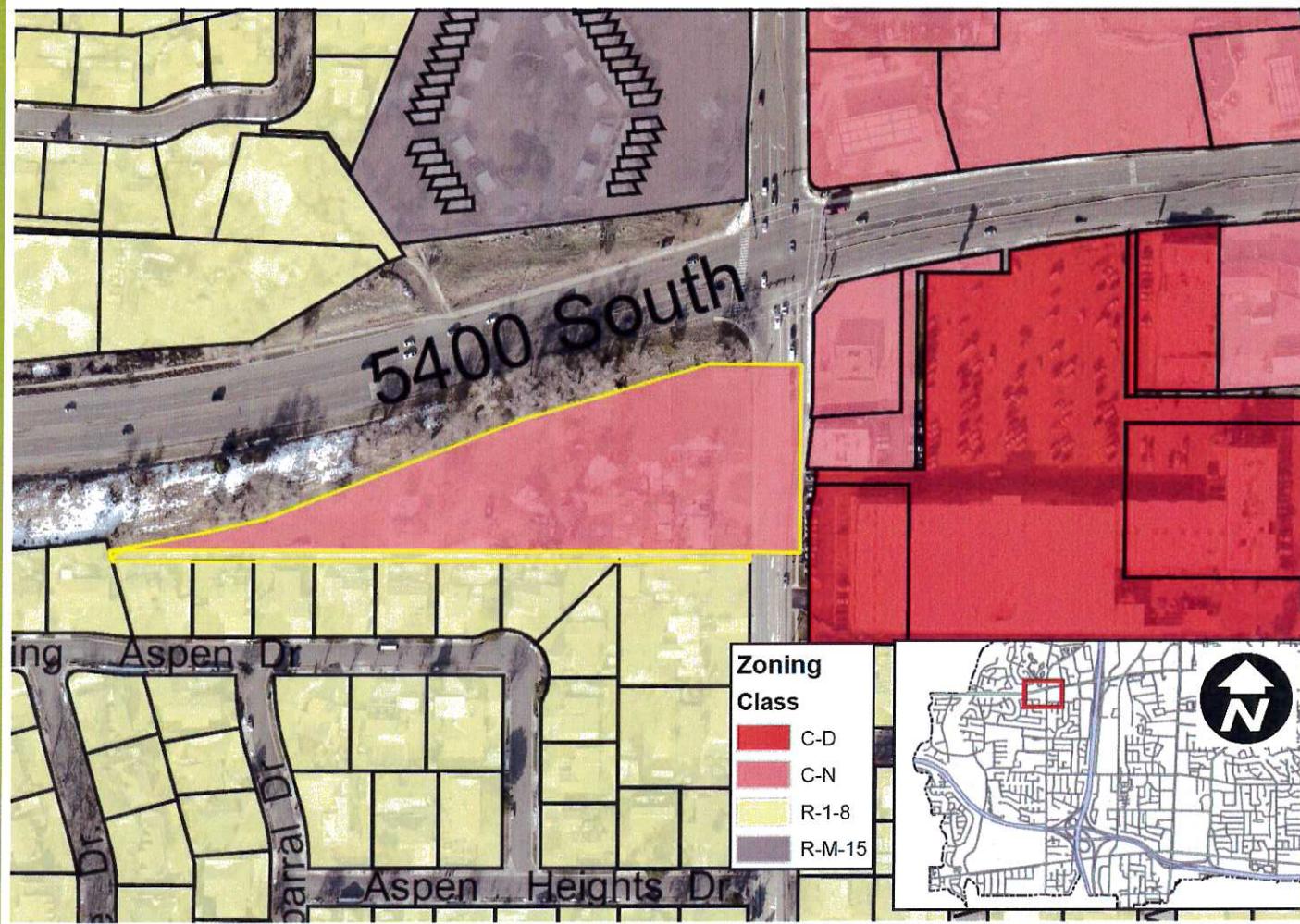
5448 & 5452 South 700 West

Aerial View of Property

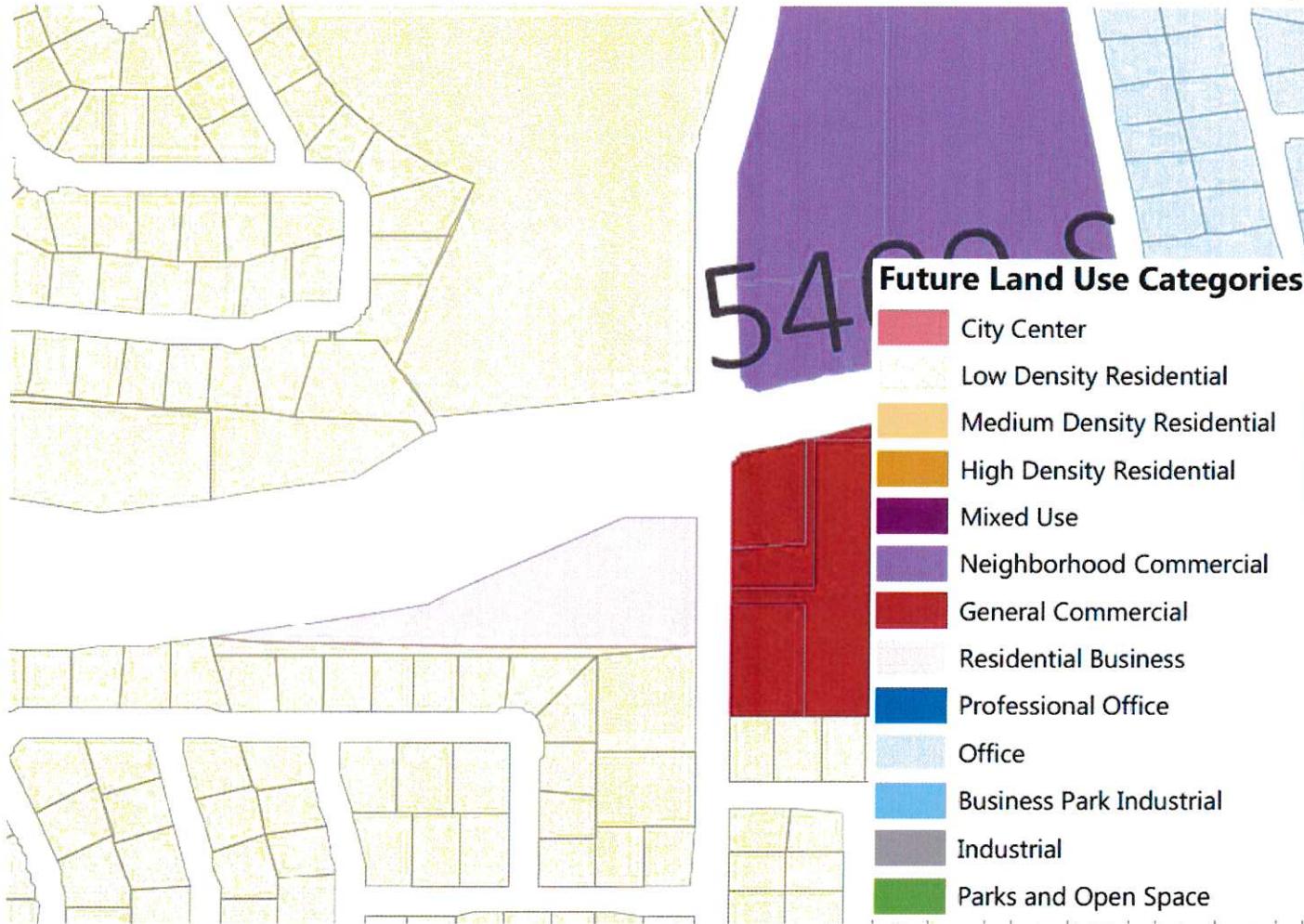


5448 & 5452 South 700 West

Current Zoning Map

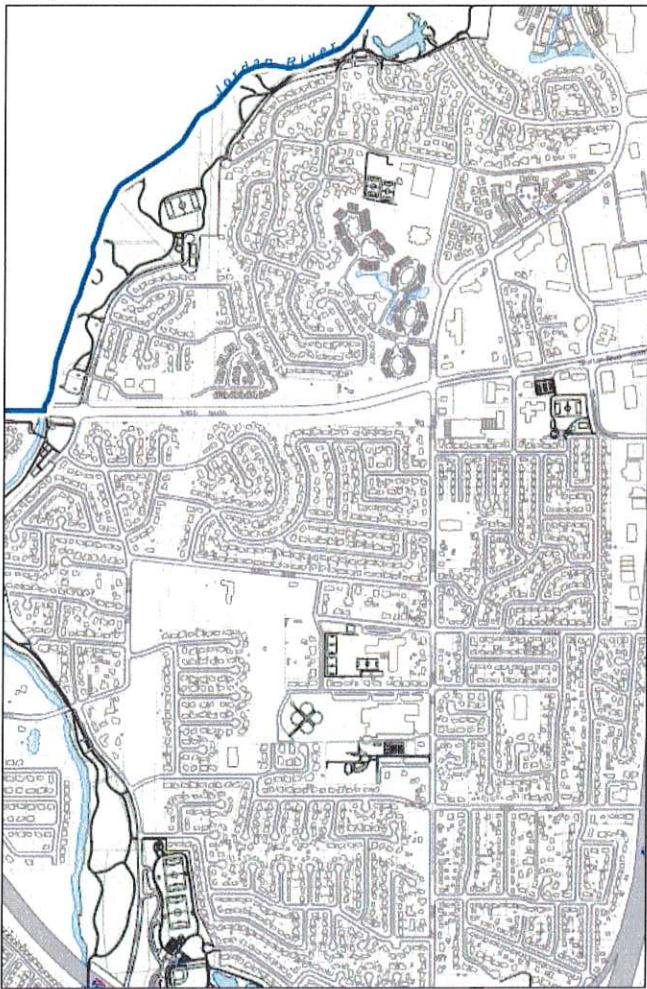


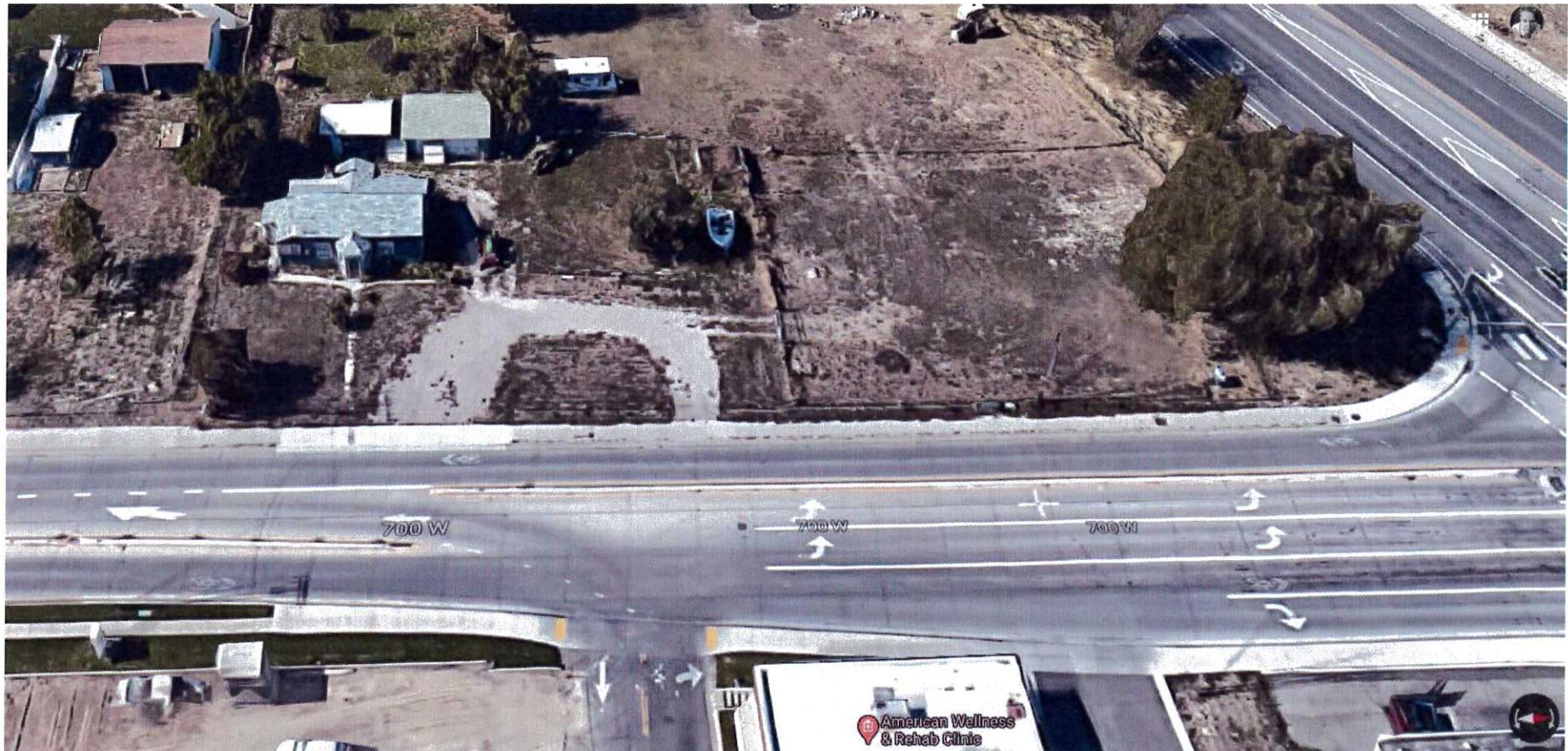
Future Land Use Map



Future Land
Use Map







USES

C-N, Commercial Neighborhood

Permitted uses:

Single-family dwellings attached to nonresidential uses (caretakers), utilities, hardware, variety stores, apparel, furniture, drug stores, medical cannabis, bookstores, sporting goods, restaurants, banks, real estate and insurance offices, dry cleaners, beauty salons, massage therapy, business offices, locksmiths, charter schools, and pet grooming.

Conditional uses:

Convenience stores and gas stations, check cashing, assisted living facilities, commercial child-care centers, libraries, repair services, commercial printing, discount stores, utilities, shopping centers less than 10-acres, and veterinarian services

R-M-15, Multi-Family Medium Density

Permitted uses:

Single-family detached dwellings on 8,000 ft² lots, two-family dwellings on 10,000 ft² lots, utilities, charter schools, and residential childcare as permitted uses.

Conditional uses:

Attached single-family dwellings, multi-family dwellings (12 units per acre), bed and breakfasts, retirement homes, cemeteries, radio and television transmitting stations, schools, parks, and churches.

REGULATIONS

| | C-N Zone (existing) | R-M-15 Zone (proposed) |
|---|---|---|
| Planning Commission Review Required | All new buildings & structures | Conditional Use for attached single-family and multi-family development |
| Height of Structures | 35' max | 40' max (to be determined by the planning commission) |
| Minimum Lot Size, Two-Family and Multi-Family Dwellings | Not applicable – not allowed | Two-family – 10,000 ft ² Multi-family – 12 units/acre |
| Building Setbacks | Front Yard: 20' No building closer than 15' to residential zoning. | Front Yard: 25' Rear: 25' Side Yard: 8' min, total 20' Corner Side Yard: 20' |

PLANNING COMMISSION MEETING

October 15, 2020

- 103 Public Notices Mailed
- Public Hearing Comments; 5 emails were received
- 6-0 recommendation for approval



STAFF RECOMMENDATION

GENERAL PLAN AMENDMENT

Staff and the Planning Commission recommend the City Council **APPROVE** the requested amendment to the General Plan Future Land Use Map, re-designating the property located at 5448 & 5452 South 700 West from Residential Business to Medium Density Residential.

ZONING MAP AMENDMENT

Staff and the Planning Commission recommend the City Council **APPROVE** the requested amendment to the Zoning Map designation of the property located at 5448 & 5452 South 700 West from C-N, Neighborhood Commercial to R-M-15, Multi-Family Medium Density Residential.



Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 1st day of December, 2020, at the hour of 6:30 p.m. of said day the Murray City Municipal Council will hold and conduct a hearing on and pertaining to the consideration of amending the General Plan from Residential Business to Medium Density Residential and amending the Zoning Map from the C-N (Commercial Development) zoning district to the R-M-15 (Residential Medium Density) zoning district for the properties located at approximately 5448 South and 5452 South 700 West, Murray, Utah.

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

NOTICE IS FURTHER GIVEN that this meeting will occur electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. **No physical meeting location will be available.** The Council Chair has determined that conducting a meeting with an anchor location presents a serious risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers. For further information, see the Council Chair determination attached to the Notice of Meeting for December 1, 2020.

The public may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/> .

Public hearing comments may be submitted by sending an email in advance or during the meeting to city.council@murray.utah.gov. Comments are limited to less than three minutes. Include your name and contact information, and the comment will be read into the record.

DATED this _____ day of _____, 2020.

MURRAY CITY CORPORATION

Jennifer Kennedy
City Recorder

DATE OF PUBLICATION: November 20, 2020

ORDINANCE NO. _____

AN ORDINANCE RELATING TO LAND USE; AMENDS THE GENERAL PLAN FROM COMMERCIAL DEVELOPMENT TO RESIDENTIAL MEDIUM DENSITY AND AMENDS THE ZONING MAP FROM C-N TO R-M-15 FOR THE PROPERTIES LOCATED AT APPROXIMATELY 5448 SOUTH AND 5452 SOUTH 700 WEST, MURRAY CITY, UTAH. (Ivory Development)

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

WHEREAS, the owner of the real properties located at approximately 5448 South and 5452 South 700 West, Murray, Utah, has requested a proposed amendment to the General Plan of Murray City to reflect a projected land use for the property as Residential Medium Density and to amend the zoning map to designate the property in an R-M-15 zone district; and

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

WHEREAS, it appearing to be in the best interest of Murray City and the inhabitants thereof that the proposed amendment of the General Plan and the Zoning Map be approved.

NOW, THEREFORE, BE IT ENACTED:

Section 1. That the Murray City General Plan be amended to show a Residential Medium Density projected use for the following described properties located at approximately 5448 South and 5452 South 700 West, Murray City, Salt Lake County, Utah:

Affected Parcel Numbers: 2114228001; 2114228002; 2114228029

A portion of the Northeast Quarter of Section 14 and the Southeast Quarter of Section 11, Township 2 South, Range 1 West, Salt Lake Base & Meridian, located in Murray City, Utah, more particularly described as follows:

Beginning at the Northeast Corner of Section 14, T2S, R1W, SLB&M; running thence along the easterly Section line of said Section 14, S00°12'39"E 182.16 feet; thence West 33.00 feet to the westerly right-of-way line of 700 West Street; thence along said easterly right-of-way line S00°12'39"E 11.94 feet to a fence corner; thence westerly along said fence line to and along the northerly line of ASPEN HEIGHTS Subdivision, according to the Official Plat thereof recorded February 6, 1979 as Entry No. 3233551 in Book 79-2 at Page 44 in the Office of the Salt Lake County Recorder, S89°50'11" W 837.44 feet to a point on the easterly line of WALDEN HILLS No. 6 Subdivision, according to the Official Plat thereof recorded April 16, 1981

as Entry No. 3554978 in Book 81-4 at Page 74 in the Office of the Salt Lake County Recorder; thence along said easterly line N15°42'00"W 28.82 feet to a point on the southerly right-of-way line of 5400 South Street (SR-173), known as Project No. 0132; thence along said southerly right-of-way line the following four (4) courses: (1) easterly along the arc of a non-tangent curve to the left having a radius of 3,014.80 feet (radius bears: N06°51'02"W) a distance of 182.15 feet through a central angle of 03°27'42" Chord: N81°25'07"E 182.13 feet; thence (2) N68°10'11"E 350.18 feet; thence (3) N73°02'30"E 260.80 feet; thence (4) N89°51'48"E 89.55 feet to said westerly right-of-way line of 700 West Street; thence N89°51'48"E 33.00 feet to the easterly Section line of Section 11, T2S, R1W, SLB&M; thence along said easterly Section line S00°18'52"E 65.01 feet to the point of beginning.

Contains: 132,564 square feet or 3.04 acres +/-

Section 2. That the Zoning Map and the zone district designation for the property described in Section 1 be amended from the C-N zone district to the R-M-15 zone district.

Section 3. This Ordinance shall take effect upon the 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 _____, 2020.

MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Chair

ATTEST:

Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this _____ day of
_____, 2020.

MAYOR'S ACTION:

DATED this _____ day of _____, 2020.

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 _____, 2020.

Jennifer Kennedy, City Recorder

The Planning Commission met on Thursday, October 15, 2020, at 6:30 p.m. for a meeting held in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Planning Commission Chair has determined that conducting a meeting with an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers. This meeting can be viewed online at www.murraycitylive.com. Public comments can be submitted via email at planningcommision@murray.utah.gov.

Present: Phil Markham, Chair
Travis Nay
Maren Patterson
Sue Wilson
Ned Hacker
Lisa Milkavich
Melinda Greenwood, Community and Economic Development Director
Jared Hall, Planning Division Manager
Zac Smallwood, Associate Planner
Briant Farnsworth, Deputy City Attorney
Citizens

Excused: Scot Woodbury, Vice Chair

The Staff Review meeting was held from 6:00 p.m. to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording is available at the Murray City Community and Economic Development Department Office.

Phil Markham opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures and read the Planning Commission Meeting Opening Statement.

APPROVAL OF MINUTES

Ned Hacker made a motion to approve the minutes from the September 17, 2020 and the October 1, 2020 Planning Commission meetings. Seconded by Lisa Milkavich. A voice vote was made, motion passed 6-0.

CONFLICT OF INTEREST

There were no conflicts of interest.

APPROVAL OF FINDINGS OF FACT

Sue Wilson made a motion to approve the Findings of Fact for the Cazier ADU (Accessory Dwelling Unit) by Robert Cazier for a Conditional Use Permit at 388 East Hillside Drive. Seconded by Maren Patterson. A voice vote was made, motion passed 7-0.

IVORY DEVELOPMENT – 5448 and 5452 South 700 West - Project #20-108 and Project #20-109

Project #20-108 and #20-109 were presented together. Bryon Prince was present to represent this request. Jared Hall reviewed the location and request for a General Plan Amendment and

Zone Map Amendment for 5448 and 5452 South 700 West. Both parcels combined are approximately 2.74 acres, most of which is contained in one of the parcels. The property is currently located in Commercial Neighborhood (C-N) Zone and the request is to rezone it to R-M-15 (Multi-Family Low Density Residential), which is the same zoning as the condominiums located across the street from this property. Other zones in the area include R-1-8 (Single Family Residential) and C-N.

There are two parts to this application; the Zone Map and the Future Land Use Map that is part of the General Plan. The Future Land Use Map identifies and designates different parcels with different future land use categories. This particular property has been identified for Residential Business which supports different types of businesses. The only zone that Residential Business supports is R-N-B (Residential Neighborhood Business). If the property is going to be rezoned to R-M-15 the property needs to be re-designated on the Future Land Use Map to Medium Density Residential.

Neighborhood Commercial allows for single-family dwellings attached to nonresidential uses, utilities, hardware, variety stores, apparel, furniture, drug stores, medical cannabis, bookstores, sporting goods, restaurants, banks, real estate and insurance offices, dry cleaners, beauty salons, massage therapy, business offices, locksmiths, charter schools, and pet grooming. There are also some Conditional uses allowed in the C-N Zone that include convenience stores and gas stations, check cashing, assisted living facilities, commercial child-care centers, libraries, repair services, commercial printing, discount stores, shopping centers less than 10-acres, and veterinarian services. Several different companies have looked at this property trying to find a way to put a gas station on this property, however, none of them have been able to make that work.

The R-M-15 Zone allows for single-family detached dwellings on 8,000 square foot lots, two-family dwellings on 10,000 square foot lots, utilities, charter schools, and residential childcare. Uses allowed with a Conditional Use Permit in the R-M-15 Zone include attached single-family dwellings such as townhomes, multi-family dwellings (12 units per acre), bed and breakfasts, retirement homes, cemeteries, radio and television transmitting stations, schools, parks, and churches.

The main reason staff is supporting this change is because it allows the property to be developed to its highest and best use within the limits of the accessibility of the property. There is a lot of traffic on 700 West. As a result of that, the intersection at 5400 South and 700 West is very busy. A number of years ago, the Utah Department of Transportation (UDOT) redesigned that intersection. It's designed to get people from the large residential area out onto 5400 South. In redesigning the intersection, UDOT put a high curb median, running southbound, that runs almost the full length of the property on the eastside of 700 West. As it stands now, access to this property is right-in, right-out only and that has been a problem for commercial development. A residential development will survive right-in, right-out only as a limitation, but a commercial development will not. UDOT will not change the intersection or grant an access from 5400 South to this property.

Mr. Hall said there is no specific project in mind for this property that could be considered at this meeting. An application would come later if the property is rezoned by the City Council after the Planning Commission makes a recommendation. There are residents in the area that are concerned because they don't know what is coming. He added that Ivory Development is interested in putting in townhomes, so that would likely be the project that goes on this property.

Staff is recommending that the Planning Commission forward a recommendation of approval to

the City Council for the requested amendment to the General Plan Future Land Use Map to redesignate the property and for the Zoning Map amendment to rezone from C-N to R-M-15.

Mr. Nay asked if it would be possible to make a left hand turn from the very south end of this property. Mr. Hall said it is possible but difficult. The shopping center across the street on 700 West allows left hand turns onto 700 West. This makes it tricky to add a left hand turn to this property. Mr. Markham added that the left hand turn out of the shopping center is a protected merge lane that works itself onto southbound 700 West. He doesn't see a way to introduce competing traffic going the opposite direction.

Mr. Hall said subdivisions in Murray City are only allowed on a public right-of-way. In order to create single-family lots on this property, a public road would need to run from 700 West down into the property. UDOT has precluded that public right-of-way from being put in because it would be too close to the intersection at 5400 South and 700 West. A townhome development would get approved by UDOT because it only requires an access road and it would not be a public right-of-way.

Mr. Markham said the only way something else could be proposed there would be if one or two of the property owners to the south were willing to sell their property to a developer. Mr. Hall replied there has been some attempt to do that, but it hasn't gone well. Mr. Markham asked how many units are allowed with a single access on a piece of property. Mr. Hall replied engineering standards would allow 30 single-family home lots or 100 multi-family units. The density allowed in the R-M-15 Zone is 12 units per acre. This property is 2.74 acres so the overall density that would be allowed is 30 units. Once the developer configures the property it will probably end up having less than 30 units.

Mr. Nay said the City's setback standards are 25 feet. He asked if that was something that could be considered along 5400 South. Mr. Hall said this project may end up being a PUD (Planned Unit Development) project which will allow staff to vary the setback and give greater buffering to the units to the south and push the project towards 5400 South.

Mr. Hacker asked what the closest distance to the corner of 5400 South and 700 West that a property access could be put in. Mr. Hall replied UDOT doesn't want to allow any property access closer than 300 feet to an intersection. This property is only 270 feet long so the access will be as far to the south of the property as possible.

The meeting was open for public comment. The following comments were read.

Dean and Diane Bentley – 740 West Quaking Aspen Drive, Murray, Utah

With regards to the application to amend the zoning designation of the property addressed as 5448 South 700 West in Murray from Neighborhood Commercial to R-M-15 Medium Density Multi Family Residential, we are pleased a change would be made from Neighborhood Commercial but very concerned about the ramifications of changing the zoning to Medium Density Multi Family Residential.

Our primary concern is the diminished or total loss of privacy which very likely will occur due to a planned development of that nature on the property. Secondary to that would be light pollution and the lack of proper property maintenance that might result with medium density multi-family units, as well as traffic concerns with improper or insufficient access to the development.

Medium Density Multi-Family Residential allows for two-story townhomes, row houses, or duplexes. With any of these adjacent to our property we would experience a diminished if not total loss of privacy. We have our doubts that should such a housing plan be submitted that we would have any voice with regards to the placement of the structures. Though such structures would maximize profit for the developer it would surely decrease the value of our homes. Thus, we would advocate for a change to low density residential instead. It would be in keeping with the almost 100% of the dwellings for several blocks to the south of 5400 South. Low density residential also provides safe, walking friendly neighborhoods that invite play and social interaction which is the glue that binds communities.

What's even more concerning are the permitted conditional use structures in this zoning designation which include among others, bed and breakfast inns, retirement homes, independent living or congregate care (all of which are usually up to three stories, and low-rise multiple family dwellings which could be up to three stories or the allowed 40 feet high. From Salt Lake County Assessor records it appears that the majority of the planning commission members, if not all, live in low density residential developments. We believe that you would express equal dismay if such structures would be allowed to go up adjacent to your homes.

While row-houses and townhomes and duplexes create more affordable options for home buyers, these by nature are more often than not stepping-stones into single family dwellings. The average length in number of years of ownership for such dwellings is far less than for single family homes thus resulting in greater turnover, less concern and care for the maintenance of properties, and an overall less stable and less safe living environment, all of which affect the quality of life in our area and the value of our homes.

Again, we feel that low density residential is far more in keeping with the present make-up of the area and that a different designation would have a tremendously adverse effect upon the value of our homes and neighborhood.

E. Marcus and Rochelle White – 776 West Quaking Aspen Drive, Murray, Utah

Thank you for the opportunity to give input to the request for rezoning on the property that borders our homes and neighborhood. Also, thank you to those who have taken their time to answer questions and assist us in our part of the process.

The future of this property has always been of interest to the neighborhood and also a concern for many years. It was inevitable that at some time it would be developed and the wonderful quiet farm bordering our homes would be no more. It is not our intention to say, "not in our neighborhood", but it is imperative that we, whom will be most impacted, have an opportunity for dialogue and respectfully considered in the decision process.

With limited knowledge of what Ivory Development's plans for this property look like, it is extremely difficult to know how to address several of our concerns. We understand your hands may be tied concerning disclosure and also because plans may not have been fully presented. Unfortunately, this pretty much leaves us "blindfolded" while trying to see or determine what the future looks like. This is quite frustrating. So, with this limited knowledge, following are a few of the concerns and issues we hope will be considered by Murray City and Ivory Development:

Privacy: Ultimately, privacy is of utmost importance. We respectfully request a plan for generous setbacks from our property lines that are non-intrusive and consistent with the longstanding personal privacy we currently enjoy with our neighbors.

Consideration of the impact on our property values: We have invested much of our hard-earned money, sweat and time into our properties. It is a legitimate and serious concern that this very important personal asset be preserved and protected.

Height and Density: Again, privacy and property valuation impact should be considered.

Pollution: Light and noise pollution from increased traffic and building structures.

Aesthetics: A development that reflects the care and character of our outstanding neighborhood. A development with quality finishes, green space, fencing, etc.

Owner Occupied Residences: This consideration is very important to maintain the integrity of our neighborhood. We would hope to see owner occupied residences with an 80% owner occupancy stipulation for the development.

Traffic Flow and Access: It is no secret that access is a serious issue for this property. Our concern is the number of cars forced to make a right onto 700 West. The current design of the road is optimal. It has alleviated accidents and optimized traffic flow. It would be a travesty to alter the current design. Anyone exiting the property that will need to go west on 5400 South, east on 5400 South, north on 700 West or wanting to enter the property while traveling north on 700 West, will be seriously impacted. The concern is that these cars will then use our neighborhood as a U-turn or turn-around access. This is a scary thought.

Again, thank you for your time, concern and consideration. We love Murray. Our family has been a part of the fabric of Murray for four generations. We have a vested interest in seeing that the unique and outstanding character of our wonderful city continue well into the future. We look forward to respectful dialogue and cooperation as we move forward to a positive outcome for our neighborhood, those residents who will moving close to us and for Murray City.

Regina Napolitano – 746 West Quaking Aspen Drive, Murray, Utah
I have brief questions:

1. There appears to be about a six-foot space between the north property lines of the homes bordering the lot and the south property line of the proposed lot. What is proposed for that space?
2. Has Ivory Development provided plans for what they intend to build on this site if the zoning change is approved? If not, would a different zoning change--say to low-density/single-family--be acceptable?
3. What is the proposed timeline for construction, from start to finish (e.g., begin December 2020 and end June 2021)?

Rex Morrey – 584 West 5465 South, Murray, Utah

My name is Rex Morrey and I live at 684 West 5465 South, just around the corner from this property. I am opposed to any change to this property that will increase traffic in the area. Currently, because of the traffic island on 700 West I have 15-20 cars u-turning in my driveway every day in spite of signage requesting they not turn there. This has caused damage to my concrete.

Because of the island, people living in apartments on that property will naturally need to turn down our street to access routes in any direction except straight south. Our street already has increased traffic from individuals trying to avoid the light at the intersection, many speed along our street, endangering children, pets, and adults walking in the neighborhood.

There also is an inordinate number of traffic accidents at the corner of 5300 South and 700 West. It seems that emergency crews are there every few days cleaning up an accident. Any increase in traffic in this area will only exacerbate the problems in this area.

Seth and Gerilyn Merrill – 5451 South Quaking Aspen Drive, Murray, Utah

I believe that changing the zoning to residential is a good idea. However, doing so without a firm plan for what will be built on the lot under discussion is a poor idea. It gives existing residents no way to provide feedback on a detailed plan, so that any plan can incorporate such feedback to create solutions that will promote harmony between the developer and existing residents.

In the absence of a specific plan, here is a list of major concerns I have as an existing resident whose property borders the lot under discussion. These principles apply whether the lot is zoned commercial or residential:

1. Privacy – Development of the lot under discussion will negatively affect privacy for existing residents. Affected residents have enjoyed privacy in their backyards for many years—some for more than two decades. Please require that any structures built on the lot are single story with basements, not two-story. Existing residents have fences along the back of their property, but if two-story structures are built the privacy benefit of the fence will be nullified, with new inhabitants gazing down into the yards, bedrooms, and living spaces of the existing houses.
2. Light and Noise Pollution – Please prevent bright, directed, or elevated lights from shining into the back of existing residents' houses. It is psychologically disconcerting to have a spotlight shine into the back of your house. Please place any new road construction on the 5400 South side of the lot rather than along the existing resident fence line, so existing residents are not sandwiched with traffic running immediately and proximately on both sides of their lots.
3. Traffic – 700 West is already a very difficult intersection, especially at peak traffic hours. For ingress, if the concrete median is removed so that new inhabitants can access the lot from 700 West northbound, it will hold up traffic during the day. For egress, if the concrete median is not removed, then new inhabitants of the lot under discussion will have no way to go north on 700 West without first going south—where will they turn around? If they are going to the freeway one possibility is that they will make a left turn onto 5465 South and then another left onto Allendale. But what if they are trying to go north on 700 West or west on 5400 South? A probable but very negative possibility is that they will head south and take the first right (west) onto Aspen Heights and then make a U-turn either:
 - a. at the first intersection in front of 5481 Quaking Aspen Drive
 - b. in front of the wide elbow in front of 5451 Quaking Aspen Drive and 740 Quaking Aspen Drive (cars already use it for this purpose infrequently)

- c. by completing a larger circle from Aspen Heights to Chaparral to Quaking Aspen Drive

None of those are desirable for existing residents.

If development of the lot under discussion is not handled carefully, it will lower the quality of life for existing residents, promote contention between residents, developer, owner, and city employees at future hearings, and depress property values.

I support the rezoning to residential—but a suggestion that may address the above concerns better than the existing proposal: rezone instead to R-1-8 (low density residential). That will simply extend the characteristics of the existing neighborhood—single family residences, long tenure per family—into the newly developed area.

The public comment portion was closed.

Mr. Prince said he understands that the project would be limited in height to a height that is comparable to other residential structures next to the property. The setbacks will prohibit the residential structures from being close to the residential property line. Ivory Development will work with staff on a subdivision design that will address the traffic and intersection concerns.

Mr. Hall said the six-foot space that is currently on the property will be developed. There is a lot more to do for this project and the public will be involved with those processes also.

Ms. Milkavich asked if there was a way to put a public road through the property so it could have single-family houses on it. Mr. Hall replied the minimum standard for a public road is 49 feet. UDOT will not give the City permission to put a public right-of-way on the property. However, UDOT has to allow a private access road to serve private condominiums or townhomes.

A motion was made by Ned Hacker to forward a recommendation of approval to the City Council for the requested amendment to the General Plan Future Land Use Map, re-designating the property located at 5448 and 5452 South 700 West from Residential Business to Medium Density Residential.

Seconded by Lisa Milkavich.

Call vote recorded by Mr. Hall.

A Ned Hacker
A Lisa Milkavich
A Travis Nay
A Sue Wilson
A Maren Patterson
A Phil Markham

Motion passed 6-0.

Mr. Markham stated this is a recommendation to the City Council. There will be another opportunity for people to address this in a public City Council meeting at a future date.

A motion was made by Maren Patterson to forward a recommendation of **approval to** the City Council for the requested **amendment to the Zoning Map designation** of the property located at 5448 and 5452 South 700 West from C-N, Commercial Neighborhood to R-M-15, Multi-Family Medium Density Residential.

Seconded by Lisa Milkavich.

Call vote recorded by Mr. Hall.

A Ned Hacker
A Lisa Milkavich
A Travis Nay
A Sue Wilson
A Maren Patterson
A Phil Markham

Motion passed 6-0.

MCCD DESIGN GUIDELINES – MCCD Zone – Project #20-105

Zach Smallwood said this is a recommendation to the City Council regarding the repeal and replacement of the Murray City Center District (MCCD) Design Guidelines. The MCCD is approximately 100 acres located in central Murray. The Design Guidelines are best practices, used as a document to help review potential projects and provide direction to the Design Review Committee, the Planning Commission, staff and developers. The Design Guidelines are not requirements or a list of boxes to be checked off.

In 2019 the City's zoning ordinance was rewritten. As part of that update, the language referring to the Design Guidelines was changed to provide greater clarity. With that change, updated guidelines needed to be developed. Staff looked at the 2017 General Plan and the 2015 community survey to create the Five Shared Values where are: Authentic, Active, Inclusive, Multi-Modal, and Connected. Mr. Smallwood defined each value.

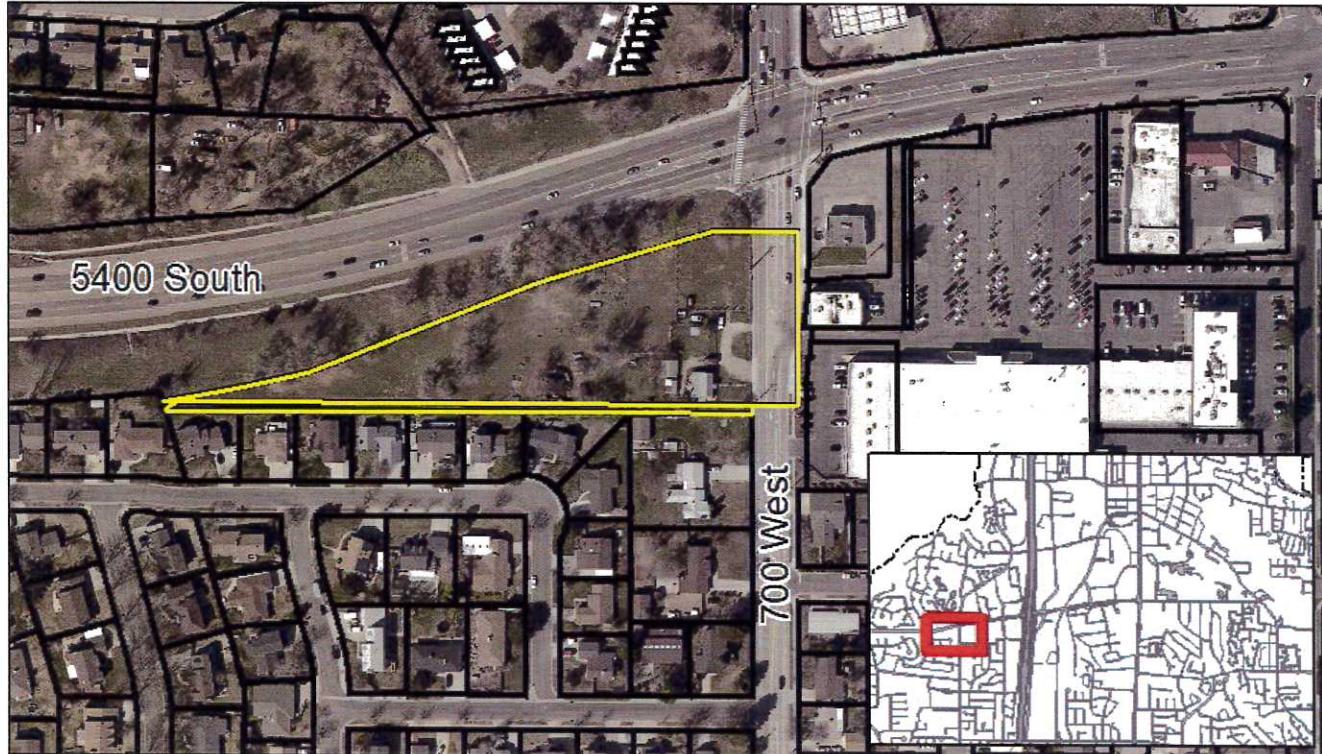
- Authentic – a real place. Somewhere where the citizens of Murray will gravitate towards and meet as a community.
- Active – a physically active place where people are physically meeting and gathering; a socially active place where people meet up to enjoy a meal or see a show; a mentally active place that creates interesting open spaces and architecture with innovative places that generate a lot of activity.
- Inclusive – a welcoming community.
- Multi-Modal – having additional ways to get to places.
- Connected – citizens value the ability to get to and from places that they enjoy with relative ease.

In addition, staff looked at other city's best practices in downtown development and came up with 18 design guidelines, which is a change from the 43 that were in the old guidelines. They are categorized into four broad areas: District Wide, Public Spaces and Streetscape, Development Site, and Architectural.



AGENDA ITEMS #4 & #5

| | | | |
|----------------------|---|----------------------|---------------------------------------|
| ITEM TYPE: | General Plan Amendment / Zone Map Amendment | | |
| ADDRESS: | 5448 South 700 West & 5452 South 700 West | MEETING DATE: | October 15, 2020 |
| APPLICANT: | Ivory Development | STAFF: | Jared Hall, Planning Division Manager |
| PARCEL ID: | #21-14-228-001, #21-14-228-002 #21-14-228-029 | PROJECT NUMBER: | 20-108 20-109 |
| CURRENT ZONE: | C-N, Neighborhood Commercial | PROPOSED ZONE: | R-M-15, Multi-Family Low Density Res |
| LAND USE DESIGNATION | Residential Business | PROPOSED DESIGNATION | Medium Density Residential |
| SIZE: | 2.74 acres | | |
| REQUEST: | The applicant would like to amend the Future Land Use Map designation and Zoning of the subject properties to facilitate residential development. | | |



I. BACKGROUND & REVIEW

Background

The property has been used as a single residence and agricultural activities but has been zoned for commercial development for some time. Changes made to 700 West by the Utah Department of Transportation (UDOT) and Murray City to provide better access management related to the intersection of 5400 South and 700 West have made the property unsuitable for commercial development. The current application has been made to facilitate medium density residential development of the property.

Surrounding Land Uses & Zoning

The subject property is comprised of a 2.5-acre parcel in the C-N Zone, and two smaller associated parcels (totaling just over .24 acres) which are shown in the R-1-8 Zone. Given the very clear association of the three parcels, Planning Staff views the inclusion of the smaller parcels in the R-1-8 Zone as a mapping error. This staff report will focus on review and comparison of the differences between the existing and proposed Future Land Use and Zoning Map designations of the 2.5-acre parcel.

| <u>Direction</u> | <u>Land Use</u> | <u>Zoning</u> |
|------------------|-----------------------------------|----------------|
| North | Single & Multi-Family Residential | R-1-8 & R-M-15 |
| South | Single Family Residential | R-1-8 |
| East | Commercial | C-D & C-N |
| West | Single Family Residential | R-1-8 |



Figure 1: Segment of the Zoning Map, subject parcel highlighted

Zoning Districts & Allowed Land Uses

- Existing C-N, Neighborhood Commercial Zone:
Permitted uses in the C-N Zone include single-family dwellings attached to nonresidential uses (caretakers), utilities, hardware, variety stores, apparel, furniture, drug stores, medical cannabis, bookstores, sporting goods, restaurants, banks, real estate and insurance offices, dry cleaners, beauty salons, massage therapy, business offices, locksmiths, charter schools, and pet grooming. Conditional uses in the C-N Zone include convenience stores and gas stations, check cashing, assisted living facilities, commercial child-care centers, libraries, repair services, commercial printing, discount stores, utilities, shopping centers less than 10-acres, and veterinarian services.
- Proposed R-M-15, Multi-Family Medium Density Residential Zone:
Permitted uses in the proposed R-M-15 include single-family detached dwellings on 8,000 ft² lots, two-family dwellings on 10,000 ft² lots, utilities, charter schools, and residential childcare as permitted uses. Conditional uses in the R-M-15 Zone include attached single-family dwellings, multi-family dwellings (12 units per acre), bed and breakfasts, retirement homes, cemeteries, radio and television transmitting stations, schools, parks, and churches.

Regulations

The more directly comparable regulations for setbacks, height, parking, buffering and other considerations are distinct between the C-N and proposed R-M-15 zones are summarized in the table below. of some of the more directly comparable requirements is contained in the table below.

| | C-N Zone (existing) | R-M-15 Zone (proposed) |
|---|---|---|
| Planning Commission Review Required | All new buildings & structures | Conditional Use for attached single-family and multi-family development |
| Height of Structures | 35' max | 40' max (to be determined by the planning commission) |
| Minimum Lot Size, Two-Family and Multi-Family Dwellings | Not applicable – not allowed | Two-family – 10,000 ft ² Multi-family – 12 units/acre |
| Building Setbacks | Front Yard: 20' No building closer than 15' to residential zoning. | Front Yard: 25' Rear: 25' Side Yard: 8' min, total 20' Corner Side Yard: 20' |

General Plan & Future Land Use Designations

Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for all properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These “Future Land Use Designations” are intended to help guide decisions about the zoning designations of properties. The subject property is currently designated “Residential Business”. The designation supports the R-N-B, Residential Neighborhood Business Zone.

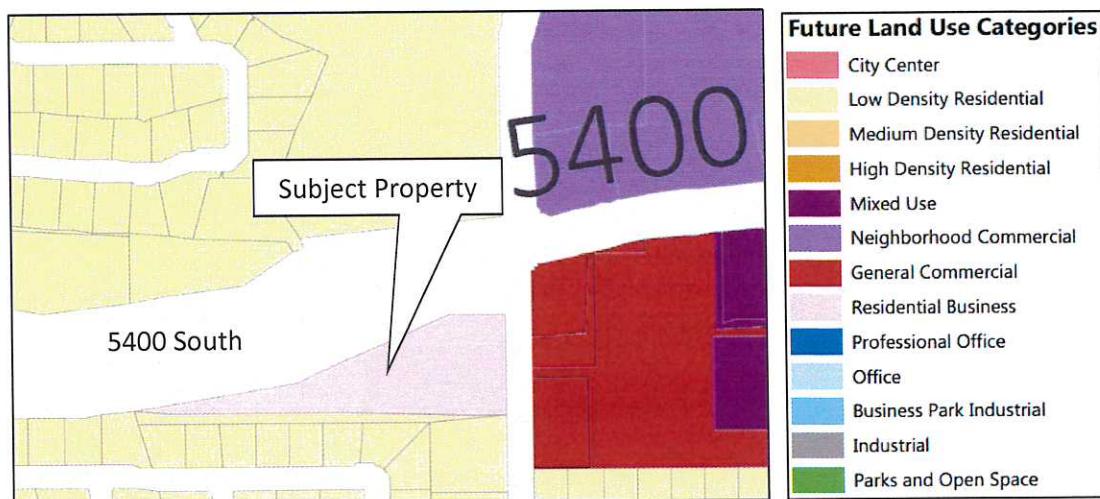


Figure 2: Future Land Use Map segment

Limited access negatively impacts the potential commercial development of the property. Two high-curbed medians have been placed in 700 West to better manage traffic volumes through the adjacent intersection. The placement of the medians makes left turns into and out of the property impractical for any commercial uses. Murray City Planning and Engineering Staff find that the medium density residential development will be more appropriate than commercial development due to these issues.

The designation of a property is tied to corresponding purpose statements and zones. These “Future Land Use Designations” are intended to help guide decisions about the zoning of properties.

- Existing: The subject property is currently designated as “Residential Business”. The Residential Business designation allows for smaller scale, compatible commercial development within or adjacent to primarily residential areas. The only corresponding zone is R-N-B, Residential Neighborhood Business. The R-N-B Zone allows some residential uses including duplexes and twin-homes; however, both would require subdivision of the property, which is constrained by a 260' frontage on 700 West which narrows quickly. The shape of the property would make the necessary public rights-of-way that would be required for those housing types impractical or impossible.

- Proposed: The applicants propose to amend the Future Land Use Map designation of the subject property to “Medium Density Residential”. The Medium Density Residential designation allows a mix of housing types that are single-dwelling in character or smaller multi-family structures. The designation is intended for areas near or along centers and corridors. Densities should range between 6 and 15 units per acre. Corresponding Zones are:
 - R-1-6, Low/Medium Density Single Family
 - R-M-10, Medium Density Multiple Family
 - R-M-15, Medium Density Multiple Family



Figure 3: Zoning Map segment, subject property highlighted

MEDIUM DENSITY RESIDENTIAL

This designation allows a mix of housing types that are single-dwelling in character or smaller multi-family structures, primarily on individual parcels. This designation is intended for areas near, in, and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access frequent transit, are available or planned. Areas within this designation generally do not have development constraints (such as infrastructure or sensitive lands). This designation can serve as a transition between mixed-use or multi-dwelling designations and lower density single-dwelling designations.

Density range is between 6 and 15 DU/AC.

Corresponding zone(s):

- R-1-6, Low/Medium density single family
- R-M-10, Medium density multiple family
- R-M-15, Medium density multiple family





Figure 4: from pg. 5-13, Murray City General Plan

II. CITY DEPARTMENT REVIEW

The applications were made available for review by City Staff from various departments on September 30, 2020. There were no objections or concerns from the reviewing departments. The Engineering Division supports the proposed changes.

III. PUBLIC COMMENTS

103 notices of the public hearing for the requested amendments to the Future Land Use map and Zone Map amendment were sent to all property owners within 300 feet of the subject property and to affected entities.

As of the date of this report staff has received a phone call from an adjacent property owner to the south with an inquiry about the purpose of the request. The property owner expressed concerns with the type of development and had been concerned that the property would develop commercially and cause traffic and other problems on 700 West, which is already busy. The property owner indicated that she would email her concerns and comments to staff and would encourage her neighbors who had expressed their concerns to her to do the same. She generally felt that townhomes or some kind of development of that nature would be alright and not too much of an impact if they were done correctly.

IV. ANALYSIS & CONCLUSIONS

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

The proposed change in zoning from C-N to R-M-15 will allow the most appropriate and compatible development of the subject property when considering the surrounding area and constraints to accessibility. Medium density residential development will best assure the continued care and maintenance of the property.

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

The subject property has been underutilized and/or vacant previously, and as such has provided a buffer between the residential uses to the south and the higher volume of traffic along 5400 South. Medium density residential development will provide an appropriate transition and buffer from the single-family residential uses without the significant impacts that a limited commercial development could bring, especially if the commercial development struggled or failed because of the constraints to accessibility. The change of zoning is necessary to allow the appropriate development of the property.

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

Available utilities and services at this location are not impacted by the proposed change in zoning. Reviewing service providers including sewer, power, fire, and engineering department personnel have indicated that there are no impacts from the proposed change.

V. FINDINGS

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The requested amendment to the Future Land Use Map of the 2017 Murray City General Plan represents a correction based on the limited accessibility of the property and the potentially limited ability for traditional subdivision.
3. The proposed Zone Map Amendment from C-N to R-M-15 has been considered based on the characteristics of the site and surrounding area, the potential impacts of the change, and on the policies and objectives of the 2017 Murray City General Plan.
4. The proposed Zone Map Amendment from C-N to R-M-15 conforms to the goals and objectives of the 2017 Murray City General Plan and will allow the appropriate development of the subject property.

VI. STAFF RECOMMENDATION

The requests have been reviewed together in the Staff Report and the findings and conclusions apply to both recommendations from Staff, but the Planning Commission must take actions on each request individually. Two separate recommendations are provided below:

REQUEST TO AMEND THE MURRAY CITY GENERAL PLAN

Based on the background, analysis, and the findings in this report, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the General Plan Future Land Use Map, re-designating the property located at 5448 & 5452 South 700 West from Residential Business to Medium Density Residential.

REQUEST TO AMEND THE MURRAY CITY ZONING MAP

Based on the background, analysis, and the findings within this report, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation of the property located at 5448 & 5452 South 700 West from C-N, Neighborhood Commercial to R-M-15, Multi-Family Medium Density Residential.



NOTICE OF PUBLIC MEETING

**** PUBLIC NOTICE IS HEREBY GIVEN** that in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020 and Emergency Executive Order 20-02 issued by the Mayor on April 1, 2020, the Planning Commission of Murray City, Utah will hold an electronic only regular meeting at 6:30 p.m., Thursday, October 15, 2020. **The Chair of the Murray City Planning Commission has determined that due to the continued rise of COVID-19 case counts, meeting with an anchor location presents a substantial risk to the health and safety of those in attendance. No physical meeting location will be available.**

The public may view the meeting via live stream at www.murraycitylive.com or <https://www.facebook.com/MurrayCityUtah/>. If you would like to submit comments for an agenda item, you may do so by sending an email (including your name and contact information) in advance of, or during the meeting to planningcommission@murray.utah.gov. *Comments are limited to 3 minutes or less and will be read into the meeting record.*

The Murray City Planning Commission will hold a public meeting regarding the following applications:
Representatives of Ivory Development have made application for the following amendments to the Murray City General Plan and Zoning Map regarding the property addressed 5448 South 700 West:

Amend the Future Land Use Map designation of the property from Residential Business to Medium Density Residential.

Amend the Zoning Map designation of the property from C-N, Neighborhood Commercial to R-M-15, Medium Density Multi-Family Residential. Please see the attached plans.



This notice is being sent to you because you own property near the subject property. If you have questions or comments concerning this proposal, please call Jared Hall with the Murray City Planning Division at 801-270-2420 or e-mail to jhall@murray.utah.gov.

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

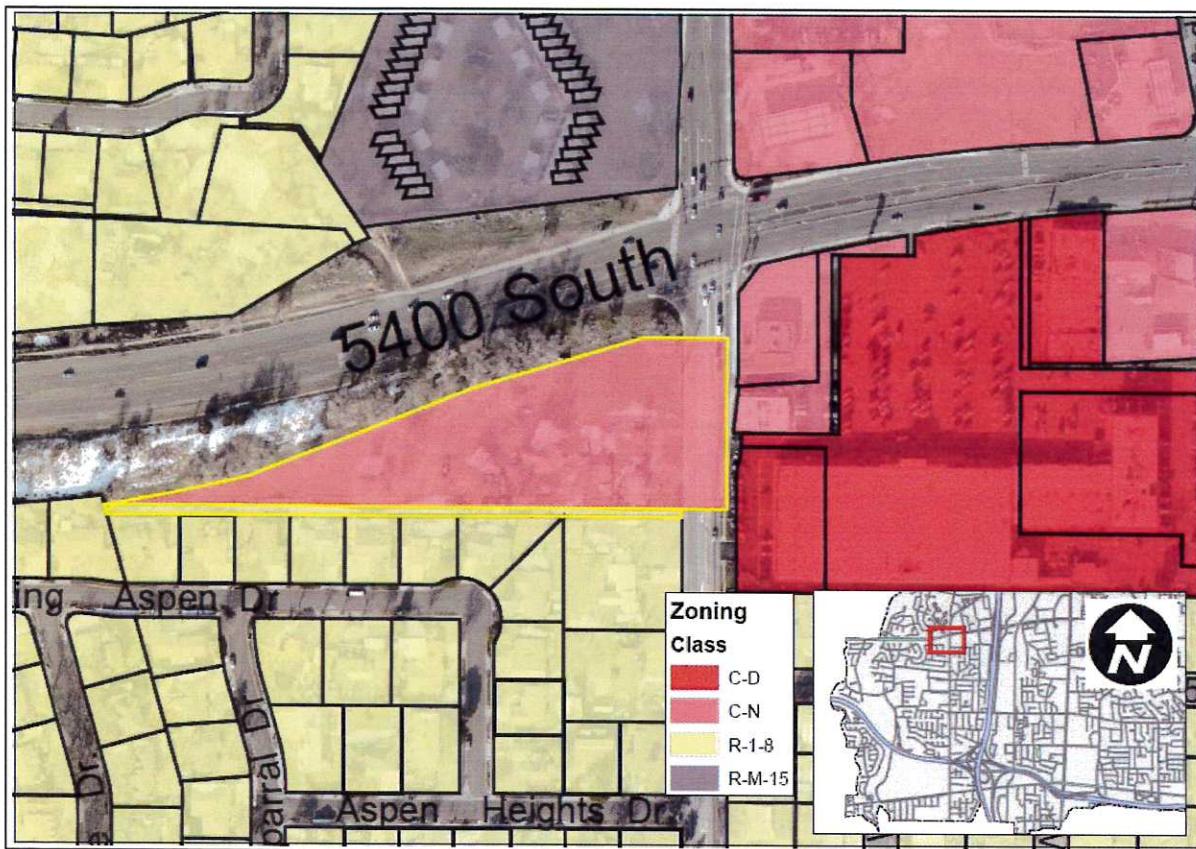


Figure 1: Zoning Map segment

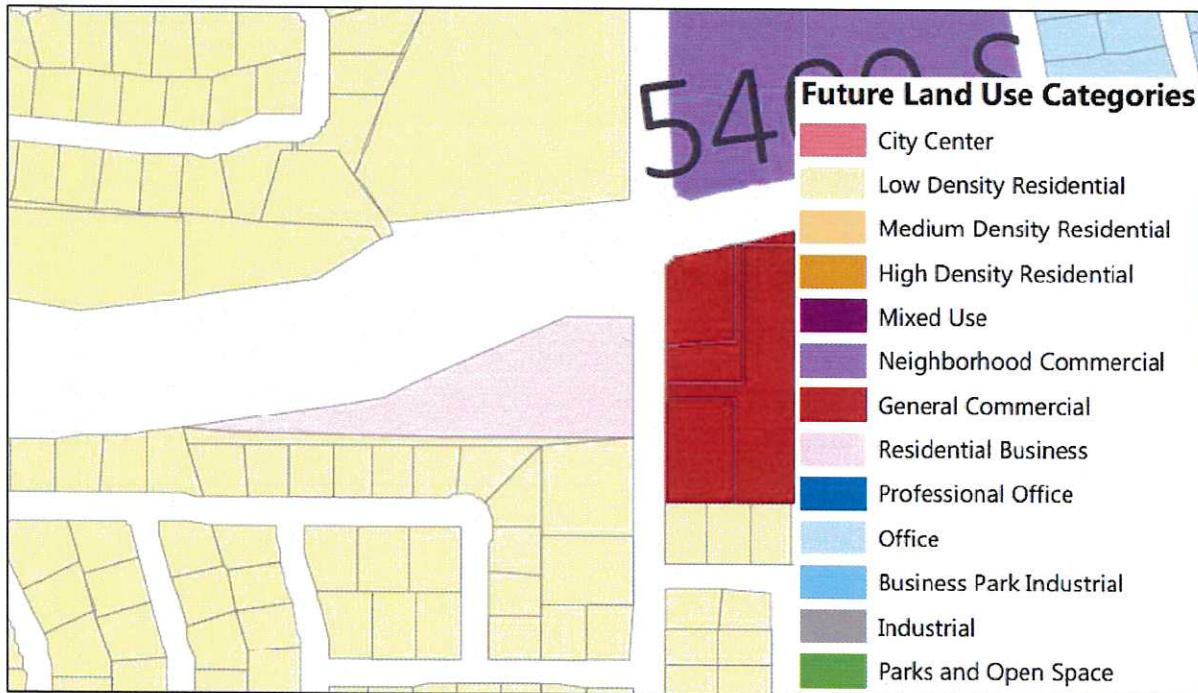


Figure 2: Future Land Use Map segment

Order Confirmation for **0001300859**

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 Legal Ad - Ivory Dev

| | |
|---------------------|----------------|
| Total Amount | \$78.92 |
| Payment Amt | \$0.00 |
| Amount Due | \$78.92 |

Text: Legal Ad - Ivory Dev

Ad Number 0001300859-01 Ad Type Legal Liner
Ad Size 1 X 44 li Color

WYSIWYG Content

MURRAY CITY
CORPORATION
NOTICE OF
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 15th day of October 2020, at the hour of 6:30 p.m. of said day the Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to General Plan Amendment from Residential Business to Medium Density Residential and a Zone Map Amendment from C-N, (Commercial Neighborhood) to R-M-15 (Medium Density Multiple Family) for the properties located at 5448 and 5452 South 700 West, Murray City, Salt Lake County, State of Utah. The public may view the meeting via the live stream at www.murraycitylive.com. If you would like to submit comments for this agenda item you may do so by sending an email in advance or during the meeting to planningcommission@murray.utah.gov. No physical meeting location will be available.

Jared Hall, Manager
Planning Division
1300859 UPAXLP

| | | |
|-------------------|--------------------|-----------------|
| <u>Product</u> | <u>Placement</u> | <u>Position</u> |
| Salt Lake Tribune | Legal Liner Notice | 998 |

Scheduled Date(s): 10/04/2020
utahlegals.com utahlegals.com utahlegals.com

Scheduled Date(s): 10/04/2020
 Deseret News Legal Liner Notice 998

Scheduled Date(s): 10/04/2020

GENERAL PLAN AMENDMENT APPLICATION

Type of Application (check all that apply):

Text Amendment

Map Amendment

Project # 20-108

Subject Property Address: 5448 South 700 West

Parcel Identification (Sidwell) Number: 2114228001, 2114228002, 2114228029

Parcel Area: 2.86 ACRES Current Use: Agricultural
RESIDENTIAL

Land Use Designation: BUSINESS Proposed Designation: MEDIUM DENSITY RESIDENTIAL

Applicant Name: BRYON PRINCE, Ivory Development

Mailing Address: 978 East Woodwork Lane

City, State, ZIP: SLC, UT 84117

Daytime Phone #: (801) 520-9155 Fax #: —

Email Address: bprince@ivoryhomes.com

Business Name (If applicable): IVORY DEVELOPMENT

Property Owner=s Name (If different): Karl Shelton

Property Owner=s Mailing Address: 5448 South 700 West

City, State, Zip: Murray City, UT 84123

Daytime Phone #: (801) 201-3165 Fax #: — Email: Karlsjoy@icloud.com

Describe your request in detail (use additional page if necessary): AMEND THE
GENERAL PLAN MAP TO ACCOMMODATE AN R-4-15
REZONE.

Authorized Signature: Ginger

Date: 9/22/20

Property Owners Affidavit**Project #** _____

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



Owner's Signature

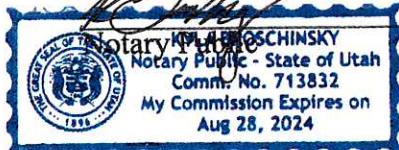


Owner's Signature (co-owner if any)

State of Utah

§

County of Salt Lake

Subscribed and sworn to before me this 22 day of September, 2020.

Residing in Utah
My commission expires: August 28 2024

Agent Authorization

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

Owner's Signature

Owner's Signature (co-owner if any)

State of Utah

§

County of Salt Lake

On the _____ day of _____, 20 ____, personally appeared before me _____ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Notary public

Residing in: _____
My commission expires: _____

ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

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

Yes No

Project # 20-109

Subject Property Address: 5448 South 700 West

Parcel Identification (Sidwell) Number: 2114228001, 2114228002, 2114228029

Parcel Area: 2.86 ACRES Current Use: _____

Existing Zone: C-N Proposed Zone: R-M-15

Applicant

Name: BRYON PRINCE, IVORY DEVELOPMENT

Mailing Address: 978 EAST WOODOAK LANE

City, State, ZIP: SLC, UT 84117

Daytime Phone #: (801) 520-9155 Fax #: —

Email address: bprince@ivoryhomes.com

Business or Project Name: shelton PROPERTY

Property Owner's Name (If different): Karl Shelton

Property Owner's Mailing Address: _____

City, State, Zip: _____

Daytime Phone #: _____ Fax #: _____ Email: _____

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

A medium density residential land use is consistent with Murray City's future land use map. The medium density residential will also compliment the neighboring properties.

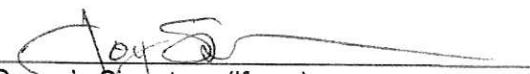
Authorized Signature: _____ Date: _____

Property Owners Affidavit

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



Owner's Signature

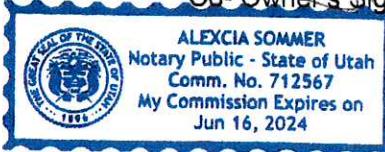


Co-Owner's Signature (if any)

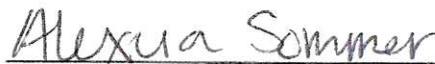
State of Utah

§

County of Salt Lake



Subscribed and sworn to before me this 17th day of September, 2020.



Notary Public

Residing in Salt Lake County My commission expires: Jun 16, 2024

Agent Authorization

I (we), _____, the owner(s) of the real property located at

_____, in Murray City, Utah, do hereby appoint

Ivory Development, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize

Ivory Development to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake

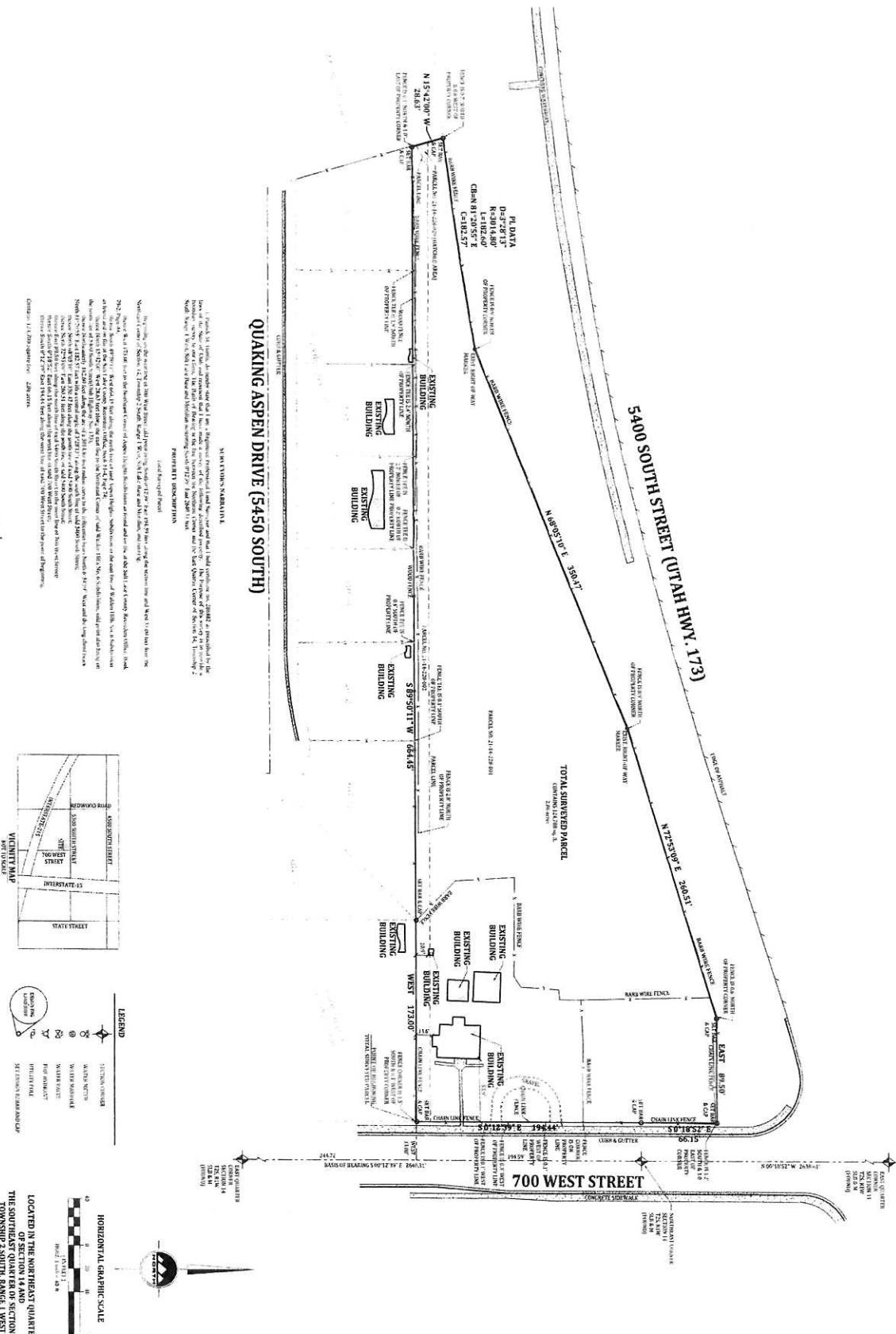
On the _____ day of _____, 20 _____, personally appeared before me

the signer(s) of the above Agent Authorization
who duly acknowledge to me that they executed the same.

Notary Public

Residing in _____

My commission expires: _____



S2009-03-0106
Reid J. Demman, P.L.S.
SALT LAKE COUNTY SURVEYOR

SHELTON PROPERTY SURVEY

**5456 SOUTH 700 WEST
MURRAY, UTAH**



SHELTON PROPERTY SURVEY

5456 SOUTH 700 WEST
MURRAY, UTAH

1/1 OF 1

**LEGAL DESCRIPTION
PREPARED FOR
SHELTON MURRAY PROPERTY
MURRY CITY, SALT LAKE COUNTY, UTAH
(October 28, 2020)
20-0484**

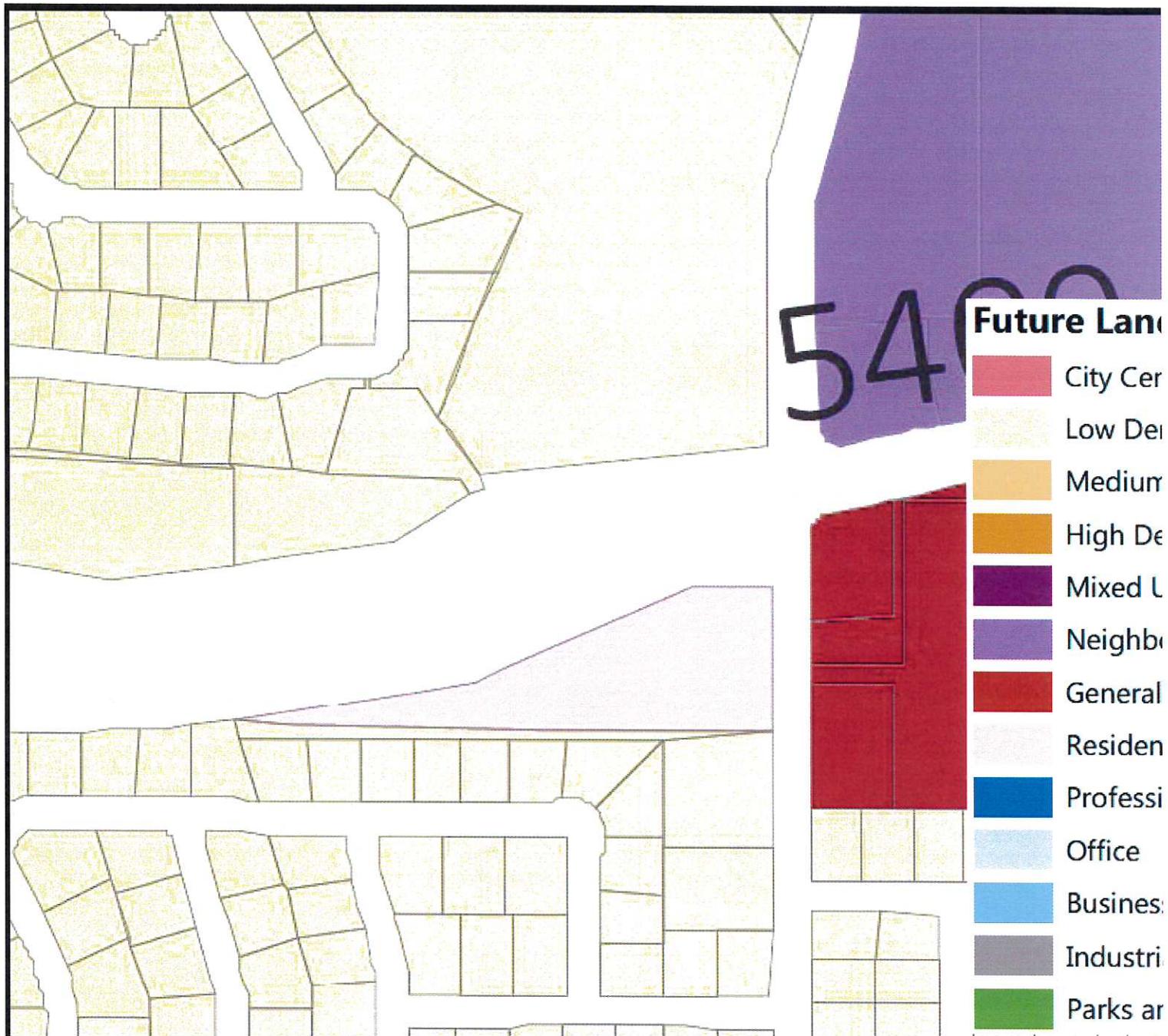
SURVEY DESCRIPTION

A portion of the Northeast Quarter of Section 14 and the Southeast Quarter of Section 11, Township 2 South, Range 1 West, Salt Lake Base & Meridian, located in Murray City, Utah, more particularly described as follows:

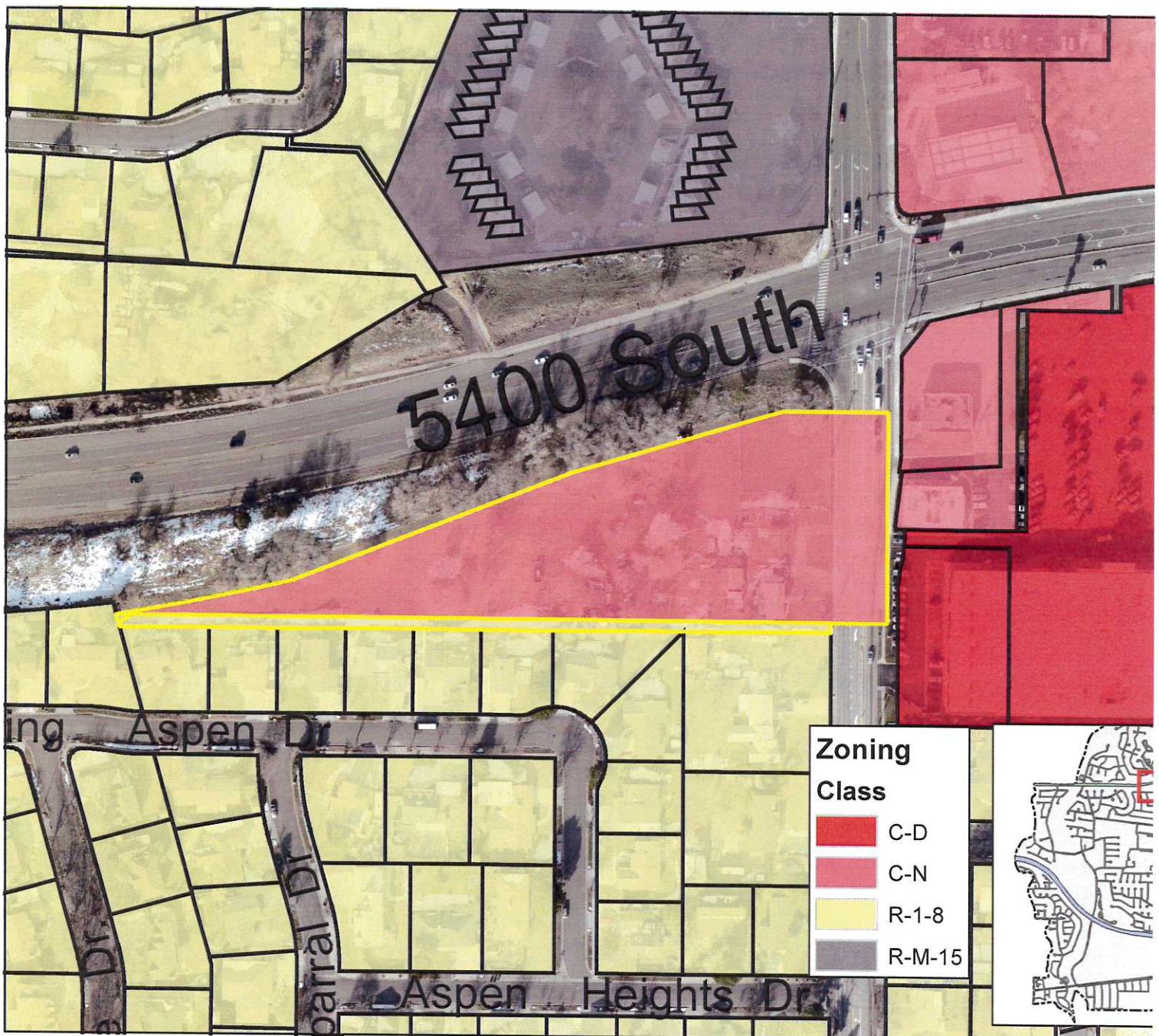
Beginning at the Northeast Corner of Section 14, T2S, R1W, SLB&M; running thence along the easterly Section line of said Section 14, S00°12'39"E 182.16 feet; thence West 33.00 feet to the westerly right-of-way line of 700 West Street; thence along said easterly right-of-way line S00°12'39"E 11.94 feet to a fence corner; thence westerly along said fence line to and along the northerly line of ASPEN HEIGHTS Subdivision, according to the Official Plat thereof recorded February 6, 1979 as Entry No. 3233551 in Book 79-2 at Page 44 in the Office of the Salt Lake County Recorder, S89°50'11"W 837.44 feet to a point on the easterly line of WALDEN HILLS No. 6 Subdivision, according to the Official Plat thereof recorded April 16, 1981 as Entry No. 3554978 in Book 81-4 at Page 74 in the Office of the Salt Lake County Recorder; thence along said easterly line N15°42'00"W 28.82 feet to a point on the southerly right-of-way line of 5400 South Street (SR-173), known as Project No. 0132; thence along said southerly right-of-way line the following four (4) courses: (1) easterly along the arc of a non-tangent curve to the left having a radius of 3,014.80 feet (radius bears: N06°51'02"W) a distance of 182.15 feet through a central angle of 03°27'42" Chord: N81°25'07"E 182.13 feet; thence (2) N68°10'11"E 350.18 feet; thence (3) N73°02'30"E 260.80 feet; thence (4) N89°51'48"E 89.55 feet to said westerly right-of-way line of 700 West Street; thence N89°51'48"E 33.00 feet to the easterly Section line of Section 11, T2S, R1W, SLB&M; thence along said easterly Section line S00°18'52"E 65.01 feet to the point of beginning.

Contains: 132,564 square feet or 3.04 acres+/-

5448 & 5452 South 700 West



5448 & 5452 South 700 West



IVORY DEVELOPMENT
Project #20-108 & 20-109
P/C 10/15/2020
400' radius + affected entities

Allendale Real Estate Llc
4525 S Wasatch Blvd
Millcreek , UT, 84124-4757
returned in mail

Andrew Nieves; Amanda Nieves (Jt)
5370 S Baldwin Park
Murray , UT, 84123-4501

Arven Roberts; Julia Roberts (Jt)
5484 S Quaking Aspen Dr
Murray , UT, 84123-5557

Barry W Nash; Karen B Nash (Jt)
5463 S Chaparral Dr
Murray , UT, 84123-5565

Chad Holbrook; Amity Holbrook (Jt)
759 W Quaking Aspen Dr
Murray , UT, 84123-5558

D Drew & Cathie B Pearson Family Living
Trust 11/17/2010
836 W Quaking Aspen Dr
Murray , UT, 84123-5586

David J Schneider; Carma R Schneider (Jt)
793 W Clover Meadow Dr
Murray , UT, 84123-4506

Don C Harwood; Karen Harwood
5471 S Quaking Aspen Dr
Murray , UT, 84123-5556

Gerilyn Merrill; Seth Merrill (Jt)
5451 S Quaking Aspen Dr
Murray , UT, 84123-5556

Alyse Almond
668 W 5465 S
Murray , UT, 84123-5670

Anthony Archer; Nichole Archer (Jt)
5515 S Applevale Dr
Murray , UT, 84123-5585

Barbara M Saunders; Eugene Crary
5357 S Baldwin Park
Murray , UT, 84123-4501

Bruce L Craig
5365 S Baldwin Park
Murray , UT, 84123-4501

Christopher Ryan Miller; Shanda Miller
(Jt)
821 W Quaking Aspen Dr
Murray , UT, 84123-5587

D.U. Company, Inc
20 W Century Park Wy
South Salt Lake , UT, 84115-3508

Ddah
5355 S Baldwin Park
Murray , UT, 84123-4501

Donna A Goeller; Yeiko Homma (Tc)
796 W Quaking Aspen Dr
Murray , UT, 84123-5559

Gloria H Merrill
5502 S Applevale Dr
Murray , UT, 84123-5584

James Edward Iii Thompson
5455 S 700 W
Murray , UT, 84123-5602

Aaron Devore
660 W 5465 S # 794
Murray , UT, 84123-

Ana Jane Esquibel Living Trust
02/18/2020
846 W Quaking Aspen Dr
Murray , UT, 84123-5586

Applegate Condm Common Area Mast
Card
5297 S Glendon St
Murray , UT, 84123-4541

Barry Olsen; Carla Olsen (Jt)
5509 S Applevale Dr
Murray , UT, 84123-5585

Calvin R Mertz; Pamela N Mertz (Jt)
5483 S 700 W
Murray , UT, 84123-5660

Crystal D Griffiths; Crystal Griffiths
5372 S Baldwin Park
Murray , UT, 84123-4501

Darrell Huseth; Diane J Hester
5379 S Lucky Clover Ln
Murray , UT, 84123-4595

Deborah J Williams; Charles N William:
(Jt)
5482 S Chaparral Dr
Murray , UT, 84123-5564

E Marcus White; Rochelle White (Jt)
776 W Quaking Aspen Dr
Murray , UT, 84123-5559

Heber B Barker; Geraldine J Barker (Jt)
5517 S White Springs Dr
Murray , UT, 84123-5591

James C Norman; Christine C Norman (Tc)
5368 S Baldwin Park
Murray , UT, 84123-4501

Jason Elmer; Tirsa Elmer (Jt)
5481 S Quaking Aspen Dr
Murray , UT, 84123-5556

James Mckenna; Kimberly A Mckenna
826 W Quaking Aspen Dr
Murray , UT, 84123-5586

Janet Heimbigner
5374 S Baldwin Park # 114
Murray , UT, 84123-

Jessica Goodwin
766 W Quaking Aspen Dr
Murray , UT, 84123-5559

Jeff B Christensen
756 W Quaking Aspen Dr
Murray , UT, 84123-5559

Jenner Bird
5373 S Baldwin Park
Murray , UT, 84123-4501

Juanita M Nicholls
5369 S Baldwin Park
Murray , UT, 84123-4501

Jon D Barlow; Lisa Anne Barlow (Jt)
786 W Quaking Aspen Dr
Murray , UT, 84123-5559

Joshua Valladolid
5359 S Baldwin Park
Murray , UT, 84123-4501

Karl L Shelton; Joy Shelton (Jt)
5896 S Kingston Wy
Murray , UT, 84107-6143

Justice Jeffs; Edelweiss Torres (Jt)
5363 S Baldwin Park
Murray , UT, 84123-4501

Karl L Shelton; Joy Shelton (Jt)
5896 S Kingston Wy
Murray , UT, 84107-6143

Kyle Miller
4885 S 900 E # 100
Salt Lake City , UT, 84117-5794

Karl L Shelton; Joy Shelton (Jt)
5896 S Kingston Wy
Murray , UT, 84107-6143

Ken W Fisk
Po Box 571101
Murray , UT, 84157-1101

Lou Ann Butler
5507 S White Springs Dr
Murray , UT, 84123-5591

Larry P Killips
681 W 5465 S
Murray , UT, 84123-5654

Lhmfit
5514 S Applevale Dr
Murray , UT, 84123-5584

Marciano Preciado
5456 S 700 W
Murray , UT, 84123-5603

Marc Zaharias
710 W Aspen Heights Dr
Murray , UT, 84123-5577

Marc Zaharias
710 W Aspen Heights Dr
Murray , UT, 84123-5577

Murray City Corp
5025 S State St
Murray , UT, 84107-4824

Michael R Hatch
5588 S Walden Meadows Dr
Murray , UT, 84123-5467

Morris O Haggerty; Kathleen L Haggerty
(Jt)
5460 S Quaking Aspen Dr
Murray , UT, 84123-5557

Regina M Napolitano; Michael P
Napolitano (Jt)
746 W Quaking Aspen Dr
Murray , UT, 84123-5559

Pc Riverview Llc
20 W Century Park Wy
South Salt Lake , UT, 84115-3508

Pc Riverview, Llc
20 W Century Park Wy
South Salt Lake , UT, 84115-3508

Ronald P Voorhees; Carol K Voorhees (Jt)
5495 S White Springs Dr
Murray , UT, 84123-5536

Rex M Morrey; Ruth D Morrey (Jt)
684 W 5465 S
Murray , UT, 84123-5670

| | | |
|--|--|--|
| Robert Glenn; Hillary Madrigal (Jt) 791 W Quaking Aspen Dr Murray , UT, 84123-5595 | Salt Lake County Po Box 144575 Salt Lake City , UT, 84114-4575 | Ruben Araujo 665 W 5465 S Murray , UT, 84123-5653 |
| Ruth Ann Sellers 816 W Quaking Aspen Dr Murray , UT, 84123-5586 | Shaffer Family Trust 12/05/2018 5472 S Chaparral Dr Murray , UT, 84123-5564 | Samuel Kesler Ingram; Caitlin Wuckert Ingram (Jt) 5493 S Applevale Dr Murray , UT, 84123-5583 |
| Scott L Hansen; Lisa R Hansen (Jt) 806 W Quaking Aspen Dr Murray , UT, 84123-5586 | Steven Bills; Steffanie Bowen (Jt) 676 W 5465 S Murray , UT, 84123-5670 | Shellee Wilson 5371 S Baldwin Park Murray , UT, 84123-4501 |
| Smiths Management Corp 1014 Vine St Cincinnati , OH, 45202- | Tesoro Refining & Marketing Company Llc 19100 Ridgewood Pkwy San Antonio , TX, 78259- | Tamra Kay Leonard 5367 S Baldwin Park Murray , UT, 84123-4501 |
| Terry Gene Bragg & Christine Hirase- Bragg Trust Agreement 12/06/2018 5485 S Chaparral Dr Murray , UT, 84123-5565 | Trust Not Identified 821 W Clover Meadow Dr Murray , UT, 84123-4508 | Travis Wentz; Darcia Wentz (Jt) 5364 S Baldwin Park Murray , UT, 84123-4501 |
| Trust Not Identified 740 W Quaking Aspen Dr Murray , UT, 84123-5559 | Trust Not Identified 5969 S 450 E Murray , UT, 84107- | Trust Not Identified 821 W Clover Meadow Dr Murray , UT, 84123-4508 |
| Trust Not Identified 689 W 5465 S Murray , UT, 84123-5654 | Vernon L Garrett; Nanette M Garrett (Jt) 850 W Quaking Aspen Dr Murray , UT, 84123-5586 | Trust Not Identified 5480 S 670 W Murray , UT, 84123-5615 |
| UDOT - REGION 2 ATTN: MARK VELASQUEZ 2010 S 2760 W SLC UT 84104 | WEST JORDAN CITY PLANNING DIVISION 8000 S 1700 W WEST JORDAN UT 84088 | |
| UTAH TRANSIT AUTHORITY ATTN: PLANNING DEPT 669 West 200 South SLC UT 84101 | TAYLORSVILLE CITY PLANNING & ZONING DEPT 2600 W TAYLORSVILLE BLVD TAYLORSVILLE UT 84118 | ROCKY MOUNTAIN POWER ATTN: KIM FELICE 12840 PONY EXPRESS ROAD DRAPER UT 84020 |
| SALT LAKE COUNTY PLANNING DEPT 2001 S STATE ST SLC UT 84190 | GRANITE SCHOOL DIST ATTN: KIETH BRADSHAW 2500 S STATE ST SALT LAKE CITY UT 84115 | JORDAN VALLEY WATER ATTN: LORI FOX 8215 S 1300 W WEST JORDAN UT 84088 |

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

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

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

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

HOLLADAY CITY
PLANNING DEPT
4580 S 2300 E
HOLLADAY UT84117

COMCAST
ATTN: GREG MILLER
1350 MILLER AVE
SLC UT 84106

SANDY CITY
PLANNING & ZONING
10000 CENTENNIAL PRKwy
SANDY UT 84070

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

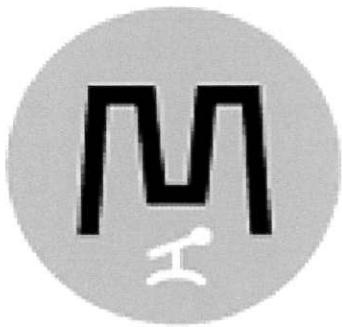
CENTURYLINK
250 E 200 S
Salt Lake City, Utah 84111

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

OLYMPUS SEWER
3932 500 E,
Millcreek, UT 84107

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

UTAH AGRC
STATE OFFICE BLDG #5130
SLC UT 84114



MURRAY
CITY COUNCIL

Discussion Item #3



MURRAY

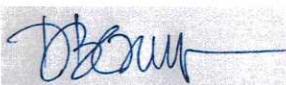
Council Action Request

Finance & Administration

Discussion of the Fraud Risk Assessment

Committee of the Whole

Meeting Date: November 17, 2020

| | |
|--|---|
| Department Director Brenda Moore | Purpose of Proposal Discuss the Fraud Risk Assessment as required by the State Auditor |
| Phone # 801-264-2513 | Action Requested Discussion |
| Presenters Brenda Moore | Attachments Preliminary fraud risk assessment questionnaire |
| Required Time for Presentation 15 Minutes | Budget Impact None |
| Is This Time Sensitive No | Description of this Item The State Auditor of Utah is requiring all local governments take a Fraud Risk Assessment. They also require that the assessment be presented to the City's governing board and that the City's Chief Operating Officer and Chief Financial Officer certify the results. It will be sent to the state auditor by December 31. A fraud risk level will be assigned based on the number of points earned on the assessment. Attached is a copy of the partially completed assessment, with a total of 305 points. This places the City in the Moderate Risk category. Staff is recommending that the answers to questions four and five be "yes," bringing the total points to 345 and moving the City to the Low Risk category. |
| Mayor's Approval  | |
| Date November 5, 2020 | |

Continued from Page 1:

All Finance and Administration staff are required to read and certify in writing that they will abide by the City's Ethics Ordinance. I recommend that the mayor's office and members of the city council follow this practice as well, which will allow a "yes" response to question four.

On question five, the City will receive full points once all council members have completed the state auditor training.



OFFICE OF THE
STATE AUDITOR

Questionnaire

Revised March 2020

Fraud Risk Assessment

INSTRUCTIONS:

- Reference the *Fraud Risk Assessment Implementation Guide* to determine which of the following recommended measures have been implemented.
- Indicate successful implementation by marking "Yes" on each of the questions below.
- Total the points of the questions marked "Yes" and put on the "Total Points Earned" line below.
- Using the points earned, circle the risk level on the "Risk Level" line below.

Total Points Earned: 305 Risk Level:

| | | | | |
|----------|---------|----------|---------|-----------|
| Very Low | Low | Moderate | High | Very High |
| > 355 | 316-355 | 276-315 | 200-275 | < 200 |

| | Yes | Pts |
|--|------------|-----|
| 1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire? | <u>200</u> | 200 |
| 2. Does the entity have written policies in the following areas: | | |
| a. Conflict of interest? | <u>5</u> | 5 |
| b. Procurement? | <u>5</u> | 5 |
| c. Ethical behavior? | <u>5</u> | 5 |
| d. Reporting fraud and abuse? | <u>5</u> | 5 |
| e. Travel? | <u>5</u> | 5 |
| f. Credit/Purchasing cards (where applicable)? | <u>5</u> | 5 |
| g. Personal use of entity assets? | <u>5</u> | 5 |
| h. IT and computer security? | <u>5</u> | 5 |
| i. Cash receipting and deposits? | <u>5</u> | 5 |
| 3. Does the entity have a licensed or certified expert as part of its management team? (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) | <u>20</u> | 20 |
| a. Do any members of the management team have at least a bachelor's degree in accounting? | | 10 |
| 4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior? | <u>??</u> | 20 |
| 5. Have all of the board members completed the State Auditor online training at least once in the last four years? | <u>??</u> | 20 |
| 6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year? | <u>20</u> | 20 |
| 7. Does the entity have or promote a fraud hotline? | <u>20</u> | 20 |
| 8. Does the entity have a formal internal audit function? | <u>N</u> | 20 |
| 9. Does the entity have a formal audit committee? | <u>N</u> | 20 |

Certified By: _____ Certified By: _____

* MC = Mitigating Control

Basic Separation of Duties

See page 2 of this questionnaire for instructions and definitions.

| | Yes | No | MC* | N/A |
|---|-----|----|-----|-----|
| 1. Does the entity have a board chair, clerk, and treasurer who are three separate people? | X | | | |
| 2. Are all the people who are able to receive cash or check payments different from all of the people who are able to make general ledger entries? | X | | | |
| 3. Are all the people who are able to collect cash or check payments different from all the people who are able to adjust customer accounts? If no customer accounts, check "N/A". | X | | | |
| 4. Are all the people who have access to blank checks different from those who are authorized signers? | X | | | |
| 5. Does someone other than the clerk and treasurer reconcile all bank accounts OR are original bank statements reviewed by a person other than the clerk to detect unauthorized disbursements? | X | | | |
| 6. Does someone other than the clerk review periodic reports of all general ledger accounts to identify unauthorized payments recorded in those accounts? | X | | | |
| 7. Are original credit/purchase card statements received directly from the card company by someone other than the card holder? If no credit/purchase cards, check "N/A". | X | | | |
| 8. Does someone other than the credit/purchase card holder ensure that all card purchases are supported with receipts or other supporting documentation? If no credit/purchase cards, check "N/A". | X | | | |
| 9. Does someone who is not a subordinate of the credit/purchase card holder review all card purchases for appropriateness (including the chief administrative officer and board members if they have a card)? If no credit/purchase cards, check "N/A". | X | | | |
| 10. Does the person who authorizes payment for goods or services, who is not the clerk, verify the receipt of goods or services? | X | | | |
| 11. Does someone authorize payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A". | X | | | |
| 12. Does someone review all payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A". | X | | | |



Basic Separation of Duties

Continued

Instructions: Answer questions 1-12 on the Basic Separation of Duties Questionnaire using the definitions provided below.

- ⓘ If all of the questions were answered “Yes” or “No” with mitigating controls (“MC”) in place, or “N/A,” the entity has achieved adequate basic separation of duties.
- ☹ If any of the questions were answered “No,” and mitigating controls are not in place, the entity has not achieved adequate basic separation of duties.

Definitions:

Board Chair is the elected or appointed chairperson of an entity’s governing body, e.g. Mayor, Commissioner, Councilmember or Trustee. The official title will vary depending on the entity type and form of governments.

Clerk is the bookkeeper for the entity, e.g. Controller, Accountant, Auditor or Finance Director. Though the title for this position may vary, they validate payment requests, ensure compliance with policy and budgetary restrictions, prepare checks, and record all financial transactions.

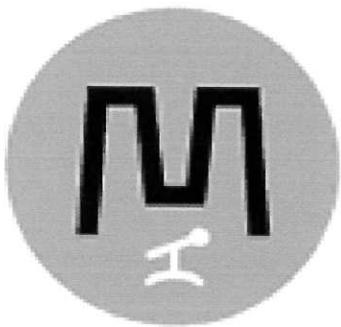
Chief Administrative Officer (CAO) is the person who directs the day-to-day operations of the entity. The CAO of most cities and towns is the mayor, except where the city has a city manager. The CAO of most local and special districts is the board chair, except where the district has an appointed director. In school districts, the CAO is the superintendent. In counties, the CAO is the commission or council chair, except where there is an elected or appointed manager or executive.

General Ledger is a general term for accounting books. A general ledger contains all financial transactions of an organization and may include sub-ledgers that are more detailed. A general ledger may be electronic or paper based. Financial records such as invoices, purchase orders, or depreciation schedules are not part of the general ledger, but rather support the transaction in the general ledger.

Mitigating Controls are systems or procedures that effectively mitigate a risk in lieu of separation of duties.

Original Bank Statement means a document that has been received directly from the bank. Direct receipt of the document could mean having the statement 1) mailed to an address or PO Box separate from the entity’s place of business, 2) remain in an unopened envelope at the entity offices, or 3) electronically downloaded from the bank website by the intended recipient. The key risk is that a treasurer or clerk who is intending to conceal an unauthorized transaction may be able to physically or electronically alter the statement before the independent reviewer sees it.

Treasurer is the custodian of all cash accounts and is responsible for overseeing the receipt of all payments made to the entity. A treasurer is always an authorized signer of all entity checks and is responsible for ensuring cash balances are adequate to cover all payments issued by the entity.



MURRAY
CITY COUNCIL

Discussion Item #4



MURRAY

Finance & Administration

FY 2020-2021 Budget Amendment

Council Action Request

Committee of the Whole

Meeting Date: November 17, 2020

| | |
|--|---|
| Department Director Brenda Moore | Purpose of Proposal Amend the FY 2020-2021 budget |
| Phone # 801-264-2513 | Action Requested Discussion |
| Presenters Brenda Moore | Attachments Draft of the ordinance |
| Required Time for Presentation 15 Minutes | Budget Impact Budget Amendment |
| Is This Time Sensitive No | Description of this Item Requesting amendment of the FY2020-2021 budget for the following items: 1. Appropriate \$97,834 of prior years' state alcohol funds from reserves for the purchase of police equipment. These funds are normally used to purchase cameras or data storage for police camera footage. 2. Due to COVID-19 and the additional record keeping and reporting the CARES grant requires, I am requesting the budget for council professional services be increased \$10,000 for auditor fees. HBME has agreed to assist in writing the financial statement for this year. |
| Mayor's Approval  | |
| Date November 3, 2020 | |

Continued from Page 1:

3. We obtained grants that the budget opening will receive and appropriate to the corresponding expenditure. They are: \$29,524 from the Justice Department grant for car dash cameras and related equipment, \$88,100 from the Zoo Arts and Parks tax grant for arts programming, \$10,800 from the Utah Humanities Create in Utah CARES grant for arts programming, \$5,400 from the Utah State Asset Forfeiture grant for police equipment, and \$7,790 State Homeland Security Protection grant for hazardous material detection equipment.
4. The fire department sent crews to both Colorado and California to help with wildfires. The City will be reimbursed \$300,617 for the California fires and \$42,240 for the Colorado fire. The reimbursement includes personnel and equipment costs.
5. When preparing the FY2021 budget a few roll forward items were missed. This budget opening includes the FY2020 project roll forward of \$582,600 for the 900 East well rehabilitation project, and \$200,000 for various other small waterline replacement projects left out of the original FY2021 budget. The amendment will allow the water division to continue these projects.

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY'S FISCAL YEAR 2020-2021 BUDGET

On June 16, 2020, the Murray City Municipal Council adopted the City's budget for Fiscal Year 2020-2021. It has been proposed that the Fiscal Year 2020-2021 budget be amended as follows:

1. Appropriate the following items from General Fund reserves:
 - a. \$97,834 of prior years' state alcohol funds received purchase of police equipment and supplies, and;
 - b. \$10,000 for additional auditing services.
2. Receive and appropriate the following grants and/or reimbursements in the General Fund with no financial impact:
 - a. \$29,524 Justice Department grant (JAG) for car dash cameras and related equipment, and;
 - b. \$88,100 Zoo Arts and Parks Grant from Salt Lake City to support arts programming, and;
 - c. \$10,800 Utah Humanities Create in Utah CARES grant for arts programing, and;
 - d. \$5,400 Utah State Asset Forfeiture grant for police equipment, and;
 - e. \$7,790 State Homeland Security Protection grant for hazardous material detection equipment, and;
 - f. \$300,617 from the State of Utah to reimburse the City's fire department for deployment to the California Wildfires.
 - g. \$42,240 from the Utah Department of Natural Resources to reimburse the City's fire department for deployment to the Colorado Williams Fork Wildfire.
3. Appropriate \$782,600 from the Water Fund reserves for the following:
 - a. Increase the budget by \$582,600 for the 900 East Well rehabilitation, and;
 - b. Increase the budget by \$200,000 for various waterline replacement projects.

Section 10-6-128 of the Utah Code states that the budget for the City may be amended by the Murray City Municipal Council following a duly noticed public hearing. Pursuant to proper notice, the Murray City Municipal Council held a public hearing on December 1, 2020 to consider proposed amendments to the Fiscal Year 2020-2021 budget. After considering public comment, the Murray City Municipal Council wants to amend the Fiscal Year 2020-2021 budget.

Section 1. Enactment. The City's Fiscal Year 2020-2021 budget shall be amended as follows:

1. Appropriate the following items from General Fund reserves:
 - c. \$97,834 of prior years' state alcohol funds received purchase of police equipment and supplies, and;
 - d. \$10,000 for additional auditing services.
2. Receive and appropriate the following grants and/or reimbursements in the General Fund with no financial impact:
 - a. \$29,524 Justice Department grant (JAG) for car dash cameras and related equipment, and;
 - b. \$88,100 Zoo Arts and Parks Grant from Salt Lake City to support arts programming, and;
 - c. \$10,800 Utah Humanities Create in Utah CARES grant for arts programing, and;
 - d. \$5,400 Utah State Asset Forfeiture grant for police equipment, and;
 - e. \$7,790 State Homeland Security Protection grant for hazardous material detection equipment, and;
 - f. \$300,617 from the State of Utah to reimburse the City's fire department for deployment to the California Wildfires.
 - g. \$42,240 from the Utah Department of Natural Resources to reimburse the City's fire department for deployment to the Colorado Williams Fork Wildfire.
3. Appropriate \$782,600 from the Water Fund reserves for the following:
 - a. Increase the budget by \$582,600 for the 900 East Well rehabilitation, and;

b. Increase the budget by \$200,000 for various waterline replacement projects.

Section 2. Effective Date. This Ordinance shall take effect on first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this ____ day of _____, 2020.

MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Chair

ATTEST:

Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2020.

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 _____, 2020.

Jennifer Kennedy, City Recorder



MURRAY

Council Action Request

Meeting Date:

| | |
|--------------------------------|--------------------------|
| Department Director | Purpose of Proposal |
| Phone # | Action Requested |
| Presenters | Attachments |
| | Budget Impact |
| | Description of this Item |
| Required Time for Presentation | |
| Is This Time Sensitive | |
| Mayor's Approval | |
| Date | |

The Municipal Building Authority of Murray City
Fiscal Year 2021 Budget
As Amended December 1, 2020

Revenue

| | |
|------------------|------------------|
| Bond proceeds | \$ 36,185,287.00 |
| Interest revenue | <u>34,000.00</u> |
| | \$ 36,219,287.00 |

Expenses

| | |
|---------------------------------------|---------------------|
| Cost of bond issuance | \$ 282,334.00 |
| City Hall construction budget | 34,000,000.00 |
| Miscellaneous expense | 34,000.00 |
| Bond Interest Expense | <u>754,890.00</u> |
| Total Expenses | 35,071,224.00 |
| Increase in Fund Balance | <u>1,148,063.00</u> |
| Total Expense & Fund Balance Increase | \$ 36,219,287.00 |

A RESOLUTION AMENDING THE BUDGET FOR THE MUNICIPAL
BUILDING AUTHORITY OF MURRAY CITY FOR FISCAL YEAR
2020-2021.

WHEREAS, the Municipal Building Authority of Murray City (“MBA”) is a nonprofit corporation created in 1986 by the Municipal Council of Murray City, Utah (the “City”) pursuant to the Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended (the “Building Authority Act”) and the Utah Revised Nonprofit Corporation Act, Title 16, Chapter 6a, Utah Code Annotated 1953, as amended (the “Nonprofit Corporation Act”); and

WHEREAS, the MBA was created by the City for the purpose of financing projects on behalf of the City as provided in the Building Authority Act; and

WHEREAS, the City has a critical need for a new City Hall due to the poor condition of the existing City Hall; and

WHEREAS, the City Council and MBA Board of Trustees have approved issuance of Lease Revenue Bonds (the “Series 2020 Bonds”) for the acquisition and construction of a new City Hall; and

WHEREAS, because the MBA was inactive as of July 1, 2020 and having a fund balance of zero (“\$0.00”), no budget needed to be adopted; and

WHEREAS, the MBA has received \$36,219,287.00 from the issuance of the Series 2020 Bonds plus interest to cover the costs of the new City Hall Project and construction has commenced thus presenting the need to create a budget through a budget amendment; and

WHEREAS, a public hearing was held on December 1, 2020, and the Murray City Municipal Council received comment concerning the proposed budget amendment to increase the MBA Fund Budget; and

WHEREAS, all interested persons were provided the opportunity to be heard at the public hearing; and

WHEREAS the MBA Board of Trustees wants to approve an amendment to the MBA budget for fiscal year 2020-2021.

NOW BE IT RESOLVED by the Municipal Building Authority of Murray City as follows:

1. The Municipal Building Authority Fund Budget shall be amended by increasing the budget by \$36,219,287.00 which funds shall be used to cover the costs of the new City Hall Project.

2. With the increase, the Municipal Building Authority Fund Budget shall be \$36,219,287.00.

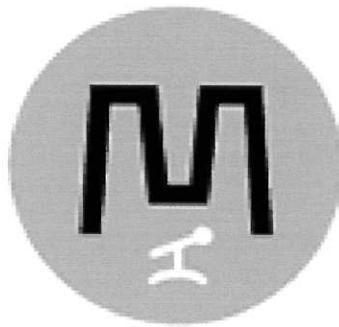
PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council of Murray City, Utah, this ____ day of _____, 2020.

MUNICIPAL BUILDING AUTHORITY
OF MURRAY CITY

Dale M. Cox, Chair

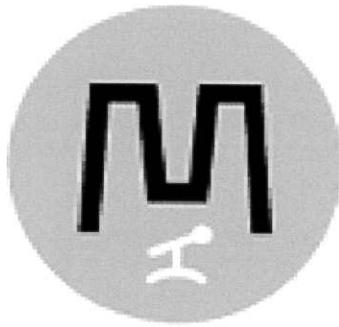
ATTEST:

Jennifer Kennedy
City Recorder



MURRAY
CITY COUNCIL

Adjournment

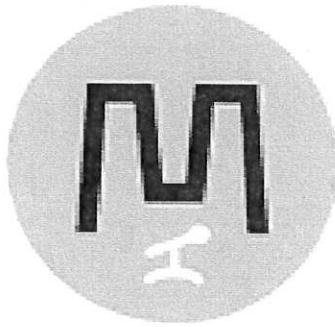


Council Meeting

6:30 p.m.

Call to Order

Pledge of Allegiance



MURRAY
CITY COUNCIL

Special Recognition #1



MURRAY

Murray Human Resources

Employee of the Month, Laura Bown, Human Resource Analyst

Council Action Request

Council Meeting November 17, 2020

| | |
|--|---|
| Department Director Robyn Colton 801-264-2657 | Purpose of Proposal <ul style="list-style-type: none">• City Council Employee of the Month Award Action Requested <ul style="list-style-type: none">• Recognition for June 2020. Attachments <ul style="list-style-type: none">• Employee of the Month Recognition Form Budget Impact <ul style="list-style-type: none">• None Description of this item <p>Laura does a wonderful job of administering the City's benefit plans. She goes above and beyond to help employees. She has been instrumental in bringing the wellness council back to the City and serves as chair to improve the health of City employees and build camaraderie.</p> <p>Laura's positive attitude makes her a pleasure to work with.</p> |
| Required Time for Presentation | |
| Is This Time Sensitive No | |

EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

DATE:

Human Resources

11/17/2020

NAME of person to be recognized:

Submitted by:

Laura Bown

Robyn Colton

DIVISION AND JOB TITLE:

Human Resource Analyst

YEARS OF SERVICE:

1

REASON FOR RECOGNITION:

Laura has worked in the Human Resources department for almost 2 years. In her position as a human resource analyst, she administers the city's benefits plans. Laura always goes above and beyond to help employees with any and all benefit related needs.

Laura has also been instrumental in bringing the wellness council back to the city and is currently serving as their chair. The wellness council serves to improve the health of city employees as well as helps to build camaraderie.

Laura's positive attitude makes her a pleasure to work with and I am happy to have her as a member of the human resources team.

COUNCIL USE:

MONTH/YEAR HONORED November 17, 2020 (June 2020)



MURRAY
CITY COUNCIL

Special Recognition #2



MURRAY

Murray Public Works

Employee of the Month, Justen Park, Equipment Operator II

Council Action Request

Council Meeting November 17, 2020

| | |
|--|---|
| Department Director Danny Astill 801-270-2404 | Purpose of Proposal <ul style="list-style-type: none">• City Council Employee of the Month Award Action Requested <ul style="list-style-type: none">• Recognition for July 2020. Attachments <ul style="list-style-type: none">• Employee of the Month Recognition Form Budget Impact <ul style="list-style-type: none">• None Description of this item <p>Justen has been selected as Employee of the Month for his dedication and devotion to Murray City. His skill as an Operator II and willingness to accommodate the needs of the City makes him a tremendous asset in his department. Justen graduated from Murray High, lives in Murray City and is a true Murrayite!</p> |
| Required Time for Presentation | |
| Is This Time Sensitive | |
| Approval: N/A November 5, 2020 | |

EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

DATE:

Streets

10-30-2020

NAME of person to be recognized:

Submitted by:

Justen Park

Russ Kakala

DIVISION AND JOB TITLE:

Equipment Operator

YEARS OF SERVICE:

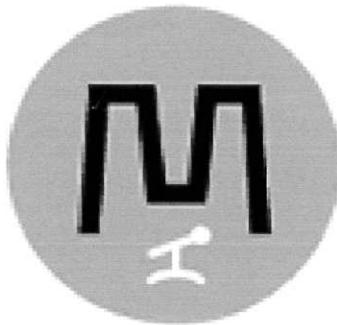
12

REASON FOR RECOGNITION:

Justen Park has worked for Murray City Streets Department for the past 12 years. He Started as a maintenance worker and has worked his way to an Operator II. His favorite piece of equipment is the new lane, line stiper truck. His area of expertise is sign design and maintenance, also all the paint markings on our roadways. Graduated from Murray High and is a Murray resident. Justin Park is definitely a Murrayite. He has been selected for employee of the Month for his dedication and devotion to the Murray City. He will change his plans to accommodate any request when he is needed at work. Justin is a great asset to Public Works. Thanks for all you do.

COUNCIL USE:

MONTH/YEAR HONORED November 17, 2020 (July 2020)



MURRAY
CITY COUNCIL

New Business #1



MURRAY

City Attorney's Office

Define "Significant Parcel of Real Property" (procurement purposes)

Council Action Request

Council Meeting

Meeting Date: November 17, 2020

| | |
|--|---|
| Department Director G.L. Critchfield | Purpose of Proposal Adopt ordinance defining "significant parcel of real property" for procurement purposes using size and or value. |
| Phone # 801-264-2640 | Action Requested Ordinance consideration |
| Presenters G.L. Critchfield | Attachments Proposed ordinance, state law, city code provisions, and comparison of other cities' definitions. |
| Required Time for Presentation 10 Minutes | Budget Impact No impact. |
| Is This Time Sensitive No | Description of this Item State law requires (14-day) public notice and a public hearing before a city may dispose of a "significant parcel" of real property. We have never defined what constitutes a "significant parcel." Therefore, every parcel of city-owned property -- no matter how small -- may only be disposed of after notice and a hearing. It would be prudent to define "significant parcel." |
| Mayor's Approval  | Parcels that contain less than 1/2 acre or having a value of \$50K or less, would be disposed of administratively. Such management of city property is consistent with long-standing case law. |
| Date November 5, 2020 | The accompanying survey, or comparison, of several cities shows the proposed definition would be the most conservative definition of those cities surveyed. |

10-8-2. Appropriations -- Acquisition and disposal of property -- Municipal authority -- Corporate purpose -- Procedure -- Notice of intent to acquire real property.

...

- (4) (a) Before a municipality may dispose of a significant parcel of real property, the municipality shall:
 - (i) provide reasonable notice of the proposed disposition at least 14 days before the opportunity for public comment under Subsection (4)(a)(ii); and
 - (ii) allow an opportunity for public comment on the proposed disposition.
- (b) Each municipality shall, by ordinance, define what constitutes:
 - (i) a significant parcel of real property for purposes of Subsection (4)(a); and
 - (ii) reasonable notice for purposes of Subsection (4)(a)(i).

COMPARISON

Bountiful "A significant parcel of real property" means any parcel that either (a) is larger than ten acres, or (b) has a current market value of \$1,000,000.00 or more.

Draper A significant parcel of real property is a parcel greater than one (1) acre or that has a reasonable value in excess of one hundred thousand dollars (\$100,000.00).

Herriman SIGNIFICANT PARCEL OF REAL PROPERTY: A parcel of real property owned by the city with a reasonable value equal to or greater than two hundred fifty thousand dollars (\$250,000.00) or reasonable yearly rental value equal to or greater than fifty thousand dollars (\$50,000.00).

Logan "Significant parcel of real property" is defined as any parcel owned by the city, one acre or larger in size or valued over one hundred thousand dollars (\$100,000.00), excluding property owned by the city or the redevelopment agency that is located in a redevelopment area and which is being disposed of as part of an economic incentive that has been approved by the municipal council and/or the redevelopment agency.

Midvale: Significant parcel of real property" means a parcel having been owned by the city for a period of at least one year, which exceeds one acre and/or has a reasonably estimated value exceeding one hundred thousand dollars. (Ord. 2018-12 § 1 (Exh. A) (part))

Pleasant Grove SIGNIFICANT PARCEL OF REAL PROPERTY: A parcel of real property owned by the city with a reasonable value equal to or greater than one hundred thousand dollars (\$100,000.00) or reasonable yearly rental value equal to or greater than fifteen thousand dollars (\$15,000.00).

Riverton "Significant parcel of real property" means a parcel of real property owned by the city with a reasonable value equal to or greater than \$25,000.

Roy SIGNIFICANT PARCEL: A parcel of land one acre or larger in area.

Sandy Significant parcel of *real property* means City-owned real property whose reasonable estimated value exceeds \$40,000.00.

South Salt Lake: "Significant parcel" shall mean any parcel of real property the fair market value of which, as determined any reasonable evaluation method, is greater than twenty-five thousand dollars (\$25,000.00), the total acreage of which exceeds five thousand (5,000) square feet or the annual rent for which, under a lease agreement, exceeds ten thousand dollars (\$10,000.00). The following parcels, whether or not they meet or exceed the value and size criteria, are excluded from this definition:

- A. Parcels disposed of by the city as part of a boundary line agreement or adjustment;
- B. Parcels created by a right-of-way vacation or an easement vacation;

C. Parcels that are not developable unless combined with an adjacent parcel. A parcel will be considered not to be developable if it cannot be independently developed due to city ordinance requirements or due to the unique physical characteristics of the parcel; and

D. Parcels acquired by eminent domain or other means if the city is statutorily or contractually obligated to first offer the parcel to a specific party, provided that the parcel is offered, sold or conveyed to the party holding the right to acquire the parcel.

Spanish Fork a significant parcel of real property is defined to be any parcel with a value equal to or greater than \$100,000.00.

Taylorsville: For purposes of this section, "significant parcel of real property" shall mean a parcel of real property owned by the city with a reasonable value equal to or greater than two hundred fifty thousand dollars (\$250,000.00) or reasonable yearly rental value equal to or greater than fifty thousand dollars (\$50,000.00). (Ord. 07-10, 3-7-2007)

West Jordan: A significant parcel of real property is: a single parcel of real property or a combination of contiguous parcels of real property, having an estimated value in excess of one-hundred thousand dollars (\$100,000) as determined by using the county assessed value; B. A single parcel of real property or a combination of contiguous parcels of real property, having a size in excess of one acre as determined by using the county assessed acreage; or C. An agreement involving an interest in property less than a fee, the value of which exceeds fifty thousand dollars (\$50,000).

West Valley: "Significant Parcel of Real Property" means a single parcel of real property, owned by the City, that exceeds one (1) acre.

Murray Proposed: Any parcel of City- owned real property- greater than one-half (1/2) acre or that has a reasonable value in excess of fifty thousand dollars (\$50,000.00).

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 3.10.650(A) OF THE MURRAY CITY MUNICIPAL CODE RELATING TO DEFINING SIGNIFICANT PARCEL OF REAL PROPERTY FOR PROCUREMENT PURPOSES.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this ordinance is to amend section 3.10.650 of the Murray City Municipal Code relating to defining the term "significant parcel" of real property for procurement purposes.

Section 2. Amend section 3.10.650. Section 3.10.650 of the Murray City Municipal Code shall be amended to read as follows:

3.10.650: SALE, DISPOSAL OR LEASE OF CITY OWNED REAL PROPERTY:

A. As used in this section:

PROPERTY: Real property.

REASONABLE NOTICE:

1. Publishing or posting notice of a public hearing on the proposed disposition of a significant parcel of real property:

- a. On the City's website;
- b. On the Utah public notice website;
- c. In a newspaper of general circulation; and

2. Mailing such notice to the adjacent property owners.

SIGNIFICANT PARCEL OF REAL PROPERTY: Any parcel of City- owned real property: **greater than one-half (1/2) acre or that has a reasonable value in excess of fifty thousand dollars (\$50,000.00).**

B. 1. Before any significant parcel of property may be sold or disposed, the City Council must declare the property as surplus.

2. Before the Council may declare as surplus and authorize the sale or disposition of a significant parcel of real property, the City shall provide reasonable notice at least fourteen (14) days before a public hearing where the public may have an opportunity to provide input on the proposed surplus and disposition.

C. Subject to the requirements herein, every sale, exchange, lease, encumbrance or other conveyance of surplus property shall be made by the Mayor or the City Attorney.

D. 1. a. Property to be sold by the Mayor must be:

- (1) Reliably appraised, and
- (2) Sold for at least fair market value.

b. Notwithstanding subsection D1a(2) of this section, the Council may make a finding by resolution that specific parcels of real property need not be sold for fair market value if the City will receive specifically identified intangible benefits that justify selling property for less than fair market value.

c. Notwithstanding subsection D1a(1) of this section, an appraisal is not required where:

- (1) The reasonable estimated value of the surplus property is negligible in relation to the costs of an appraisal; or
- (2) Where the surplus property is of such size, shape or is otherwise so unique as to be unmarketable.

In such circumstances, the Mayor may dispose of the surplus property in any manner as to ensure that the transaction is in the best interest of the City, is sold for the reasonable estimated value of the property, and otherwise maximizes the return or benefit to the City.

2. To the extent allowed by law and at the discretion of the Mayor, property declared as surplus may be disposed of through public offering and competitive bid, public sale, private sale, listing with a real estate broker, exchange, option to purchase, lease, lease with option to purchase, or by any other lawful and reasonable means.

3. The method of disposition or sale shall reflect market conditions and characteristics of the property. The Mayor shall ensure that the transaction is in the best interest of the City, maximizes the return or benefit to the City, and that the value of the property is congruent with the proposed price and other terms of the sale or exchange. No provision of this chapter shall be construed to require or to invalidate any conveyance or encumbrance by the City nor to vest rights or action of any kind against the City, its officers, agents or employees.

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 _____, 2020.

MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Chair

ATTEST:

Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this _____ day of _____, 2020.

D. Blair Camp, Mayor

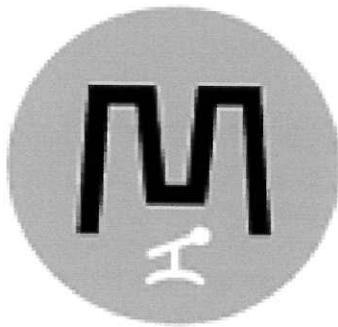
ATTEST:

Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

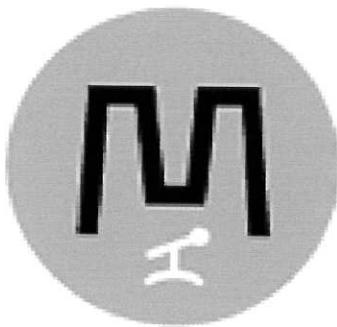
I hereby certify that this Ordinance, or a summary hereof, was published according to law on the _____ day of _____, 2020.

Jennifer Kennedy, City Recorder



MURRAY
CITY COUNCIL

Mayor's Report And Questions



MURRAY
CITY COUNCIL

Adjournment