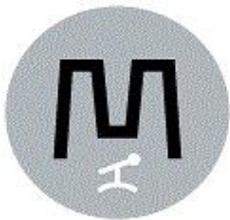




**MURRAY**  
CITY COUNCIL

# Council Meeting September 21, 2021



# Murray City Municipal Council

## Notice of Meeting

September 21, 2021

Murray City Center

5025 South State Street, Murray, Utah 84107

### Meeting Agenda

**4:30 p.m.** **Committee of the Whole** – Council Chambers  
Diane Turner conducting

### **Approval of Minutes**

Committee of the Whole – August 24, 2021

### **Discussion Items**

1. Discussion of the Fraud Risk Assessment. – Brenda Moore (10 minutes)
2. Discussion on ordinance amendment, adding section 3.04.095, pertaining to utility payment assistance. – Brenda Moore and G.L. Critchfield (15 minutes)
3. Discussion on the revised MCCD Design Guidelines. – Melinda Greenwood and Jared Hall (60 minutes)

### **Announcements**

### **Adjournment**

The public may view the Council Meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>.

**6:30 p.m.** **Council Meeting** – Council Chambers  
Brett Hales conducting.

### **Opening Ceremonies**

Call to Order  
Pledge of Allegiance

### **Approval of Minutes**

Council Meeting – August 24, 2021  
Council Meeting – September 7, 2021

### **Special Recognition**

1. Murray City Council Employee of the Month, Amy Lambert, Court/Judicial Assistant II.  
Brett Hales and Karen Gallegos presenting.

### **Citizen Comments**

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

### **Consent Agenda**

None scheduled.

### **Public Hearings**

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

1. Consider an ordinance amending Section 17.48.120 of the Murray City Municipal Code relating to temporary signs. Melinda Greenwood and Jared Hall presenting.
2. Consider an ordinance amending Chapter 17.78 of the Murray City Municipal Code relating to accessory dwelling units. Melinda Greenwood and Jared Hall presenting.

### **Business Items**

None scheduled.

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

### **Adjournment**

#### **NOTICE**

Supporting materials are available for inspection on the Murray City website at [www.murray.utah.gov](http://www.murray.utah.gov).

Special accommodations for the hearing or visually impaired will be made upon a request to the office of the Murray City Recorder (801-264-2663). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

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

On Thursday, September 16, 2021, at 11:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website [www.murray.utah.gov](http://www.murray.utah.gov), and the state noticing website at <http://pmn.utah.gov>.



Jennifer Kennedy  
Council Executive Director  
Murray City Municipal Council



**MURRAY**  
CITY COUNCIL

# Committee of the Whole



MURRAY  
CITY COUNCIL

# Committee of the Whole Minutes



## MURRAY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

### Meeting Minutes

**Tuesday, August 24, 2021**  
**Murray City Center**

5025 South State Street, Conference Room #107, Murray, Utah 84107

**Attendance:** Council Members and others:

Diane Turner – Chair	District #4
Brett Hales – Vice Chair	District #5
Kat Martinez	District #1
Dale Cox	District #2
Rosalba Dominguez	District #3

Blair Camp	Mayor	Jennifer Kennedy	City Council Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
Jennifer Heaps	Chief Communications Officer	Crystal Brown	Council Office
Rob White	IT Director	Craig Burnett	Police Chief
Kristin Reardon	Police Department	Brooke Smith	City Recorder
Danny Hansen	IT Department	Robin Colton	Human Resources
Brenda Moore	Finance Director	Melinda Greenwood	CED Director
Residents			

**Conducting:** Ms. Turner called the meeting to order at 4:30 p.m.

**Approval of Minutes:** Mixed-Use Workshop – June 29, 2021. Ms. Martinez motioned to approve, seconded by Mr. Hales. (All in favor 5-0)

**Discussion items:**

- **HB (House Bill) 244 bond parameters:** Ms. Moore presenting. This bill allows the City to receive funding of \$500,000 per year for the next 15 years for transportation projects. Included with the allocation was an offer to utilize State bonding capacities for issuing bonds; the \$500,000 would be applied as the bond payments. Instead, it was determined after a thorough analysis that to address costly street projects, a series of sales tax revenue bonds could be issued over time for a lesser interest rate. The City would use financial advisors Stifel, Nicolaus & Company, and Gilmore and Bell as bond counsel on the debt issuance project.

Ms. Moore said the reason to bond was not only because interest rates are so low, but to stay ahead of rising costs for material and labor, and to hedge against continued inflation. Currently the City has approximately \$10 million in street projects that are estimated to cost more than \$500,000 each, which is why bonding is proposed rather than saving multiple years of allocations to get these projects

accomplished; the annual funding of \$500,000 would still be allocated as bond payments.

Mr. Dougdale with Stifel, Nicolaus & Company confirmed very low interest rates and shared market information related to Series 2021 sales tax revenue bonds that the City would issue. (Attachment #1) Benchmark ratings within the tax-exempt bond market and market consensus yield curve projections were discussed. Graphs were analyzed related to 20-year AAA MMD yields, (Municipal Market Data); and the 10-year historical AAA MMD range was compared to current interest rates. He said Murray has a tremendous bonding history and reported with the current revenue stream, the City has \$125 million in bonding capacity. He commended Murray for its historical methodology in determining the best avenues for issuing bonds. Summary of bond parameters:

- Principal Maximum Amount = \$ 6,750,000
- Maturity Term: 16 years
- Maximum Interest rate: 5% (Anticipated to be much lower.)
- Designated Officers: Mayor and Finance & Administration Director.

Ms. Turner asked the City's total in outstanding bonds. Mr. Dougdale replied \$10.5 million in outstanding principal and noted according to Standard and Poor's, the City has a tremendous bond rating of AA, which reflects that Murray has been debt adverse on the revenue stream. He discussed the bonding process and reviewed the timeline to do so. The Council would consider the resolution to approve the bond parameters during the September 7, 2021 council meeting.

- **FY 2021-2022 Budget Amendments:** Ms. Moore presenting. A budget opening would be required to address several changes to the budget. Ms. Moore provided detailed budget information and said it was standard practice to roll forward unfinished projects and specific items from the FY 2021 budget to the FY 2022 budget. (Attachment #2) Insurance adjustments due to open enrollment changes and new grant receipts were also included. A brief summary about why the rollforward process was necessary within the CIP fund (Capital Improvements Projects) was given. For example, ongoing projects have taken multiple years to accomplish, like a fire truck purchase, the Murray Park pavilions project, and resurfacing City parking lots. In other instances, funding would be transferred from reserves back into the CIP fund to allow department directors to appropriate new priorities. The Council would consider the budget amendments during the September 7, 2021 council meeting.

The following additional items were not included in the attached distributed document:

- Receive Grant Funding:
  - \$6,450: To purchase car cameras and camera storage supplies for the police department.
  - \$9,000: To reglaze windows in the Murray Mansion.
  - \$21,000: The library will purchase more electronic books.
- \$30,000 from reserves: To correct error in the Streets- Fleet assessment.
- \$50,000: Roll forward to Power Fund to complete power pole testing work. The project was overlooked.

- **Proposed changes to police officer salaries:** Mayor Camp and Chief Burnett presenting. Mayor Camp gave an overview to explain the current police force crisis. Due to retirements and job changes, police officers in surrounding cities including SLC (Salt Lake City) are leaving the police force in great number. The SLC Council recognized the dilemma to retain officers, so great pay increases were recently implemented for SLC police. West Valley City and other cities also boosted officer pay following the

SLC decision. Up until now SLC police pay was lagging behind Murray City, after Murray adopted a new step-plan program four years ago.

A spread sheet was shared to discuss what other agencies have done to retain officers by adjusting pay scales. (Attachment #3) Since then, Murray is now paying 15% below the average starting pay for a police officer. Top pay is sufficient, but to attract new officers and retain current officers, it is necessary to raise the lower end of the Murray police pay scale up to current market wages. The estimated cost to do so is approximately \$412,000. Last year the Murray police department turned back approximately \$500,000 in pay costs, so the request is to rollback funding from reserves to fund the police salary budget. The request would be included in a proposed budget amendment the Council would consider during the September 7, 2021 council meeting.

Chief Burnett confirmed other cities increased police pay within six weeks of SLC doing so; others will research competitive salary amounts. He reported currently Murray has two police vacancies that are \$4 below the average pay for starting wages. Also, Murray lost 12 police members in the last 18 months through retirements, resignations, and transfers; the majority were hired by other agencies. The biggest concern is with officers who have been employed with Murray for 0-10 years; they want to stay but will leave if offered better pay. He said it is imperative Murray do something quick to retain existing well-trained employees and help the City attract new employees. The increase would not affect redlined employees but meant to incentivize 30% of police staff with 0-5 years' experience who could leave.

Ms. Turner noted the cost to fund pay increases would offset officer training expenses. Chief Burnett confirmed one year of training is required before a vacancy is considered filled. Officers are paid during all training, so there is great loss when police leave for higher pay following training. Also, the force runs short while officers attend training; for example, currently nine officers are in training, which leaves the department with less detectives and patrol officers, and overtime expenses incur because existing officers cover needs as they wait for new officers to complete training. He reported the City has good quality people and is hopeful that by addressing the wage war quickly they can hold onto the good officers recently hired.

Mr. Hales agreed the City should retain good officers and understood the financial loss could be in the hundreds of thousands if not addressed. Chief Burnett said the increase would affect all sergeants in the City's police department and top pay levels would be reconsidered in the future.

Mr. Cox said if we are at the point of losing well experienced officers the City should act fast.

Ms. Dominguez expressed concern about ensuring protection for Murray's police officers and residents of the City. She felt besides monetary gain, a sense of value, protection and longevity should be sustained. Her desire is to see officers stay with Murray 20 to 30 years; she encouraged conversations to continue well-on before letting officers' leave.

Chief Burnett was appreciative and noted the many *We Love Our Police Officers* signs placed throughout the City; he confirmed the police department is in a good place with the community right now. He stressed the continued support of residents is what is needed; money matters, but it is essential knowing that the community cares about police officers.

Ms. Martinez believed the City must be competitive to provide the best police officers. She requested the Council be informed of the new pay level amounts made by cities that are still researching. The Chief would report back as wages continue to change.

**Announcements:** None.

**Adjournment:** 5:59 p.m.

**Pattie Johnson**  
**Council Office Administrator III**

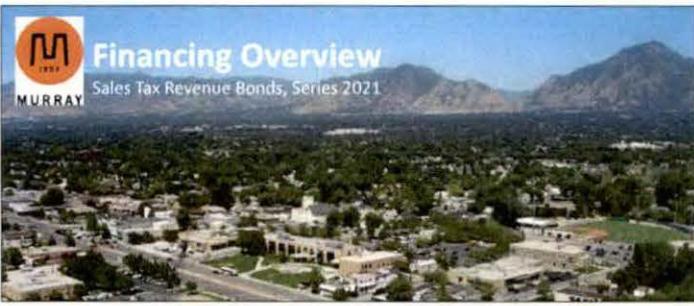
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## **ATTACHMENT #1**

**STIFEL**

**MURRAY**

**Financing Overview**  
Sales Tax Revenue Bonds, Series 2021



August 24, 2021

**Bond Parameters**

**STIFEL**

**BOND PARAMETERS**

- Maximum Par Amount: \$6,750,000

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

- Maximum Discount: 2%

This City will not accept purchase offers that are less than 100% of the par amount.

- Maximum Interest Rate: 5.00%

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

- Designated Officers:

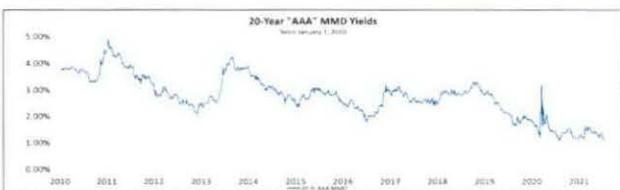
**Mayor**  
**Mayor Pro Tem**  
**Finance Director**

3

**Market Update**

**STIFEL**

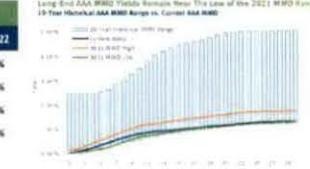
**20-Year "AAA" MMD Yields**  
Since January 1, 2010



**Market Consensus Yield Curve Projections**

Current	Q3 2021	Q4 2021	Q1 2022	Q2 2022
Fed Funds	0.25%	0.25%	0.25%	0.25%
2-Yr UST	0.20%	0.27%	0.32%	0.40%
10-Yr UST	1.28%	1.68%	1.80%	1.89%
30-Yr UST	1.92%	2.30%	2.39%	2.51%

**Long End AAA MMD Yields Relative to The Low of the 2021 MMD Range**  
10-Year Historical AAA MMD Range vs. Current AAA MMD



**Bonding Process**

**STIFEL**

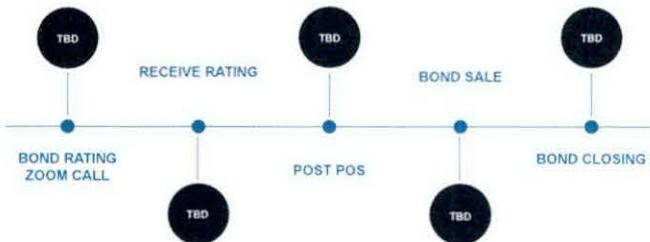
**WHAT IS THE PROCESS?**

1. City adopts and authorizes bond parameters resolution, Notice of Bonds to be Issues, and Notice of Public Hearing
2. City holds Public Hearing
3. City undertakes typical bonding activities:
  1. Drafting of Preliminary Official Statement
  2. Procuring bond ratings
  3. Selling and closing on bonds
4. City must utilize bond proceeds within 3 years

4

## Timeline of Events

STIFEL



## **ATTACHMENT #2**



**MURRAY CITY CORPORATION**  
**FINANCE & ADMINISTRATION**

Brenda Moore, Director  
801-264-2513

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TO: Murray City Municipal Council  
  
From: Brenda Moore, Finance & Administration Director  
  
Date: August 10, 2021  
  
Re: Fiscal Year 2022 Budget Opening – Committee of the Whole

A budget opening public hearing has been scheduled for September 7. The opening will request funds and budget adjustments for the following purposes:

- Projects in-progress at FY 2021 Year-end (CIP annual roll-forward)
- Receive and allocate several grant awards
- Reconcile changes in wages and benefits due to health insurance open enrollment changes.

The city is still receiving and paying invoices for work performed in fiscal 2021. The amounts below may change.

**Grants Received/rolled forward (All General Fund unless indicated otherwise)**

1. Appropriate \$1,833 Jimmy Johns sponsorship money not spent by the Park Center for recreation programs.
2. Receive FY2022 \$250 donation and roll \$500 from FY2021 donations to Park Center.
3. Appropriate \$696 beard donation money not spent by the victim advocates.
4. Receive and appropriate \$30,551 VOCA grant.
5. Receive and appropriate a \$32,824 US Department of Justice (JAG) grant.
6. In the Library Fund, receive and appropriate \$12,000 Utah State Department of Cultural and Community Engagement ARPA physical collection support grant.

**Revenue-Expense Neutral**

7. In General Fund reallocate insurance expenditures among departments due to open enrollment.

**From Reserves**

8. Appropriate insurance changes due to open enrollment from reserves: Risk Fund \$397. Water Fund total is \$4,769.

**Rollover Projects from FY21 to FY22 – All from reserves**

**General Fund Class C**

9. Vine St., 1300 E. to Van Winkle matching funds \$123,227
10. College Drive & 5300 S Intersection – matching funds \$85,037
11. Various sealer projects \$30,000
12. Century Drive and other street overlays \$371,000

**Enterprise Funds**

13. Water Fund – F250 pickup truck on order \$50,470
14. Water Fund – Walden/Whitmore & 9<sup>th</sup> E. wells \$589,237

15. Wastewater Fund – Infrastructure line project \$400,000
16. Storm Water Fund – Walden Meadow to Jordan River \$623,861
17. Murray Parkway Golf Course – golf carts on order \$379,775
18. Central Garage – electric vehicle pusher \$5,788
19. Power Fund
  - a. Downtown undergrounding project \$98,108
  - b. Two F550 4X4 48' bucket trucks, one personnel only, one with a material handling jib \$306,420

**Capital Improvement Projects Fund – total moved forward \$5,185,094**

20. Clean energy vehicle/equipment \$27,995
21. Court equipment replacement plan \$19,110
22. Non departmental city hall equipment replacement plan \$30,000
23. Cell tower land purchase \$100,000
24. Police equipment replacement plan \$303,257
25. Fire equipment replacement plan \$494,942
26. Parks
  - a. Parks maintenance \$47,690
  - b. Parks parking lot repairs \$160,000
  - c. Parks equipment replacement program \$42,612
  - d. Park Center equipment replacement plan \$2,251
  - e. Recreation equipment replacement plan
    - i. Breakaway basketball hoops Park Center \$5,000
    - ii. Install adjustable hoops north side Park Center \$8,000
    - iii. Replace scoreboard at Christ Lutheran church \$6,000 (used for recreation programs)
  - f. Senior Recreation Center equipment replacement plan \$4,300
  - g. Cemetery equipment replacement plan \$28,676
  - h. Parks pavilion #5 replacement project \$403,722
  - i. Murray Theater renovation project \$1,256,888
  - j. Facilities – savings plan for various projects as needed \$754,682
27. Community Development
  - a. Vehicle/equipment replacement plan \$20,730
28. Information Technology
  - a. Spillman server migration \$35,000
  - b. IVR (interactive voice response system) \$5,000
  - c. Equipment replacement plan \$119,147
  - d. Two factor authentication – police \$20,000
  - e. Document management system training \$20,000
  - f. GIS equipment replacement plan \$17,117
  - g. I-Works software – building and fire permits \$43,500
29. Engineering transportation master plan \$1,999
30. Radar speed signs \$1,501
31. Streets equipment replacement plan \$33,752
32. Streets projects

- a. Bridge evaluation – SLCO transportation grant \$20,000
- b. Shiloh Way and Woodshire Ave. reconstruction \$240,000
- c. Cedar Street reconstruction UDOT TAP \$94,804
- d. Vinecrest reconstruction \$290,000
- e. 700 W. overlay, Winchester St. to city boundary \$210,000
- f. Hanauer St. \$204,862
- g. Vine St., 900 E. to Van Winkle SLCO transportation grant \$272,557

Please contact me if you would like further explanation of any of these items.

## **ATTACHMENT #3**

**POLICE OFFICER PAY**  
**SALT LAKE COUNTY AGENCIES**

	Minimum	Maximum	Notes
So. Salt Lake	\$28.34	\$43.64	New
West Valley	\$27.15	\$41.90	New
Riverton	\$20.52	\$39.81	
South Jordan	\$27.04	\$39.72	New
Salt Lake City	\$26.93	\$39.29	New
West Jordan	\$27.00	\$39.00	New
Draper	\$21.42	\$34.95	Researching
Cottonwood Heights	\$22.68	\$38.61	Researching
Herriman	\$24.80	\$37.27	Researching
Taylorsville	\$27.40	\$37.06	New
Sandy	\$22.51	\$35.58	Proposing
UPD	\$22.92	\$35.38	Proposing
<b>Average</b>	<b>\$24.89</b>	<b>\$38.52</b>	
<b>Murray</b>	<b>\$23.82</b>	<b>\$39.18</b>	
<b>Difference</b>	<b>-4.50%</b>	<b>1.69%</b>	

**POLICE OFFICER PAY**  
**RECENTLY UPDATED RANGES**

	Minimum	Maximum
So. Salt Lake	\$28.34	\$43.64
Sandy (Proposed)	\$28.36	\$42.01
West Valley	\$27.15	\$41.90
South Jordan	\$27.04	\$39.72
Salt Lake City	\$26.93	\$39.29
West Jordan	\$27.00	\$39.00
Taylorsville	\$27.40	\$37.06
<b>Average</b>	<b>\$27.46</b>	<b>\$40.37</b>
<b>Murray</b>	<b>\$23.82</b>	<b>\$39.18</b>
<b>Difference</b>	<b>-15.28%</b>	<b>-3.05%</b>

**PROPOSAL**

Average	\$27.46	\$40.37
Murray (Step 3)	\$27.58	\$39.18
<b>Difference</b>	<b>0.44%</b>	<b>-3.05%</b>
<b>Total Annual Cost</b>	<b>\$412,067.07</b>	



MURRAY  
CITY COUNCIL

# Discussion Items



MURRAY  
CITY COUNCIL

# Discussion Item #1



**MURRAY**

# Finance & Administration

## Discussion of the Fraud Risk Assessment

### Council Action Request

**Committee of the Whole**

Meeting Date: September 21, 2021

<b>Department</b> <b>Director</b> Brenda Moore	<b>Purpose of Proposal</b> Discuss the fraud risk assessment as required by the State Auditor
<b>Phone #</b> 801-264-2513	<b>Action Requested</b> Discussion
<b>Presenters</b> Brenda Moore	<b>Attachments</b> Completed fraud risk assessment
<b>Required Time for Presentation</b> 10 Minutes	<b>Budget Impact</b> None
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b> The Utah State Auditor requires all local governments to complete a fraud risk assessment annually. 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. The assessment 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 355 points. This places the city in the "Very Low Risk" category.
<b>Mayor's Approval</b>  <b>Date</b> November 4, 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. As long as elected officials continue to follow this practice as well, the response to question four will remain "Yes".

Question five discusses necessary training that must be completed once per term. The city will receive full points this year. Newly elected or re-elected officials will be encouraged to take the training next year.

# Fraud Risk Assessment

Continued

\*Total Points Earned: 355 /395 \*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 governing body adopted 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 (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) expert as part of its management team?	<u>20</u>	20
a. Do any members of the management team have at least a bachelor's degree in accounting?	<u>10</u>	10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?	<u>20</u>	20
5. Have all governing body members completed entity specific (District Board Member Training for local/special service districts & interlocal entities, Introductory Training for Municipal Officials for cities & towns, etc.) online training ( <a href="http://training.auditor.utah.gov">training.auditor.utah.gov</a> ) within four years of term appointment/election date?	<u>20</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?		20
9. Does the entity have a formal audit committee?		20

\*Entity Name: Murray City Corporation

\*Completed for Fiscal Year Ending: June 30, 2021 \*Completion Date: \_\_\_\_\_

\*CAO Name: Blair Camp <sub>Mayor</sub> \*CFO Name: Brenda Moore <sub>Director of Finance & Administration</sub>

\*CAO Signature: \_\_\_\_\_ \*CFO Signature: \_\_\_\_\_

\*Required

# Basic Separation of Duties

See the following page 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			

\* MC = Mitigating Control

# 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. Question 1 of the Fraud Risk Assessment Questionnaire will be answered “Yes.” 200 points will be awarded for question 1 of the Fraud Risk Assessment Questionnaire.
- Ⓑ 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. Question 1 of the Fraud Risk Assessment Questionnaire will remain blank. 0 points will be awarded for question 1 of the Fraud Risk Assessment Questionnaire.

## 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 government.

**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 #2



**MURRAY**

# Finance & Administration

Add section 03.04.095 to the Murray City Code to allow for utility payment assistance

## Council Action Request

**Committee of the Whole**

Meeting Date: September 21, 2021

<b>Department Director</b> Brenda Moore	<b>Purpose of Proposal</b> Allow the City to work with other government or nonprofit organizations to provide utility payment assistance.
<b>Phone #</b> 801-264-2513	<b>Action Requested</b> Discussion
<b>Presenters</b> Brenda Moore	<b>Attachments</b> Draft of the ordinance
<b>Required Time for Presentation</b> 10 Minutes	<b>Budget Impact</b>
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b> There are multiple government agencies and nonprofit entities that provide utility assistance for low-income households. The proposed ordinance modification would enable the city to work with these organizations by authorizing the Mayor to enter into agreements and allowing the Finance Director to waive the deposit requirement. Finance staff does not anticipate that waiving deposits occasionally would significantly increase utility write-offs.
<b>Mayor's Approval</b> 	
<b>Date</b> September 7, 2021	

ORDINANCE NO. \_\_\_\_

AN ORDINANCE ENACTING SECTION 03.04.095 OF THE MURRAY CITY MUNICIPAL CODE OF THE CITY CODE RELATING TO PROVISIONS ALLOWING FOR GOVERNMENT OR NONPROFIT UTILITY PAYMENT ASSISTANCE.

PREAMBLE

The City is aware that households with the lowest incomes often pay a higher proportion of their household income for home utilities, including electricity, water and sewer services. The City seeks to help promote the general health and welfare of its citizens by facilitating utility service for those who qualify for government and nonprofit payment assistance. The purpose of this ordinance is to authorize the City to work with other government and nonprofit agencies to help assist low-income households with the payment of utility bills.

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this Ordinance is to enact section 03.04.095 relating to provisions allowing for government or nonprofit utility payment assistance.

*Section 2. Enact section 03.04.095.* Section 03.04.095 of the Murray City Municipal Code shall be enacted as follows:

03.04.095: GOVERNMENT OR NONPROFIT UTILITY PAYMENT ASSISTANCE

- A. The City is authorized to work with and receive payments from any governmental or nonprofit agency providing utility payment assistance for low-income households.
- B. The Mayor is approved and authorized to enter into any agreements with governmental or nonprofit agencies providing utility payment assistance to low-income households that the Mayor determines is in the best interest of the City.
- C. The Director of Finance and Administration is authorized to waive utility account security deposits for low-income households pursuant to any agreement entered into in accordance with section B above, or during the period of time a governmental or nonprofit agency assists such low-income household with the payment for utility services.

*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 \_\_\_\_\_, 2021

MURRAY CITY MUNICIPAL COUNCIL

---

Diane Turner, Chair

ATTEST:

---

Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_ day of  
\_\_\_\_\_, 2021.

MAYOR'S ACTION: Approved

DATED this \_\_\_\_ day of \_\_\_\_\_, 2021.

---

D. Blair Camp, Mayor

ATTEST:

---

Brooke Smith, City Recorder

## CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the    day of           , 2021.

---

Brooke Smith, City Recorder



MURRAY  
CITY COUNCIL

# Discussion Item #3



**MURRAY**

# Community & Economic Development

## MCCD Design Guidelines

### Council Action Request

**Committee of the Whole**

Meeting Date: September 21, 2021

<b>Department Director</b> Melinda Greenwood	<b>Purpose of Proposal</b> Approval of the revised MCCD Design Guidelines.
<b>Phone #</b> 801-270-2428	<b>Action Requested</b> Approval of the revised MCCD Design Guidelines.
<b>Presenters</b> Melinda Greenwood Jared Hall	<b>Attachments</b> Draft MCCD Design Guidelines & Presentation Slides
<b>Required Time for Presentation</b> 45 Minutes	<b>Budget Impact</b> None.
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b> At the November 19, 2020 Planning Commission meeting, the Planning Commission approved a positive recommendation for revised MCCD Design Guidelines. This item was scheduled for discussion earlier this year, but when the TLUR on mixed-use zones was put in place in February, we postponed this item.  In November of 2019, the MCCD zone was significantly revised to simplify the ordinance, the zoning approval process, and to eliminate burdensome regulations. The ordinance revisions necessitated the simplification of the design guidelines.
<b>Mayor's Approval</b>  <b>Date</b> August 8, 2021	 It is important to note the design guidelines are based off of urban design principles and are intended to influence the flow, function and layout of a project's site, and not necessarily the design and architect of the buildings.

# MURRAY CITY CENTER DISTRICT DESIGN GUIDELINES

DRAFT



# ACKNOWLEDGMENTS

## MAYOR

Blair Camp

## CITY COUNCIL

Kat Martinez  
Dale Cox  
Rosalba Dominguez  
Diane Turner  
Brett Hales

District 1  
District 2  
District 3  
District 4  
District 5

## PLANNING COMMISSION

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

Chair  
Vice-Chair

## MURRAY CITY CENTER DISTRICT DESIGN REVIEW COMMITTEE

CJ Kulp  
Andy Hulka  
Daniel Hayes  
David Hunter  
Ray Beck

Chair  
Vice-Chair

## MURRAY CITY COMMUNITY AND ECONOMIC DEVELOPMENT STAFF

Melinda Greenwood      Director  
Jared Hall      Planning Division Manager  
Zachary Smallwood      Associate Planner  
Susan Nixon      Associate Planner  
Mark Boren      Assistant Planner

DRAFT

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# DESIGN GUIDELINES INTRODUCTION

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## INTRODUCTION

The goal of the Murray City Center District Design Guidelines is to provide a framework within which the development community, citizens and Murray City officials can each play a part in the redevelopment of the City Center District. The 2017 Murray General Plan anticipates the design guidelines will be a key component in making the downtown area successful and create a comfortable place for people to live, work and gather. The guidelines explain and expand upon the design intent of the Murray City Center District zoning ordinance and will aid in ensuring new development will create a dynamic, harmonious, and unique downtown that the citizens of Murray can be proud of. In addition to the goals of the general plan and zoning ordinance, these guidelines have been written with best practices in traditional town and neighborhood development in mind.

Murray City is pursuing the development of a true downtown which will include spaces and elements for a lively public gathering area, such as sidewalk dining, landscaping, and seating areas. Citizens of Murray are proud of their community and expect a downtown that will provide amenities and an environment which create a desirable downtown area. Each individual project in the MCCD zoning district is a part of a larger whole, and as such, should contribute not only its part to the quality of downtown, but contribute positively to the district as a whole.

These design guidelines and subsequent design review process should result in more thoughtful projects, improved business opportunities, and an enhanced quality of life for residents.



## DESIGN REVIEW

The Murray City Council has adopted the Murray City Center District Design Guidelines which are to be consulted during the review process for each new development proposal that falls within the MCCD zoning district. Murray City staff, the Murray City Center District Review Committee, and the Planning Commission will use the guidelines to provide guidance, direction, and support of the stated purposes of the Murray City Center District zoning ordinance and the 2017 Murray City General Plan.



Site plan for new City Hall

## DOCUMENT ORGANIZATION

The guidelines are broken down into two overarching sections. The first section is an outline of the shared values for Downtown Murray. The second section is the actual guidelines which have been divided into four distinct categories:

- District-Wide Guidelines
- Public Spaces and Streetscape Guidelines
- Development Site Guidelines
- Architectural Guidelines

In order to create a set of guidelines by which to review potential projects, a list of shared values needs to be established. Community input thus far suggests that residents of Murray City support a true downtown with neighborhoods that bring a mix of housing, office, retail and entertainment opportunities. After review of current and past documents that relate to the downtown, the following five values were identified as important to the citizens of Murray and will be the compass that will provide direction for the guidelines. Murray Residents value a downtown that is:

- Authentic
- Active
- Inclusive
- Connected
- Multi-modal

### District-Wide Guidelines

This section lays out broad guidelines which should be applied generally throughout the Murray City Center District.

### Public Spaces and Streetscape Guidelines

These guidelines propose improvements to the pedestrian experience through open space and streetscape design. The guidelines are best practices which encourage a safe, comfortable, interesting, and purposeful walk. The guidelines also include best practices in public space design to promote safety, activity, and community building.

### Guidelines for Development Site Guidelines

The major focus of this section is to introduce guidelines that relate to site massing, relationship to topography and the overall fabric of the city. Each property plays a role in the district and can support larger patterns of open space, circulation and the pedestrian experience.

### Architectural Guidelines

These items within this section are the most fine grained and include recommendations for the physical makeup and shape of construction inside property lines.

# SHARED VALUES

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## VALUE 01: AUTHENTIC

The Murray City Center District is the heart of the City's traditional downtown area. The City has many residential neighborhoods as well as large commercial districts each of which has a long history of development and growth in the middle of Salt Lake County. Murray City is pursuing the development of a true, functioning and authentic downtown neighborhood; not a historic replication of another time, or another common open-air mall. Development in the MCCD area should be thoughtful, purposeful, and representative of the true heart of Murray City. When someone travels along State Street and reaches the buildings which have close proximity to the street between 4800 South and Vine Street, they know they have arrived in Murray. This feeling of arrival must be fostered with activity to create a truly authentic downtown.



Desert Star playhouse and neighboring uses along State Street are good examples of street proximity in the Murray City Center District.

## VALUE 02: ACTIVE



The Murray City Center District needs to be active every day to become a true downtown. There are three ways in which the downtown needs to be active:

- Physically
- Socially
- Mentally

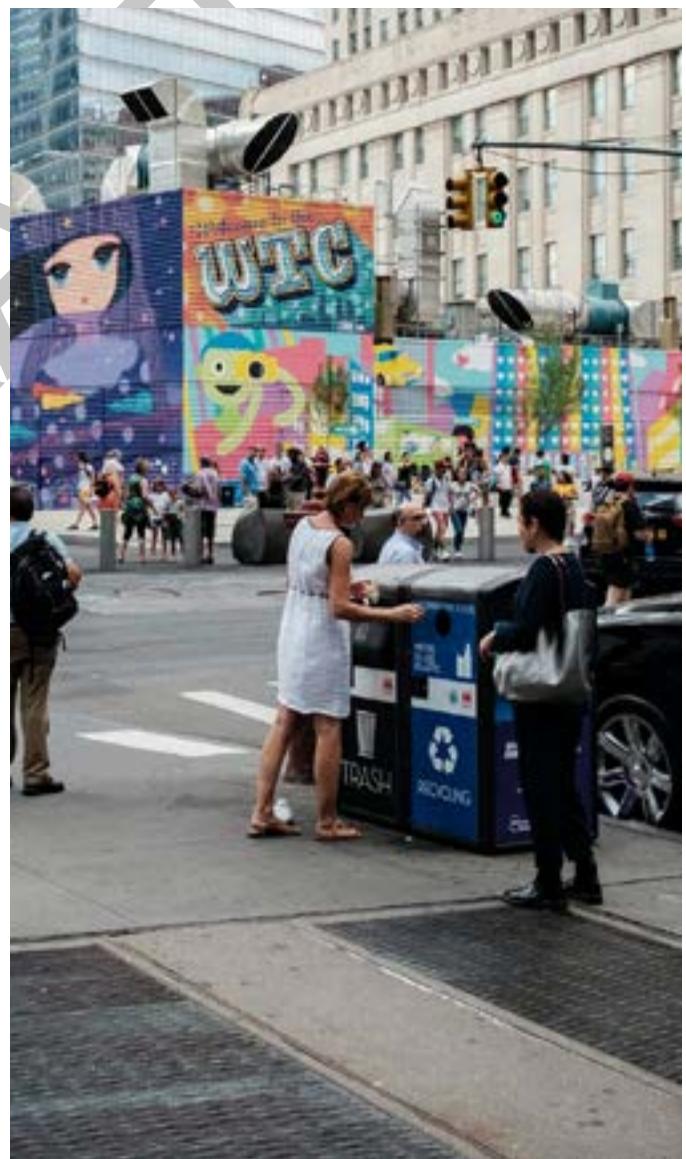
Being physically active includes encouraging a variety of businesses, homes, and entertainment venues that allow for extended hours and activity. By creating a downtown that is physically active it becomes safer because more people are able to see and be seen moving throughout the district.

A socially active district includes open and inviting shops, restaurants and bars which allow the community to interact with and get to know local business owners. This also allows for the serendipitous encounter with neighbors that will help generate a sense of pride and ownership of the downtown.

Last, the third engagement aspect of an active community is to be mentally active. This is accomplished through creating open spaces and visual interest in the downtown district which then stimulates the mind of those who are experiencing new uses and activities.

## VALUE 03: INCLUSIVE

Murray has been and should continue to be an open and welcoming community which embraces inclusivity. The City desires to create a downtown that is diverse, fair, approachable, and friendly. New development in the downtown should create inviting spaces that encourage activity and interaction along the streets and in the public and private spaces. The downtown should be a true community that embraces diversity by providing fair housing, services, opportunities and activities for people of all incomes, ages, abilities, colors, and creeds. The pattern of development should reflect the value of diversity of thought and design in its public and private spaces.



Murray's downtown district should be a space that is welcoming to everyone.

## VALUE 04: MULTI-MODAL

A true downtown is experienced best by foot or bicycle. Murray City experienced this when it was a young city with people moving from place to place; with patrons visiting the local shops and restaurants that lined State Street. Throughout different studies, residents of Murray have expressed that a walkable and bikeable downtown is something to move towards, without eliminating the existing need to move vehicular traffic. New development in the downtown should support multi-modal transportation into, out of, and within the community with a focus on the pedestrian's and cyclists' experience.



Murray's downtown should provide inviting pedestrian and cycling facilities.

## VALUE 05: CONNECTED

The downtown should become an integral part of Murray City in order to promote all the values that have been identified. Access to and from the downtown should be a central consideration of each decision that is made and every development that is proposed. The downtown should be a place that is easily and comfortably frequented, fostering a sense of place among workers and visitors and a sense of ownership among the residents of both the downtown and of the larger city alike. The downtown should be an identifiable neighborhood of Murray that stands out for its purposeful development and contributes to the social and economic well-being of the whole community.



Connected neighborhoods generate greater foot traffic and increase the activity of the area.

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# DESIGN GUIDELINES

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## GUIDELINE 01: Walkability

Design streets such that a pedestrian can move throughout the downtown without hindrance.

Minimize vehicle crossings and where they occur, design them with pedestrian accommodations in mind.

- Where vehicle crossings occur, they should be differentiated visually and/or physically.
- Promote safe crossings.
- Pedestrian refuges should be provided where longer crossings are necessary, such as on State Street.

Encourage and support public transportation and bicycling.

- Bicycle travel lanes should be added to all public rights-of-way.
- Bicycle storage options should be located throughout the district.
- Promote awareness of cyclists and pedestrians through on-street markings and signage.
- Plan for micro-transit and shared mobility options through curbside management.



A clear and shaded pedestrian path provides safety and refuge when walking.



An example of a short block (250'), an enclosed street wall and on street parking that as a whole makes the area feel comfortable to pedestrians.

#### Create Small Blocks.

- Use block lengths of less than 300' to encourage short walks.
- Reduce the scale of blocks wherever possible by providing new streets, mid-block alleys, pedestrian paths, courtyards, paseos, and plazas that connect with other streets and public or common space.
- Encourage interconnected streets.
- Short, direct routes for pedestrians encourages walking.

#### Create ample on-street parking.

- On-street public parking provides a physical barrier that protects the pedestrian from vehicular traffic.
- Curb parking not only provides a physical barrier for those walking but also slows the speed of vehicles.

#### Develop a street wall.

- Avoid unnecessary voids that cause gaps in the street wall. Fill in gaps when designing new buildings.
- Encourage narrow buildings and/or vary the exteriors of large structures to appear as narrow buildings.

## GUIDELINE 02: Activity

Redevelopment of the downtown area should focus on parcels with low improvement values per acre and should be planned for a variety of residential and commercial uses.

- Include office uses and employment that will strengthen and support a retail base with a larger daytime population.
- Encourage development that provides ample opportunities for dining and food offerings.
- Potential projects should focus on everyday uses and cultural development for everyday activity.
- Respect the urban fabric by recognizing and responding to urban patterns and improving upon those patterns.

Provide a range of arts and cultural activities.

- Create anchors of activity that will activate spaces.
- Create opportunities to participate with the community in providing funding to coordinate and promote arts and cultural activities.



Mixing uses creates more activity throughout more of the day, including retail, office and housing creates a 24-hour place.



Converting the Cahoon Mansion to the Murray City Museum creates a destination that residents will be attracted to in the downtown.



Adding open space to the new City Hall will allow for events. Linking additional open space nearby is encouraged.

#### Create an open space network.

- The higher densities of the district must be offset by providing significant and accessible parks and open space throughout.
- Provide linkages between parks and open spaces to important points and basic services in and near the district such as the hospital, Murray Central Station, City Hall, and entertainment venues on State Street. This includes mid-block paths, trails and plaza space.
- Protect important public views, such as the Wasatch and Oquirrh Mountains.



View from 4800 South looking east towards the Wasatch Mountains.

## GUIDELINE 03: Sustainability

Create resiliency within the core of the City.

- Identify locations on key corridors that would benefit from landscaped medians.
- Plant street trees and incorporate landscaped park strips along State Street and other core areas of the downtown district.

Reduce urban heat island effects.

- Minimize effects on micro-climate and human and wildlife habitat by using vegetation and reflective materials to reduce heat island effects.
- Select strategies, materials, and landscaping techniques that reduce heat absorption by exterior surfaces.
- Increase use of vegetated surfaces and planted areas.
- Use shade from appropriate trees, large shrubs, vegetated trellises, walls, or other exterior structures.
- Consider the use of new coatings and integral colorants for asphalt pavement to achieve light-colored surfaces instead of traditional dark surface materials.
- Position photo-voltaic cells to shade impervious surfaces.
- Consider placing parking under cover that complies with the above measures.

Encourage Low Impact Development (LID) and Green Infrastructure practices in all projects.



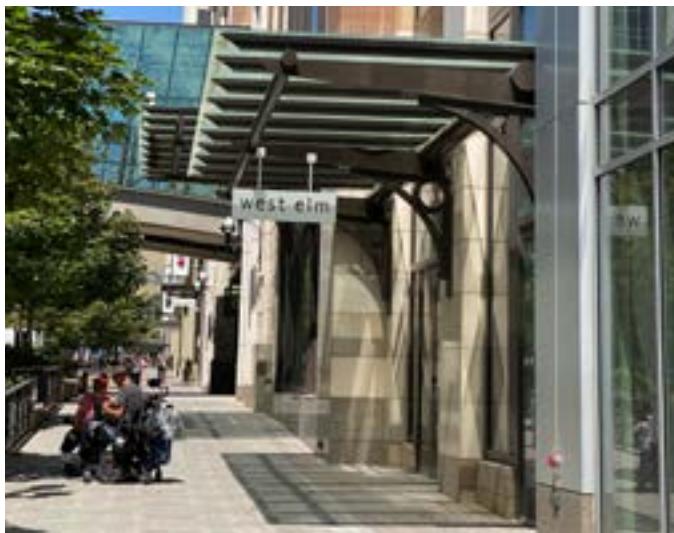
Planted medians allow for pedestrian refuge and opportunities to manage stormwater runoff.



Shade structure outside of the Salt Lake City Public Safety building also serves as a solar power generator.



A natural water filtration system is being used at the confluence of Red Butte Creek and the Jordan River.



Incorporating shade structures along pedestrian paths reduce the amount of heat put off by a building and reduces energy use.

Provide systems that reduce water use.

Recycle organic matter.

Ensure development does not impact water quality.

Design functional stormwater features as amenities

- Provide a connection to the local climate and hydrology by integrating aesthetically pleasing stormwater features that are visually and physically accessible and manage on-site stormwater.

Control and manage invasive plants.

- Limit damage to local ecosystem services by developing and implementing an active management plan for the control and subsequent management of known invasive plants found on site, and by ensuring that no invasive species are brought to the site.

Divert construction and demolition materials from disposal.

- Support a net-zero waste site and minimize down-cycling of materials by diverting, reusing, or recycling construction and demolition materials to avoid disposal in landfills or combustion in incinerators.

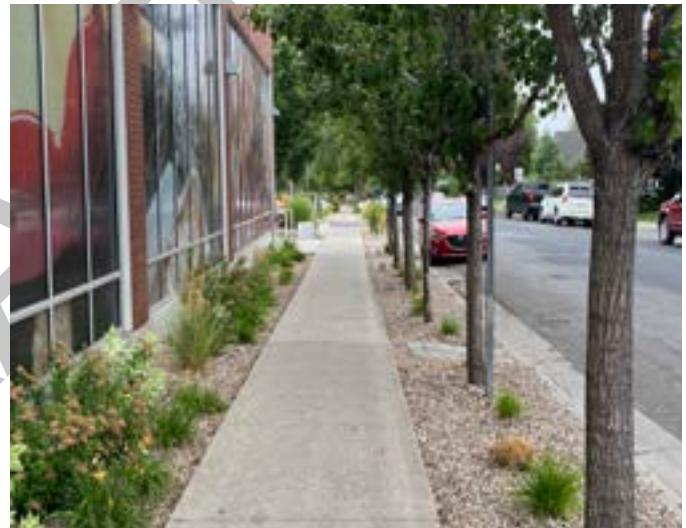
Support nutrient cycling, improve soil health, and reduce transportation costs and materials going to landfills by recycling vegetation trimmings or food waste to generate compost and mulch.

## GUIDELINE: 04

### Streetscape

Street trees should be included throughout the downtown. Benefits to the district from street trees include:

- Buffering and protecting pedestrians from automobile traffic.
- Providing visual traffic calming.
- Shaping pedestrian spaces and pathways.
- Absorbing stormwater runoff, UV pollutants and reducing the urban heat island effect.
- Enhancing retail viability and economics of the district.



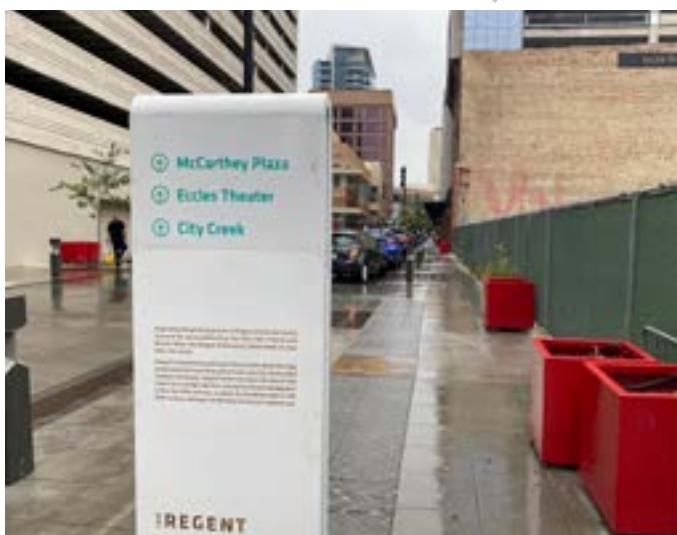
Street trees provide an added physical barrier between traffic and the pedestrian.



Fully grown street trees provide shade for pedestrians making their way through the district.



Wide sidewalks allow for a lot of people to simultaneously move throughout the street.



Install way-finding to help guide pedestrians through spaces and spark curiosity to explore new spaces.

Sidewalks should be designed to enhance the pedestrian experience.

Provide broader sidewalks, weather-protected seating, and real-time scheduling for transit users at bus stop locations.

Align trees and other sidewalk landscape features to provide a direct and continuous path of travel.

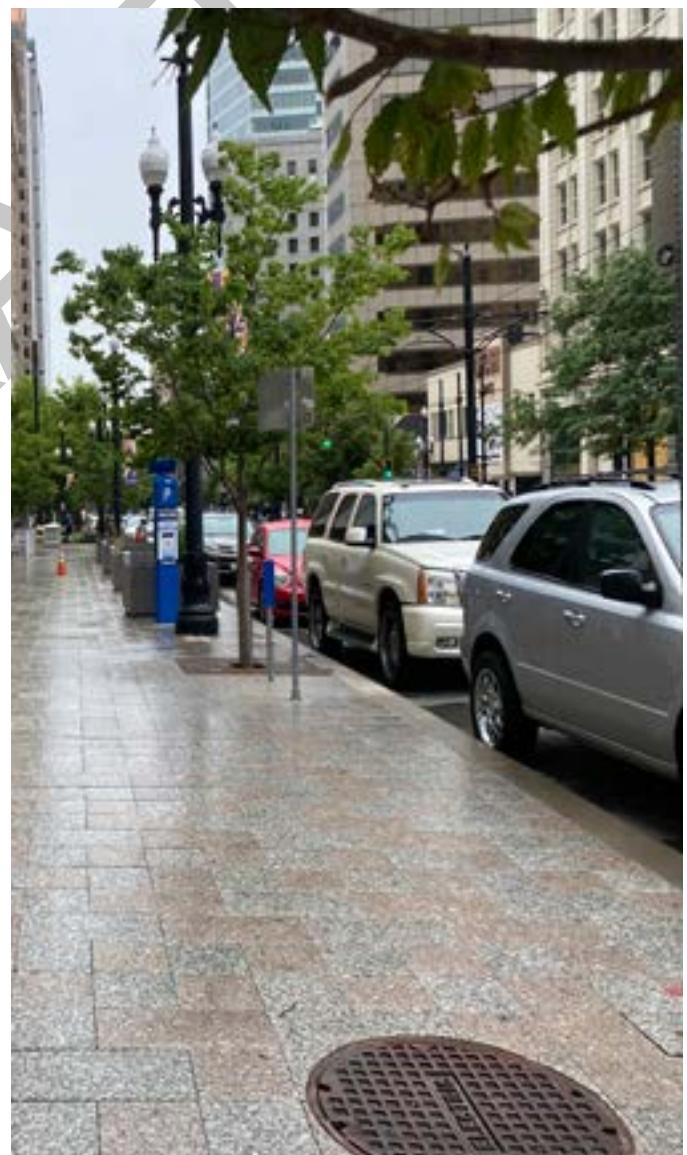
Create public-private transition zones through the use of outdoor dining and display space that draws the pedestrian in.

Enhance safety through way-finding, lighting, and consideration of visibility.

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Curbside management should be considered as a component of the streetscape.

- Reduce the number of curb cuts wherever possible.
- Provide and regulate loading zones.
- Consider and provide for the use of metered parking.
- Promote curbside parking.
- Include upgraded bus/transit stop amenities such as shelters, ADA ramps, garbage cans, etc.
- Consider and provide for the integration of public transportation, active transportation, micro-transit, and ride sharing within public and private streetscapes.



Providing metered parking allows for maximization of on-street parking and provides a revenue stream for enforcement.



A recently upgraded bus stop has been designed to allow for all potential users, regardless of ability.

## GUIDELINE: 05

### Public Space

Design public open space to connect with and complement the streetscape.

- Differentiate street trees from site trees.
- Incorporate civic art in both public and private development. Consider site factors such as circulation and adjacent uses when selecting and placing temporary or permanent art.
- Use designs geared to those with disabilities and the able bodied that are equal.

Provide visual/spatial complexity in public spaces.

Where feasible, include public art installations throughout the district.

Make public spaces interactive.

- Provide play areas for a variety of ages and groups. Design landscape with opportunities for experiences of nature and varied, challenging play elements.
- Provide individual and group recreation amenities to encourage physical activity, including courts or game boards.
- Design public spaces and art installations that encourage social activity, play, and rest.



Public art located on a public street.



Provide movable seating and visual interest to public spaces, such as this space in Seattle.



Note the empty plaza space in direct sun, and the shaded area next to the building.



Example of public seating that also is used as a planter

Orient and design publicly accessible open space to maximize physical comfort and visual access.

- Consider solar orientation, weather exposure, shading, shadowing, noise, and wind.
- Locate open spaces so they are physically and visually accessible from the sidewalk.
- Use trees to provide shade and buffer from wind or exposure.
- Promote curbside parking.

Include seating in public spaces to encourage use and enjoyment of the area.

- Include seating and tables in a variety of ways for people to sit alone, in pairs, and in small or large groups. Use movable seating if possible.
- Enclose and define seating areas with low walls or vegetation. Provide comfortable seating in sun and shade.
- Design seating for casual gathering in both sunny and shaded locations and in both quiet and active zones where possible.
- Use planters, ledges, and low walls (approximately 18 inches tall) to provide places for people to view, socialize, and rest.
- To create a sense of enclosure, define seating areas with low walls, fences, vegetation, or topography. Walls, fences, and vegetation can also break, guide, deflect, or filter the wind and thereby mitigate its effects.

## GUIDELINE: 06

### Circulation

Consider how and where people will move on the site and within the district.

Limit development which closes streets. Create developments with connectivity and human scaled circulation.

Minimize automobile access conflicts with pedestrians and cyclists.



Minimizing conflict with pedestrians not only protects people but allows for vehicular traffic to move more consistently.



Creating and planning for a system of uniform blocks allow for parking areas to be located behind the building and interior courtyards that can be used as parking or outdoor amenity space.

## GUIDELINE: 07

### Open Space

Use landscape, structures, and buildings to define spaces while, at the same time, providing visual access to encourage their use and enhance safety.

Provide ample seating throughout the site.

Define space by planting trees:

- In rows to define a border.
- In groves to define a specific area.
- Individually to offer a special place to gather.

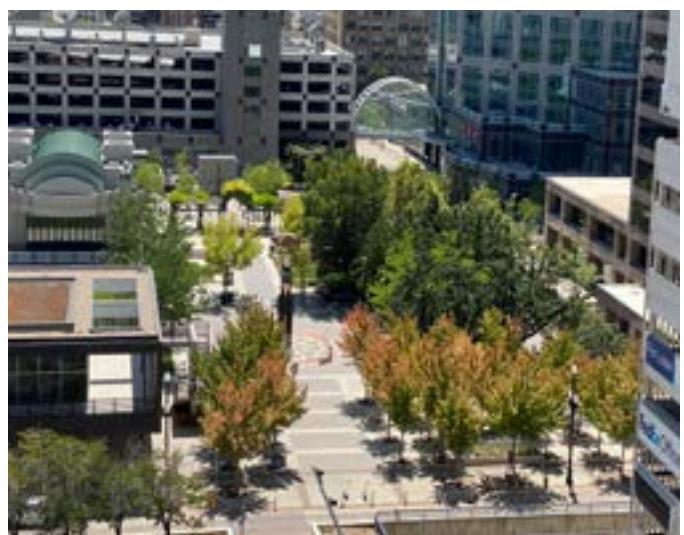
Ensure new developments have parks and open space opportunities.

Avoid open spaces or elements that are privatized and exclude the public.

Avoid conflicts between pedestrians and utility equipment.



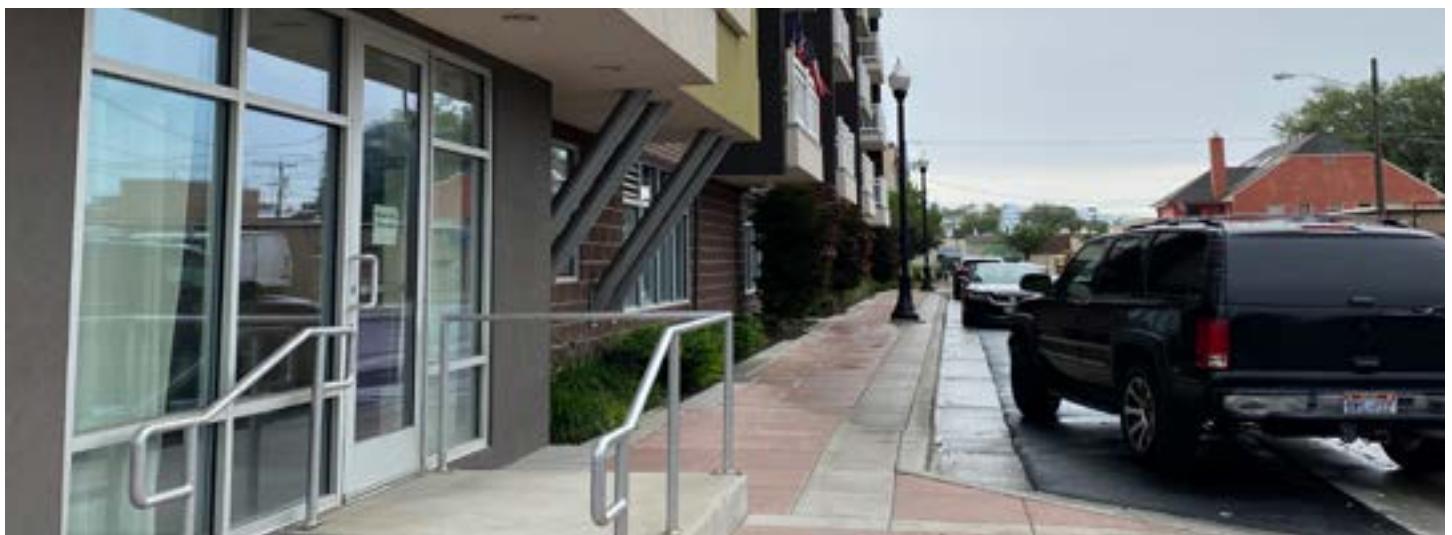
Unique places to sit act as both, public art and a comfortable refuge.



Tree placement helps to define a space.



Avoid creating space that exclude the public from the use and enjoyment of the open area.



Avoid conflicts in pedestrian movement such as access to buildings and utility equipment.

## GUIDELINE: 08

### Active Buildings

Develop and express programmatic relationships between inside and outside by the use of furniture, displays, signage, and landscaping to help animate the building edge and sidewalk.

Consider how the rhythm of the street wall and level of detail at the ground floor correspond to walking speed.

Program public space to support adjacent interior uses.



Including different types of signage creates visual interest and informs pedestrians as they pass by.

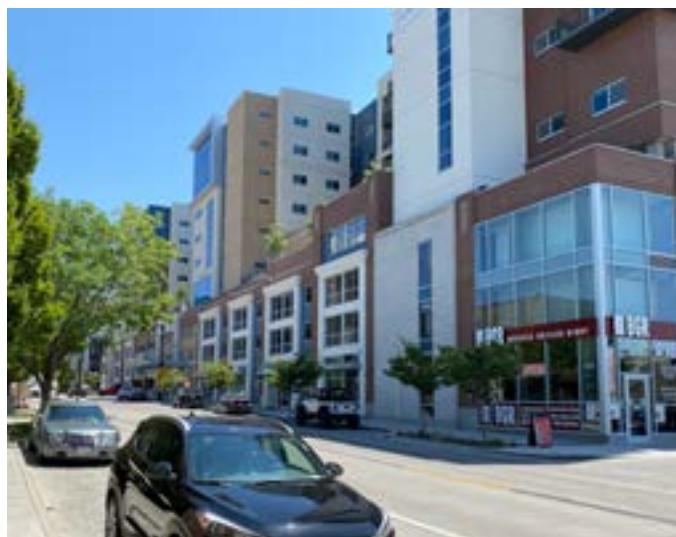


A building that contributes to an active street through the use of ground floor use and eyes on the street.



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Note the use of tables and chairs to help animate the edge of the sidewalk.



Opposite side of the street in the image to the left, these two projects encourage walking by the use of shops, and eyes on the street.

## GUIDELINE: 09

### Parking

Make parking areas large so that they can be shared between users or small so they are intended for individual sites.

- Site design should promote sharing larger parking areas among multiple developments where necessary. This allows for the possibility of smaller parking areas immediately adjacent to specific buildings.

Minimize conflicts between pedestrians and automobiles by locating building entrances away from curb cuts.

Locate bike racks near building entrances and other areas of activity to maximize visibility and convenience.

Be purposeful in the placement of entrances and provide distinction between service entries and primary entries where possible.

- Locate primary entrances that face the street as opposed to rear/parking lot entrances that should be used for back of house operations.
- Provide transportation facilities such as alternative fuel refueling stations.



Include ample amounts of parking within structures and make the structure available to the public.



Bike racks near the entrance to Murray's Fire Station 81 in the City Center.



Providing dedicated parking spaces for alternative fuel vehicles encourages their use and promotes sustainability.

## GUIDELINE: 10

### Neighbor Awareness

Provide a cohesive expression or composition of neighborhood compatible components.

Modulate buildings both vertically and horizontally.

Design sites to improve or augment existing land uses, open space, and building patterns

Increase awareness of Murray City's history and heritage through monuments or markers which indicate historic sites and their significance.



Though this is all one building, there is enough modulation that gives it a unique and appealing physical quality.



Example of a marker denoting a historic site.



Note the consistent, cohesive expression despite differences in architectural style along this street.

## GUIDELINE: 11

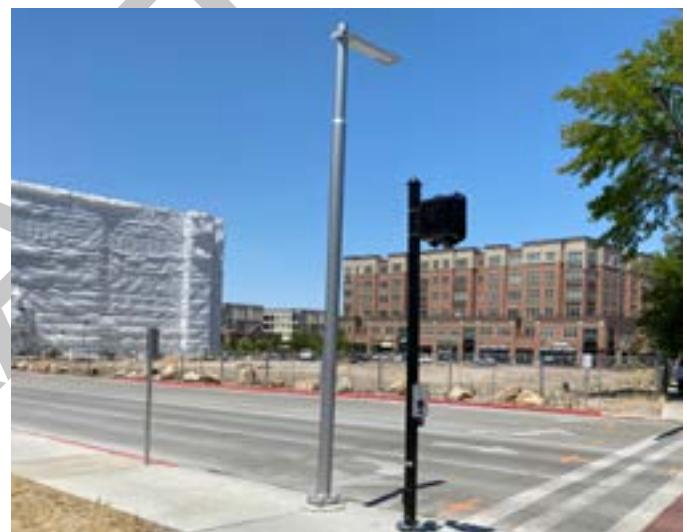
### Meaningful Light

Lighting should enhance the pedestrian experience.

Design lighting which takes dark sky principles into account.

Design private lighting to complement the standards that are required for public spaces and streets.

Use lighting to provide safety to pedestrians in parking areas.



High efficiency, downward facing LED lighting is used at this pedestrian crossing.



Lighting can provide an artistic feel.



Use pedestrian scaled lighting to increase comfort

## GUIDELINE: 12

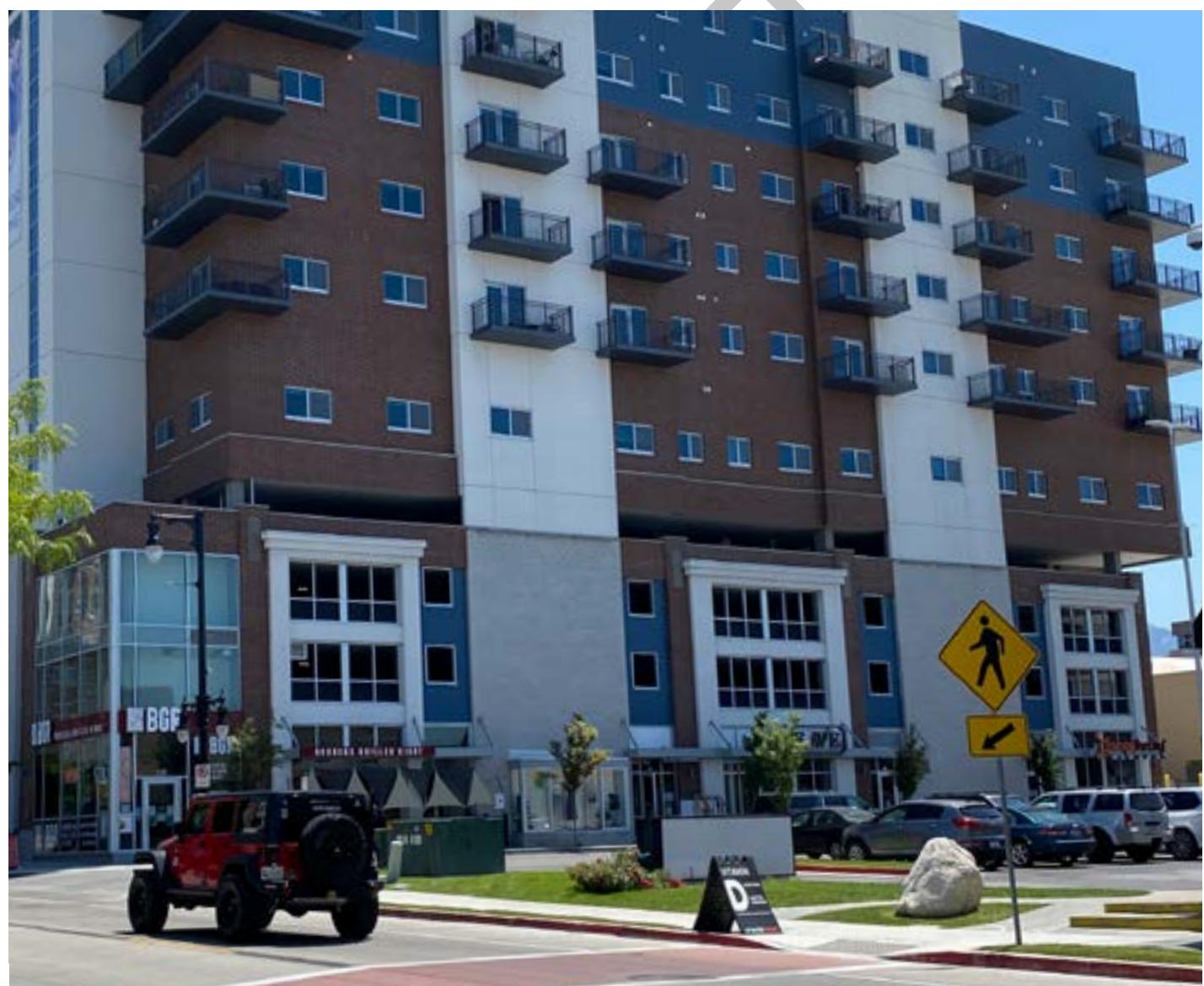
### Design For Potential

Design any ground floor use, including parking areas, with the potential to convert all or a portion of the area to retail or commercial space. Typically, a minimum floor to ceiling height of 12' would allow such a conversion.

Design upper floors of parking garages as level as possible to allow for conversion to office or residential uses in the future.



Ground floor residential units in this Salt Lake City multifamily project are tall enough that they can be converted to commercial at a later date.



The second and third floors are designed in such a way that would allow for enclosure and conversion to office or residential uses.

## GUIDELINE: 13

### Connection to the Ground

Avoid long frontages without active entries. Widths between entrances should fit a common neighborhood pattern.

Sculpt massing to harmonize with the rhythm of adjacent buildings and add human-scaled ground floors.

Long, windowless walls prohibit visual connection between the inside of the building and the sidewalk.

- People inside have no knowledge of those on the street and people on the street cannot see inside.
- Walls with no windows can project the sense that people outside are not to be trusted and that the area is not populated.



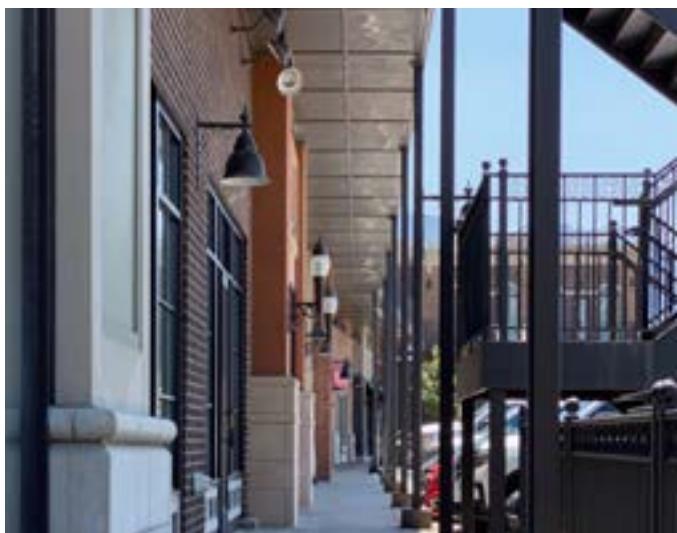
Human-scaled entrances with translucent windows make people feel comfortable entering a space.



Blank walls create a sense of unease and make the pedestrian feel unsafe.



Pronounced primary entrances through the use of paint or unique signage entice pedestrians to explore shops.



Pedestrian protection through the use of arcades.

Multiple building entrances on large buildings are encouraged.

Protect the pedestrian where the building meets the street (canopies, arcades, etc.).

Accentuate primary entrances.

Proportion the scale, the amount of transparency, and the character of entrances at the ground floor to the type of uses and street interaction.

Lower floors should be differentiated architecturally from their upper floors.

The street level of buildings should support multi-tenant and pedestrian-oriented development.

## GUIDELINE: 14

### Connection to the Sky

Design roofs and walls to generate renewable energy.

Design roofs and walls to provide habitat supportive vegetation.

Use green roofs where feasible.

Design wall and roof fenestration to enhance natural lighting without negatively impacting interior comfort.

Shape the roof of buildings.



Utilize rooftops as amenities. This not only allows for public space but can also help control the costs associated with heating and cooling.



The LDS Conference Center in Salt Lake City utilizes their roof as a gathering space.



The four photos above provide different ways in which roof termination can impact the buildings character. This should be considered when designing or proposing a building.

## GUIDELINE: 15

### Fenestration and Porosity

Windows should be used to create a feeling of openness, trust, and turn the eyes to the street.

Avoid or minimize expansive blank and blind walls at the ground floor to create a welcome pedestrian area.

Use generous façade openings.

Create a rhythm of highly transparent storefront and multi-story windows to provide a strong visual image that people recognize and associate with commercial activity.

Provide natural ventilation to reduce energy use and allow access to air flow.

Where feasible, provide pedestrian and bicycle connections through blocks using paseos, mid-block paths, and trails.



Clear windows allow for people to see inside and be seen.



Mid-block crossing that connects multiple buildings



A pedestrian walkway that connects to an interior plaza. This plaza then connects to the nearby Hidden Hollow Park and Parleys Canyon Trail.



The public street connects to the interior plaza. Note that there is no indication and allows for surprise and curiosity as a pedestrian.

## GUIDELINE: 16

### Express a Clear Organizing Idea

Make architectural concepts clear, compelling, and compatible with a site's context.

Render building facades with texture and depth.

Employ passive solar design in façade configurations, treatments, and materials.



Though each building is different, each contributes to a cohesive whole.



Example of a new commercial building that was built with texture and depth that fits in with its neighboring residential uses.



Contemporary building with depth and texture, the fins on the windows are used as a passive solar device to help shade the interior of the building.

## GUIDELINE: 17

### Private Space

Provide upper story balconies where appropriate to allow interface between private and public space.

Include operable windows and movable seating to help animate a building.

Integrate windows, courtyards, balconies, and wind breaks adjacent to plazas and gathering spaces to provide more opportunity for human interaction and connection between inside and outside uses.

Provide opportunities for people to move through private space to shorten the distance between destinations.



Examples of operable windows and private balcony that provide eyes on the street.



Movable furniture in a public space allows for people to move where it is comfortable.



Permeable private space adjacent to the public right-of-way allows for more interaction between people.



The trees in this small courtyard help to limit the amount of wind that passes through the space.



Balconies and large windows allow for people to see and be seen along a street.



Courtyard space adjacent to the public right of way promotes lingering to passersby.

## GUIDELINE: 18

### Materiality

Buildings made entirely of glass should be avoided.

Traditional elements provide horizontal and vertical modulation. For example:

- Pronounced entries,
- Architectural banding,
- Primary verticals (windows),
- Strong roof termination.

Consider meaningful adaptations for contemporary projects to address the same scale or rhythm of familiar inflections.



Examples of architectural banding, primary verticals and strong roof termination.



Contemporary example of a strong roof termination.



A mix of materials including brick, glass, and metal on a building assist in additional visual interest, as shown in these two images.

DRAFT

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## PHOTO CREDITS

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4

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All photographs were taken by the Murray City Planning Division except as listed below.

Page 6	GSBS Architecture, 2018
Page 7	GSBS Architecture, 2018
Page 11 Top Right	Murray City Mayor's Office
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Page 24	Scott Nebeker, 2015 - <a href="https://www.google.com/maps/@40.7594744,-111.8822326,3a,90y,65.67h,93.16t/data=!3m8!1e1!3m6!1sAF1QipM1lswghsCkEoYPv8lqUoulj3Nexg-MtYmX5m-BR!2e10!3e11!6shttps%3F%2Fh5.googleusercontent.com%2Fp%2FAF1QipM1lswghsCkE-oYPv8lqUoulj3Nexg-MtYmX5mBR%3Dw203-h100-k-no-pi-0-ya228.74315-ro-0-fo100!7i8868!8i4434">https://www.google.com/maps/@40.7594744,-111.8822326,3a,90y,65.67h,93.16t/data=!3m8!1e1!3m6!1sAF1QipM1lswghsCkEoYPv8lqUoulj3Nexg-MtYmX5m-BR!2e10!3e11!6shttps%3F%2Fh5.googleusercontent.com%2Fp%2FAF1QipM1lswghsCkE-oYPv8lqUoulj3Nexg-MtYmX5mBR%3Dw203-h100-k-no-pi-0-ya228.74315-ro-0-fo100!7i8868!8i4434</a>
Page 30	Google Street View, May 2019 - <a href="https://www.google.com/maps/@40.7499672,-111.8967361,3a,75y,79.29h,91.46t/data=!3m6!1e1!3m4!1srzB2nXq325e_lpkZ_12x-7A!2e0!7i16384!8i8192">https://www.google.com/maps/@40.7499672,-111.8967361,3a,75y,79.29h,91.46t/data=!3m6!1e1!3m4!1srzB2nXq325e_lpkZ_12x-7A!2e0!7i16384!8i8192</a>
Page 48	The Conference Center roof with mountain and prarie meadows, looking south; The Church of Jesus Christ of Latter-day Saints, Salt Lake City, Utah. By user Ricardo630 Ricardo630 01:34, 29 April 2006 (UTC)

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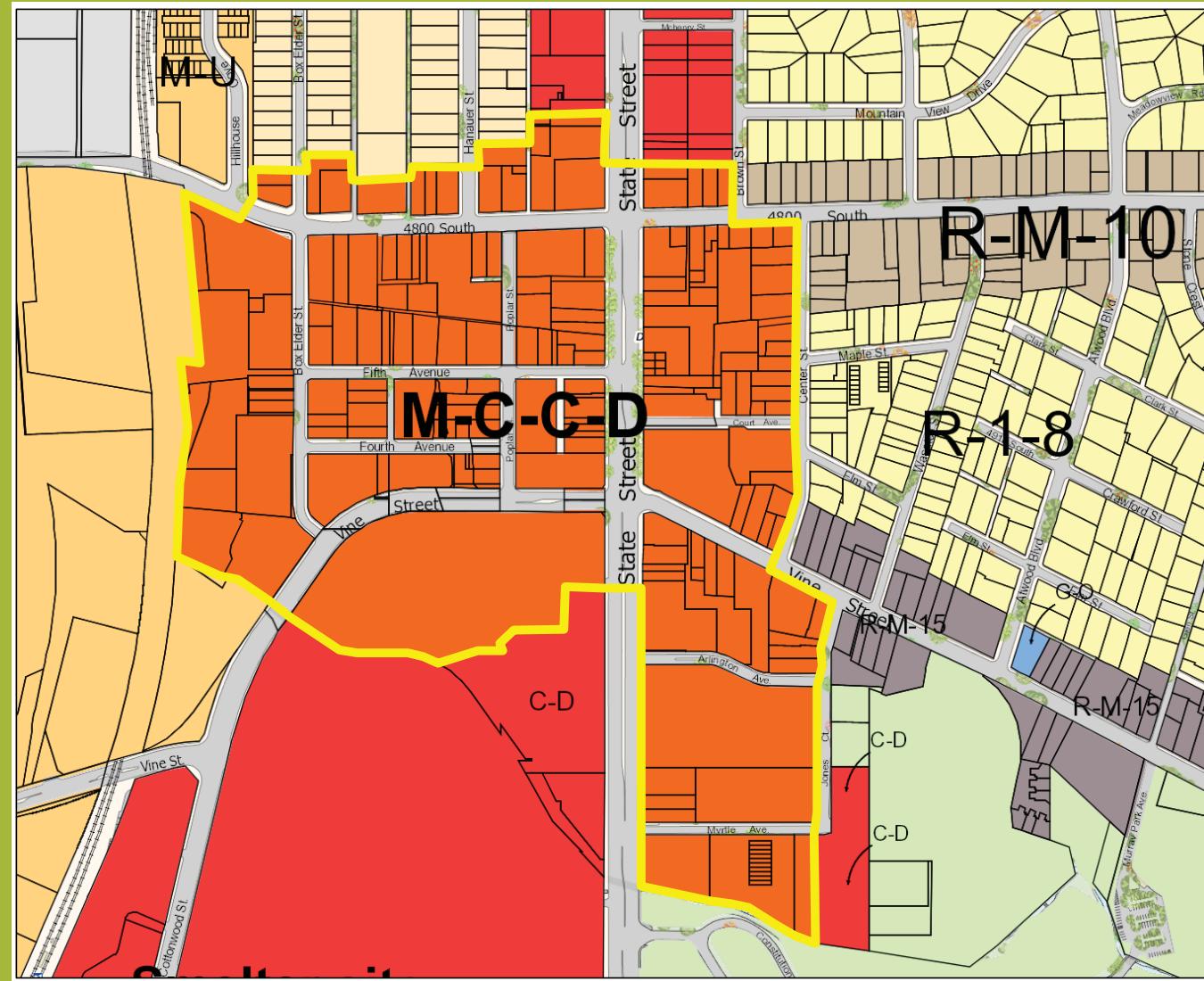
Murray City Corporation  
Community and Economic Development  
Planning Division  
Adopted Month, 2020

# MCCD Design Guidelines

## Text Amendment

Repeal and Replace the Existing Design Guidelines  
in the MCCD Zone





## **17.170.010: PURPOSE:**

The Murray City Center District (MCCD) is envisioned as the commercial, civic and cultural center for the community and is intended to enhance physical, social and economic connections by redeveloping "downtown" Murray City resulting in a richer, more vibrant cultural environment. The 2017 Murray City General Plan suggests that the city center should include development which is pedestrian oriented with a strong emphasis on the urban design and streetscape.

The regulations and design guidelines of the MCCD are intended to promote mixed use development, encourage pedestrian oriented design, promote development opportunities, and increase residential and commercial densities. The anticipated development model promotes sustainable, mixed use, transit oriented uses with neighborhood oriented commercial, restaurant, civic, cultural and residential spaces to promote street life and activity.



**Language from the previous MCCD Zone:**

**17.170.030: CITY COUNCIL ADOPTION OF CITY CENTER DESTRCT DESIGN GUIDELINES; CONFORMANCE:**

The Murray City Council shall adopt the Murray City center district (MCCD) design guidelines. Property located within the MCCD shall be developed in conformance with the provision set forth in this chapter and with the MCCD guidelines.

**Language from the current, adopted MCCD Zone:**

**17.170.020: MURRAY CITY CENTER DISTRICT DESIGN GUIDELINES:**

The Murray City Council has adopted the Murray City Center District (MCCD) Design Guidelines. The guidelines shall be consulted during the review of proposed development in order to provide guidance, direction, and options which will further the stated purposes of the MCCD. Wherever practicable, development should adhere to the objectives and principles contained in the Design Guidelines.



# What are Design Guidelines?

“*Design Guidelines* are a set of discretionary statements, whereas *Development Standards* are a set of threshold requirements. Both are intended to guide land development to achieve a desired level of quality for the physical environment.



# 5 DESIGN GUIDELINES FOR RESIDENTIAL MIXED-USE PROJECTS

RESIDENTIAL MIXED-USE PROJECTS | 5-1



## A. DEVELOPMENT INTENSITY

These guidelines ensure that projects contribute to the appearance and vitality of the mixed-use districts and respect the unique features of adjoining properties.

- A-1 Design projects to enhance the visual appearance of the street and district in which they are located.
- A-2 Locate and orient buildings to respect the need for privacy, light, and air of surrounding structures, especially adjoining low and medium density residential development.

### DESIRABLE



*This project provides architectural interest and enhances the visual appearance of the street. (Guideline A-1)*

### DESIRABLE



*The taller stories of this project are located in the middle of the project which minimizes the impact of the project on adjoining neighboring property. (Guideline A-2)*

## D. BUILDING RELATIONSHIP TO THE STREET<sup>1</sup>

These guidelines ensure that projects strengthen the pedestrian realm, foster pedestrian comfort, and emphasize neighborhood character.

### Pedestrian-Oriented Areas

D-1 Locate active uses on the ground floor, and provide continuous storefront windows and frequent, highly-visible entries.

D-2 Locate buildings close to the sidewalk, to enclose the public realm of the street and sidewalk, and locate shops and restaurants next to the pedestrian sidewalk. Wider setbacks are appropriate to allow for the following:

- Wider sidewalks where they are narrow;
- Building entrances and facade articulation;
- Outdoor cafes;
- Plazas or other high activity public areas.

D-3 Design setback areas to be used for public entry, gathering and outdoor commercial activity. Design them predominantly with hardscape, and provide shade and places to sit. They also may be appropriate places to locate pedestrian conveniences such as public telephones, trash receptacles, bicycle racks and newspaper dispensers

D-4 Minimize the visibility of parking from the street and sidewalk, especially at corners. Locate parking to the side or rear of buildings, or underground.

#### DESIRABLE



*This building is located close to the sidewalk, enclosing the public realm of the street and sidewalk. (Guideline D-2)*

#### DESIRABLE



*Active uses on the ground floor animate the pedestrian realm and promote walkability. (Guideline D-1)*

1. See Endnote

## G. AUTO CIRCULATION: SITE ACCESS AND DRIVEWAYS

These guidelines ensure a safe and convenient pedestrian environment and an attractive street frontage to accommodate pedestrian and bicycle activities.

### Site Access and Curb Cuts

- G-1 Minimize the number of entrances and exits to parking areas, in order to minimize conflicts with pedestrians, reduce congestion at street intersections, and preserve existing on-street parking.
- G-2 Locate entries and exits to allow direct, through movement among individual parking areas where possible.
- G-3 In the CVCBD, provide access to rear parking areas predominantly from side and rear streets; direct access from Castro Valley Boulevard and other major arterials is discouraged.

### Shared Site Access and Parking

- G-4 Minimize the number of entrances and exits to parking areas in order to minimize conflicts with pedestrians and reduce congestion at street intersections.
- G-5 Share parking areas and/or parking entrances/ exits between adjacent properties to the maximum extent feasible. Place covenants on deeds to ensure continued shared use.
- G-6 Design vehicular circulation to allow through movement between adjacent parking areas.

#### DESIRABLE



*In this project, commercial and residential parking is accessed using one driveway, which minimizes the number of entrances and exits to parking areas and reduces conflict with pedestrians. (Guideline G-1)*

#### DESIRABLE



*The parking garage entrance is located on the side of the building and not along the main frontage street. (Guideline G-3)*

4

# DEVELOPMENT STANDARDS FOR RESIDENTIAL MIXED-USE PROJECTS

RESIDENTIAL MIXED-USE PROJECTS | 4-1



**TABLE 4.1-1: RESIDENTIAL MIXED-USE MAXIMUM DENSITIES AND APPROPRIATE ZONES**

ACBD: Ashland and Cherryland Business District Specific Plan / CVCBD: Castro Valley Central Business District Specific Plan				
<b>Building Type</b>	<b>Appropriate Zones</b>	<b>Minimum Building Site (square feet) Per Dwelling Unit<sup>1</sup></b>	<b>Maximum Net Density (Dwelling Units/Acre)<sup>2</sup></b>	<b>Notes</b>
<b>MIXED USE</b>	ACBD-RC (Residential/Commercial)		15 – 25	
	ACBD-TA (Transit Access)		Up to 50	
	ACBD-TC (Transit Corridor)		See General Plan	
	ACBD-FA (Freeway Access)		See General Plan	
	CVCBD Land Use Group D Subareas 2, 4, 5, 6, 7, 11	2,500 2,000	17.4 21.8	With minimum lot size of 10,000 – 20,000 square feet With minimum lot size greater than 20,000 square feet
	Not allowed along Castro Valley Boulevard in Subareas 5, 6, 7 Subarea 7 Limitations: Allowed along side street frontage depending on factors such as specific use, design, adjacent uses, etc, Not allowed along Redwood.		20 – 40	Allowed where a development is substantially composed of units aimed at the elderly or handicapped, where units are mostly studios or one bedroom units, where the parcel is large enough that higher density development can successfully occur, where surface parking is minimized through parking structures, underground parking, etc, or where development is immediately adjacent to the BART station or intensive commercial development.
	CVCBD Land Use Group E Subareas 8, 9, 10 Subarea 9 Limitations: Allowed on parcels west of Redwood Road only.		40 – 60	

Notes:

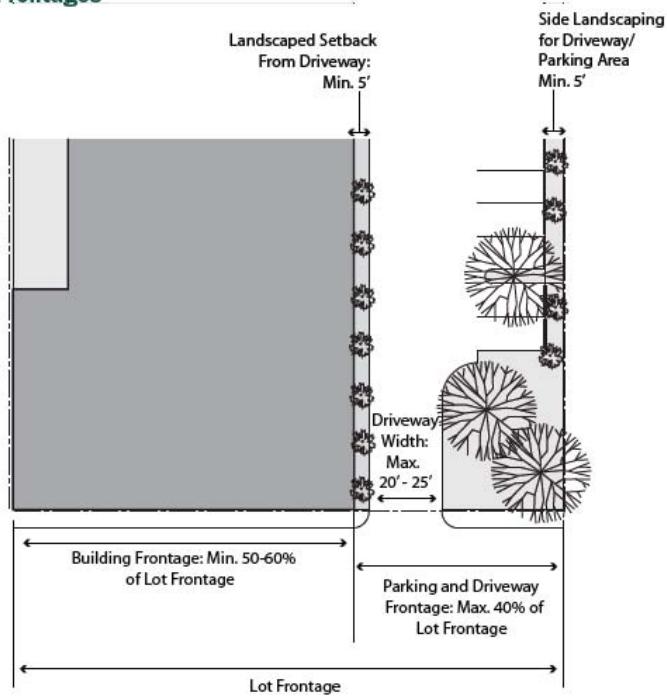
1. The minimum building site per dwelling unit establishes the minimum developable lot area required for one dwelling unit.
2. When calculating net density for single-family subdivisions, small-lot single family homes and townhomes, the following portions of the property are excluded from the calculation: private streets, access easements, stems, driveways that serve more than one lot, street parking spaces, and any other unservable or unbuildable portion of the lot. This applies to all single-family subdivisions, small-lot single family homes and townhomes, regardless if they are rental or for sale units. This does not apply to air space subdivisions, or multi-family flats.

**TABLE 4.2-1: RESIDENTIAL MIXED-USE STANDARDS**

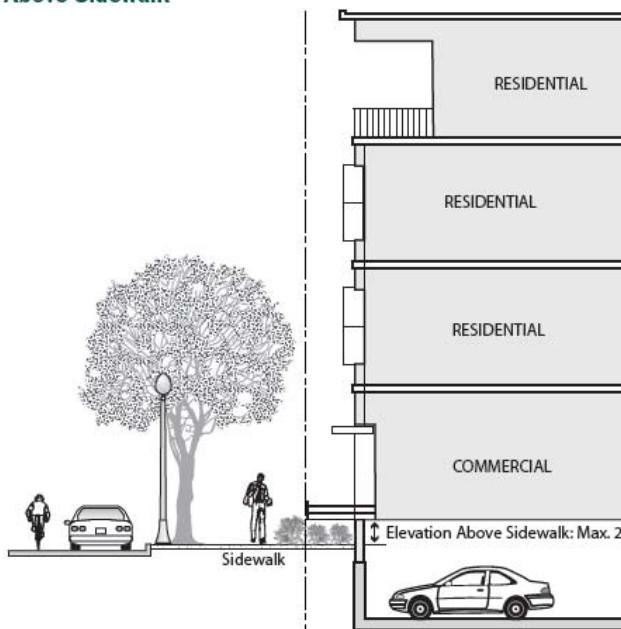
ACBD: Ashland and Cherryland Business District / CVCBD: Castro Valley Central Business District						
Standard	CVCBD Land Use Group D (Subarea 2,4,5,6,7)	CVCBD Land Use Group E (Subarea 8, 9,10,11)	ACBD-TA	ACBD-TC, ACBD-FA (E. 14th, Mission)	ACBD-RC, ACBD-FA (Lewelling)	Additional Standards
<b>DEVELOPMENT INTENSITY AND NEIGHBORHOOD COMPATIBILITY</b>						
Minimum Building Site (sq ft)	10,000 - 20,000	20,000				
Minimum Lot Frontage (ft)	100	100	100	100	100	
Maximum Density (dwelling units/net acre)	17.4 - 21.8; 20 - 40	40 - 60	50	See General Plan	15 - 25	For CVCBD Land Use Group D, 20-40 du/ac is allowed in special circumstances. See Mixed-Use CVCBD Land Use Group D in Table 4.1-1. For ACBD-FA, see General Plan
Minimum Area per Dwelling Unit (sq ft)	2,500 - 2,000					For CV-CVBD Land Use Group D: 2,500 with minimum lot size of 10,000 – 20,000 sq ft 2,000 with minimum lot size of > 20,000 sq ft See Mixed-Use CVCBD Land Use Group D in Table 4.1-1.
Minimum Overall FAR			0.75			
Maximum Lot Coverage (%)	70	70	70	70	70	
<b>COMMERCIAL USES</b>						
Commercial Uses	Commercial uses are required along the street frontage in the areas specified in the Specific Plans for continuous pedestrian-oriented shopping areas. On such street segments, locate residential units above ground floor commercial uses, or behind a commercial building that fronts the street.					
Minimum Ground Floor Commercial Space (% of ground floor space)			50			Exceptions to the minimum ground floor retail requirement may be approved by Staff for long deep lots if ground floor retail occupies at least 60 percent of the linear street frontage, and tenant spaces have a minimum width of 25 feet and a minimum depth of 60 feet.



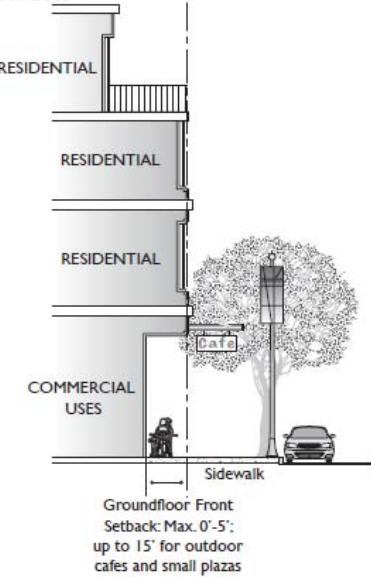
**Figure 4.2-4: Residential Mixed Use: Frontages**



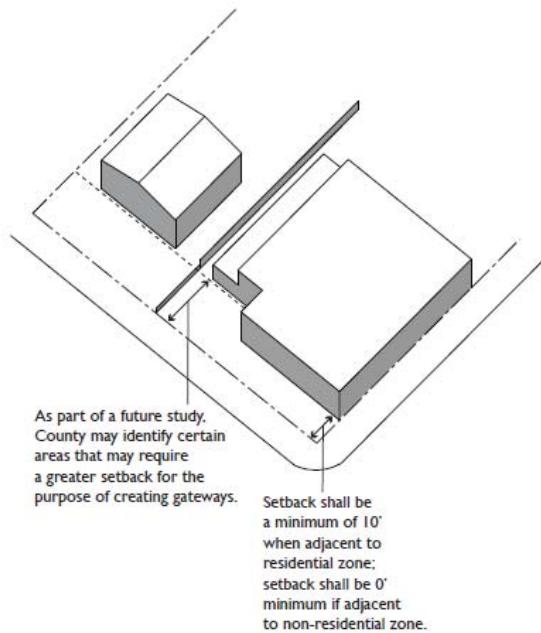
**Figure 4.2-5: Residential Mixed Use: Commercial Elevation Above Sidewalk**



**Figure 4.2-6: Residential Mixed Use: Front Setback**



**Figure 4.2-7: Residential Mixed-Use: Street Front Setback Adjacent to Residential**



#### Streetscape 1

##### Protect the Pedestrian Where the Building Meets the Street

###### Values Supported

###### Issue

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



For pedestrians, even simple awnings extended over windows can provide adequate protection from the elements.

The comfort of the pedestrian is crucial to the development of any dense development which strives to be economically viable. This is especially the case today, when people have come to expect the climate control found in contemporary buildings. Like much of the south, Austin has many months of extremely hot and humid weather; it can also have very cold and wet winters. The tendency to dash across a parking lot from an air conditioned car into an air conditioned building is normal behavior in Texas today, and so is the tendency to shop or eat only in places where parking can be found directly in front of the store or restaurant.

Making the transition to a pedestrian oriented streetscape will require special attention to the comfort of the walker. Dense development can increasingly expect pedestrians to arrive by mass transit and walk to their destination. Because they are the economic base for any development it is important that pedestrians are comfortable. They will choose the most comfortable route, avoiding blocks which are less comfortable or which create gaps in the continuity of the protection.

###### Recommendations

- Overhead cover, offering adequate pedestrian protection from the sun and rain should be provided along the right-of-way where downtown buildings meet the street. This should occur between nine and fourteen feet above the level of the sidewalk, and should provide a minimum of eight feet of cover in width. Cover should not project closer to the curb than three feet.
- Overhead cover at the sidewalk may provide continuous protection without being continuous itself.
- Cover may take the form of either a projection from the building, an arcade, or a combination of the two. Arcades shall be open to the street.
- Projections may take the form of fabric awnings which are retractable, fabric awnings which are not retractable, or fixed non-fabric projected covers.
- Projected covers may be occupied by the building user, but should be accessed only from the building and not from the sidewalk. Where projected covers are occupied, they may also be supported by columns which fall in the right-of-way. Columns in the right-of-way should not interfere with pedestrians or emergency functions of the sidewalk. Maintain clear sidewalk width not interrupted by columns. Provide sufficient space between curb and columns to accommodate the potential of vehicles jumping the curb.
- Where buildings have been permitted to pull significantly away from the property line, a free standing cover should be provided along the right-of-way. Owners are encouraged in this condition to provide pedestrian cover additionally at the edge of the building where it does not touch the property line.
- Existing buildings which experience significant renovation should provide pedestrian protection as well. Landmark buildings may comply by installing a detached cover in front of the building.

Planning staff worked to create new design guidelines modeling them after guidelines clear, single-page designs to promote simplicity and ease of use.

###### Values Supported

- Linking back to the General Plan

###### Issue being addressed

- Why the specific guideline is important to the MCCD

###### Recommendations

- Items that could be incorporated to address the issue or guideline



## 2017 MURRAY GENERAL PLAN



### 5 KEY INITIATIVES



#### INITIATIVE #1: CITY CENTER DISTRICT

Building on Murray's commercial district along State Street with existing cultural assets, this initiative is geared toward creating a core district at the city's center. Throughout the public involvement process, people expressed a desire for cultural and social events within their own community. A City Center District can be the social and economic heart of the city.



#### INITIATIVE #2: CREATE OFFICE/EMPLOYMENT CENTERS

Market and economic analysis shows that Murray's retail market is saturated, however there is room for economic growth through office space. Building on Murray's strong retail base, this initiative is geared toward creating Class A office and employment centers that will help make Murray's economy even more resilient and diverse.



#### INITIATIVE #3: LIVABLE + VIBRANT NEIGHBORHOODS

Healthy cities with stable residential areas create places where people want to live. Building on Murray's established residential neighborhoods, this initiative is geared toward keeping these areas livable and vibrant. Strategies include creating neighborhood nodes designed for people and scaled to complement the surrounding area, life-cycle housing to allow residents to age in place, and access to parks and open space.



#### INITIATIVE #4: LINKING CENTERS/DISTRICTS TO SURROUNDING CONTEXT

Building on key activity centers such as Intermountain Medical Center and Downtown Murray, this initiative is geared toward connecting these areas to their surrounding context. A combination of physical infrastructure connections and complementary land uses and urban design will create a more cohesive core for the city.



#### INITIATIVE #5: A CITY GEARED TOWARD MULTI-MODALITY

The desire to safely and comfortably walk and bike to destinations emerged as a common thread through the public involvement process. Building on Murray's central location and recent multi-modal infrastructure improvements, this initiative is geared toward making complete neighborhoods designed for people.



# Five Shared Values

Authentic



Active



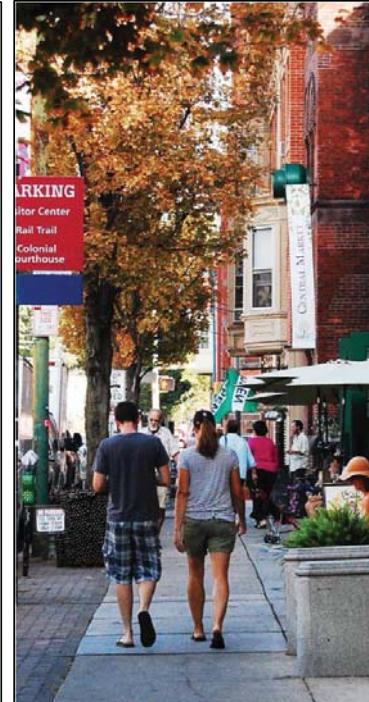
Inclusive



Multi-Modal



Connected



# Process

All major alterations and new construction in the MCCD Zone require:

- A pre-application conference with Planning Division staff
- An application for Design Review approval
- Project review and recommendation by the MCCD Design Review Committee
- Design Review approval by the Planning Commission in a public meeting

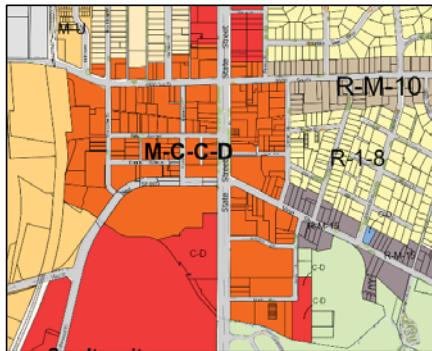


# Standards of Review

The Planning Commission is to determine the following before giving Design Review Approval to a project:

- The project is in general conformance with the current Murray City General Plan
- The project is in general conformance with the specific area plan, if any, adopted for the area
- The project conforms to the requirements of the applicable sections of the Land Use Ordinance
- The project does not jeopardize the health, safety, or welfare of the public
- The project is in harmony with the purpose of the MCCD Zone and adheres to the principles of the Design Guidelines





#### District Wide

- Walkability
- Activity
- Sustainability



#### Public Spaces and Streetscape

- Streetscape
- Public Space



#### Development Site

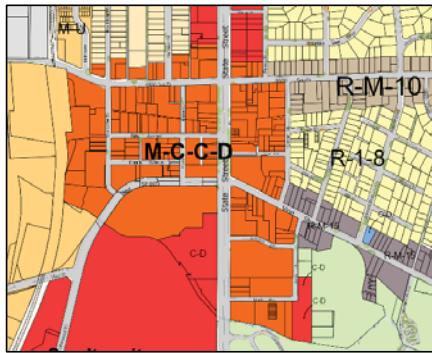
- Circulation
- Open Space
- Active Buildings
- Parking
- Neighbor Awareness
- Meaningful Light



#### Architectural

- Design for Potential
- Connection to the Ground
- Connection to the Sky
- Fenestration and Porosity
- Express a Clear, Organizing Idea
- Private Space
- Materiality





#### District Wide

- Walkability
- Activity
- Sustainability



#### Public Spaces and Streetscape

- Streetscape
- Public Space



#### Development Site

- Circulation
- Open Space
- Active Buildings
- Parking
- Neighbor Awareness
- Meaningful Light



#### Architectural

- Design for Potential
- Connection to the Ground
- Connection to the Sky
- Fenestration and Porosity
- Express a Clear, Organizing Idea
- Private Space
- Materiality



# Sustainability (Section 17.170.080)

- No third-party certifications (such as LEED) are required, but they are encouraged. (Public buildings and uses are designed to comply with the High-Performance Building Standards of the Utah Division of Facilities Construction and Management.)
- The City may provide incentives for achieving third-party certifications that would be based on post-performance outcomes and negotiated for a project through development agreements.
- Focus is on water conservation, stormwater management, energy efficiency and support of transit and active transportation.
- Sustainable development principles and goals are recommended as standards in the Design Guidelines.



# Guideline 03: Sustainability

## Create resiliency within the core of the City.

- Identify locations on key corridors that would benefit from landscaped medians.
- Plant street trees and incorporate landscaped park strips along State Street and other core areas of the downtown district.

## Reduce urban heat island effects.

- Minimize effects on micro-climate and human and wildlife habitat by using vegetation and reflective materials to reduce heat island effects.
- Select strategies, materials, and landscaping techniques that reduce heat absorption by exterior surfaces.
- Increase use of vegetated surfaces and planted areas.
- Use shade from appropriate trees, large shrubs, vegetated trellises, walls, or other exterior structures.
- Consider the use of new coatings and integral colorants for asphalt pavement to achieve light-colored surfaces instead of traditional dark surface materials.
- Position photo-voltaic cells to shade impervious surfaces.
- Consider placing parking under cover that complies with the above measures.

## Encourage Low Impact Development (LID) and Green Infrastructure practices in all projects.



Planted medians allow for pedestrian refuge and opportunities to manage stormwater runoff.



Shade structure outside of the Salt Lake City Public Safety building also serves as a solar power generator.



A natural water filtration system is being used at the confluence of Red Butte Creek and the Jordan River.



Incorporating shade structures along pedestrian paths reduce the amount of heat put off by a building and reduces energy use.

## Provide systems that reduce water use.

### Recycle organic matter.

### Ensure development does not impact water quality.

### Design functional stormwater features as amenities

- Provide a connection to the local climate and hydrology by integrating aesthetically pleasing stormwater features that are visually and physically accessible and manage on-site stormwater.

### Control and manage invasive plants.

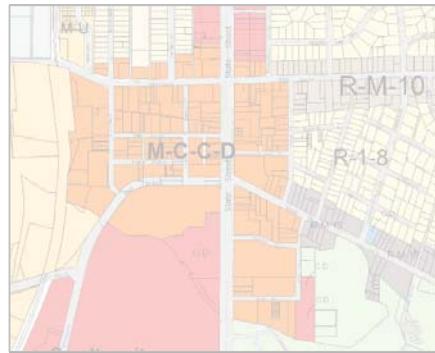
- Limit damage to local ecosystem services by developing and implementing an active management plan for the control and subsequent management of known invasive plants found on site, and by ensuring that no invasive species are brought to the site.

### Divert construction and demolition materials from disposal.

- Support a net-zero waste site and minimize down-cycling of materials by diverting, reusing, or recycling construction and demolition materials to avoid disposal in landfills or combustion in incinerators.

### Support nutrient cycling, improve soil health, and reduce transportation costs and materials going to landfills by recycling vegetation trimmings or food waste to generate compost and mulch.





#### District Wide

- Walkability
- Activity
- Sustainability



#### Public Spaces and Streetscape

- Streetscape
- Public Space



#### Development Site

- Circulation
- Open Space
- Active Buildings
- Parking
- Neighbor Awareness
- Meaningful Light



#### Architectural

- Design for Potential
- Connection to the Ground
- Connection to the Sky
- Fenestration and Porosity
- Express a Clear, Organizing Idea
- Private Space
- Materiality

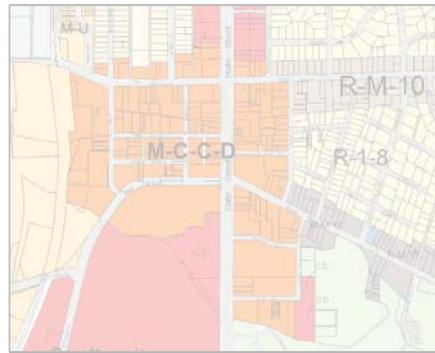


## Guideline 04: Streetscape



- Street Trees
- Broad sidewalks with weather-protected seating
- Consideration of wayfinding signage and lighting
- Public-private transitions including outdoor dining and display spaces to engage the pedestrian
- Curbside management





#### District Wide

- Walkability
- Activity
- Sustainability



#### Public Spaces and Streetscape

- Streetscape
- Public Space



#### Development Site

- Circulation
- Open Space
- Active Buildings
- Parking
- Neighbor Awareness
- Meaningful Light



#### Architectural

- Design for Potential
- Connection to the Ground
- Connection to the Sky
- Fenestration and Porosity
- Express a Clear, Organizing Idea
- Private Space
- Materiality



## Guideline 07: Open Space



- Ensure opportunities for parks and open space opportunities in new developments
- Provide seating throughout sites
- Avoid private open spaces and elements that exclude the public

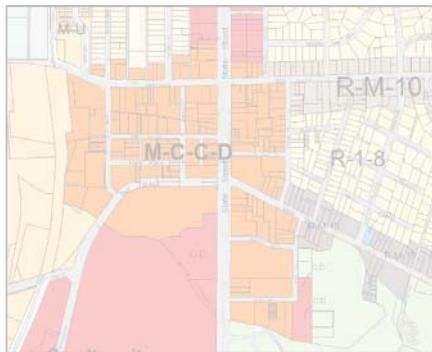


## Guideline 09: Parking



- Site designs should promote sharing larger parking areas among multiple developments
- Locate bike racks close to building entrances
- Provide distinctions between the primary parking entrances and service entrances





#### District Wide

- Walkability
- Activity
- Sustainability



#### Public Spaces and Streetscape

- Streetscape
- Public Space



#### Development Site

- Circulation
- Open Space
- Active Buildings
- Parking
- Neighbor Awareness
- Meaningful Light



#### Architectural

- Design for Potential
- Connection to the Ground
- Connection to the Sky
- Fenestration and Porosity
- Express a Clear, Organizing Idea
- Private Space
- Materiality



## Guideline 12: Design for Potential



- Ground floors (including parking areas) should be designed with conversion potential for commercial space (at least 12')
- Upper floors of parking garages should be convertible to office or residential use in the future



## Guideline 15: Fenestration and Porosity



- Clear glass and façade openings should be used to create an open feeling, especially on the street level
- Provide active mid-block crossings where possible



# Historic Preservation – Previously

## Deterrent Approach

- List of historically significant properties established
- Demolition only allowed with a specific approval (Certificate of Appropriateness) allowing an exception requiring a finding that all following criteria are met:
  - Applicant demonstrates that incorporation of the historic building is impractical because of building condition, structural incompatibility, or similar
  - Demonstrate that the new proposal adheres to the goals and objectives of the MCCD
  - Demonstrate that the proposal complies with ordinance standards and design guidelines
  - Implement a monument and narrative inscription approved by the HAB
  - Enter a Development Agreement with the following:
    - Agree to complete the project in 24 months
    - Provide a performance bond of 125% of the estimate cost of the project
    - Building permits for the new project required PRIOR to demolition permits
    - Project value must be at least 5 times the current assessed property value
    - Project must include 100% ground floor commercial and an additional 25% commercial in upper-level floors
    - Demonstrate proposed number and quality of jobs created
    - Public health benefit substantiated
- Planning Commission to deny any request where all requirements are not met.



# Historic Preservation – Current

## Incentive Based Approach

“Application and permit fees for projects involving the renovation of historically significant buildings will be waived. Fees to be waived include fees for design review approval, conditional use permits, building permits, sign permits, land disturbance permits, and excavation permits.”



# Staff Recommendation

Staff recommends that the City Council APPROVE the text amendment to repeal and replace the Murray City Center District Design Guidelines as proposed.





**MURRAY**  
CITY COUNCIL

# Adjournment



**MURRAY**  
CITY COUNCIL

# **Council Meeting**

## **6:30 p.m.**

**Call to Order**

**Pledge of Allegiance**



MURRAY  
CITY COUNCIL

# Council Meeting Minutes

# **Murray City Municipal Council Chambers**

## **Murray City, Utah**

### **DRAFT**

**Tuesday, August 24<sup>th</sup>, 2021**

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The Murray City Municipal Council met on Tuesday, August 24, 2021, at 6:30 p.m. (or as soon as possible thereafter) for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

The public was able to view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>. A recording of the City Council meeting can be viewed [HERE](#).

**Council in Attendance:**

Kat Martinez	District #1
Dale Cox	District #2
Rosalba Dominguez	District #3 – Conducting
Diane Turner	District #4 – Council Chair
Brett Hales	District #5 – Council Vice-Chair
Jennifer Kennedy	Council Director

**Administrative Staff in Attendance:**

Blair Camp	Mayor
Doug Hill	Chief Administrative Officer
Jennifer Heaps	Chief Communication Officer
Brooke Smith	City Recorder
GL Critchfield	City Attorney
Brenda Moore	Finance and Administrative Director
Kim Sorensen	Parks and Recreation Director
Lori Edmunds	Cultural Arts Director
Melinda Greenwood	Community & Economic Development Director
Jared Hall	Community Development Supervisor
Danny Astill	Public Works Director
Trae Stokes	City Engineer
Jon Harris	Fire Chief
Craig Burnett	Police Chief
Kristin Reardon	Records Supervisor
Robyn Colton	Human Resource Director
Robert White	IT Director

Danny Astill      Senior IT Technician  
Chris Zawislak      Engineer

### **Others in Attendance:**

Lawrence Horman	Spencer Howell	Peter Klinge	Dean O. Edmunds
Clark Bullen	Daniel Prorok	Ned Hacker	Peter Hauza
Janice Strobell	Ray Fitzgerald	Cindy Haler	Jeff Evans
Daren Rasmussen	Martha Fitzgerald	Charles Turner	
Shum Delliskave	Christy Anderson	Robert Wyss	

## Opening Ceremonies

Call to Order – Councilmember Dominguez called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Patti Johnson.

## Approval of Minutes

## Council Meeting – July 6, 2021

## Council Meeting – July 20, 2021

*MOTION: Councilmember Turner moved to approve the minutes. The motion was SECONDED by Councilmember Hales.*

### *Council roll call vote:*

*Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox, Councilmember Dominguez*

*Nays: None*

### *Abstentions: None*

*Motion passed 5-0*

## Special Recognition

## **1. Murray City Council Employee of the Month, Lori Edmunds, Cultural Arts Director**

Presenting: Brett Hales, Councilmember, and Kim Sorensen, Parks and Recreation Director

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

Mr. Sorensen said Ms. Edmunds is wonderful to work with. Ms. Edmunds oversees Murray's Cultural Arts Division. Her areas of responsibility include overseeing the Arts and History Advisory Boards, coordinating outdoor amphitheater events, coordinates and oversees community arts,

heritage programs, and the city museum. She is in charge of several programs throughout the year in Murray City and does a wonderful job.

Ms. Edmunds introduced her husband Dean, she expressed gratitude for the opportunity to work at Murray City and the wonderful people she gets works with. Ms. Edmunds expressed thanks for Mr. Sorensen and shared that it is a great honor to serve the people of Murray.

Councilmembers thanked Lori Edmunds for her service the past five years, and they appreciate her being a part of Murray City.

**2. Presentation of the Certificate of Achievement for Excellence in Financial Reporting (CAFR) to Brenda Moore, Director of Finance and Administration.**

Presenting: Mayor Camp

Mayor Camp presented Brenda Moore, Director of Finance and Administration the Certificate of Achievement of Excellence in Finance. This is awarded by the Government Finance Officer's Association and is considered one of the highest awards in government financial reporting.

Mrs. Moore thanked the finance staff and department directors, AP clerks, and executive assistance who continue to make sure we are doing things correctly. She shared that the City Finance Department has received this award for the past 30 plus years and the award means the city is adhering to program standards and is continually improving.

**Citizen Comments**

Lawrence Horman – In person

Mr. Horman spoke about homeless issues. He suggested the city create an authorized campground for the homeless.

Jeff Evans – In person

Mr. Evans shared his appreciation to Lori Edmunds and the Cultural Art's Program that Murray City has. In the past, he has volunteered on the Planning Commission, and now he has transitioned to the Murray Art's Advisory Board. He shared his deep appreciation for the amount of work that it takes to pull off community events and for what Lori Edmunds does. He is happy to see Lori get employee of the month.

The public comments were closed.

**Consent Agenda**

**1. Consider confirmation of the Mayor's appointment of Robert Wyss to the Murray City Arts Advisory Board to fulfill the remainder of a term that will expire on January 1, 2023.**

Presenting: Mayor Camp

Mayor Camp requested Robert Wyss to be appointed as a member of the Arts Advisory Board from August 24, 2021, to January 1, 2023. Robert Wyss will be filling the position that was vacated by Lily Ellingson. Robert Wyss has an impressive resume and has already started volunteering at several Murray City events.

- 2. Consider confirmation of the Mayor's appointment of Jessica Miller to the Library Board to fulfill the remainder of a term that will expire June 30, 2023.**

Page 125-131

Presenting: Mayor Camp

Mayor Camp requested Jessica Miller to be appointed as a member of the Library Board to complete a term from August 24, 2021, to June 30, 2023. Jessica will be filling the position that was vacated by Nicholas Skene. Mayor Camp had the opportunity to interview Jessica and is impressed with her Ph.D. in English Literature and her involvement with many universities and higher education.

**MOTION**

Councilmember Martinez moved to approve the ordinance. The motion was SECONDED by Councilmember Hales.

Council roll call vote:

Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox, Councilmember Dominguez

Nays: None

Abstentions: None

Motion passed 5-0

**Public Hearings**

Staff, sponsor presentations, and public comments will be given prior to Council action on the following matter. The Council Meeting Agenda Packet can be found [HERE](#).

- 1. Consider a resolution approving the Transportation Master Plan.**

Presentation: Trae Stokes, City Engineer

See Planning Commission Minutes - May 20<sup>th</sup>, 2021

See Committee of the Whole Minutes - July 20, 2021

**Presentation**

Trae Stokes shared with the council that Murray City's last transportation plan was completed in 1993 and updated in 2006. Since that time, the city has experienced growth in several areas resulting in new demands and impacts on the roadways. The updated master plan is a fundamental resource to help the city manage its existing transportation needs and prepare for future demands. Mr. Stokes also shared that a few projects mentioned in the Transportation Plan have been started but because of funding constraints, some long-term projects may need to be

reprioritized or skipped.

Ms. Dominguez asked Mr. Stokes about wildlife and eco-friendly phasing during projects.

Mr. Stokes said that it may not be specifically expressed in the Transportation Plan however when a major project application does come in, they do look at wildlife and complete an environmental study before the project is started. In addition, when new applications come in, they coordinate water quality improvements to areas like stormwater and storm drains.

### **Citizen Comments**

Kim Anderson, In Person

Mr. Anderson said he has concerns with several areas mentioned in the Transportation Plan. Specifically, about projects that widen streets for sidewalks and potentially taking property away from landowners.

Trae Stokes came up and shared that the transportation plan is a long-term 30-year plan and many of the areas that Mr. Anderson brought up are long-term goals identified in a Countywide initiative and that is why it was included in the Transportation Plan. However, they could be changed or skipped.

Peter Klinge – In Person

Mr. Klinge shared his concerns about the Transportation plan in the Murray City Center District ([MCCD](#)) area. Specifically, the area of “Block 1” and the Murray City Theater. He has concerns about parking and walkways to accommodate the MCCD Development.

Daniel Prorok- In Person

Mr. Prorok shared concerns about the Transportation Plan. He shared that Murray recently made the news when a bus was caught in a flooded area and he has concerns about potential liability and communication issues. Mr. Prorok thanked the Mayor for his service and Councilmember Hales and Clark Bullen for coming to his house to speak to him as candidates running for Murray City Mayor.

The public hearing was closed.

### **Discussion**

Councilmember Dominguez invited Trae Stokes to come back up to the podium.

Trae Stokes spoke about the Transportation Plan and how sidewalk additions and/or improvements were brought up in many of the surveys they collected.

Councilmember Dominguez asked Mr. Stokes to explain the survey process.

Mr. Stokes responded that part of preparing a new transportation plan was to get public involvement and learn where the problem areas were and what the priorities are. The City collected feedback on a website and through social media. His department consistently heard that the public wanted more sidewalks, better sidewalks, bike facilities, and trails. The last transportation plan addresses growth and traffic issues and this transportation plan addresses growth, traffic issues, and sidewalk improvement areas because of the feedback collected from the public. Mr. Stokes also addressed the cost to make these improvements and shared that there are a lot of grant funds available to help with payment.

Councilmember Dominguez asked Mr. Stokes to discuss 4800 and State Street (Block One) in MCCD.

Mr. Stokes said that improvements are being made to the area right now with the new Hanauer Street and future developments will be required to make improvements in that area that will follow city code which will include pedestrian elements such as sidewalks, park strips, bike lanes, and paths.

#### **MOTION**

Councilmember Turner moved to adopt the resolutions. The motion was SECONDED by Councilmember Cox.

*Council roll call vote:*

*Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox, Councilmember Dominguez*

*Nays: None*

*Abstentions: None*

*Motion passed 5-0*

2. Consider an ordinance amending sections 13.30.030, 13.30.070, and 13.30.150 of the Murray City Municipal Code relating to restricting geothermal wells in recharge areas and protection zones.

Presentation: Danny Astill, Public Works Director

See Committee of the Whole Minutes - July 20, 2021

#### **Presentation**

Danny Astill shared that Murray City's water system is made up of 20 wells and eight springs that represent a significant investment for the city and water supply. To protect the water from outside influences they have established a Ground Water Protection Ordinance which needs to be modified from time to time as new technologies or sources of contamination are identified. The City and hydrology experts have identified geothermal heat pumps that people and businesses are installing as potential contamination due to harmful chemicals used. Therefore, the city is asking that areas designated in the water protection zone limit and/or restrict the use of geothermal wells to protect the city's water resources from sources of contamination.

Councilmember Turner asked where the wells are.

Danny Astill clarified that many of the Murray City wells and springs are outside of Murray corporate area however if our Ground Water Protection Ordinance is updated, the city will work with Salt Lake County and Cottonwood heights to make sure their ordinances are updated as well.

### **Citizen Comments**

Spencer Howell – In Person

He is a licensed professional engineer who works in Murray and is aware of ground heat exchangers and is aware of the challenges and potential problems with installing a geothermal system. He is in support of the ordinance, but his main comment is that he wants to make sure he is complying with what the city wants. He wants to see a clear process and if they do use chemicals, they make sure they are installed correctly. He is not against the ordinance, but he is in favor of a clear defined permit process so he knows how to move forward when applying.

Kim Anderson

Mr. Anderson shared that he lives in the Cottonwood Improvement District and he feels frustrated that his area is not included in the many Murray resources including garbage, water, utilities, and school district.

The public hearing was closed.

### **Discussion**

Councilmember Dominguez asked Mr. Astill to come back up and explain the application process for citizens.

Mr. Astill says in the ordinance is spelled out. The system works well, and this ordinance is an amendment, and protection zones are available on the website.

Mr. Astill clarified his response to Councilmember Turner's question about where the wells are located, and he indicated that we do not provide water above 9<sup>th</sup> East, but our water does come through those pipes.

Ms. Dominguez asked if the wells outside our area would be protected.

Mr. Astill says we would be allowed to protect our water sources that are outside our corporate boundaries and he would be communicating this ordinance change with those agencies.

### **MOTION**

Councilmember Cox moved to approve the ordinance. The motion was SECONDED by Councilmember Hales.

Council roll call vote:

Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox, Councilmember Dominguez

Nays: None

Abstentions: None

*Motion passed 5-0*

**3. Consider a resolution approving the city's application for a grant from the Edward Byrne Justice Assistance Grant Program (JAG).**

Presentation: Craig Burnett, Police Chief

**Presentation**

Chief Burnett request the council approve a grant from the Edward Byrne Justice Assistance Grant Program (JAG). Part of the application process is to hold a public hearing and share what the funds will be used for. This year, the police department plans to purchase six (6) HD in-car digital camera systems for \$32,824.00.

**Citizen Comments**

No public comments were made.

The public hearing was closed.

**Discussion**

No Discussion

**MOTION**

Councilmember Hales moved to approve the resolution. The motion was SECONDED by Councilmember Turner.

Council roll call vote:

Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox, Councilmember Dominguez

Nays: None

Abstentions: None

*Motion passed 5-0*

**Business Item**

None scheduled.

**Mayor's Report and Questions**

- The Redevelopment Agency and Edlen & Company are co-hosting a public open house tomorrow, September 25, from 6 to 8 p.m. at the Senior Recreation Center. Public comment will be taken through September 17.
- The outdoor pool will be closed after Labor Day.
- Murray City sent a wildland firefighter crew to assist in flight the Dixie fire in California. That crew is scheduled to return home tomorrow and a new crew will be dispatched on Thursday. The Dixie fire has burned 725,000 acres and is only 40% contained.
- Gary Ferraro, a Murray City former Council Member and 1<sup>st</sup> Murray City Justice Court Judge passed away yesterday (September 23<sup>rd</sup>) in his home.

Councilmembers shared their appreciation to the mayor, staff, and audience.

**Adjournment**

The meeting was adjourned at 7:35 p.m.

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Brooke Smith, City Recorder

# **Murray City Municipal Council Chambers**

## **Murray City, Utah**

### **DRAFT**

**Tuesday, September 7<sup>th</sup>, 2021**

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The Murray City Municipal Council met on Tuesday, September 7, 2021, at 6:30 p.m. (or as soon as possible thereafter) for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

The public was able to view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>. A recording of the City Council meeting can be viewed [HERE](#).

**Council in Attendance:**

Kat Martinez	District #1
Dale Cox	District #2
Rosalba Dominguez	District #3
Diane Turner	District #4 – Council Chair
Brett Hales	District #5 – Council Vice-Chair - Conducting
Jennifer Kennedy	Council Director

**Administrative Staff in Attendance:**

Blair Camp	Mayor - Excused
Doug Hill	Chief Administrative Officer
Jennifer Heaps	Chief Communication Officer
Brooke Smith	City Recorder
GL Critchfield	City Attorney
Brenda Moore	Finance and Administrative Director
Matt Erkelens	Forestry Supervisor
Jon Harris	Fire Chief
Craig Burnett	Police Chief
Robyn Colton	Human Resource Director
Danny Hansen	Senior IT Technician

**Others in Attendance:**

Matt Dugale	Charles Turner	Michael S. Richards	David Gudgell
Keith Larson	Jann Cox	Pam Cotter	Daren Rasmussen

## **Opening Ceremonies**

Call to Order – Councilmember Hales called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by GL Critchfield.

## **Approval of Minutes**

None scheduled

## **Special Recognition**

### **1. 2021 Jim and Jean Hendrickson Beautification Awards.**

Presenting: Matt Erkelens, Forestry Supervisor

PowerPoint Presentation - Attachment A- Murray City's 37<sup>th</sup> Annual Jim and Jean Hendrickson Beautification Awards Program

Matt Erkelens introduced the members of the Shade Tree and Beautification Committee:

- District 1 represented by Judith Payne - Excused
- District 2 represented by Darin Bird
- District 3 represented by Geneal Nelson - Excused
- District 4 represented by Connie Fong
- District 5 represented by Dr. Janice Evans

The Committee announced the 2021 Jim and Jean Hendrickson Beautification Award winners.

### District Award

- District 1 – Richards Residence, 1134 West Pitchfork Rd.
- District 2 – Grandinetti Residence, 932 West Bryanston Cv.
- District 3 – Larson Residence – 4780 South Atwood Blvd
- District 4 – Brady Residence – 5889 South Utahna Dr.
- District 5 – Gill Residence – 614 East Evesham Dr.

### Specialty Award

- Citywide Xeriscape – Burnett/Yu Residence – 981 West Walden Ridge Dr.
- Citywide Commercial – Enginuity Automotive Services, 5926 South Stratler Dr.
- Citywide Multi-Family Residential – Springtree Condominiums
- Special Recognition – Salt Lake County Environmental Health – 788 East Woodoak Dr

### Mayor's Award

- Mayor's Award – Reynolds Residence – 5945 South Fontaine Bleu Dr.

Councilmembers shared their appreciation to the Shade Tree and Beautification Committee and residents who help make Murray beautiful.

## Citizen Comments

No citizen comments were given.

The public comments were closed.

## Consent Agenda

None scheduled.

## Public Hearings

Staff, sponsor presentations, and public comments will be given prior to Council action on the following matter. The Council Meeting Agenda Packet can be found [HERE](#).

### 1. Consider an ordinance amending the City's Fiscal Year 2021-2022 Budget

Presentation: Brenda Moore, Director of Finance and Administration  
PowerPoint Presentation Attachment B- Budget Amendment # 1  
Committee of the Whole Presentation on August 24, 2021

#### Presentation

Brenda Moore requested the following funds and budget adjustments to the budget for the Fiscal Year 2021-2022:

- Receive and allocate several grant awards
- Projects in progress at FY 2021 Year-end (CIP annual roll-forward)
- Reconcile changes in wages and benefits due to health insurance open enrollment changes
- Correct fleet assessment for Streets in FY22 budget due to an error entering data

The city is still receiving and paying invoices for work performed in fiscal 2021. The amounts below may change.

Doug Hill clarified that the increase in police salary that was discussed during the Committee of the Whole is not included in this ordinance so if the Council would like to add that to this Budget Amendment it will need to be included in the motion.

## Citizen Comments

The public hearing was open for public comment.

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

## MOTION

Councilmember Cox moved to approve the ordinance amending the City's Fiscal Year 2021-2022 budget that includes the proposed changes to the Police Officer salary compensation step plan. The motion was SECONDED by Councilmember Dominguez.

Council roll call vote:

Ayes: Councilmember Martinez, Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales

Nays: None

Abstentions: None

*Motion passed 5-0*

**Business Item**

1. Consider a Resolution authorizing the issuance of Sales Tax Revenue Bonds, Series 2021, and schedule a public hearing to receive input from the public.

Presentation: Brenda Moore, Director of Finance and Administration

PowerPoint Presentation: Attachment C – Financing Overview (Sales Tax Revenue Bonds, Series 2021)

Committee of the Whole Presentation on August 24, 2021

**Presentation**

Brenda Moore requested the council considers a bond resolution. House Bill 244 (HB244) allocated \$500,000 a year for 15 years to Murray City for street and transportation projects. Ms. Moore proposed that the city issue bonds using this allocation to fund payments. There are several street projects needed with an estimated cost of over \$500,000. With the cost of materials and labor rising, the interest rates are at a record low, it seems more fiscally prudent to bond instead of saving multiple years of allocations to finance the projects.

The interest rate will be lower if we pledge sales tax receipts rather than HB244 allocation, so staff is proposing sales tax bonds. The bonds will be designed to keep the yearly payments slightly below \$500,000.

The bond parameter includes:

- Maximum Principal amount: \$6,750,000
- Maximum Interest Rate: 5%
- Maximum Maturity in Years: 16 years (15 payments)
- Maximum Discount Rate: 2% (Sales Price: 98% meaning no discount more than 2%)
- Designated Officers: Mayor, Mayor Pro-tempore, and Finance & Administration Director

The interest rate stated would be the coupon rate on the bonds. The investors will likely pay a premium and the true interest cost is estimated to be below 2%. The bonds will be sold either as a private placement or public sale, whichever provides the city with the best terms.

The Mayor, Mayor Pro-tempore, and Finance & Administration Director would be authorized to execute the contracts and agreements necessary to issue the road project bonds at any level below the bond parameters listed above.

The city is using Stifel, Nicolas & Company, Inc as financial advisors and Gilmore and Bell as bond

counsel on this debt issuance project.

Councilmembers share their appreciation to Ms. Moore for being fiscally responsible.

A public hearing will be scheduled for Tuesday, October 5, 2021.

**MOTION**

Councilmember Cox moved to approve the resolutions authorizing the issuance of Sales Tax Revenue Bonds, Series 2021, and schedule a public hearing on October 5, 2021, to receive input from the public. The motion was SECONDED by Councilmember Dominguez.

*Council roll call vote:*

*Ayes: Councilmember Martinez, Councilmember Cox, Councilmember Dominguez, Councilmember Turner, Councilmember Hales*

*Nays: None*

*Abstentions: None*

*Motion passed 5-0*

**Mayor's Report and Questions**

**Presented by Doug Hill**

- Mayor Camp was excused to be out of town with his family.
- September 11, 2021, is Patriot Day, also known as National Day of Service and Remembrance. On this day, Americans across the country are called to volunteer in their local communities in tribute to the individuals who have risen in service to defend our freedom. This year, a festival called, "Get to the River" will take place. The public is invited to participate in the following events:
  - Work project from 8 am to 1 pm for anyone who wants to volunteer. Projects include spreading wood mulch along trail edges, cleaning trails, staining picnic benches, wood fences, painting red curbs, picking up garbage, weeding areas, etc.
  - A Chalk Art Contest will occur at Winchester Park (1250 W Winchester St). Check-in at 8 am with an entry fee of \$10. Judging will begin at 2:30 pm and Registration will be allowed until Thursday, September 9, or until all the spots are filled.
  - Virtual 5K race will be going on from September 2 to September 8, 2021. The course is from Germania Park to Arrowhead Park, back to Walden Park, and finishes back at Germania Park (signs are posted throughout the course).
- Monday, September 13, 2021, from 7 to 8 pm, Hilary Hahn, an international violin sensation, will perform in the amphitheater on the shores of the Jordan River, sharing the stage with students in the Mariachi Ensemble from the El Sistema @ Salty Cricket after-school music program.

Council members shared their appreciation to the staff and audience.

**Adjournment**

The meeting was adjourned at 6:55 p.m.

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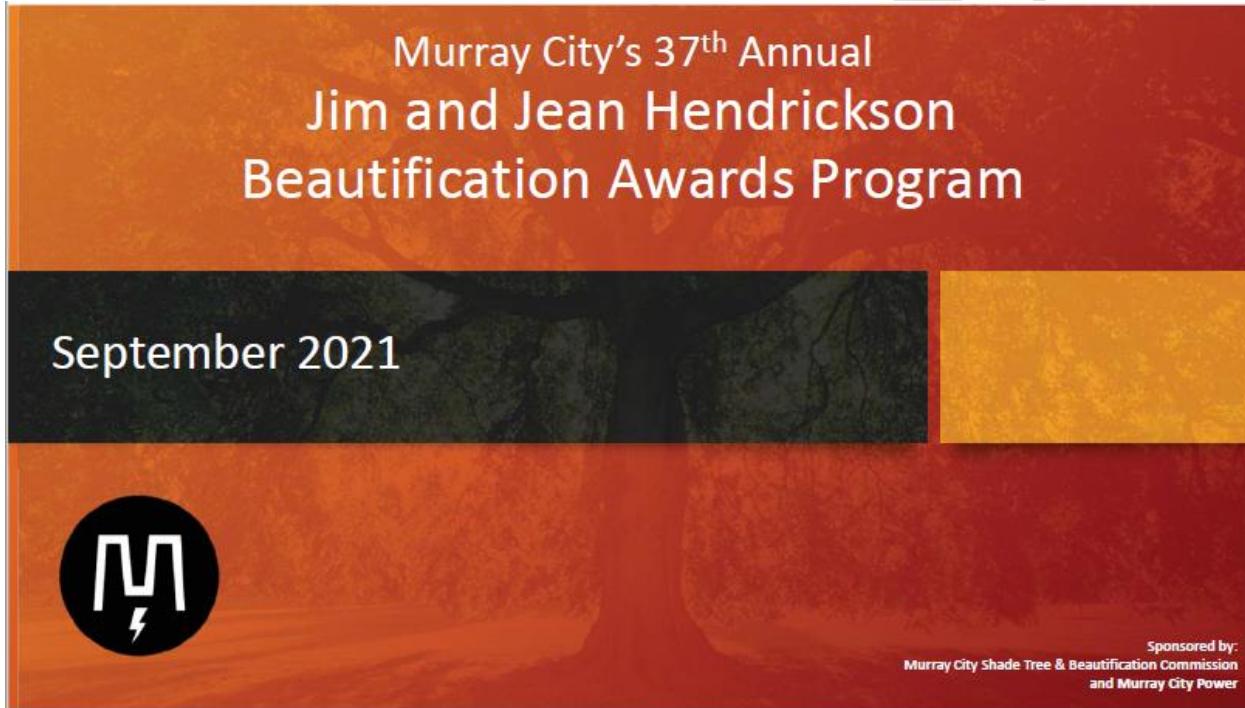
Brooke Smith, City Recorder

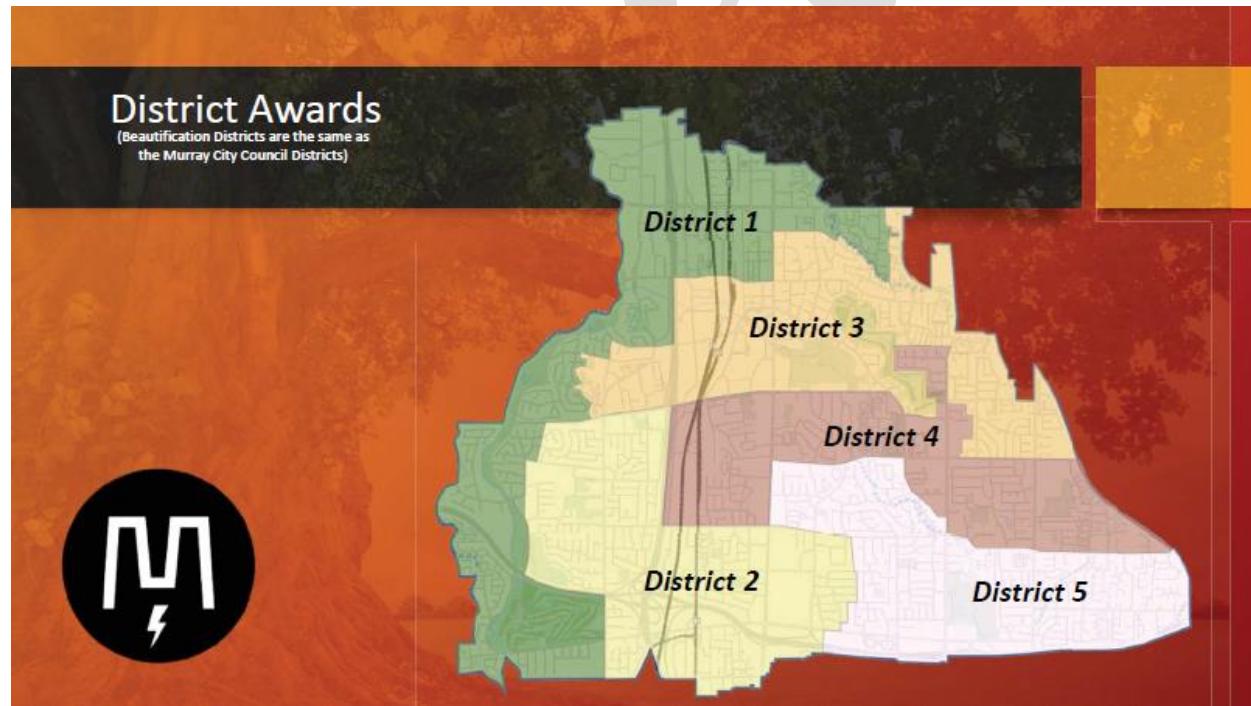
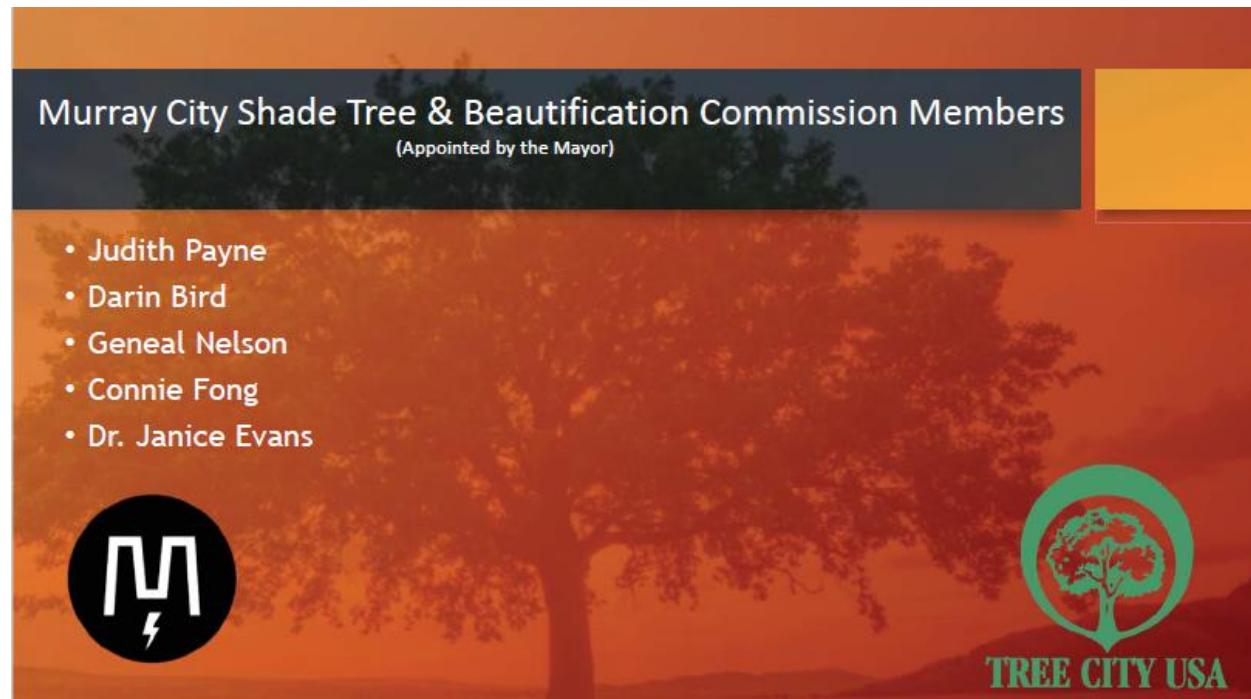
# Attachment A

## Murray City's 37<sup>th</sup> Annual

### Jim and Jean Hendrickson

### Beautification Awards Program





## District 1 - Winner

Richards Residence  
1134 West Pitchfork Rd.



## District 2 - Winner

Grandinetti Residence  
932 West Bryanston Cv.



## District 3 - Winner

Larson Residence  
4780 South Atwood Blvd.



## District 4 - Winner

Brady Residence  
5889 South Utahna Dr.



## District 5 - Winner

**Gill Residence**  
614 East Evesham Dr.



## Citywide Xeriscape

**Burnett/Yu Residence**  
981 West Walden Ridge Dr.



## Citywide Commercial

Enginuity Automotive Services  
5926 South Stratler Dr.



## Citywide Multi-Family Residential

Springtree Condominiums





## Mayor's Award

Reynolds Residence  
5945 South Fontaine Bleu Dr.



Drama

# Attachment B

## Budget Amendment # 1



## Budget Amendment # 1

1. Receive & Allocate Grant Awards
2. Reconcile changes in Benefit Budgets due to health insurance changes made during open enrollment
  - a. General Fund move amounts between departments
  - b. Water Fund & Risk Fund allocate changes from reserves
3. Roll forward Budgets from restricted funds – Donations
4. Roll forward projects in progress and CIP saving budgets



# Attachment C

## Financing Overview

### Sales Tax Revenue Bonds

### Series 2021

#### Bond Parameters

STIFEL

#### BOND PARAMETERS

• Maximum Par Amount:	\$6,750,000	• Maximum Discount:	2%
	<p>This is the maximum par amount of bonds that can be issued. If construction costs rise, the City can accept market premium (additional proceeds) in addition to the par amount.</p>		<p>This City will not accept purchase offers that are less than 98% of the par amount.</p>
• Maximum Interest Rate:	5.00%	• Designated Officers:	Mayor Mayor Pro Tem Finance Director
	<p>This is the maximum interest rate that the City would pay. The actual rate will be lower. The parameters resolution sets the maximum rate high in case there is major market movement.</p>		<p>These individuals will be authorized to approve the final bond sale results and ensure that the results fit within the parameters the Council has approved.</p>
• Maximum Term:	16 Years		
	<p>This is the maximum term (years) over which the bonds would be amortized. Depending on the timing of the closing on the bonds, the term of the bonds may be slightly over 15 years (i.e. 15 years + 2 months).</p>		



**MURRAY**  
CITY COUNCIL

# Special Recognition



# 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	

## EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

DATE:

Municipal Court

08/31/2021

NAME of person to be recognized:

Submitted by:

Amy Lambert

Karen Gallegos

DIVISION AND JOB TITLE:

Court/Judicial Assistant II

YEARS OF SERVICE:

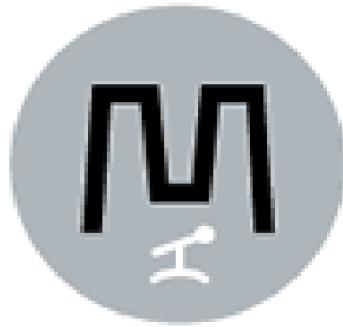
10

REASON FOR RECOGNITION:

Amy is highly dependable. She is always early to work to make sure everything is set up and ready to open on time. She takes great pride in her work to make sure it is precise, thorough and complies with all policies and procedures, for the Court and Murray City. Whenever I have a question about something I know I can go to Amy and she will research it until she finds the answer. Amy sits at her desk getting her work done not wanting any priase or recognition, and that's why she deserves to finally be recognized.

COUNCIL USE:

MONTH/YEAR HONORED



**MURRAY**  
CITY COUNCIL

# Citizen Comments

Limited to three minutes, unless otherwise approved by Council



**MURRAY**  
CITY COUNCIL

# Public Hearings



**MURRAY**  
CITY COUNCIL

# Public Hearing #1



**MURRAY**

**Council Action Request**

# Community & Economic Development

**Text Amendment for Section 17.48.120,  
Temporary Signs**

**Council Meeting**

Meeting Date: September 21, 2021

<b>Department</b> <b>Director</b> Melinda Greenwood	<b>Purpose of Proposal</b> To simplify, clarify and clean up regulations in Section 17.48.120, Temporary Signs.
<b>Phone #</b> 801-270-2428	<b>Action Requested</b> Discussion of the proposed text amendment for Section 17.48.120, Temporary Signs.
<b>Presenters</b> Melinda Greenwood Jared Hall	<b>Attachments</b> Presentation Slides
<b>Required Time for Presentation</b> 15 Minutes	<b>Budget Impact</b> None.
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b> <b>BACKGROUND</b> Recently, a question arose on whether political campaign signs would require permits. As staff researched this question it became apparent that there was conflicting language, duplicated items, or items which are not practical to enforce in our sign code.  The proposed changes of Section 17.48.120, Temporary Signs are intended to clean up the temporary sign section of the ordinance and to provide clear language for those who want to use temporary signs.
<b>Mayor's Approval</b>  <b>Date</b> July 20, 2021	<b>CITY DEPARTMENT REVIEW</b> The Planning Division does not anticipate adverse impacts to the community because of the proposed changes. The proposed ordinance was made available for review by City Staff from various departments on June 1, 2020. No issues or comments were received.

## **Continued from Page 1:**

### **PLANNING COMMISSION**

Notices of the public hearing for the text amendment were sent to affected entities and posted on the State's public notice website. On June 17, 2021 the Planning Commission held a public hearing and no comments were received. The Planning Commission voted 6-0 to forward a recommendation of approval to the City Council.

### **FINDINGS**

1. The proposed text amendment furthers the mission of the general plan to "guide growth to promote prosperity and sustain a high quality of life for those who live, work, shop, and recreate in Murray" by making the requirements for temporary signs more clear and usable.
2. The proposed text amendment furthers the purposes of the sign code by preserving and improving the appearance of the City, reducing hazards to motorists and pedestrians, and reducing or eliminating excessive and confusing sign displays.
3. On June 17, 2021, the Planning Commission voted 6-0 to recommend approval of the proposed text amendment.

### **RECOMMENDATION**

Based on the background, staff review, and the Planning Commission recommendation, staff recommends APPROVAL of the proposed text amendment for Section 17.48.120, Temporary Signs.

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 21<sup>st</sup> day of September, 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to a text amendment to sections 17.48.120 of the Murray City Municipal Code, relating to temporary signs.

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

DATED this 10th day of August, 2021.

MURRAY CITY CORPORATION

A handwritten signature in black ink, appearing to read "Brooke Smith".

Brooke Smith  
City Recorder

DATE OF PUBLICATION: September 10, 2021  
PH21-25

Mailed to affected entities - UCA §10-9a-205(2)(a)  
Posted on City Website – UCA §10-9a-205(2)(b)(ii)  
Posted on the Utah Public Notice Website – UCA §10-9a-205(2)(c)(i)

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

AN ORDINANCE AMENDING SECTION 17.48.120 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO TEMPORARY SIGNS

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

*Section 1. Purpose.* The purpose of this Ordinance is to amend section 17.48.120 of the Murray City Municipal Code relating to temporary signs.

*Section 2. Amendment.* Section 17.48.120 of the Murray City Municipal Code relating to temporary signs is amended to read as follows:

**17.48.120: TEMPORARY SIGNS:**

A. General Provisions For Temporary Signs: The following shall apply for all temporary signage:

1. Signs shall be removed as specified herein, unless otherwise indicated within this Sign Code.

21. Signs may only be located on private property and must have the property owner's permission.

2. Signs may not be replaced on public property, or in a public right-of-way unless otherwise allowed herein, such as banners on public light poles and public necessity signs.

3. Signs shall not be erected in a manner as to constitute a roof sign.

4. Signs may not flash, blink, be illuminated, spin, rotate, block traffic visibility, constitute a vehicular or pedestrian traffic hazard, or cause a public nuisance of any kind.

5. Signs shall not be attached to traffic signals, utility poles, fences, or trees.

65. Signs must be secured to a building or the ground.

76. Signs may be attached to existing permanent signs only for the grand opening period.

87. Signs may cover or obscure an existing permanent sign only if the business has changed ownership or changed names.

98. No off-premises temporary signs are allowed except those specifically allowed herein.

109. Signs shall require application and approval from the Community and Economic Development Department for issuance of a temporary sign permit prior to installing or erecting a temporary sign. Temporary signs are allowed for up to ninety (90) days.

1110. All temporary signage must be subordinate to and be positioned in such a way so that any permanent ground mounted signage on the same property remains visible.

1211. All signs and sign supports, including decorative covers, must be maintained in a graffiti-free and clean condition. Allowed banners and flags must be repaired or replaced when the surface area is frayed, torn, defaced or damaged.

13. Signs may be two-faced but may not be split faced if the interior angle is greater than forty five degrees (45°).

14. All approved temporary signs shall be demarcated with a temporary sticker, provided by the City, in the bottom right hand corner of the sign.

1512. Any sign not expressly allowed by this Sign Code is prohibited.

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 , 2021.

MURRAY CITY MUNICIPAL COUNCIL

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Diane Turner, Chair

ATTEST:

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Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

MAYOR'S ACTION: Approved.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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D. Blair Camp, Mayor

ATTEST:

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Brooke Smith, City Recorder

Seconded by Lisa Milkavich.

Call vote was recorded by Ms. Nixon.

A Maren Patterson  
A Lisa Milkavich  
A Travis Nay  
A Sue Wilson  
A Jeremy Lowry  
A Jake Pehrson

Motion passed 6-0.

#### SECTION 17.48.120 TEMPORARY SIGNS – Project #21-054

The Murray City Planning Division is requesting an update to Section 17.48.120, Temporary Signs, in the Murray City Land Use Ordinance. Mr. Smallwood presented the request and displayed some examples of temporary signage such as “opening soon” signs and political signs. The proposed changes are intended to clean up the temporary sign section of the ordinance and to provide clear language for those who want to use temporary signs. There was a requirement to have a Murray City sticker on banner signs in order to hang it, but the city was never able to find a vendor that could make a weatherproof sticker to adhere to sign materials. This proposal is also intended to remove that requirement. Mr. Smallwood clarified that Ms. Wilson asked about real estate signs and those are covered in the residential section of the sign code which would allow for development, sale and open house signs. The proposed amended ordinance would continue to regulate the most important elements of temporary signage, while removing the conflict within the ordinance and making the regulations clearer. Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the request to amend the text of Section 17.48.120, Temporary Signs, in the Murray City Land Use Ordinance as presented in the Staff Report.

Ms. Milkavich gave her thanks to the staff for taking the time to clean up the language to improve this code.

Ms. Patterson opened the meeting for public comment. No public comments were made. The public comment portion for this agenda item was closed.

Jake Pehrson made a motion to forward a recommendation of approval to the City Council for the request to amend the text of Section 17.48.120, Temporary Signs, in the Murray City Land Use Ordinance as presented in the Staff Report. Seconded by Sue Wilson.

Call vote was recorded by Mr. Smallwood.

A Maren Patterson  
A Lisa Milkavich  
A Travis Nay  
A Sue Wilson  
A Jeremy Lowry

A Jake Pehrson

Motion passed 6-0.

OTHER BUSINESS

Mr. Smallwood specified there are several items that will be brought forward. Accessory Dwelling Units, a Mixed-Use project and a few subdivisions. He added that full public meetings will be open starting July 1, 2021.

Mr. Nay asked if zoom and zoom comments will still be available. Mr. Smallwood and Mr. Hall stated they are following the City Council who is not doing zoom at that point. Mr. Nay advised continuing with zoom stating that the public may expect it. He added that for 18 months it has worked relatively well and would be a nice convenience for people. Ms. Milkavich asked if there were any city building regulations with capacity or masks. Mr. Smallwood stated the State Legislature ended all mandates.

Travis Nay made a motion to adjourn. Motion seconded by Sue Wilson. A voice vote was made, motion passed 6-0. The meeting was adjourned at 7:12 p.m.

  
Jared Hall, Planning Division Manager



AGENDA ITEM # 7			
ITEM TYPE:	Text Amendment		
ADDRESS:	Not Applicable	MEETING DATE:	June 17, 2021
APPLICANT:	Planning Division Staff	STAFF:	Zachary Smallwood, Associate Planner
PARCEL ID:	Not Applicable	PROJECT NUMBER:	21-054
PROPOSED AMENDMENT	Code Section 17.48.120		
REQUEST:	The Murray City Planning Division is requesting an update to Section 17.48.120, Temporary Signs, in the Murray City Land Use Ordinance.		

## I. BACKGROUND & STAFF REVIEW

### Background

On May 21, 2019 Murray City adopted a comprehensive update to Chapter 17.48 of the Land Use Ordinance, which covers the regulation of signs. As a part of the update, several changes were made in response to the result of a Supreme Court case, *Reed v. The Town of Gilbert*. In summary, the majority opinion in that case states that if a sign regulation cannot be enforced without *reading* the sign, then the regulation can be considered a violation of free speech. Many cities across the country found that updates to their sign code would be necessary to comply with objective standards in size and location of signage. One direct result of the *Reed v. Town of Gilbert* case in Murray's updated sign regulations was that political campaign signs were removed as a specific type of sign and are now simply considered another type of temporary sign.

Recently, there was a question from the City Recorder on whether political campaign signs, being temporary signs, would require permits and if regulations would be enforced for such signs. As staff researched this question it became apparent that there was conflicting language as to whether temporary signs required permits.:

- Section 17.48.130 specifically governs signs not requiring a permit. Subsections A(8) and (9) identify "temporary residential signs in compliance with the residential sign standards herein" and "temporary commercial signs in compliance with the commercial sign standards herein".

- Section 17.48.120(A)(10) governs “Temporary Signs” and states that they “shall require application and approval from the Community and Economic Development Department for issuance of a temporary sign permit prior to installing or erecting a temporary sign. Temporary signs are allowed for up to ninety (90) days”.

Reviewing the conflicting language and the question from the City Recorder’s office, staff recommends that changes to the regulation of temporary signs in Section 17.48.120 are necessary.

### Proposed Language

Planning Division staff conducted a review of each item located with this section and found a number of the items either were duplicated, didn’t make sense, or were not being enforced. Staff’s proposed corrections do not include new language, only the removal of some current language. The current language of Section 17.48.120 is included below, with Staff’s proposed strike-throughs. The reasoning for each recommended removal is included in italics.

A. **General Provisions For Temporary Signs:** The following shall apply for all temporary signage:

1. ~~Signs shall be removed as specified herein, unless otherwise indicated within this Sign Code.~~

*The statement in item 1 is redundant; there are other sections of the sign ordinance that clearly require the removal of signs if not allowed.*

1. Signs may only be located on private property and must have the property owner’s permission.
2. Signs may not be ~~replaced~~ on public property, or in a public right-of-way. ~~unless otherwise allowed herein, such as banners on public light poles and public necessity signs.~~

*This was broken out into two subsections. This allows the reader to easily see each requirement. Additionally, portions of subsection 2 were removed to make it clearer, signs in the public right-of-way would only be allowed by the city.*

3. Signs shall not be erected in a manner as to constitute a roof sign.
4. Signs may not flash, blink, be illuminated, spin, rotate, block traffic visibility, constitute a vehicular or pedestrian traffic hazard, or cause a public nuisance of any kind.
5. ~~Signs shall not be attached to traffic signals, utility poles, fences, or trees.~~

*This is covered in the regulation that signs not be placed on public property. Otherwise, staff does not see an issue with a temporary sign on private property to be located on trees.*

**6.5.** Signs must be secured to a building or the ground.

**7.6.** Signs may be attached to existing permanent signs only for the grand opening period.

**8.7.** Signs may cover or obscure an existing permanent sign only if the business has changed ownership or changed names.

**9.8.** No off-premises temporary signs are allowed. *except those specifically allowed herein.*

*There are no regulations that allow a temporary off-premise sign; this is removal of unnecessary language.*

**10.9.** *Signs shall require application and approval from the Community and Economic Development Department for issuance of a temporary sign permit prior to installing or erecting a temporary sign.* Temporary signs are allowed for up to ninety (90) days.

*Staff recommends removing this requirement for a temporary sign permit to be issued by the Planning Division because of the conflicting language in Section 17.48.130 indicating that temporary residential and temporary commercial signs are “signs not requiring a permit”.*

**11.10.** All temporary signage must be subordinate to and be positioned in such a way so that any permanent ground mounted signage on the same property remains visible.

**12.11.** All signs and sign supports, including decorative covers, must be maintained in a graffiti-free and clean condition. Allowed banners and flags must be repaired or replaced when the surface area is frayed, torn, defaced or damaged.

**13.** *Signs may be two faced but may not be split faced if the interior angle is greater than forty five degrees (45°).*

*Staff does not see the value in this regulation. It creates confusion with people that would like to put up a temporary sign.*

**14.** *All approved temporary signs shall be demarcated with a temporary sticker, provided by the City, in the bottom right hand corner of the sign.*

*Planning division staff was never able to obtain stickers that would be weather resistant and could adhere to (typically) vinyl signage. Other municipalities that had this provision in their codes indicated that it was not enforced.*

15.12. Any sign not expressly allowed by this Sign Code is prohibited. (Ord. 19-14)

### Summary

The proposed changes are intended to clean up the temporary sign section of the ordinance and to provide clear language for those who want to use temporary signs. In addition to the outline above, Staff has included both a redline and clean copy of the proposed changes with this report for the Planning Commission's review.

The Planning Division does not anticipate adverse impacts to the community as a result of the proposed changes. The proposed amended ordinance would continue to regulate the most important elements of temporary signage, while removing the conflict within the ordinance and making the regulations more clear.

## **II. CITY DEPARTMENT REVIEW**

The proposed ordinance was made available for review by City Staff from various departments on June 1, 2020. No issues or comments were received.

## **III. PUBLIC COMMENTS**

Notices of the public hearing for the requested text amendment to affected entities, the local newspaper and posted on the State's public notice website. No comments have been received as of the writing of the Staff Report.

## **IV. FINDINGS**

1. The proposed text amendment furthers the mission of the general plan to "guide growth to promote prosperity and sustain a high quality of life for those who live, work, shop, and recreate in Murray" by making the requirements for temporary signs more clear and usable.
2. The proposed text amendment furthers the purposes of the sign code by preserving and improving the appearance of the City, reducing hazards to motorists and pedestrians, and reducing or eliminating excessive and confusing sign displays.

## **V. STAFF RECOMMENDATION**

Based on the background, staff review, and the findings in this report, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the request to amend the text of Section 17.48.120, Temporary Signs, in the Murray City Land Use Ordinance as presented in the Staff Report.



---

**Notice of Public Hearing**  
Electronic Meeting Only - June 17, 2021 6:30 PM

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 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.

The Murray City Planning Commission will hold a public hearing regarding the following application: Murray City Planning Division Staff is requesting a Text Amendment regarding Chapter 17.48.120 Temporary Signs.

The public may view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>. If you would like to comment on an agenda item at the meeting please register at: <https://tinyurl.com/pc061721>. You may submit comments via email at [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov). Comments are limited to 3 minutes or less, and written comments will be read into the meeting record. Please include your name and contact information.

Comments are limited to 3 minutes or less and written comments will be read into the meeting record.

This notice is being sent to you because you own property nearby the subject property. If you have questions or comments concerning this proposal, please call Zachary Smallwood with the Murray City Planning Division at 801-270-2420 or e-mail to [zsmallwood@murray.utah.gov](mailto:zsmallwood@murray.utah.gov).

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

MURRAY CITY CORPORATION  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 17<sup>th</sup> day of June 2021, 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 a Land Use Ordinance Text Amendment for Section 17.48.120, Temporary Signs. If you would like to comment on this agenda item at the meeting please register at <https://tinyurl.com/pc061721> or you may submit comments via email at [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov). If you would like to view the meeting only you may watch via livestream at [www.murraycitylive.com](http://www.murraycitylive.com) or [www.facebook.com/MurrayCityUtah/](http://www.facebook.com/MurrayCityUtah/). No physical meeting location will be available.

Jared Hall, Manager  
Planning Division

## CURRENT CODE

### 17.48.120: TEMPORARY SIGNS:

A. General Provisions For Temporary Signs: The following shall apply for all temporary signage:

1. Signs shall be removed as specified herein, unless otherwise indicated within this Sign Code.
2. Signs may only be located on private property and must have the property owner's permission. Signs may not be replaced on public property, or in a public right-of-way unless otherwise allowed herein, such as banners on public light poles and public necessity signs.
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5. Signs shall not be attached to traffic signals, utility poles, fences, or trees.
6. Signs must be secured to a building or the ground.
7. Signs may be attached to existing permanent signs only for the grand opening period.
8. Signs may cover or obscure an existing permanent sign only if the business has changed ownership or changed names.
9. No off-premises temporary signs are allowed except those specifically allowed herein.
10. Signs shall require application and approval from the Community and Economic Development Department for issuance of a temporary sign permit prior to installing or erecting a temporary sign. Temporary signs are allowed for up to ninety (90) days.
11. All temporary signage must be subordinate to and be positioned in such a way so that any permanent ground mounted signage on the same property remains visible.
12. All signs and sign supports, including decorative covers, must be maintained in a graffiti-free and clean condition. Allowed banners and flags must be repaired or replaced when the surface area is frayed, torn, defaced or damaged.
13. Signs may be two-faced but may not be split faced if the interior angle is greater than forty five degrees (45°).
14. All approved temporary signs shall be demarcated with a temporary sticker, provided by the City, in the bottom right-hand corner of the sign.
15. Any sign not expressly allowed by this Sign Code is prohibited.

## REDLINE COPY

### 17.48.120: TEMPORARY SIGNS:

- A. General Provisions For Temporary Signs: The following shall apply for all temporary signage:
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## CLEAN COPY

### 17.48.120: TEMPORARY SIGNS:

- A. The following shall apply for all temporary signage:
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  11. All signs and sign supports, including decorative covers, must be maintained in a graffiti-free and clean condition. Allowed banners and flags must be repaired or replaced when the surface area is frayed, torn, defaced or damaged.
  12. Any sign not expressly allowed by this Sign Code is prohibited.

**P/C AGENDA MAILINGS**  
“AFFECTED ENTITIES”  
Updated 6/2021

UTAH TRANSIT AUTHORITY  
ATTN: PLANNING DEPT  
669 West 200 South  
SLC UT 84101

CHAMBER OF COMMERCE  
ATTN: SKYLAR GALT  
5411 South Vine Street, Unit 3B  
MURRAY UT 84107

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

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

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

SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKwy  
SANDY UT 84070

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

OLYMPUS SEWER  
3932 S 500 E  
MILCREEK UT 84107

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

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

MURRAY SCHOOL DIST  
ATTN: DAVID ROBERTS  
5102 S Commerce Drive  
MURRAY UT 84107

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

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

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT 84117

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

Comcast  
Attn: Shane, Dave or Matt  
1350 E Miller Ave  
SLC UT 84106

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

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

MIDVALE CITY  
PLANNING DEPT  
7505 S HOLDEN STREET  
MIDVALE UT 84047

ROCKY MOUNTAIN POWER  
ATTN: KIM FELICE  
12840 PONY EXPRESS ROAD  
DRAPER UT 84020

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

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

Comcast  
Attn: Joseph Silverzweig  
9602 South 300 West  
Sandy, UT 84070

CENTURYLINK  
250 E 200 S  
Salt Lake City, Utah 84111

UTAH AGRC  
STATE OFFICE BLDG #5130  
SLC UT 84114

# Text Amendment: Chapter 17.48.120 Temporary Signs



# Conflicting Language

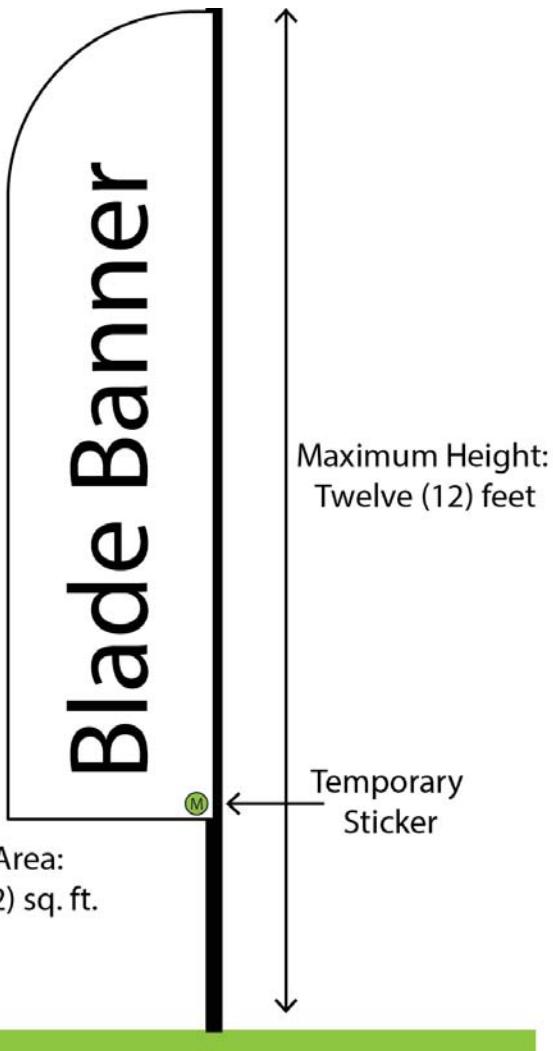
**Section 17.48.120(A)(10)** governs “Temporary Signs” and:

- Requires an application, approval and a permit from CED.
- Allows temporary signs for up to ninety (90) days.

**Section 17.48.130** specifically governs signs not requiring a permit.

Subsections A(8) and (9) identify “temporary residential signs in compliance with the residential sign standards herein” and “temporary commercial signs in compliance with the commercial sign standards herein.”





# Proposed Changes

- No application or permit would be required
- No tracking with stickers
- Clearly state signs are not allowed in ROW or placed on public property

# Findings

1. The proposed text amendment furthers the mission of the general plan to “guide growth to promote prosperity and sustain a high quality of life for those who live, work, shop, and recreate in Murray” by allowing temporary sign requirements to be clearly defined, easier to administer and more usable.
2. The proposed text amendment furthers the purposes of the sign code by preserving and improving the appearance of the City, reducing hazards to motorists and pedestrians, and reducing or eliminating excessive and confusing sign displays.
3. The Planning Commission voted 6-0 to forward a recommendation of approval.

# Staff Recommendation

Staff and the Planning Commission recommend **APPROVAL** of the proposed text amendment of Section 17.48.120, Temporary Signs, in the Murray City Land Use Ordinance.



**MURRAY**  
CITY COUNCIL

# Public Hearing #2



**MURRAY**

## **Council Action Request**

# **Community & Economic Development**

## **Text Amendment for Section 17.78, Accessory Dwelling Units**

### **Council Meeting**

Meeting Date: September 21, 2021

<b>Department</b> <b>Director</b> Melinda Greenwood	<b>Purpose of Proposal</b> To comply with state mandate and simplify regulations in Section 17.78, Accessory Dwelling Units.
<b>Phone #</b> 801-270-2428	<b>Action Requested</b> Approval of the proposed text amendment for Section 17.78, Accessory Dwelling Units.
<b>Presenters</b> Melinda Greenwood Zachary Smallwood	<b>Attachments</b> Presentation Slides
<b>Required Time for Presentation</b> 15 Minutes	<b>Budget Impact</b> None.
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b> <b>BACKGROUND</b> On September 11, 2009 Murray City adopted an Accessory Dwelling Unit Ordinance, which allows for accessory dwelling units (ADUs) in single family residential zones subject to obtaining a conditional use permit. Since the adoption of the ordinance Murray City has approved sixty-seven (67) ADUs.  ADUs have increased in popularity as a way to combat rising housing costs across the valley. In a city such as Murray where most of the land has been developed, finding ways to reinvest in the community is an important factor to contribute to the housing shortage across the region. According to the Kem C. Gardner Policy Institute, Salt Lake County is expected to grow by over 500,000 additional residents by 2065. Providing opportunities for additional affordable housing is paramount.
<b>Mayor's Approval</b>	
<b>Date</b> August 24, 2021	

## **Continued from Page 1:**

Responding to Utah's housing crisis in the 2021 Legislative Session, the legislature adopted House Bill 82 (HB82) mandating that cities and counties allow internal ADUs (those located within an existing single-family home) as a permitted use in primarily residential zones. The new state law also prohibits limiting the size and number of bedrooms that an internal ADU may have. Planning Division and City Attorney staff has reviewed the new law thoroughly and drafted changes to Murray City's current ordinance to assure that it complies with state language.

### **CITY DEPARTMENT REVIEW**

The Planning Division does not anticipate adverse impacts to the community because of the proposed changes. The proposed ordinance was made available for review by City Staff from various departments on June 14, 2021. No issues or comments were received.

### **PLANNING COMMISSION**

Notices of the public hearing for the text amendment were sent to affected entities and posted on the State's public notice website. On Ju1y 1, 2021 the Planning Commission held a public hearing and no comments were received. The Planning Commission voted 5-0 to forward a recommendation of approval to the City Council.

### **FINDINGS**

1. The proposed text amendment furthers objective 9 of the Land Use and Urban Design Element of the General Plan to "provide a mix of housing options and residential zones to meet a diverse range of needs related to lifestyle and demographics, including age, household size, and income" by making the process to construct and operate an ADU easier.
2. The proposed changes are in harmony with objective 11 of the Land Use and Urban Design Element to "stimulate reinvestment in deteriorating areas of the city to support growth and enhance the image of the community" by reducing the requirements needed to operate an ADU.
3. Staff finds that objective 3 of the Neighborhoods & Housing Element that states "encourage housing options for a variety of age, family size and financial levels" supports the proposed changes. This allows residents that own a home that may be struggling to pay their mortgage or have a family member or friend that needs affordable housing to reside on the property within an ADU.
4. Objective 1 of the Moderate Income Housing Element states "ensure housing affordability targets are achievable using a range of strategies". One of the strategies in this objective states to continue to support ADUs in all residential zones. Staff finds that the proposed changes further this objective by making it easier to construct and operate an ADU.
5. The Planning Commission voted 5-0 to send a recommendation of approval to the City Council.

### **RECOMMENDATION**

Based on the background, staff review, and the Planning Commission recommendation, staff recommends APPROVAL of the proposed text amendment for Section 17.78, Accessory Dwelling Units.

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 21<sup>st</sup> day of September 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to a text amendment to chapter 17.78 of the Murray City Municipal Code, relating to accessory dwelling units.

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

DATED this 9<sup>th</sup> day of August, 2021.



MURRAY CITY CORPORATION

A handwritten signature in black ink, appearing to read "Brooke Smith".

Brooke Smith  
City Recorder

DATE OF PUBLICATION: September 10, 2021

PH21-29

Mailed to affected entities - UCA §10-9a-205(2)(a)  
Posted on City Website – UCA §10-9a-205(2)(b)(ii)  
Posted on the Utah Public Notice Website – UCA §10-9a-205(2)(c)(i)

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

AN ORDINANCE AMENDING CHAPTER 17.78 OF THE MURRAY CITY  
MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS

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

*Section 1. Purpose.* The purpose of this Ordinance is to amend chapter 17.78 of the Murray City Municipal Code relating to accessory dwelling units.

*Section 2. Amendment.* Chapter 17.78 of the Murray City Municipal Code relating to accessory dwelling units is amended to read as follows:

**17.78: ACCESSORY DWELLING UNITS:**

**17.78.010: PURPOSE:**

The city recognizes that accessory dwelling units (ADUs) in primarily ~~single-family~~ residential zones can be an important tool in the overall housing plan for the city. The purposes of the ADU standards of this code are to:

- A. Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable;
- B. Provide for affordable housing opportunities;
- C. Make housing units available to moderate income people who might otherwise have difficulty finding homes within the city;
- D. Provide opportunities for additional income to offset rising housing costs;
- E. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in their life cycle; and
- F. Preserve the character of single-family neighborhoods by providing standards governing development of ADUs. (Ord. 09-23 § 2)

**17.78.020: DEFINITIONS:**

ATTACHED ACCESSORY DWELLING UNIT (AADU): A self-contained dwelling unit within an owner occupied single-family residence or located on an owner occupied property that is either incorporated within the single-family residence or in a detached building which maintains complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation including a separate kitchen and/or laundry facilities.

**DETACHED ACCESSORY DWELLING UNIT (DADU): A self-contained dwelling unit separated from a single-family residence but located on an owner occupied property which maintains complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation including a separate kitchen and/or laundry facilities.**

**OWNER OCCUPANCY:** When a property owner, as reflected in title records, makes his or her legal residence at the site as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means. (Ord. 09-23 § 2)

**17.78.030: ACCESSORY DWELLING UNIT CONDITIONAL USE PERMIT REQUIRED:**

An ADU meeting the development standards, as specified within this chapter section 17.78.040 of this chapter, may be allowed in any single-family residential zone that allows for single-family housing as a permitted use after approval of an accessory dwelling unit-conditional use permit by the Community and Economic Development Director or their designee planning commission. (Ord. 09-23 § 2)

**17.78.040: ATTACHED ACCESSORY DWELLING DEVELOPMENT STANDARDS:**

- A. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit or the ADU, but not both, as their permanent residence and at no time receive rent for the owner occupied unit. Application for an ADU shall include evidence of owner occupancy as provided in section [17.78.020](#) of this chapter.
- B. Only one ADU may be created per lot or property.
- B.C. ADUs are allowed on properties that are in zoned to allow single-family dwellings as a permitted use zones.
- C.D. The design and size of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.
- D.E. Installing separate utility meters and separate addresses for the ADU is prohibited.
- E.F. A separate entrance to the ADU shall not be allowed on the front or corner lot side yard. Any separate entrance shall be located to the side or rear of the principal residence.
- F. The total area of the ADU shall be less than forty percent (40%) of the square footage of the primary residence and in no case shall exceed one thousand (1,000) square feet.
- G. ADUs shall not contain more than two (2) bedrooms.
- H. ADUs shall be occupied by no more than two (2) related or unrelated adults and their children.
- I.G. In addition to the parking required for the primary unit, onetwo (21) additional off street parking spaces shall be provided. In no case shall fewer than threefour (43) total off

street parking spaces be provided. Any additional occupant vehicles shall be parked on site. On street parking shall be reserved for visitors only.

- J. The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be twelve thousand (12,000) square feet.
- K. Detached ADUs shall not be located in a front or corner lot side yard and shall meet the same setbacks as required for the primary residence in the zone.
- L. Any detached ADU located in a required side yard must comply with the setbacks for the principal residence, and shall have adequate facilities for all discharge from roof and other drainage.
- M.H. -Any additions to an existing building or construction of a detached ADU shall not exceed the allowable lot or rear yard coverage standard for the underlying zone or encroach into the required setbacks.
- N. Detached ADUs shall be compatible with the exterior color and materials of the principal dwelling.
- O. The maximum height for detached ADUs is limited to one story and to twenty feet (20') or the height of the principal structure, whichever is less.
- P. The total floor area of a detached structure containing an ADU shall not exceed one thousand (1,000) square feet.
- Q. Conversion of existing accessory buildings (such as detached garages) may only occur where the existing accessory building meets the setback requirements for a primary residence in the zone and meets the applicable building code.
- R. The planning commission may place other appropriate or more stringent conditions deemed necessary in approving ADUs to protect the public safety, welfare and single-family character of the neighborhood. (Ord. 09-23 § 2)

#### **17.78.050: DETACHED ACCESSORY DWELLING DEVELOPMENT STANDARDS:**

- A. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit or the ADU, but not both, as their permanent residence and at no time receive rent for the owner occupied unit. Application for an ADU shall include evidence of owner occupancy as provided in section 17.78.020 of this chapter.
- B. Only one ADU may be created per lot or property.
- C. ADUs are allowed on properties that are zoned to allow single-family dwellings as a permitted use.
- D. The ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.
- E. Installing separate utility meters and separate addresses for the ADU is prohibited.
- F. A separate entrance to the ADU shall not be allowed on the front or corner lot side yard. Any separate entrance shall be located to the side or rear of the principal residence.

G. The total area of the ADU shall be less than forty percent (40%) of the square footage of the primary residence and in no case shall exceed one thousand (1,000) square feet.

H. Detached ADUs shall not contain more than two (2) bedrooms.

I. In addition to the parking required for the primary unit, two (2) additional off street parking spaces shall be provided. In no case shall fewer than four (4) total off street parking spaces be provided. Any additional occupant vehicles shall be parked on site. On street parking shall be reserved for visitors only.

J. The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be twelve thousand (12,000) square feet.

K. Detached ADUs shall not be located in a front or corner lot side yard and shall meet the same setbacks as required for the primary residence in the zone.

L. Any detached ADU located in a required side yard must comply with the setbacks for the principal residence, and shall have adequate facilities for all discharge from roof and other drainage.

M. Construction of a detached ADU shall not exceed the allowable lot or rear yard coverage standard for the underlying zone or encroach into the required setbacks.

N. Detached ADUs shall be compatible with the exterior color and materials of the principal dwelling.

O. The maximum height for detached ADUs is limited to one story and to twenty feet (20') or the height of the principal structure, whichever is less.

P. The total floor area of a detached structure containing an ADU shall not exceed one thousand (1,000) square feet.

Q. Conversion of existing accessory buildings (such as detached garages) may only occur where the existing accessory building meets the setback requirements for a primary residence in the zone and meets the applicable building code.

## **17.78.0560: AFFIDAVIT:**

Applicants for all ADUs shall complete provide an affidavit stating that the owner of the property has obtained a permit for the ADU and will live in either the primary or accessory dwelling unit as their permanent residence. Upon approval of the ADU by the Community and Economic Development Department~~planning commission~~, the affidavit shall be recorded against the property (in the event the property owner decides to sell the home) to alert the future owner of the regulations for the ADU. ~~Upon sale of the property, the new owner shall be required to sign and record a new affidavit and reauthorize the ADU, paying a reauthorization fee of fifty dollars (\$50.00). (Ord. 09-23 § 2)~~

## **17.78.0670: INSPECTION:**

Following the issuance of an accessory dwelling unit~~conditional use~~ permit, the community and economic development department ~~shall~~may approve an application for a building

permit upon compliance of construction plans meeting such conditions and requirements as established by the community and economic development department~~planning commission~~. Representatives of the code enforcement/community and economic development department shall inspect the project to ensure that all required improvements meet the conditions of the conditional use permit and this chapter~~title~~ before a certificate of occupancy is issued. (Ord. 09-23 § 2)

## **17.78.0780: ENFORCEMENT AND TERMINATION:**

**A. Termination of ADU and Reversion to Non-ADU Single Family Residence.** In the event that the property owner no longer resides in either the primary or accessory dwelling unit, the ADU must be immediately vacated. Steps must be taken to return the residence or property to a single-family residence. These steps include, but are not limited to: removing stoves and laundry appliances from the ADU; removing electrical connections for stoves and dryers in the ADU; and removing and/or capping water connections for clothes washers. Proper permits shall be obtained where necessary for restoring the ADU to a single-family residence. (Ord. 09-23 § 2)

**B. Property Lien.**

**1. In addition to any other legal or equitable remedies available to the City, the City may hold a lien against an AADU if:**

- a. The owner violates any of the provisions of this chapter or section 10-9a-530 of the Utah Code;**
- b. The City provides a written notice of violation as required under this section;**
- c. The City holds a hearing and determines that the violation has occurred if the owner files a written objection to the notice of violation;**
- d. The owner fails to cure the violation within the time period described in this section;**
- e. The City provides a written notice of lien; and**
- f. The City records a copy of the written notice of lien with the Salt Lake county recorder.**

**2. Notice of Violation. The written notice of violation shall:**

- a. Describe the specific violation;**
- b. Provide the owner with a reasonable opportunity to cure the violation that is:**
  - i. No less than 14 days after the day on which the City sends the written notice of violation if the violation results from the owner renting or offering to rent the AADU for a period of less than 30 consecutive days; or**
  - ii. No less than 30 days after the day on which the City sends the written notice of violation for any other violation;**
- c. State that if the owner fails to cure the violation with the required time period, the City may hold a lien against the property in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;**
- d. Notify the owner:**
  - i. That the owner may file a written objection to the notice of violation within 14 days after the day on which the written notice of violation is post-marked or posted on the property; and**

- ii. The name and address of the Community and Economic Development Director, with whom the written objection may be filed;
- e. Be mailed to:
  - i. The property owner of record; and
  - ii. Any other individual designated to receive notice in the owner's license or permit records; and
- f. Be posted on the property.

3. Notice of Lien. The written notice of lien shall:

- a. Comply with the requirements of Title 38 Chapter 12 of the Utah Code, Notice of Lien Filing;
- b. State that the property is subject to a lien;
- c. Specify the lien amount, in an amount up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;
- d. Be mailed to:
  - i. The property owner of record; and
  - ii. Any other individual designated to receive notice in the owner's license or permit records; and
- e. Be posted on the property.

4. Written Objection and Hearing.

- a. If an owner files a written objection to the notice of violation, the City shall:
  - i. Within ten (10) business days after the written objection is received, hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings Act, before the Community and Economic Development Director (Director) to conduct a review and determine whether the specific violation described in the written notice of violation has occurred; and
  - ii. Notify the owner in writing of the date, time and location of the hearing described above, no less than 14 days before the day on which the hearing is held.
- b. If an owner files a written objection to the notice of violation, the City may not record a lien until the City holds a hearing and the Director makes a determination that the specific violation has occurred.
- c. In order for the Director to determine that a specific violation has occurred, a violation must be proved by clear and convincing evidence.
- d. If the Director determines at the hearing that the specific violation has occurred, the City may impose a lien in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires, regardless of whether the hearing is held after the day on which the opportunity to cure the violation has expired.
- e. If the Director determines at the hearing that the specific violation has not occurred, the City may not hold a lien against the property or impose any penalty or fee on the owner in relation to the specific violation described in the written notice of violation.

5. Curing a Violation. If an owner cures a violation within the time period prescribed in the written notice of violation, the City may not hold a lien against the property or impose any penalty or fee on the owner in relation to

the specific violation described in the written notice of violation.

**17.78.090: SHORT TERM RENTALS NOT ALLOWED:**

**17.78.080: EXISTING LEGAL NONCONFORMING UNITS:**

- A. By applying for an ADU, the property owner shall agree that the main dwelling and the proposed ADU will not be used as a short-term rental.
- B. Short-term rental means the same as defined in Chapter 17.23 and is defined here as renting all or a portion of a property for less than thirty (30) days at a time.
- C. Any violation of this section shall fall under Chapter 17.23: Short Term Rentals

~~Existing ADUs, which were legally established and are nonconforming due to changes in the zoning ordinance, may apply for a conditional use permit in order to become conforming, provided they comply with the standards of this chapter. In approving a conditional use permit for an existing nonconforming unit, the planning commission may allow for ADUs that exceed the one thousand (1,000) square foot limitation, provided the ADU meets all other standards of this chapter. Nothing in this chapter shall authorize an ADU that was illegally created or converted without the proper permit. (Ord. 09-23 § 2)~~

**17.78.100 BUSINESS LICENSE REQUIRED:**

**17.78.090: VARIANCES:**

A residential rental business license is required to rent out either the main or accessory dwelling unit.

~~Variances to the standards of this chapter may be approved by the appeal authority in accordance with chapter 17.52 of this title. In no case shall a variance be approved for the owner occupancy provisions or number of units allowed per property. (Ord. 14-10: Ord. 09-23 § 2)~~

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 , 2021.

MURRAY CITY MUNICIPAL COUNCIL

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Diane Turner, Chair

ATTEST:

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Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2021.

MAYOR'S ACTION: Approved.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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D. Blair Camp, Mayor

ATTEST:

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Brooke Smith, City Recorder

2. Meet all requirements of the Murray City Fire Department, including that the project shall follow International Fire Code (IFC) regulations for fire access and hydrant locations.
3. Meet all requirements of the Murray City Sewer Division, including to secure in place the Murray sewer line on the east property line and provide access to the sewer lines at all times for maintenance.
4. Meet all Water Department requirements, including disconnection of the 1 ½" water service on site if needed.
5. Meet all requirements of the Murray City Power Department, including protection of the Power Transmission and Distribution Lines on the east side of the property during soil remediation and excavation of the property. Any power easements are to remain in place.
6. The applicant shall meet all applicable regulations of Section 17.152 of the Murray Land Use Ordinance.
7. The applicant will need to apply for a new Conditional Use Permit for the revised project.
8. The applicant shall develop a landscaping plan for the frontage of Cottonwood Street (300 West) to include plantings acceptable for the maintenance of the utilities located there and shall submit the plan for review and approval by the Community Development Division and the City Engineer.
9. The subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the subdivision plat approval shall be null and void.

Seconded by Lisa Milkavich.

Call vote was recorded by Ms. Nixon.

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

Motion passed 5-0.

**LAND USE ORDINANCE TEXT AMENDMENT – Accessory Dwelling Units – Project #21-067**

The Murray City Planning Division is requesting an update to Section 17.78, Accessory Dwelling Units, in the Murray City Land Use Ordinance. Zachary Smallwood presented the request. The State recently passed HB82 which is the legislatures attempt to curb the housing affordability crisis. Salt Lake County is expected to grow by 500,000 by 2065. Instead of letting the individual cities decide how and when to allow ADUs, the Legislature decided that they will just

allow internal ADUs. Mr. Smallwood explained the various types of ADU's: attached, over a garage, and detached. For attached ADUs the State has mandated there not be restrictions on size or number of bedrooms and not require more than one parking space. During the application process if approved, we will be requiring a signed affidavit by the property owner that they will be living in either the residence or ADU as well as sign an affidavit that they will not be operating a short-term rental. He relayed the following four findings:

1. The proposed text amendment furthers objective 9 of the Land Use and Urban Design Element of the General Plan to "provide a mix of housing options and residential zones to meet a diverse range of needs related to lifestyle and demographics, including age, household size, and income" by making the process to construct and operate an ADU easier.
2. The proposed changes are in harmony with objective 11 of the Land Use and Urban Design Element to "stimulate reinvestment in deteriorating areas of the city to support growth and enhance the image of the community" by reducing the requirements needed to operate an ADU.
3. Staff finds that objective 3 of the Neighborhoods & Housing Element that states "encourage housing options for a variety of age, family size and financial levels" supports the proposed changes. This allows residents that own a home that may be struggling to pay their mortgage or have a family member or friend that needs affordable housing to reside on the property within an ADU.
4. Objective 1 of the Moderate-Income Housing Element states "ensure housing affordability targets are achievable using a range of strategies". One of the strategies in this objective state to continue to support ADUs in all residential zones. Staff finds that the proposed changes further this objective by making it easier to construct and operate an ADU.

Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the request to amend the text of Section 17.78, Accessory Dwelling Units, in the Murray City Land Use Ordinance.

Mr. Nay asked what the thought is behind limiting the number of bedrooms for detached ADUs. Mr. Smallwood stated staff has looked at making changes to this for quite some time and to make this as clear and easily digestible as possible it was determined to not change anything that is not state mandated. Mr. Nay asked for clarification on the parking restrictions for an attached dwelling unit and if any additional parking is required for a home that has a standard driveway and a two-car garage. Mr. Smallwood verified to date that is what has been allowed for attached dwelling units. Mr. Nay asked the reason of no longer requiring a new owner to sign an affidavit to re-authorize ADU. Mr. Smallwood stated it wasn't tracked and if they previously had one it would be recorded against the property and connected with the mortgage. Ms. Milkavich mentioned a new owner may not operate the ADU. If it was approved CUP then that stays with the property. Mr. Hall clarified that they would need a business license to operate.

Ms. Patterson opened the meeting for public hearing/comment. No public comments were made. The public hearing portion for this agenda item was closed.

Sue Wilson made a motion to forward a recommendation of approval to the City Council for the request to amend the text of Chapter 17.78, Accessory Dwelling Units, in the Murray City Land Use Ordinance. Seconded by Lisa Milkavich.

Call vote was recorded by Mr. Smallwood.

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

Motion passed 5-0.

#### DISCUSSION ITEM FOR LAND USE TEXT AMENDMENT OF MIXED-USE ZONES

Mr. Hall specified that the proposed amendments would modify the three existing mixed-use zones and create two new mixed-use zones in order to address the issues that had been raised with recent zone change petitions for mixed use. Those concerns had resulted in the moratorium on new application for re-zones to mixed use in other areas of the city which began in February. During the moratorium staff had met with members of the Council and worked with Public Works staff, Engineering staff, and other departments in the city to respond to the concerns and make appropriate modifications and responses. Mr. Hall described the various mixed-use zones and made a presentation that highlighted the proposed amendments to the existing zones and the two proposed new mixed-use zones, the Village Mixed Use and Centers Mixed Use showing where staff thought they would make the most sense. Village Mixed use is a lighter use and appropriate near 900 East. He reviewed the potential of Live/Work units to be allowed in some areas, and lesser densities and greater parking requirements than in the more transit-adjacent mixed-use zones. Mr. Hall explained that for the two new zones, staff thought it was important for the city to make findings when allowing those zones to be applied to areas that previously just been commercial zoning, and said they included:

1. Result in high-quality redevelopment of commercial property
2. Retain or rehabilitate the commercial use of a significant portion of the property area
3. Increase local access to commercial services for in-project residents and surrounding neighborhoods
4. Promote a greater variety of housing options within Murray neighborhoods
5. Promote opportunities for life-cycle housing, and moderate-income housing
6. Provide increased walkability on the site and result in walkable connections to surrounding neighborhoods
7. Create and contribute to a sense of place and community
8. Result in improved conditions for buffering and transition to residential uses

The planning commissioners had questions about housing types like cottage clusters, and how small some homes could be. There was discussion about amenities that will be required in each project based upon the number of units and overall size of the project. In the VMU and CMU Zones, the addition of amenities beyond the base requirement can be tied to increases in the allowed residential density.



AGENDA ITEM # 7			
ITEM TYPE:	Text Amendment		
ADDRESS:	City Wide	MEETING DATE:	July 1, 2021
APPLICANT:	Planning Division Staff	STAFF:	Zachary Smallwood, Associate Planner
PARCEL ID:	Not Applicable	PROJECT NUMBER:	21-067
PROPOSED AMENDMENT	Chapter 17.78, Accessory Dwelling Units		
REQUEST:	The Murray City Planning Division is requesting an update to Chapter 17.78, Accessory Dwelling Units, in the Murray City Land Use Ordinance.		

## I. BACKGROUND & STAFF REVIEW

### Background

On September 11, 2009 Murray City adopted an Accessory Dwelling Unit Ordinance, which allows for accessory dwelling units (ADUs) in single family residential zones subject to obtaining a conditional use permit. Since the adoption of the ordinance Murray City has approved sixty-seven (67) ADUs.

ADUs have increased in popularity as a way to combat rising housing costs across the valley. In a city such as Murray where most of the land has been developed, finding ways to reinvest in the community is an important factor to contribute to the housing shortage across the region. According to the Kem C. Gardner Policy Institute, Salt Lake County is expected to grow by over 500,000 additional residents by 2065. Providing opportunities for additional affordable housing is paramount.

Responding to Utah's housing crisis in the 2021 Legislative Session, the legislature adopted House Bill 82 (HB82) mandating that cities and counties allow Internal ADUs (those located within an existing single-family home) as a permitted use in primarily residential zones. The new state law also prohibits limiting the size and number of bedrooms that an Internal ADU may have. Planning Division staff has reviewed the new law thoroughly and drafted changes to Murray City's current ordinance to assure that it complies with state language.

## Proposed Changes

The new requirements of HB82 in State Code will go into effect on October 1, 2021. Only the changes necessary to comply with those requirements are proposed in this text amendment. Planning Division staff had been considering several updates to the Accessory Dwelling Unit ordinance for some time prior to the passage of HB82, but if those changes are proposed they will be presented in a separate text amendment at another time.

### Definitions:

To begin it is necessary to define an Attached and Detached ADU. Simply put, an attached ADU is located within or attached to the main single-family dwelling. Planning Staff would like to continue using the term “attached” as opposed to “internal” as the language of HB82 in order to better reflect that a homeowner may expand their existing structure to construct an ADU. It was unclear in the state language whether an “Internal” ADU would allow for an expansion of the existing dwelling. A detached ADU would be completely separated from the main dwelling on the lot much in the same way a detached garage or shed are allowed.

### Attached ADUs:

There are three main areas that the new State Code mandates must be addressed in relation to attached ADUs:

1. Size: The new law prohibits cities from dictating a size requirement for an ADU. Murray’s current ordinance allows for up to 40% of the main dwelling or 1,000 ft<sup>2</sup>, whichever is less. This restriction has been removed for attached ADUs in the proposed amendment.
2. Number of Bedrooms: The new law also prohibits any limits to the number of bedrooms within an attached ADU. Murray’s current ordinance allows for up to a maximum of two bedrooms. This restriction has been removed from the proposed ordinance.
3. Parking: The last major change relates to parking. The state mandate allows cities to require only one (1) additional parking space for the ADUs. Murray City’s existing ordinance requires two (2) spaces. This requirement has been modified to reflect only the one (1) additional space to comply with the new law.

Except for the three items outlined above the regulations remain unchanged. The proposed ordinance still requires owner-occupancy, one utility meter, and conformance with building and fire codes.

### Detached ADUs:

No changes were required for Detached ADUs with the exception that they have been separated into their own category. Detached ADUs are still required to be on one floor (not

above a garage), require a 12,000 ft<sup>2</sup> lot, and must meet the same setbacks as the main dwelling. The only change is in making them a permitted and not a conditional use.

Permitting:

The state has mandated that attached ADUs be a permitted use in primarily single-family zones. The language in HB82 does allow cities to require a permit before operating an ADU. The Planning Division is recommending that a new ADU permit be created that is approved at the staff level. To eliminate confusion, we are recommending the same staff level approval for detached ADUs. This will allow staff to make sure that all requirements are addressed before application for a building permit to construct the ADU.

This process will also allow the Planning Division to obtain the required signatures on affidavits confirming that the homeowner will be living on site, and that they will not operate the ADU as a short-term rental.

Short-Term Rentals and Rental License:

The new law allows for cities to prohibit the operation of a short-term rental in a permitted ADU. Additionally, it allows cities to use short-term rental websites as a means of enforcement to make sure that ADUs are not listed on those sites. The Planning Division included language prohibiting the use of short-term rentals in permitted ADUs with the proposed amendment.

Murray's current ordinance does not specifically state that a residential business license is required to rent out an ADU. As part of this update Staff felt that it was important to codify the requirement for a rental license.

Liens:

The language of the new state law allows cities to place a lien on the property if a property owner does not comply with the regulations outlined in the ADU ordinance. Planning Division Staff worked with the City Attorneys to craft language that reflects a fair process to place and remove liens for those property owners who do not comply with the proposed code.

Summary

The proposed changes are intended to comply with the requirements of HB82 by addressing any differences in Murray's current ordinance and the language that was adopted by the State Legislature. Planning Division Staff recommends that the proposed amendment addresses those differences and complies with all the rules and intentions of that legislation. The proposed changes also make it easier for a homeowner to obtain a permit for an Accessory Dwelling Unit by removing the requirement for a public meeting. In addition to the outline of the changes provided above, Staff has included both a redline and clean copy of the proposed changes with this report for the Planning Commission's review.

The Planning Division does not anticipate adverse impacts to the community as a result of the proposed changes. The proposed amended ordinance will continue to regulate the most important elements of accessory dwelling units, while removing some of the barriers that exist in constructing and operating an accessory dwelling unit.

## **II. CITY DEPARTMENT REVIEW**

The proposed ordinance was made available for review by City Staff from various departments on June 14, 2021. No issues or comments were received.

## **III. PUBLIC COMMENTS**

Notice of the public hearing for the requested text amendment was sent to affected entities and posted on the State's public notice website. No comments have been received as of the writing of the Staff Report.

## **IV. FINDINGS**

1. The proposed text amendment furthers objective 9 of the Land Use and Urban Design Element of the General Plan to "provide a mix of housing options and residential zones to meet a diverse range of needs related to lifestyle and demographics, including age, household size, and income" by making the process to construct and operate an ADU easier.
2. The proposed changes are in harmony with objective 11 of the Land Use and Urban Design Element to "stimulate reinvestment in deteriorating areas of the city to support growth and enhance the image of the community" by reducing the requirements needed to operate an ADU.
3. Staff finds that objective 3 of the Neighborhoods & Housing Element that states "encourage housing options for a variety of age, family size and financial levels" supports the proposed changes. This allows residents that own a home that may be struggling to pay their mortgage or have a family member or friend that needs affordable housing to reside on the property within an ADU.
4. Objective 1 of the Moderate Income Housing Element states "ensure housing affordability targets are achievable using a range of strategies". One of the strategies in this objective states to continue to support ADUs in all residential zones. Staff finds that the proposed changes further this objective by making it easier to construct and operate an ADU.

## V. STAFF RECOMMENDATION

Based on the background, staff review, and the findings in this report, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the request to amend the text of Chapter 17.78, Accessory Dwelling Units, in the Murray City Land Use Ordinance as presented in the Staff Report.



## **Notice of Public Hearing**

**July 1, 2021 6:30 PM**

The Murray City Planning Commission will hold a public hearing regarding the following application: Murray City Planning Division Staff is requesting a Text Amendment regarding Chapter 17.78 Accessory Dwelling Units. This is to update the text to comply with House Bill 82, passed by the Utah Legislature.

The public may view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>. You may submit comments via email at [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov), please include your name and contact information.

Comments are limited to 3 minutes or less and written comments will be read into the meeting record.

This notice is being sent to you because you own property nearby the subject property. If you have questions or comments concerning this proposal, please call Zachary Smallwood with the Murray City Planning Division at 801-270-2420 or e-mail to [zsmallwood@murray.utah.gov](mailto:zsmallwood@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.

## Chapter 17.78 ACCESSORY DWELLING UNITS

### 17.78.010: PURPOSE:

The city recognizes that accessory dwelling units (ADUs) in single-family residential zones can be an important tool in the overall housing plan for the city. The purposes of the ADU standards of this code are to:

- A. Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable;
- B. Provide for affordable housing opportunities;
- C. Make housing units available to moderate income people who might otherwise have difficulty finding homes within the city;
- D. Provide opportunities for additional income to offset rising housing costs;
- E. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle; and
- F. Preserve the character of single-family neighborhoods by providing standards governing development of ADUs. (Ord. 09-23 § 2)

### 17.78.020: DEFINITIONS:

**ACCESSORY DWELLING UNIT (ADU):** A self-contained dwelling unit within an owner occupied single-family residence or located on an owner occupied property that is either incorporated within the single-family residence or in a detached building which maintains complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation including a separate kitchen and/or laundry facilities.

**OWNER OCCUPANCY:** When a property owner, as reflected in title records, makes his or her legal residence at the site as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means. (Ord. 09-23 § 2)

### 17.78.030: CONDITIONAL USE PERMIT REQUIRED:

An ADU meeting the development standards, as specified in section [17.78.040](#) of this chapter, may be allowed in any single-family residential zone after approval of a conditional use permit by the planning commission. (Ord. 09-23 § 2)

**17.78.040: DEVELOPMENT STANDARDS:**

- A. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit or the ADU, but not both, as their permanent residence and at no time receive rent for the owner occupied unit. Application for an ADU shall include evidence of owner occupancy as provided in section [17.78.020](#) of this chapter.
- B. Only one ADU may be created per lot or property in single-family zones.
- C. The design and size of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.
- D. Installing separate utility meters and separate addresses for the ADU is prohibited.
- E. A separate entrance to the ADU shall not be allowed on the front or corner lot side yard. Any separate entrance shall be located to the side or rear of the principal residence.
- F. The total area of the ADU shall be less than forty percent (40%) of the square footage of the primary residence and in no case shall exceed one thousand (1,000) square feet.
- G. ADUs shall not contain more than two (2) bedrooms.
- H. ADUs shall be occupied by no more than two (2) related or unrelated adults and their children.
- I. In addition to the parking required for the primary unit, two (2) additional off street parking spaces shall be provided. In no case shall fewer than four (4) total off street parking spaces be provided. Any additional occupant vehicles shall be parked on site. On street parking shall be reserved for visitors only.
- J. The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be twelve thousand (12,000) square feet.
- K. Detached ADUs shall not be located in a front or corner lot side yard and shall meet the same setbacks as required for the primary residence in the zone.
- L. Any detached ADU located in a required side yard must comply with the setbacks for the principal residence, and shall have adequate facilities for all discharge from roof and other drainage.
- M. Any additions to an existing building or construction of a detached ADU shall not exceed the allowable lot or rear yard coverage standard for the underlying zone or encroach into the required setbacks.
- N. Detached ADUs shall be compatible with the exterior color and materials of the principal dwelling.
- O. The maximum height for detached ADUs is limited to one story and to twenty feet (20') or the height of the principal structure, whichever is less.
- P. The total floor area of a detached structure containing an ADU shall not exceed one thousand (1,000) square feet.

Q. Conversion of existing accessory buildings (such as detached garages) may only occur where the existing accessory building meets the setback requirements for a primary residence in the zone and meets the applicable building code.

R. The planning commission may place other appropriate or more stringent conditions deemed necessary in approving ADUs to protect the public safety, welfare and single-family character of the neighborhood. (Ord. 09-23 § 2)

### **17.78.050: AFFIDAVIT:**

Applicants for ADUs shall provide an affidavit stating that the owner of the property will live in either the primary or accessory dwelling unit as their permanent residence. Upon approval of the ADU by the planning commission, the affidavit shall be recorded against the property (in the event the property owner decides to sell the home) to alert the future owner of the regulations for the ADU. Upon sale of the property, the new owner shall be required to sign and record a new affidavit and reauthorize the ADU, paying a reauthorization fee of fifty dollars (\$50.00). (Ord. 09-23 § 2)

### **17.78.060: INSPECTION:**

Following the issuance of a conditional use permit, the community and economic development department shall approve an application for a building permit upon compliance of construction plans meeting such conditions and requirements as established by the planning commission. Representatives of the code enforcement/community and economic development department shall inspect the project to ensure that all required improvements meet the conditions of the conditional use permit and this title before a certificate of occupancy is issued. (Ord. 09-23 § 2)

### **17.78.070: TERMINATION:**

In the event that the property owner no longer resides in either the primary or accessory dwelling unit, the ADU must be immediately vacated. Steps must be taken to return the residence or property to a single-family residence. These steps include, but are not limited to: removing stoves and laundry appliances from the ADU; removing electrical connections for stoves and dryers in the ADU; and removing and/or capping water connections for clothes washers. Proper permits shall be obtained where necessary for restoring the ADU to a single-family residence. (Ord. 09-23 § 2)

### **17.78.080: EXISTING LEGAL NONCONFORMING UNITS:**

Existing ADUs, which were legally established and are nonconforming due to changes in the zoning ordinance, may apply for a conditional use permit in order to become conforming, provided they comply with the standards of this chapter. In approving a conditional use permit for an existing nonconforming unit, the planning commission may allow for ADUs that exceed the one thousand (1,000) square foot limitation, provided the ADU meets all other standards of this chapter. Nothing in this chapter shall authorize an ADU that was illegally created or converted without the proper permit. (Ord. 09-23 § 2)

**17.78.090: VARIANCES:**

Variances to the standards of this chapter may be approved by the appeal authority in accordance with [chapter 17.52](#) of this title. In no case shall a variance be approved for the owner occupancy provisions or number of units allowed per property. (Ord. 14-10: Ord. 09-23 § 2)

## Chapter 17.78 ACCESSORY DWELLING UNITS

### 17.78.010: PURPOSE:

The city recognizes that accessory dwelling units (ADUs) in primarily single-family residential zones can be an important tool in the overall housing plan for the city. The purposes of the ADU standards of this code are to:

- A. Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable;
- B. Provide for affordable housing opportunities;
- C. Make housing units available to moderate income people who might otherwise have difficulty finding homes within the city;
- D. Provide opportunities for additional income to offset rising housing costs;
- E. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in their life cycle; and
- F. Preserve the character of single-family neighborhoods by providing standards governing development of ADUs. (Ord. 09-23 § 2)

### 17.78.020: DEFINITIONS:

ATTACHED ACCESSORY DWELLING UNIT (AADU): A self-contained dwelling unit within an owner occupied single-family residence or located on an owner occupied property that is either incorporated within the single-family residence or in a detached building which maintains complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation including a separate kitchen and/or laundry facilities.

DETACHED ACCESSORY DWELLING UNIT (DADU): A self-contained dwelling unit separated from a single-family residence but located on an owner occupied property which maintains complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation including a separate kitchen and/or laundry facilities.

OWNER OCCUPANCY: When a property owner, as reflected in title records, makes his or her legal residence at the site as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means. (Ord. 09-23 § 2)

### 17.78.030: ACCESSORY DWELLING UNIT CONDITIONAL USE PERMIT REQUIRED:

An ADU meeting the development standards, as specified within this chapter section

~~17.78.040 of this chapter~~, may be allowed in any ~~single-family residential zone that allows for single-family housing as a permitted use after approval of an accessory dwelling unit-conditional use~~ permit by the ~~Community and Economic Development Director or their designee planning commission~~. (Ord. 09-23 § 2)

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#### **17.78.040: ATTACHED ACCESSORY DWELLING DEVELOPMENT STANDARDS:**

A. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit or the ADU, but not both, as their permanent residence and at no time receive rent for the owner occupied unit. Application for an ADU shall include evidence of owner occupancy as provided in section 17.78.020 of this chapter.

B. Only one ADU may be created per lot or property.

B.C. ~~ADUs are allowed on properties that are in zoned to allow single-family dwellings as a permitted use zones.~~

C.D. ~~The design and size of the~~ ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.

D.E. ~~Installing separate utility meters and separate addresses for the ADU is prohibited.~~

E.F. ~~A separate entrance to the ADU shall not be allowed on the front or corner lot side yard. Any separate entrance shall be located to the side or rear of the principal residence.~~

F. ~~The total area of the ADU shall be less than forty percent (40%) of the square footage of the primary residence and in no case shall exceed one thousand (1,000) square feet.~~

G. ~~ADUs shall not contain more than two (2) bedrooms.~~

H. ~~ADUs shall be occupied by no more than two (2) related or unrelated adults and their children.~~

I.G. ~~In addition to the parking required for the primary unit, ~~onetwo (21)~~ additional off street parking spaces shall be provided. In no case shall fewer than ~~threefour (43)~~ total off street parking spaces be provided. Any additional occupant vehicles shall be parked on site. On street parking shall be reserved for visitors only.~~

J. ~~The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be twelve thousand (12,000) square feet.~~

K. ~~Detached ADUs shall not be located in a front or corner lot side yard and shall meet the same setbacks as required for the primary residence in the zone.~~

L. ~~Any detached ADU located in a required side yard must comply with the setbacks for the principal residence, and shall have adequate facilities for all discharge from roof and~~

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~~other drainage.~~

~~M.H.~~ Any additions to an existing building ~~or construction of a detached ADU~~ shall not exceed the allowable lot ~~or rear yard~~ coverage standard for the underlying zone or encroach into the required setbacks.

- ~~N.~~ ~~Detached ADUs shall be compatible with the exterior color and materials of the principal dwelling.~~
- ~~O.~~ ~~The maximum height for detached ADUs is limited to one story and to twenty feet (20') or the height of the principal structure, whichever is less.~~
- ~~P.~~ ~~The total floor area of a detached structure containing an ADU shall not exceed one thousand (1,000) square feet.~~
- ~~Q.~~ ~~Conversion of existing accessory buildings (such as detached garages) may only occur where the existing accessory building meets the setback requirements for a primary residence in the zone and meets the applicable building code.~~
- ~~R.~~ ~~The planning commission may place other appropriate or more stringent conditions deemed necessary in approving ADUs to protect the public safety, welfare and single-family character of the neighborhood. (Ord. 09-23 § 2)~~

#### **17.78.050: DETACHED ACCESSORY DWELLING DEVELOPMENT STANDARDS:**

- A. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit or the ADU, but not both, as their permanent residence and at no time receive rent for the owner occupied unit. Application for an ADU shall include evidence of owner occupancy as provided in section 17.78.020 of this chapter.
- B. Only one ADU may be created per lot or property.
- C. ADUs are allowed on properties that are zoned to allow single-family dwellings as a permitted use.
- D. The ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.
- E. Installing separate utility meters and separate addresses for the ADU is prohibited.
- F. A separate entrance to the ADU shall not be allowed on the front or corner lot side yard. Any separate entrance shall be located to the side or rear of the principal residence.
- G. The total area of the ADU shall be less than forty percent (40%) of the square footage of the primary residence and in no case shall exceed one thousand (1,000) square feet.
- H. Detached ADUs shall not contain more than two (2) bedrooms.
- I. In addition to the parking required for the primary unit, two (2) additional off street parking spaces shall be provided. In no case shall fewer than four (4) total off street

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parking spaces be provided. Any additional occupant vehicles shall be parked on site.  
On street parking shall be reserved for visitors only.

- J. The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be twelve thousand (12,000) square feet.
- K. Detached ADUs shall not be located in a front or corner lot side yard and shall meet the same setbacks as required for the primary residence in the zone.
- L. Any detached ADU located in a required side yard must comply with the setbacks for the principal residence, and shall have adequate facilities for all discharge from roof and other drainage.
- M. Construction of a detached ADU shall not exceed the allowable lot or rear yard coverage standard for the underlying zone or encroach into the required setbacks.
- N. Detached ADUs shall be compatible with the exterior color and materials of the principal dwelling.
- O. The maximum height for detached ADUs is limited to one story and to twenty feet (20') or the height of the principal structure, whichever is less.
- P. The total floor area of a detached structure containing an ADU shall not exceed one thousand (1,000) square feet.
- Q. Conversion of existing accessory buildings (such as detached garages) may only occur where the existing accessory building meets the setback requirements for a primary residence in the zone and meets the applicable building code.

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#### **17.78.0560: AFFIDAVIT:**

Applicants for all ADUs shall complete provide an affidavit stating that the owner of the property has obtained a permit for the ADU and will live in either the primary or accessory dwelling unit as their permanent residence. Upon approval of the ADU by the Community and Economic Development Department planning commission, the affidavit shall be recorded against the property (in the event the property owner decides to sell the home) to alert the future owner of the regulations for the ADU. Upon sale of the property, the new owner shall be required to sign and record a new affidavit and reauthorize the ADU, paying a reauthorization fee of fifty dollars (\$50.00). (Ord. 09-23 § 2)

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#### **17.78.0670: INSPECTION:**

Following the issuance of an accessory dwelling unit-conditional use permit, the community and economic development department shall may approve an application for a building permit upon compliance of construction plans meeting such conditions and requirements as established by the community and economic development department planning commission. Representatives of the code enforcement/community and economic development department shall inspect the project to ensure that all required improvements meet the conditions of the conditional use permit and this chapter title before a certificate of occupancy is issued. (Ord. 09-23 § 2)

## **17.78.0780: ENFORCEMENT AND TERMINATION:**

**A. Termination of ADU and Reversion to Non-ADU Single Family Residence.** In the event that the property owner no longer resides in either the primary or accessory dwelling unit, the ADU must be immediately vacated. Steps must be taken to return the residence or property to a single-family residence. These steps include, but are not limited to: removing stoves and laundry appliances from the ADU; removing electrical connections for stoves and dryers in the ADU; and removing and/or capping water connections for clothes washers. Proper permits shall be obtained where necessary for restoring the ADU to a single-family residence. (Ord. 09-23 § 2)

**B. Property Lien.**

- 1. In addition to any other legal or equitable remedies available to the City, the City may hold a lien against an AADU if:**
  - a. The owner violates any of the provisions of this chapter or section 10-9a-530 of the Utah Code;**
  - b. The City provides a written notice of violation as required under this section;**
  - c. The City holds a hearing and determines that the violation has occurred if the owner files a written objection to the notice of violation;**
  - d. The owner fails to cure the violation within the time period described in this section;**
  - e. The City provides a written notice of lien; and**
  - f. The City records a copy of the written notice of lien with the Salt Lake county recorder.**
- 2. Notice of Violation. The written notice of violation shall:**
  - a. Describe the specific violation;**
  - b. Provide the owner with a reasonable opportunity to cure the violation that is:**
    - i. No less than 14 days after the day on which the City sends the written notice of violation if the violation results from the owner renting or offering to rent the AADU for a period of less than 30 consecutive days; or**
    - ii. No less than 30 days after the day on which the City sends the written notice of violation for any other violation;**
  - c. State that if the owner fails to cure the violation with the required time period, the City may hold a lien against the property in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;**
  - d. Notify the owner:**
    - i. That the owner may file a written objection to the notice of violation within 14 days after the day on which the written notice of violation is post-marked or posted on the property; and**
    - ii. The name and address of the Community and Economic Development Director, with whom the written objection may be filed;**
  - e. Be mailed to:**
    - i. The property owner of record; and**
    - ii. Any other individual designated to receive notice in the owner's license or permit records; and**

f. Be posted on the property.

3. Notice of Lien. The written notice of lien shall:

- Comply with the requirements of Title 38 Chapter 12 of the Utah Code, Notice of Lien Filing;
- State that the property is subject to a lien;
- Specify the lien amount, in an amount up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;
- Be mailed to:
  - The property owner of record; and
  - Any other individual designated to receive notice in the owner's license or permit records; and
- Be posted on the property.

4. Written Objection and Hearing.

- If an owner files a written objection to the notice of violation, the City shall:
  - Within ten (10) business days after the written objection is received, hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings Act, before the Community and Economic Development Director (Director) to conduct a review and determine whether the specific violation described in the written notice of violation has occurred; and
  - Notify the owner in writing of the date, time and location of the hearing described above, no less than 14 days before the day on which the hearing is held.
- If an owner files a written objection to the notice of violation, the City may not record a lien until the City holds a hearing and the Director makes a determination that the specific violation has occurred.
- In order for the Director to determine that a specific violation has occurred, a violation must be proved by clear and convincing evidence.
- If the Director determines at the hearing that the specific violation has occurred, the City may impose a lien in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires, regardless of whether the hearing is held after the day on which the opportunity to cure the violation has expired.
- If the Director determines at the hearing that the specific violation has not occurred, the City may not hold a lien against the property or impose any penalty or fee on the owner in relation to the specific violation described in the written notice of violation.

5. Curing a Violation. If an owner cures a violation within the time period prescribed in the written notice of violation, the City may not hold a lien against the property or impose any penalty or fee on the owner in relation to the specific violation described in the written notice of violation.

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### **17.78.090: SHORT TERM RENTALS NOT ALLOWED:**

#### **17.78.080: EXISTING LEGAL NONCONFORMING UNITS:**

- A. By applying for an ADU, the property owner shall agree that the main dwelling and the proposed ADU will not be used as a short-term rental.
- B. Short-term rental means the same as defined in Chapter 17.23 and is defined here as renting all or a portion of a property for less than thirty (30) days at a time.
- C. Any violation of this section shall fall under Chapter 17.23: Short Term Rentals Failure to comply with this section shall constitute a violation for which the City may issue a citation and impose penalties.
- D. Each day that a violation occurs or continues is a separate violation.
- E. It shall be a violation for any person to operate an STR in violation of any federal, state or local law, rule or regulation.
- F. For noncompliance with this section, the issuing officer shall issue a written citation to the owner or operator, specifying the violation.
- G. Except as otherwise provided in this section, the penalty for violation of this section shall be as follows:
  - a. The first violation within any 12-month period is an infraction, the penalty of which shall be no less than \$500;
  - b. The second violation within any 12-month period is an infraction, the penalty of which shall be no less than \$750; and
  - c. The third violation within any 12 month period is an infraction, the penalty of which shall be no less than \$750 and revocation of the ADU Land Use Permit for the subject property; provided, however, that the operator may not re-apply for any available ADU Land Use Permit for such property for two years from the date of such revocation.
  - d. Any violation following the third violation within 12 months is a class B misdemeanor, the penalty of which shall include a fine of no less than \$1,000, and the owner shall be ineligible for an ADU Land Use Permit for any property within the City.

Existing ADUs, which were legally established and are nonconforming due to changes in the zoning ordinance, may apply for a conditional use permit in order to become conforming, provided they comply with the standards of this chapter. In approving a conditional use permit for an existing nonconforming unit, the planning commission may allow for ADUs that exceed the one thousand (1,000) square foot limitation, provided the ADU meets all other standards of this chapter. Nothing in this chapter shall authorize an ADU that was illegally created or converted without the proper permit. (Ord. 09-23 § 2)

#### **17.78.100 BUSINESS LICENSE REQUIRED:**

#### **17.78.090: VARIANCES:**

A residential rental business license is required to rent out either the main or accessory dwelling unit.

Variances to the standards of this chapter may be approved by the appeal authority in accordance with chapter 17.52 of this title. In no case shall a variance be approved for the owner occupancy provisions or number of units allowed per property. (Ord. 14-10; Ord. 09-

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## **Chapter 17.78 ACCESSORY DWELLING UNITS**

### **17.78.010: PURPOSE:**

The city recognizes that accessory dwelling units (ADUs) in primarily residential zones can be an important tool in the overall housing plan for the city. The purposes of the ADU standards of this code are to:

- A. Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable;
- B. Provide for affordable housing opportunities;
- C. Make housing units available to moderate income people who might otherwise have difficulty finding homes within the city;
- D. Provide opportunities for additional income to offset rising housing costs;
- E. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in their life cycle; and
- F. Preserve the character of single-family neighborhoods by providing standards governing development of ADUs. (Ord. 09-23 § 2)

### **17.78.020: DEFINITIONS:**

**ATTACHED ACCESSORY DWELLING UNIT (AADU):** A self-contained dwelling unit within an owner occupied single-family residence or located on an owner occupied property that is incorporated within the single-family residence which maintains complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation including a separate kitchen and/or laundry facilities.

**DETACHED ACCESSORY DWELLING UNIT (DADU):** A self-contained dwelling unit separated from a single-family residence but located on an owner occupied property which maintains complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation including a separate kitchen and/or laundry facilities.

**OWNER OCCUPANCY:** When a property owner, as reflected in title records, makes his or her legal residence at the site as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means. (Ord. 09-23 § 2)

### **17.78.030: ACCESSORY DWELLING UNIT PERMIT REQUIRED:**

An ADU meeting the development standards, as specified within this chapter, may be allowed in any zone that allows for single-family housing as a permitted use after approval of an accessory dwelling unit permit by the Community and Economic Development Director or their designee. (Ord. 09-23 § 2)

## **17.78.040: ATTACHED ACCESSORY DWELLING DEVELOPMENT STANDARDS:**

- A. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit or the ADU, but not both, as their permanent residence and at no time receive rent for the owner occupied unit. Application for an ADU shall include evidence of owner occupancy as provided in section [17.78.020](#) of this chapter.
- B. Only one ADU may be created per lot or property.
- C. ADUs are allowed on properties that are zoned to allow single-family dwellings as a permitted use.
- D. The ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.
- E. Installing separate utility meters and separate addresses for the ADU is prohibited.
- F. A separate entrance to the ADU shall not be allowed on the front or corner lot side yard. Any separate entrance shall be located to the side or rear of the principal residence.
  
- G. In addition to the parking required for the primary unit, one (1) additional off street parking space shall be provided. In no case shall fewer than three (3) total off street parking spaces be provided. Any additional occupant vehicles shall be parked on site. On street parking shall be reserved for visitors only.
- H. Any additions to an existing building shall not exceed the allowable lot coverage standard for the underlying zone or encroach into the required setbacks.

## **17.78.050: DETACHED ACCESSORY DWELLING DEVELOPMENT STANDARDS:**

- A. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit or the ADU, but not both, as their permanent residence and at no time receive rent for the owner occupied unit. Application for an ADU shall include evidence of owner occupancy as provided in section [17.78.020](#) of this chapter.
- B. Only one ADU may be created per lot or property.
- C. ADUs are allowed on properties that are zoned to allow single-family dwellings as a permitted use.
- D. The ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.
- E. Installing separate utility meters and separate addresses for the ADU is prohibited.
- F. A separate entrance to the ADU shall not be allowed on the front or corner lot side yard. Any separate entrance shall be located to the side or rear of the principal

residence.

- G. The total area of the ADU shall be less than forty percent (40%) of the square footage of the primary residence and in no case shall exceed one thousand (1,000) square feet.
- H. Detached ADUs shall not contain more than two (2) bedrooms.
- I. In addition to the parking required for the primary unit, two (2) additional off street parking spaces shall be provided. In no case shall fewer than four (4) total off street parking spaces be provided. Any additional occupant vehicles shall be parked on site. On street parking shall be reserved for visitors only.
- J. The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be twelve thousand (12,000) square feet.
- K. Detached ADUs shall not be located in a front or corner lot side yard and shall meet the same setbacks as required for the primary residence in the zone.
- L. Any detached ADU located in a required side yard must comply with the setbacks for the principal residence, and shall have adequate facilities for all discharge from roof and other drainage.
- M. Construction of a detached ADU shall not exceed the allowable lot or rear yard coverage standard for the underlying zone or encroach into the required setbacks.
- N. Detached ADUs shall be compatible with the exterior color and materials of the principal dwelling.
- O. The maximum height for detached ADUs is limited to one story and to twenty feet (20') or the height of the principal structure, whichever is less.
- P. The total floor area of a detached structure containing an ADU shall not exceed one thousand (1,000) square feet.
- Q. Conversion of existing accessory buildings (such as detached garages) may only occur where the existing accessory building meets the setback requirements for a primary residence in the zone and meets the applicable building code.

#### **17.78.060: AFFIDAVIT:**

Applicants for all ADUs shall complete an affidavit stating that the owner of the property has obtained a permit for the ADU and will live in either the primary or accessory dwelling unit as their permanent residence. Upon approval of the ADU by the Community and Economic Development Department, the affidavit shall be recorded against the property (in the event the property owner decides to sell the home) to alert the future owner of the regulations for the ADU.

#### **17.78.070: INSPECTION:**

Following the issuance of an accessory dwelling unit permit, the community and economic

development department may approve an application for a building permit upon compliance of construction plans meeting such conditions and requirements as established by the community and economic development department. Representatives of the code enforcement/community and economic development department shall inspect the project to ensure that all required improvements meet the conditions of the permit and this chapter before a certificate of occupancy is issued. (Ord. 09-23 § 2)

### **17.78.080: ENFORCEMENT AND TERMINATION:**

- A. Termination of ADU and Reversion to Non-ADU Single Family Residence. In the event that the property owner no longer resides in either the primary or accessory dwelling unit, the ADU must be immediately vacated. Steps must be taken to return the residence or property to a single-family residence. These steps include, but are not limited to: removing stoves and laundry appliances from the ADU; removing electrical connections for stoves and dryers in the ADU; and removing and/or capping water connections for clothes washers. Proper permits shall be obtained where necessary for restoring the ADU to a single-family residence. (Ord. 09-23 § 2)
- B. Property Lien.
  1. In addition to any other legal or equitable remedies available to the City, the City may hold a lien against an AADU if:
    - a. The owner violates any of the provisions of this chapter or section 10-9a-530 of the Utah Code;
    - b. The City provides a written notice of violation as required under this section;
    - c. The City holds a hearing and determines that the violation has occurred if the owner files a written objection to the notice of violation;
    - d. The owner fails to cure the violation within the time period described in this section;
    - e. The City provides a written notice of lien; and
    - f. The City records a copy of the written notice of lien with the Salt Lake county recorder.
  2. Notice of Violation. The written notice of violation shall:
    - a. Describe the specific violation;
    - b. Provide the owner with a reasonable opportunity to cure the violation that is:
      - i. No less than 14 days after the day on which the City sends the written notice of violation if the violation results from the owner renting or offering to rent the AADU for a period of less than 30 consecutive days; or
      - ii. No less than 30 days after the day on which the City sends the written notice of violation for any other violation;
    - c. State that if the owner fails to cure the violation with the required time period, the City may hold a lien against the property in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;
    - d. Notify the owner:
      - i. That the owner may file a written objection to the notice of violation within 14 days after the day on which the written notice of violation is post-marked or posted on the property;

and

- ii. The name and address of the Community and Economic Development Director, with whom the written objection may be filed;
- e. Be mailed to:
  - i. The property owner of record; and
  - ii. Any other individual designated to receive notice in the owner's license or permit records; and
- f. Be posted on the property.

3. Notice of Lien. The written notice of lien shall:

- a. Comply with the requirements of Title 38 Chapter 12 of the Utah Code, Notice of Lien Filing;
- b. State that the property is subject to a lien;
- c. Specify the lien amount, in an amount up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;
- d. Be mailed to:
  - i. The property owner of record; and
  - ii. Any other individual designated to receive notice in the owner's license or permit records; and
- e. Be posted on the property.

4. Written Objection and Hearing.

- a. If an owner files a written objection to the notice of violation, the City shall:
  - i. Within ten (10) business days after the written objection is received, hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings Act, before the Community and Economic Development Director (Director) to conduct a review and determine whether the specific violation described in the written notice of violation has occurred; and
  - ii. Notify the owner in writing of the date, time and location of the hearing described above, no less than 14 days before the day on which the hearing is held.
- b. If an owner files a written objection to the notice of violation, the City may not record a lien until the City holds a hearing and the Director makes a determination that the specific violation has occurred.
- c. In order for the Director to determine that a specific violation has occurred, a violation must be proved by clear and convincing evidence.
- d. If the Director determines at the hearing that the specific violation has occurred, the City may impose a lien in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires, regardless of whether the hearing is held after the day on which the opportunity to cure the violation has expired.
- e. If the Director determines at the hearing that the specific violation has not occurred, the City may not hold a lien against the property or impose any penalty or fee on the owner in relation to the specific violation described in the written notice of violation.

5. Curing a Violation. If an owner cures a violation within the time period

prescribed in the written notice of violation, the City may not hold a lien against the property or impose any penalty or fee on the owner in relation to the specific violation described in the written notice of violation.

**17.78.090: SHORT TERM RENTALS NOT ALLOWED:**

- A. By applying for an ADU, the property owner shall agree that the main dwelling and the proposed ADU will not be used as a short-term rental.
- B. Short-term rental is defined here as renting all or a portion of a property for less than thirty (30) days at a time.
- C. Failure to comply with this section shall constitute a violation for which the City may issue a citation and impose penalties.
- D. Each day that a violation occurs or continues is a separate violation.
- E. It shall be a violation for any person to operate an STR in violation of any federal, state or local law, rule or regulation.
- F. For noncompliance with this section, the issuing officer shall issue a written citation to the owner or operator, specifying the violation.
- G. Except as otherwise provided in this section, the penalty for violation of this section shall be as follows:
  - a. The first violation within any 12-month period is an infraction, the penalty of which shall be no less than \$500;
  - b. The second violation within any 12-month period is an infraction, the penalty of which shall be no less than \$750; and
  - c. The third violation within any 12 month period is an infraction, the penalty of which shall be no less than \$750 and revocation of the ADU Land Use Permit for the subject property; provided, however, that the operator may not re-apply for any available ADU Land Use Permit for such property for two years from the date of such revocation.
  - d. Any violation following the third violation within 12 months is a class B misdemeanor, the penalty of which shall include a fine of no less than \$1,000, and the owner shall be ineligible for an ADU Land Use Permit for any property within the City.

**17.78.100 BUSINESS LICENSE REQUIRED:**

A residential rental business license is required to rent out either the main or accessory dwelling unit.

**P/C AGENDA MAILINGS**  
“AFFECTED ENTITIES”  
Updated 6/2021

UTAH TRANSIT AUTHORITY  
ATTN: PLANNING DEPT  
669 West 200 South  
SLC UT 84101

CHAMBER OF COMMERCE  
ATTN: SKYLAR GALT  
5411 South Vine Street, Unit 3B  
MURRAY UT 84107

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

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

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

SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKwy  
SANDY UT 84070

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

OLYMPUS SEWER  
3932 S 500 E  
MILCREEK UT 84107

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

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

MURRAY SCHOOL DIST  
ATTN: DAVID ROBERTS  
5102 S Commerce Drive  
MURRAY UT 84107

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

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

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT 84117

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

Comcast  
Attn: Shane, Dave or Matt  
1350 E Miller Ave  
SLC UT 84106

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

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

MIDVALE CITY  
PLANNING DEPT  
7505 S HOLDEN STREET  
MIDVALE UT 84047

ROCKY MOUNTAIN POWER  
ATTN: KIM FELICE  
12840 PONY EXPRESS ROAD  
DRAPER UT 84020

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

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

Comcast  
Attn: Joseph Silverzweig  
9602 South 300 West  
Sandy, UT 84070

CENTURYLINK  
250 E 200 S  
Salt Lake City, Utah 84111

UTAH AGRC  
STATE OFFICE BLDG #5130  
SLC UT 84114



## **Notice of Public Hearing**

**July 1, 2021 6:30 PM**

The Murray City Planning Commission will hold a public hearing regarding the following application: Murray City Planning Division Staff is requesting a Text Amendment regarding Chapter 17.78 Accessory Dwelling Units. This is to update the text to comply with House Bill 82, passed by the Utah Legislature.

The public may view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>. You may submit comments via email at [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov), please include your name and contact information.

Comments are limited to 3 minutes or less and written comments will be read into the meeting record.

This notice is being sent to you because you own property nearby the subject property. If you have questions or comments concerning this proposal, please call Zachary Smallwood with the Murray City Planning Division at 801-270-2420 or e-mail to [zsmallwood@murray.utah.gov](mailto:zsmallwood@murray.utah.gov).

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

MURRAY CITY CORPORATION  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 1st day of July 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City. The Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to a Land Use Ordinance Text Amendment for Section 17.78, Accessory Dwelling Units. You may attend the meeting or submit comments via email at [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov). If you would like to view the meeting only you may watch via livestream at [www.murraycitylive.com](http://www.murraycitylive.com) or [www.facebook.com/MurrayCityUtah/](http://www.facebook.com/MurrayCityUtah/).

Jared Hall, Manager  
Planning Division

# Chapter 17.78, Accessory Dwelling Units

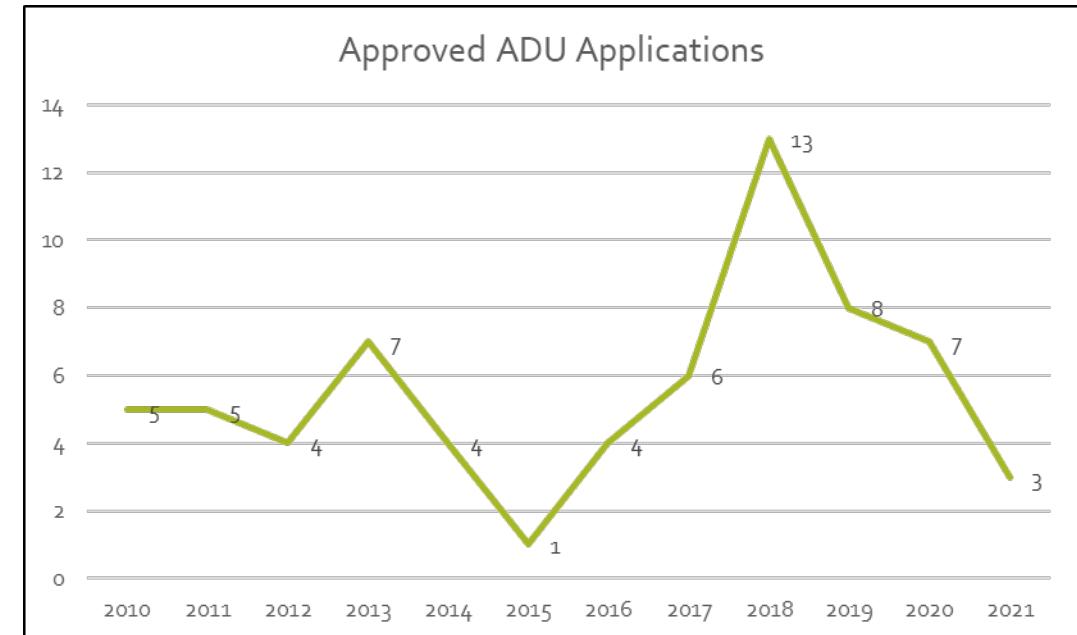
## Land Use Ordinance Text Amendment

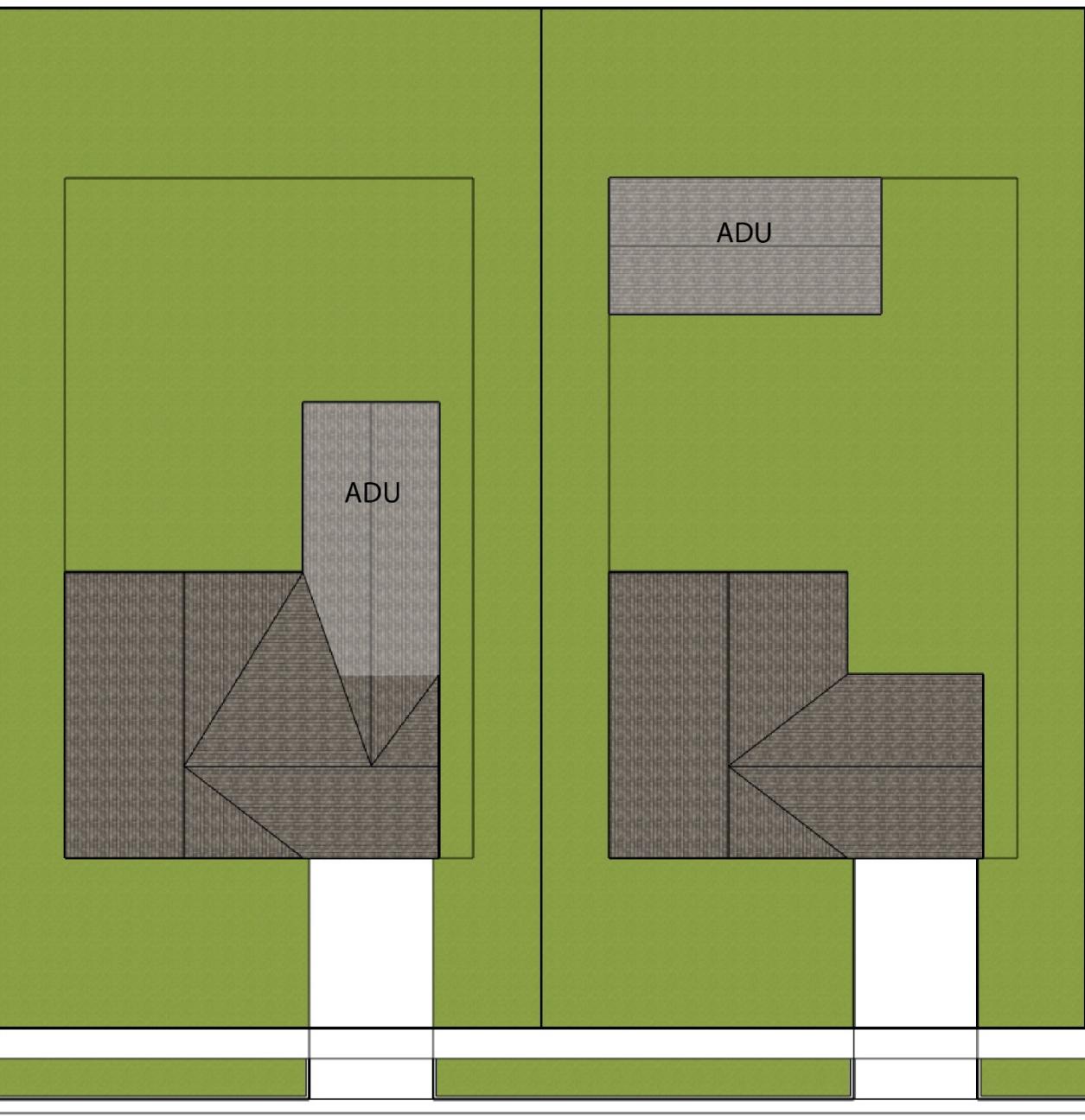


# Why Are We Here?

## State Mandate

- House Bill 82
  - Legislature attempting to help with the housing issues in the state
  - Goes into effect October 1, 2021
  - The bill requires cities
    - Allow attached ADUs by right
    - Prohibits cities from limiting size
    - Prohibits cities from requiring more than 1 parking space





## ADUs Defined

### Accessory Dwelling Units

- Often called mother-in-law or granny flats
- Required to have same address and utility connections
- Two main types:

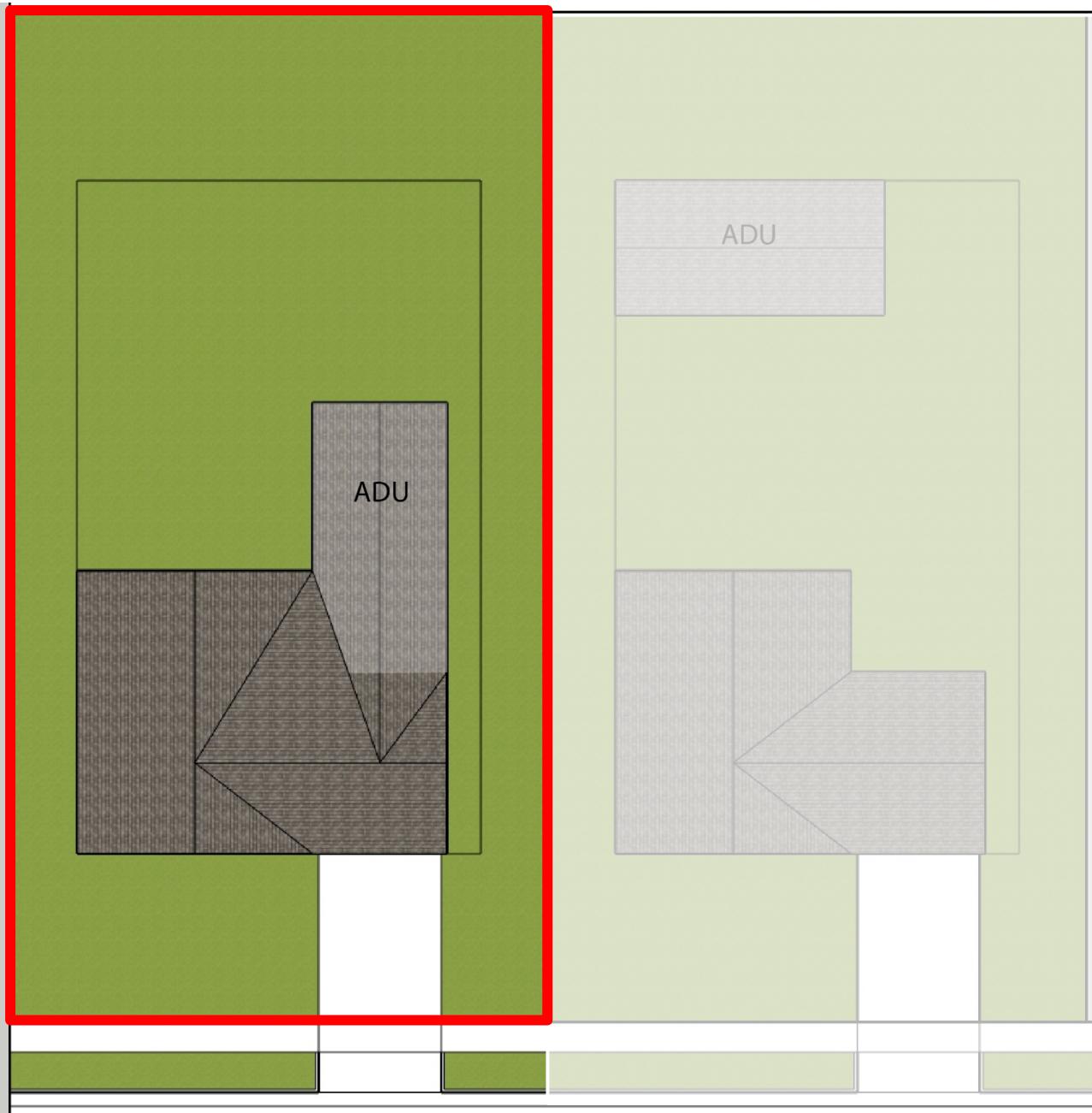
#### Attached (left)

- A part of the main dwelling; basement, addition, etc.

#### Detached (right)

- Wholly separated from the existing dwelling





## Attached ADUs

- Removed size limitation
- Removed allowed number of bedrooms
- Reduced parking required to one additional space
- Allowed in any single-family dwelling where single-family residential is a permitted use





## Detached ADUs

- All requirements stay the same
  - 12,000 sq ft lot required
  - 1,000 sq ft or 40% of main dwelling
  - No more than 2 bedrooms
  - Two additional off-street parking spaces
- Changed from Conditional Use Permit to ADU Permit
- Allowed in any single-family dwelling where single-family residential is a permitted use



## Short Term Rentals and Post Planning Commission Changes

- Property owner must sign an affidavit that no short-term renting will occur
- (spoiler alert) The Planning Commission recommended denial of the short-term rental ordinance.
- Planning Division staff updated the proposed ordinance to reflect the penalties that were outlined in the Short-Term Rental Ordinance
  - 1<sup>st</sup> Occurrence = \$500
  - 2<sup>nd</sup> Occurrence = \$750
  - 3<sup>rd</sup> Occurrence = \$750 (unable to obtain ADU Permit for two years)
  - Any additional occurrence = class B misdemeanor and \$1,000 fine





Project # \_\_\_\_\_

**ACCESSORY DWELLING UNIT  
PERMIT APPLICATION**

Type of Accessory Dwelling Unit (choose one):

Attached ADU  Detached ADU

Subject Property Address: \_\_\_\_\_

Parcel Identification (Sidwell)  
Number: \_\_\_\_\_

Parcel Area: \_\_\_\_\_ Current Use: \_\_\_\_\_

Floor Area: \_\_\_\_\_ Zoning Classification: \_\_\_\_\_ LU# \_\_\_\_\_

Applicant  
Name: \_\_\_\_\_

Mailing  
Address: \_\_\_\_\_

City, State,  
ZIP: \_\_\_\_\_

Daytime Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Email Address: \_\_\_\_\_

Business or Project Name: \_\_\_\_\_

Property Owner's Name (If different): \_\_\_\_\_

Property Owner's Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Daytime Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Email address: \_\_\_\_\_

Describe your request in detail (use additional page if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

## Accessory Dwelling Unit Permit

- Application Form
  - Type of ADU
  - Owner information
- Site plans
- Floorplans
- Affidavits
  - Acknowledging the owner will live on property
  - Acknowledging the prohibition of short-term rentals
- This would be a staff level administrative permit that does not require Planning Commission approval

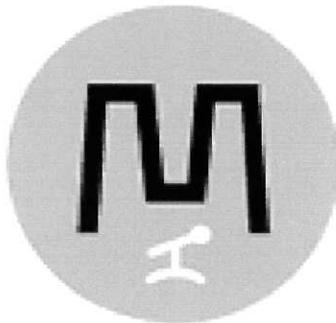


# Staff Findings

1. The proposed text amendment furthers objective 9 of the Land Use and Urban Design Element of the General Plan to “provide a mix of housing options and residential zones to meet a diverse range of needs related to lifestyle and demographics, including age, household size, and income” by making the process to construct and operate an ADU easier.
2. The proposed changes are in harmony with objective 11 of the Land Use and Urban Design Element to “stimulate reinvestment in deteriorating areas of the city to support growth and enhance the image of the community” by reducing the requirements needed to operate an ADU.
3. Staff finds that objective 3 of the Neighborhoods & Housing Element that states “encourage housing options for a variety of age, family size and financial levels” supports the proposed changes. This allows residents that own a home that may be struggling to pay their mortgage or have a family member or friend that needs affordable housing to reside on the property within an ADU.
4. Objective 1 of the Moderate Income Housing Element states “ensure housing affordability targets are achievable using a range of strategies”. One of the strategies in this objective states to continue to support ADUs in all residential zones. Staff finds that the proposed changes further this objective by making it easier to construct and operate an ADU.
5. The Planning Commission voted 5-0 to forward a recommendation of approval.

# Staff Recommendation

Based on the background, staff review, and the Planning Commission recommendation, staff recommends the City Council accept the proposed modifications and **APPROVE** the proposed text amendment for Section 17.78, Accessory Dwelling Units.



MURRAY  
CITY COUNCIL

# Mayor's Report And Questions



**MURRAY**  
CITY COUNCIL

# Adjournment