



MURRAY
CITY COUNCIL

Council Meeting April 19, 2022



Murray City Municipal Council

Notice of Meeting

April 19, 2022

Murray City Center

5025 South State Street, Murray, Utah 84107

Meeting Agenda

5:00 p.m. **Committee of the Whole** – Council Chambers
Kat Martinez conducting

Approval of Minutes

Committee of the Whole – March 8, 2022

Discussion Items

1. 2022 Legislative Summary. – G.L. Critchfield, David Stewart, and Kory Holdaway (30 minutes)
2. Discussion on a Memorandum of Understanding for 4800 Lofts. – Zachary Smallwood and Jared Hall (20 minutes)
3. Discussion on an ordinance amending Section 2.62.120 of the Murray City Municipal Code relating to employee holiday vacations. – Robyn Colton (10 minutes)

Announcements

Adjournment

The public may view the Council Meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>. Those wishing to have their comments read into the record may send an email by 5:00 p.m. the day prior to the meeting date to city.council@murray.utah.gov. Comments are limited to less than three minutes (approximately 300 words for emails) and must include your name and address.

6:30 p.m. **Council Meeting** – Council Chambers
Rosalba Dominguez conducting.

Opening Ceremonies

Call to Order
Pledge of Allegiance

Approval of Minutes

Council Meeting – March 8, 2022

Special Recognition

1. Murray City Council Employee of the Month, Jared Hall, Community and Economic Development Director – Danny Astill and Rosalba Dominguez presenting.

Special Presentation

1. Mayor Brett Hales' Fiscal Year 2022-2023 Budget Address.
2. Consider a resolution acknowledging receipt of the Fiscal Year 2022-2023 tentative budget from the Mayor and the Budget Officer and referring the Mayor's tentative budget for review and consideration to the Budget and Finance Committee of the Murray City Municipal Council.

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

Mayor Hales presenting.

1. Consider confirmation of the Mayor's appointment of Brian Plamondon to the Parks and Recreation Advisory Board for a term from January 2022 to January 2025.

Public Hearings

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

1. Consider an ordinance amending Sections 17.144.020 and 17.144.030 of the Murray City Municipal Code relating to permitted and conditional uses in the G-O Zone. Jared Hall presenting.

Business Items

1. Consider a resolution approving the Mayor's appointment of Ben Ford as the alternate representative to the Central Valley Reclamation Facility Board. Danny Astill presenting.
2. Consider an ordinance amending section 12.24.180 of the Murray City Municipal Code related to fees for use of the Murray Park outdoor swimming pool. Kim Sorensen presenting.
3. Consider an ordinance enacting Section 12.24.135 of the Murray City Municipal Code relating to trespassing on golf course property. Kim Sorensen presenting.
4. Consider a resolution authorizing the execution of a renewal of the agreement for auditing services with HBME, LLC. Brenda Moore presenting.
5. Consider a resolution establishing the spending plan framework for the City's allocation of American Rescue Plan Act (ARPA) funds and electing the standard allowance under ARPA for the reduction in revenue due to the COVID-19 Public Health Emergency. Brenda Moore presenting.

Mayor's Report and Questions

Adjournment

NOTICE

Supporting materials are available for inspection on the Murray City website at 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 Friday, April 15, 2022, at 9:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov and the state noticing website at <http://pmn.utah.gov>.

A handwritten signature in black ink that reads "Jennifer Kennedy". The script is fluid and cursive, with the first name "Jennifer" being more prominent than the last name "Kennedy".

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, March 8, 2022
Murray City Center

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

Attendance: Council Members and others:

Kat Martinez – Chair	District #1
Diane Turner – Vice Chair	District #4
Garry Hrechkosy	District #5
Pam Cotter	District #2
Rosalba Dominguez	District #3 – Remotely via phone.

Brett Hales	Mayor	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
Tammy Kikuchi	Chief Communications Officer	Russ Kakala	Streets/Solid Waste Superintendent
G.L. Critchfield	City Attorney	Joey Mittelman	Fire Chief
Jaren Scott	Trans-Jordan Landfill	Brooke Smith	City Recorder
Danny Astill	Public Works Director	Camron Kollman	IT

Conducting: Ms. Martinez called the meeting to order at 5:15 p.m.

Approval of Minutes: Committee of the Whole – February 15, 2022. Mr. Hrechkosy moved to approve. Ms. Turner seconded the motion. All in favor 5-0.

Discussion Items:

- **TJL (Trans-Jordan Landfill) Presentation.** – Mr. Kakala invited TJL Executive Director, Jaren Scott to give the Trans-Jordan 2022 organizational update. Mr. Scott discussed past, present, and future matters related to the landfill and Murray's solid waste disposal membership:
 - The landfill was created in 1958; membership cities started in 1960 and Trans-Jordan was formed in 1968 when Murray joined. Now TJL services seven-member-cities in the south end of Salt Lake County that includes 500,000 residents and commercial entities. Member-cities receive some of the lowest tipping fees in the nation.
 - For 15 years TJL has been producing energy for powering 4,000 Murray homes with their own power plant. A gas collection system is used to create methane from 60 years of waste that is still there.
 - Long term, TJL will transition from landfilling at the current location, to owning a new facility and operating transfer stations. Mr. Scott said with a current economic growth projection of 3%, the current landfill space available is 5-million tons that should last until about 2031. After closing, the site will be maintained as a transfer station, with continued gas collection to provide Murray with energy for another 30+ years.
 - In November 2023 TJL will stop accepting green-waste and producing compost due to local growth,

- loss of land and there is no longer a market for green waste. Other alternatives to resolve the issue are being explored like putting green waste back into the landfill which would produce more methane. This leaves the lowest carbon footprint for green waste disposal. Murray's own green waste recycling/woodchips program at the public works facility will not be affected.
- The 110 feet deep landfill is heavily layered before any trash is placed in it. Once an area is full, the same layering occurs on top that is drilled vertically to create wells that hold perforated pipe, regulated by a vacuum system that prevents methane from escaping into the atmosphere. Methane is cleaned, water is removed and then burned in three large generators that produce 1.6 megawatts of power each.
 - Bayview Landfill was purchased by TJL and partners in 2017 to secure long-term solid waste disposal. With no public access, trash will be hauled 44 miles to Bayview from transfer stations. Staffing will be minimal so operation costs will be kept low and tipping fees will be the lowest in the nation. The new modernized landfill will accommodate Murray for the next 100 years.
 - Two transfer stations will receive inbound loads of commercial and residential waste; Sandy Transfer Station will open in 2024 to serve primarily the eastside, and South Jordan Transfer Station opening in 2031, will serve the westside. Both will transfer trash to Bayview.
 - TJL contracted with IHC (Intermountain Health Center) to generate more revenue. This spring, Zipline, a new medical supply service will begin delivering products via fixed wing drone; IHC medicine is dropped from the air to residential patients. Unused property on TJL will be used for a landing pad to conduct business approved by the Federal Aviation Administration.
 - Waste is handled properly by TJL to ensure compliance to State and Federal laws. The landfill to gas energy partnership exists between Murray, TJL and EDL. EDL is based in Australia whose worldwide goal is to convert dirty methane into clean green energy. Unlike solar, TJL engines have an operating online time of 99%, 24 hours a day, 365 days a year.
 - Daily procedures at the public convenience center were reviewed. Annual landfill statistics regarding number of customers, transactions and tonnage received from collection trucks and residential customers was noted for Murray. There was a general discussion about recycling procedures for all items including household hazardous waste.
- **Ordinance amending the City's FY 2021-2022 Budget** – Ms. Moore provided the draft ordinance requiring changes to the Fiscal Year 2021-2022 budget with Council approval; the following five items were highlighted.
 - **GF (General Fund):**
 1. Receive from the Utah Department of Public Safety, grant funding of \$5,000 to purchase in-car cameras for the police department.
 2. For the building division, transfer \$160,000 from personnel expenditures to operating expenditures for professional services. The plan is to hire an outside firm to help fill much needed building inspector positions.
 - **CIP (Capital Improvement Projects) Fund:**
 3. Allocate \$200,000 from reserves to replace bench seating to stadium seats at the amphitheater.
 - **Wastewater Fund:**
 4. Allocate \$60,000 to salaries and benefits and increase the Impact Fee budget by \$60,000. The increase is needed for scheduled retirements; and to payout accrued sick, vacation and compensated time.
 5. Receive \$1,000,000 of ARPA grant funding allocated for wastewater infrastructure projects.

Ms. Moore said the proposed budget amendment also calls for language that will allow her to adjust

the transfer budget accordingly and make transfers at the end of the fiscal year for: transportation sale tax money, existing ARPA grant funds not yet allocated, and any amounts necessary to keep the GF fund balance between 25% and 26% of revenue. A public hearing is scheduled for April 5, 2022 when Council Members will hear the formal request and consider the ordinance.

Adjournment: Ms. Martinez adjourned the meeting at 6:03 p.m.

**Pattie Johnson
Council Office Administrator III**



Discussion Items



Discussion Item #1



MURRAY

City Attorney

2022 Legislative Summary

Council Action Request

Committee of the Whole



Meeting Date: April 19, 2022

Department Director G.L. Critchfield Phone # 801-801-2640 Presenters G.L. Critchfield, David Stewart (Lobbyist) and Kory Holdaway (Lobbyist) Required Time for Presentation 30 Minutes Is This Time Sensitive No Mayor's Approval Date April 5, 2022	Purpose of Proposal Provide an update of the 2022 Legislative Session Action Requested Informational only. Attachments 2022 Legislative Summary Budget Impact N/A Description of this Item The City Attorney and our contracted lobbyists will provide an update of the 2022 legislative session
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2022 LEGISLATIVE SUMMARY

LEGISLATIVE BILLS

• 814 Introduced • 513 Passed

UNDERSTANDING THE SUMMARY

Legend

Bill	Title	Sponsor
Bill Summary		
ULCT	CITY	VOTE

Each box represents one bill that passed and that in our view may impact Murray City. Some will have greater impact than others.

The green row (moving left to right) has the bill's number, title and sponsor. The second row (white row) summarizes the bill. And the bottom, or gray row, shows the positions taken for each bill by the Utah League of Cities and Towns ("ULCT"), the City and how each of the state legislators representing Murray voted. The City positions are based upon input from department heads or other employees as well as our best guess at whether the legislation may have a positive or negative affect on the City.

The ULCT and City positions may be compared to the votes by those legislators who represent Murray City as part of their district. Those legislators include:

House of Representatives

Karen Kwan
Gay Lynn Bennion
Carol Spackman-Moss
Andrew Stoddard
Mark Wheatley

Senate

Gene Davis
Jani Iwamoto
Kathleen Riebe

Positions taken by the ULCT and City are identified by "Support," "Oppose," "Neutral," or "N/A" ("Did Not Take a Position"). Votes taken by our legislators will appear as "Unanimous" except where a legislator voted against the bill which will be identified as "Oppose." As with many summaries, we have not included every bill that may have at least an indirect impact on the City. We have included those that seem of greatest importance.

The last section that is entitled “For Your Information” are bills that may not have a direct impact on the City but show the direction of the legislature in different areas of legislation.

Bills that passed but have little or no impact on Murray City, together with bills that did not pass, are not included in this Report.

This summary has 11 major sections:

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1. SETTING THE LEGISLATIVE TONE

Emergency Powers

HB 182 1 st Sub	Local Health Department Order Amendments	Strong, M.A.
<p>This bill excludes state facilities, including the Capitol, from a local health department's jurisdiction for health orders, such as mask mandates. (Addressing Salt Lake County Health's indoor mask mandate.) It prohibits the mayor from exercising emergency powers in response to a pandemic, epidemic, or public health emergency. (Addressing SLC Mayor Mendenhall's masks in schools order.) It prohibits the mayor from vetoing an action by the city council to terminate an order of constraint or a declaration of a local emergency.</p> <p>Finally, the bill provides that state law --the Disaster Response and Recovery Act-- preempts and supersedes any law of a political subdivision of the state pertaining to disaster and emergency response.</p>		
ULCT Neutral	CITY Oppose	VOTE Unanimously Oppose (Absent or Not Voting: Davis)

SJR 3 1 st Sub	Joint Resolution to Terminate Public Health Orders Pertaining to Face Coverings	McCay, D.
<p><i>NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah does not concede or confirm the validity of a state of emergency in Salt Lake County, Summit County, or Salt Lake City declared pursuant to Title 53, Chapter 2a, Emergency Management Act.</i></p> <p><i>BE IT FURTHER RESOLVED that the Legislature does not concede or confirm the validity of a public health emergency in Salt Lake County or Summit County declared pursuant to Title 26A, Chapter 1, Local Health Departments.</i></p> <p>With the above statements, the Legislature seems to be making the statement that it believes that the health orders issued by Salt Lake County, Salt Lake City, and Summit County were contrary to the existing statutes referenced, but even if not, the Legislature is ending the orders.</p> <p>The resolution terminates public health orders of constraint that require the wearing of a mask or face covering in Salt Lake County, Summit County, Salt Lake City, or any other place in the state.</p>		
ULCT N/A	CITY Oppose	VOTE Unanimously Opposed

Housing Affordability

HB 462 2 nd Sub	Utah Housing Affordability Amendments	Waldrip, S.
<p>Requires cities with public transit hubs to develop plans for moderate- and low-income housing within a one-mile radius of those locations.</p> <p>This bill includes input from the Commission on Housing Affordability, Utah League of Cities and towns, and WFRC. It includes station area planning requirements. It makes the following changes:</p> <ul style="list-style-type: none"> (1) Changes to accessory dwelling unit (ADU's), such as prohibiting impact fees for construction of internal ADUs, requires that political subdivisions require owners to have a business license for renting internal ADUs, and allows political subdivisions to require certain physical changes to internal ADUs. (2) Makes changes to the Housing and Community Development Division (HCDD) by requiring a statewide database of moderate income housing, and other changes. (3) Requires the Point of the Mountain Authority to incorporate housing affordability into their strategic planning, and (4) Makes various changes to Moderate income housing plans, including <ul style="list-style-type: none"> (a) expanding new menu items and requiring municipalities review their MIHP plans and update with implementation elements by October 1, 2022. (b) Changes reporting forms and the reporting period, (c) requires that the implementation timeline has specific benchmarks for each strategy, (d) will include a station area plan requirement for cities with fixed guideway, (e) provides enhanced prioritization for state funds if cities include more strategies, (f) requires DWS to create a moderate income housing database and providing housing data to municipalities. <p>This bill also includes requirements for cities with fixed guideway public transit to develop a station area plan (SAP) and update general plan and zoning to implement the plan. Plans are intended to promote shared objectives such as housing availability and affordability, access to opportunities, sustainable environmental conditions, and transportation choices and connections.</p> <p>Prioritizes certain funding for municipalities who demonstrate plans to implement a certain number of moderate income housing, and prohibits municipalities from receiving certain funds if they fail to comply with moderate income housing reporting.</p>		
ULCT Support	CITY	VOTE Unanimous

Homeless – Winter Overflow Shelter

HB 440 3 rd Sub	Homeless Services Amendments	Eliason, S.
<p>The bill allocates \$5 million annually to a homeless shelter host cities' mitigation fund and provides \$5.8 million in one-time funding to existing homeless resource centers. Mitigation funds are to be used for social service, community or neighborhood programs, or public safety.</p> <p style="text-align: center;">Winter Months Overflow Plan</p> <p>City Plan. Proposes plans to house the homeless in overflow shelter during winter months. The preferred plan requires city leaders in Salt Lake County to agree on and propose a plan to provide emergency shelter space to the state's office of homelessness no later than Sept. 1 each year (in advance of cold winter weather).</p> <p>State Fallback Plan. If the city plan is deemed insufficient, the state will require existing homeless shelters to increase the capacity limits at existing homeless resource centers (Salt Lake City and South Salt Lake City) in accordance with the fire code (which would allow substantially more occupants).</p> <p>State Preemption. (1) No city in Salt Lake County may restrict any entity from operating a temporary overflow shelter. (2) State may contract with for-profit or nonprofit entity to operate temporary overflow shelter in a state facility.</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous

Water Conservation

SB 110 1 st Sub	Water as Part of General Plan	Weiler, T.
<p>This bill requires a water use and preservation element to be part of the City general plan (yes, the advisory general plan is beginning to sound mandatory) in order to coordinate and integrate land use with water use, preservation, and demand.</p> <p>This element of the general plan should include the effect of permitted development on water demand and infrastructure, and methods for reducing demand for future and existing development.</p> <p>Among other things, this element should include recommendations for conservation policies, landscaping options for park strips, sustainable landscaping, reduction of lawn or turf, and demand reduction strategies. The bill requires consultation with public water system serving</p>		

the municipality. The City will need to review land use ordinances and change ordinances that promote inefficient water usage.

ULCT Support	CITY Good idea but Oppose	VOTE Unanimous
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2. LAND USE AND DEVELOPMENT

HB 15 2 nd Sub	Child Care Amendments	Pulsipher, S.
<p>This bill makes various changes to childcare agencies, providers, and rules. However, the relevance to the City is that there is a transportation-related change in this bill that requires that a proposal for a housing and transportation reinvestment zone (HTRZ) promotes the objective of increasing access to child care.</p> <p>(The HTRZ comes from the 2021 legislature, SB217, designed to increase density and affordability near Frontrunner stations.)</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous (Absent or Not Voting: Davis, Riebe)

HB 34 1 st Sub	Cigarette Amendments	Eliason, S.
<p>"Electronic cigarette" does not include a cigarette or a tobacco product. Our ordinance says otherwise and must be amended.</p> <p>(Murray City Code 17.42.010 Definitions: TOBACCO PRODUCTS: Any substance containing any tobacco leaf, including, but not limited to, cigarettes, cigars, bidis, pipe tobacco, snuff, chewing tobacco, smokeless tobacco or electronic cigarette as defined in Utah code section 76-10-101.)</p>		
ULCT N/A	CITY Neutral	VOTE Unanimous (Absent or Not Voting: Riebe)

HB 36 2 nd Sub	Commission on Housing Affordability Amendments	Waldrip, S.
<p>Establishes the Housing Affordability Subcommittee under the Unified Economic Opportunity Commission (UEOC) (formerly the Commission on Housing Affordability) and modifies membership of the subcommittee. The bill defines "Housing affordability", "Moderate income housing unit", and "Replacement unit." The subcommittee is tasked with providing recommendations to the UEOC on how the state and other stakeholders should act to address the loss of moderate income housing units in the state, and encourage the new construction or rehabilitation of replacement units.</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous (Absent or Not Voting: Iwamoto)

HB 39 2 nd Sub	State Construction Code Amendments	Ferry, J.
<p>The state legislature dictates what construction codes are used to regulate construction statewide. HB39 amends the International Residential, Plumbing and Mechanical Codes as well as the state Fire Code. It creates a licensing exemption for a person certified by the National Institute for Certification in Engineering Technologies at Level III or IV in Water-Based-System Layout or Fire Alarm Systems. And it requires more efficient plumbing fixtures in updated construction codes.</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous (Absent or Not Voting: Davis, Riebe)

HB 118 1 st Sub	Wetland Amendments	Snider C.
<p>Requires a land use authority to provide a copy of a land use permit that affects wetlands to the Utah Geological Survey. These permits are then to be published on the website of the Department of Natural Resources who will then make recommendations regarding the viability of an in-lieu fee program for wetland mitigation.</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous

HB 151 2 nd Sub	Retail Facility Incentive Payments Amendment	Schultz, M.
<p>Prohibits public entities from providing certain incentive payments for retail business facilities with gross floor sales areas greater than 20,000 square feet, except in the case where the retail facility: (1) is located in a census block where the AMI is less than 70% State Median Income, (2) is part of a mixed use development with one housing unit for every 1,250 square feet of retail space and 10% of new units qualify as moderate-income housing, (3) is located in a county of the fourth, fifth or sixth class, (4) is a small business, (5) is part of a main street or historic preservation program or is for the development, construction, renovation, or operation of public infrastructure or a structured parking facility, (6) is for environmental mitigation or sanitation or is under a water conservation or energy efficiency program, (7) is for emergency assistance if other businesses are eligible or is for assistance under public safety or security program.</p> <p>For each fiscal year that authorized payments (the exceptions above) are made, the public entity must file a written report with the Governor's Office of Economic Opportunity. And that office will determine whether the payment(s) violate this law. (They really wanted to discourage these types of incentive payments.)</p>		
ULCT Neutral	CITY Oppose	VOTE Support: Davis, Iwamoto, Bennion, Kwan, Moss, Stoddard, Wheatley Oppose: Riebe

HB 303 3 rd Sub	Local Land Use Amendments	Peterson, V.
<p>This bill is formerly known as the Downzoning Notice Amendments bill, was substituted with the technical clean up bill from the Land Use Task Force (also known as the LUDMA bill). The bill makes changes to annexations, subdivision improvements, non-conforming uses, subdivisions and boundary adjustments, and inclusionary zoning. The City Attorney's office will work with the Community and Economic Development Department to propose ordinance amendments where necessary.</p>		
ULCT Support	CITY Neutral	VOTE Support: Davis, Bennion, Kwan, Moss, Stoddard, Wheatley Oppose: Iwamoto, Riebe

HB 462 2 nd Sub	Utah Housing Affordability Amendments	Waldrip, S.
<p>Requires cities with public transit hubs to develop plans for moderate- and low-income housing within a one-mile radius of those locations.</p> <p>This bill includes input from the Commission on Housing Affordability, Utah League of Cities and towns, and WFRC. It includes station area planning requirements. It makes the following changes:</p> <ul style="list-style-type: none"> (1) Changes to accessory dwelling unit (ADU's), such as prohibiting impact fees for construction of internal ADUs, requires that political subdivisions require owners to have a business license for renting internal ADUs, and allows political subdivisions to require certain physical changes to internal ADUs. (2) Makes changes to the Housing and Community Development Division (HCDD) by requiring a statewide database of moderate income housing, and other changes. (3) Requires the Point of the Mountain Authority to incorporate housing affordability into their strategic planning, and (4) Makes various changes to Moderate income housing plans, including <ul style="list-style-type: none"> (a) expanding new menu items and requiring municipalities review their MIHP plans and update with implementation elements by October 1, 2022. (b) Changes reporting forms and the reporting period, (c) requires that the implementation timeline has specific benchmarks for each strategy, (d) will include a station area plan requirement for cities with fixed guideway, (e) provides enhanced prioritization for state funds if cities include more strategies, (f) requires DWS to create a moderate income housing database and providing housing data to municipalities. <p>This bill also includes requirements for cities with fixed guideway public transit to develop a station area plan (SAP) and update general plan and zoning to implement the plan. Plans are intended to promote shared objectives such as housing availability and affordability, access to opportunities, sustainable environmental conditions, and transportation choices and connections.</p> <p>Prioritizes certain funding for municipalities who demonstrate plans to implement a certain number of moderate income housing, and prohibits municipalities from receiving certain funds if they fail to comply with moderate income housing reporting.</p>		
ULCT Support	CITY	VOTE Unanimous

SB 110 1 st Sub	Water as Part of General Plan	Weiler, T.
<p>This bill requires a water use and preservation element to be part of the City general plan (yes, the advisory general plan is beginning to sound mandatory) in order to coordinate and integrate land use with water use, preservation, and demand.</p> <p>This element of the general plan should include the effect of permitted development on water demand and infrastructure, and methods for reducing demand for future and existing development.</p> <p>Among other things, this element should include recommendations for conservation policies, landscaping options for park strips, sustainable landscaping, reduction of lawn or turf, and demand reduction strategies. The bill requires consultation with public water system serving the municipality. The City will need to review land use ordinances and change ordinances that promote inefficient water usage.</p>		
ULCT Support	CITY Good idea but Oppose	VOTE Unanimous

SB 140 3 rd Sub	Housing and Transit Reinvestment Zone Amendments	Harper, W.
<p>This bill made changes to a statute enacted last year that created a new tax increment financing tool for certain cities and counties in order to fund housing projects around light rail and bus rapid transit stations (Housing and Transit Reinvestment Zone).</p> <p>The bill allows a limited number of proposed HTRZ around light-rail and bus rapid transit (BRT) stations, limiting the size of a light rail and BRT HTRZ to 1/4 mile and limiting the tax increment capture to 15 years.</p> <p>Among other things, the bill adjusts the maximum tax increment capture allowed to 60% if there are 39-49 units/acre proposed, requires a parking analysis, requires that zoning be in place before the HTRZ committee makes final approval, and prohibits direct subsidies.</p>		
ULCT Support	CITY Neutral	VOTE Unanimous

SB 173	Alarm System Amendments	Ipson, D.
<p>A political subdivision (the City) may not prohibit or regulate the installation of a battery-charged suspended-wire system (electric fence) on non-residential property, if the suspended-wire system:</p> <ul style="list-style-type: none"> (a) is installed, repaired, maintained, or replaced by a licensed alarm company or business or a licensed alarm company agent; and (b) meets certain requirements: <ul style="list-style-type: none"> (i) is part of and interfaces with an alarm system for the purposes of detecting and deterring unauthorized intrusion or entry into or onto certain premises; (ii) is located on property that is not designated by a municipality or county for residential use; (iii) has an energizer that is driven by a commercial storage battery that provides no more than 12 volts of direct current; (iv) produces an electric charge on contact that does not exceed energizer characteristics set for electric fence energizers by the International Electrotechnical Commission; (v) is surrounded by a nonelectric perimeter fence or wall that is at least five feet in height; (vi) is not more than the higher of: <ul style="list-style-type: none"> (A) two feet higher than the height of the nonelectric perimeter fence or wall; or (B) 10 feet in height; (vii) is marked with conspicuous warning signs that are located on the battery-charged suspended-wire system or fence at no more than 30-foot intervals and that read "WARNING -- ELECTRIC FENCE"; and (viii) meets any rules related to battery-charged suspended-wire systems or fences adopted by the commission, with the concurrence of the director, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act. <p>The City may have an ordinance relating to a nonelectric perimeter wall or fence, or signage related to the perimeter wall or fence, that surrounds a battery-charged suspended-wire system.</p>		
ULCT Neutral	CITY Oppose	VOTE Unanimous

3. WATER

Conservation

HB 121 1 st Sub	Water Conservation Modifications	Spendlove, R.
<p>This bill encourages water conservation at state government facilities. It requires state facilities to reduce outdoor water use by 25% by 2026. It also requires following certain irrigation best practices. This bill also provides \$5 million to cover up to 50% of landscaping costs if a homeowner wants to xeriscape their lawn or replace it with drought-resistant plants.</p> <p>A provision in this bill which would have prevented cities from requiring grass was removed. Cities may continue to require grass.</p>		
ULCT Neutral	CITY Neutral/Support	VOTE Unanimous (Absent or Not Voting: Bennion)

HB 269 3 rd Sub	Capital Assets Related to Water	Stratton, K.
<p>Requires water providers (defined as retail water suppliers or water conservancy districts) and wastewater service providers to adopt a capital asset management plan as a condition to receiving state or federal financing or grants to be used for water or wastewater infrastructure improvements.</p> <p>The Drinking Water Board is tasked with making rules to establish the elements of a capital asset management plan for retail water providers, the Board of Water Resources is tasked with making similar rules for water conservancy districts, and the Water Quality Board is tasked with making similar rules for wastewater providers.</p> <p>Water providers are also required to participate in regular infrastructure needs surveys and evaluations.</p>		
ULCT Oppose	CITY Oppose	VOTE Unanimous

HB 282 1 st Sub	Water Wise Landscaping Amendments	Wilcox, R.
<p>The City may not prohibit water wise landscaping. The City may, however, require a property owner to:</p> <ul style="list-style-type: none"> (i) comply with a site plan review or other review process before installing water wise landscaping; (ii) maintain plant material in a healthy condition; (iii) follow specific water wise landscaping design requirements adopted by the municipality, including a requirement that: <ul style="list-style-type: none"> (A) restricts or clarifies the use of mulches considered detrimental to municipal operations; (B) imposes minimum or maximum vegetative coverage standards; or (C) restricts or prohibits the use of specific plant materials. <p>The city may not require a property owner to install or keep in place lawn or turf in an area with a width less than eight feet.</p>		
ULCT Support	CITY Oppose	VOTE Unanimous

SB 89	Water Amendments	Iwamoto, J.
<p>Amends the state law regarding the adoption of water conservation plans by retail water suppliers with at least 500 connections and water conservancy districts. Important changes include a requirement that the Division of Water Resources adopt by rule, regional water conservation goals that are developed by the Division and reevaluated every ten years.</p> <p>Water providers must adopt conservation goals in their water conservation plans that are at least as stringent as the regional goals or provide a reasonable justification for why the water providers' goals cannot meet the regional goals.</p> <p>Retail water suppliers must also include their rate structures in their water conservation plans. The plans must be posted on the water providers' websites.</p>		
ULCT Neutral	CITY Oppose	VOTE Unanimous (Absent or Not Voting: Kwan)

Facilities Protection

HB 166 1 st Sub	Water Facility Amendments	Watkins, C.
<p>Modifies criminal and civil penalties related to interfering with water facilities. The bill provides more comprehensive definitions of an improper connection to a water facility and provides that a person is guilty of a crime if the person knowingly (rather than maliciously) makes an improper connection to a water facility. The bill also adds that a person who connects improperly can be ordered to pay reasonable costs and attorney fees in a civil action brought against the person. Finally, the bill exempts governmental entities from the definition of “person” under the statute but does not limit or impair a claim by a water facility owner against a governmental entity.</p>		
ULCT N/A	CITY Support	VOTE Unanimous

Wells

HB 177	Water Well Amendments	Ferry, J.
<p>Provides that the State Engineer may not exempt a water well from regulation based on well depth. Historically, the State Engineer has exempted wells that are less than 30 feet deep from regulation for drilling, construction, deepening, repair, renovation, cleaning, and abandonment. This exemption has caused confusion, as many people incorrectly believe that they do not need a water right if they have a well that is less than 30 feet deep. This bill will ensure that all water wells – not matter how shallow – will be properly regulated by the State Engineer.</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous (Absent or Not Voting: Davis)

4. ELECTIONS

HB 67 1 st Sub	Voter Roll Maintenance Amendments	Petersen, M.
<p>Requires the lieutenant governor/county clerks to regularly update the official register of voters (90 days before every primary and general election) and provide return instructions for a wrongly mailed ballot</p>		
ULCT N/A	CITY N/A	VOTE Unanimous

HB 91 2 nd Sub	Financial Disclosures Amendments	Teuscher, J.
Modifies definitions relating to campaign contributions. Excludes from the definition of “contribution” and “in-kind contribution” survey results, voter lists, voter contact information, demographic data, voting trend data provided to the candidate if they were not specifically commissioned for that candidate/officeholder and are provided at no-cost to a candidates.		
ULCT N/A	CITY Support	VOTE Unanimous (Absent or Not Voting: Davis)

HB 218 4 th Sub	Ballot Measure Amendments	Teuscher, J.
Authorizes petitions to be signed electronically to get initiatives, referendums or political candidates on the ballot. The signature gatherers must use a device approved by the lieutenant governor that doesn’t share the person’s signature or other personal information.		
ULCT Neutral	CITY Neutral	VOTE Unanimous

HB 267	Campaign Finance Amendments	Strong, M.A.
<p>Amends the deadlines for municipal candidates to file campaign finance statements; adds a 24-hour grace period for municipal candidates to file campaign finance statements.</p> <p>Campaign finance statements must be filed:</p> <p><u>If no primary held, no later than</u></p> <p>(a) 28 days before the day on which the municipal general election is held;</p> <p>(b) seven days before the day on which the municipal general election is held; and</p> <p>(c) 30 days after the day on which the municipal general election is held.</p> <p><u>If primary held, no later than</u></p> <p>7 days before primary;</p> <p><u>If eliminated at primary, w/in 30 days after primary</u></p> <p><u>If not eliminated at primary, file finance statement no later than:</u></p> <p>(a) 28 days before municipal general election;</p> <p>(b) Seven days before municipal general election; and</p> <p>(c) 30 days after municipal general election.</p>		

If fail to file timely, city recorder gives notice to candidate that candidate failed to timely file and that candidate must file within 24 hours after deadline to file or candidate will be disqualified.

Candidate may be fined \$50.

ULCT Neutral	CITY Support	VOTE Unanimous
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HB 387 4 th Sub	Ballot Processing Amendments	Strong, M.A.
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The bill requires poll watchers be allowed to stand within 6 feet to watch the counting of votes. It also directs county clerks to report canvassing updates regularly throughout the pre- and post-election process.

ULCT N/A	CITY Neutral	VOTE Support: Davis, Iwamoto, Riebe Oppose: Bennion, Kwan, Moss, Stoddard, Wheatley
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HB 313 3 rd Sub	Election Security Amendments	Hawkins, J.
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This bill requires

- a. first-time voters who did not submit a valid ID when registering to provide a valid ID before voting,
- b. 24-hour video surveillance of unattended ballot drop boxes,
- c. county clerks to instruct voters on how they can sign up to receive electronic ballot status notifications,
- d. county clerks to maintain a “chain of custody” of ballots placed in a ballot box.
- e. voters to show a valid identification when registering
- f. that Utah ballots may only be printed in Utah, and
- g. registration audits.

The bill seeks a \$500,000 onetime appropriation to help counties pay for expenses related to the bill.

The bill prohibits:

- a. individuals from voting in more than one state in the same election, and
- b. tabulation machines from being connected to the internet (already standard practice).

ULCT N/A	CITY N/A	VOTE Unanimously Opposed
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HB 411 3 rd Sub	Voting Administration Amendments	Petersen, M.
This bill establishes a deadline to cure a rejected ballot. Specifically, the voter has until 5 p.m. three days before the day on which the canvass begins.		
ULCT N/A	CITY Neutral	VOTE Unanimous

SB 11	Local Election Amendments	Iwamoto, J.
If an election will not have any contested races or ballot propositions, or when a race will not be contested, the City Council may cancel the election, or race, as applicable, and declare the winner(s) by passing a resolution at least 20 days before the scheduled election.		
ULCT Support	CITY Support	VOTE Unanimous

SB 19	Election Revisions	Thatcher, D.
<p>SB 19 changes the dates of a special election in an odd-numbered year to coincide with the dates of municipal elections.</p> <p>Modifies the crime of destroying election documents or supplies to include altering documents.</p> <p>Provides for a voter's party affiliation to be changed to unaffiliated if the voter is affiliated with a party that is no longer a registered political party.</p> <p>Modifies the deadline for determining whether a municipality will conduct an election by ranked choice voting to coincide with the deadline for publishing a notice of election (May 1). And expands reporting requirements for conflict of interest purposes (in addition to disclosing only paid leadership positions, must now also disclose unpaid positions on board of directors).</p>		
ULCT Support	CITY Support	VOTE Unanimous (Absent or Not Voting: Iwamoto)

SB 170 2 nd Sub	Election Schedule Amendments	Harper, W.
<p>Moves the candidate filing period to before the caucus dates. Changes the filing period for 2022, changing the dates from March 4 through March 11 to Feb. 28 through March 4. The newly advised filing period will be held during the last week of the legislative session. This year the candidate filing period falls in the middle of caucus (the Republican caucus was March 8th). Attendees may not know who is running for each office when they meet, which could cause confusion.</p> <p>Additionally, starting in 2024, this bill will move the filing period to the first week in January, a week before the general legislative session.</p> <p>SB170 took effect February 28, 2022.</p>		
ULCT N/A	CITY N/A	VOTE Support: Kwan, Moss, Stoddard, Wheately, Davis, Iwamoto, Riebe Oppose: Bennion

SB 38	Ballot Amendments	Thatcher, D.
<p>Requires local officials in the case of local ballots to prepare a short title (less than 25 words) and an impartial summary (less than 125 words) for local ballot initiatives and referenda, and creates a rebuttable presumption that such summary is impartial for court challenges.</p>		
ULCT N/A	CITY Support	VOTE Unanimous

SB 219	Election Funding Amendments	Grover, K.
<p>An election officer may not solicit, accept, or use any funds for an election if those funds are donated by any person other than a government entity.</p>		
ULCT N/A	CITY N/A	VOTE Unanimous (Absent or Not Voting: Kwan)

5. OPEN AND PUBLIC MEETINGS

HB 22 2 nd Sub	Open and Public Meetings Act Modifications	Welton, D.
<p>This bill makes changes to the Open and Public Meetings Act related to electronic meetings. For our purposes, it requires a public body to establish how a remote member is included in calculating a quorum; and requires all votes taken by roll call (except for a unanimous vote).</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous (Absent or Not Voting: Davis)

HB 439 1 st Sub	Elected Public Body Transparency Amendments	Acton, C.K.
<p>Requires recording votes in public meetings where members of the public body are elected to the public bodies (as opposed to appointed).</p> <p>Each vote must be recorded:</p> <ul style="list-style-type: none"> (a) in list format; (b) by category for each action taken by a member, including yes votes, no votes, and absent members; and (c) by each member's name. <p>The bill makes technical changes to electronic meetings. A public body must</p> <ul style="list-style-type: none"> (a) give public notice of the electronic meeting in accordance with Section 52-4-202; (b) except for an electronic meeting described in Subsection (5), post written notice of the electronic meeting at the anchor location; and (c) except as otherwise provided in a rule of the Legislature applicable to the public body, at least 24 hours before the electronic meeting is scheduled to begin, provide each member of the public body a description of how to electronically connect to the meeting. 		
ULCT Neutral	CITY Support	VOTE Unanimous

6. FIRST RESPONDERS

HB 23 2 nd Sub	First Responder Mental Health Services Amendment	Wilcox, R.
<p>This bill requires employers (the City) to provide mental health services to public safety employees, their families, and retirees. Accessing mental health services is kept confidential. The Division of Substance Abuse and Mental Health is directed to create and implement a grant program to which first responder agencies (the City) may apply for grants to help implement mental health programs. <i>However, even if grant money is obtained to start the mental health program, the City is required to fund the program in the long term.</i></p>		
ULCT Neutral	CITY Support	VOTE Unanimous

HB 70 1 st Sub	Public Safety Disability Benefits Amendment	Gwynn, M.
<p>This Bill ensures the pensions of police officers and firefighters who are injured in the line of duty. Currently, if a public safety employee is injured in the line of duty and placed on permanent disability, the time worked towards their pension stops at that point. The permanently disabled public safety employee will have to wait until the age of 65 to receive 20% of their pension.</p> <p>HB70 requires public safety employers (the City) to provide benefit protection contracts to their employees in order to maintain the service credits for that employee. This enables the injured employee to receive their pension upon their eligibility date and to receive the full amount of the pension had they been able to work until retirement.</p> <p>With benefit protection, members accrue retirement service credit during the time they receive LTD monthly benefits until they are either terminated from LTD by their insurance company, or they can apply for a monthly URS retirement benefit without an early age reduction, if they qualify.</p> <p>HB70 requires, instead of allows, for the employers of Tier 1 public safety service employees and Tier 2 public safety or firefighter service employees credit to cover them with a benefit protection contract.</p> <p>For employers, the cost of service credit accrual is usually incorporated into the Tier 1 contribution rate of active members, so URS does not require additional contributions. If the employer covers Tier 2 members under a benefit protection contract, the employer will be required to pay the total contribution rate for any Tier 2 member approved for LTD.</p> <p>This bill takes effect on July 1, 2022.</p>		
ULCT Neutral	CITY Support	VOTE Unanimous

HB 441	Community Paramedicine Amendments	Johnson, D.N.
Allows an ambulance or quick response provider to provide medical care to a person who is not in need of ambulance transportation nor is in a health care facility.		
ULCT Support	CITY Neutral	VOTE Unanimous

7. JUSTICE COURT

HB 40 1 st Sub	Judicial Performance Evaluation Commission Amendments	Abbott, N.
Instead of the Judicial Performance Evaluation Commission (JPEC) giving recommendations on whether to retain a judge, this bill would have JPEC evaluate whether a judge meets minimum performance standards.		
ULCT N/A	CITY Support	VOTE Unanimous

HB 45	Justice Court Judge Election Amendments	Hawkins, J.
A justice court judge who is standing for retention will have her/his name placed only on the municipal ballot for the voters of the municipality that judge serves.		
ULCT Support	CITY Support	VOTE Unanimous

HB 107	Small Claims Amendments	Brammer, B.
The justice court's jurisdiction to hear a small claims case is based upon the amount of the claim. Prior to this bill, the ceiling on small claims cases was \$11,000. This bill raises the ceiling in escalating amounts of \$15,000 (through 12/31/24), \$20,000 (through 12/31/29), and \$25,000 thereafter.		
ULCT Neutral	CITY Support	VOTE Unanimous

HB 196 3 rd Sub	Transfer of Domestic Violence Cases	Pitcher, S.
<p>Currently, any case heard in justice court may be appealed to district court. Once appealed, for all intents and purposes, the case begins anew in district court. Practically speaking, this means that a defendant who exercises her/his right to a trial in justice court, may exercise that same right in district court resulting in two trials in the same case. The defendant gets two bites at the apple. In an effort to protect victims of domestic violence from two trials, HB196 allows either the prosecutor or defendant to waive the trial in justice court and transfer the case to district court. There are unintended consequences to this bill. If you are interested, ask me about those consequences. This bill takes effect July 1, 2022 and sunsets July 1, 2024.</p>		
ULCT N/A	CITY Oppose	VOTE Unanimous

HB 299 2 nd Sub	Juvenile Justice Changes	Snow, V.L.
<p>For our purposes, the importance of this bill to the City is that it clarifies the jurisdiction of justice court.</p> <p>Currently, Justice Court has original jurisdiction over the following offenses committed within the justice court's territorial jurisdiction by an individual who is 16 or 17 years old:</p> <ul style="list-style-type: none"> (a) class C misdemeanor and infraction violations of Title 53, Chapter 3, Part 2, Driver Licensing Act; and (b) class B and C misdemeanor and infraction violations of: <ul style="list-style-type: none"> (i) Title 23, Wildlife Resources Code of Utah; (ii) Title 41, Chapter 1a, Motor Vehicle Act; (iii) Title 41, Chapter 6a, Traffic Code, except Title 41, Chapter 6a, Part 5, Driving Under the Influence and Reckless Driving; (iv) Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators Act; (v) Title 41, Chapter 22, Off-Highway Vehicles; (vi) Title 73, Chapter 18, State Boating Act, except Section 73-18-12; (vii) Title 73, Chapter 18a, Boating - Litter and Pollution Control; (viii) Title 73, Chapter 18b, Water Safety; and (ix) Title 73, Chapter 18c, Financial Responsibility of Motorboat Owners and Operators Act. <p>This bill adds to justice court's original jurisdiction, the same offenses above committed by an individual who is 18 years or older.</p>		
ULCT N/A	CITY Support	VOTE Unanimous

HB 392 1 st Sub	Expungement Fee Amendments	Dunnigan, J.
<p>In order to expunge a criminal case, a person must pay a fee to the Utah Bureau of Criminal Identification charges to give you a certificate of eligibility and the fee that the Court charges to file your petition. The cost can exceed \$200 for each case.</p> <p>HB 392 suspends both the Court filing fee and the BCI certificate fee for one year—specifically, from May 4, 2022, to June 30, 2023.</p> <p>It is anticipated that this bill could reduce revenue to local governments for those operating justice courts in FY 2023 (total estimate of all justice courts combined, \$390,000).</p>		
ULCT Neutral	CITY Oppose	VOTE Unanimous

SB 98 2 nd Sub	Judiciary Amendments	Weiler, T.
<p>For our purposes,</p> <p>this bill provides that if there are fewer than three applicants for a justice court vacancy, the nominating commission shall submit all qualified applicants to the appointing authority of the jurisdiction expected to be served by the judge.</p> <p>This bill also provides that a judicial vacancy for a justice court shall be announced:</p> <ul style="list-style-type: none"> (i) as an employment opportunity on the Utah Courts' website; (ii) in an email to the members of the Utah State Bar; and (iii) on the Utah Public Notice Website, created in Section 63A-16-601. (iv) A judicial vacancy for a justice court may also be advertised through other appropriate means. 		
ULCT Support	CITY Support	VOTE Unanimous (Absent or Not Voting: Riebe, Kwan)

8. CRIMINAL JUSTICE

Reform

HB 123	Use of Force Revisions	Birkeland, Kera
<p>When an officer-involved critical incident occurs, a law enforcement agency (other than the agency where the officer is employed) is designated by the district attorney (or county attorney) to investigate the officer's actions. The district attorney (or county attorney) reviews the investigation and makes findings regarding the officer's actions. This bill establishes a 180-day timeline for the district attorney or county attorney to make its findings once the investigation is complete. If the findings are not published within 180 days, the county or district attorney's office must post a public statement on its website with a "reasonable estimate" of when the investigation will be complete, as well as the cause of the delay.</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous (Absent or Not Voting: Davis, Iwamoto, Wheatley)

HB 124	Forcible Entry Warrant Modifications	Gwynn, M.
<p>Warrants are issued by a judge in the name of the state directed to a peace officer to describing with particularity the thing, place, or person to be searched and the property or evidence to be seized. A judge must first decide whether probable cause exists to believe that evidence of a crime may found at the location in the warrant before issuing the warrant.</p> <p>No-knock warrants give police the authority to forcibly enter a building without knocking and announcing their presence. More often, police must knock and announce their presence when executing a search warrant. However, a judge may determine that a no-knock warrant is appropriate when there is a likelihood of extreme danger to the police.</p> <p>This bill bans “no-knock” warrants for cases involving misdemeanor charges. It requires officers to knock more than once before entering when the entry is accompanied by a “knock and announce” warrant.</p> <p>Officers are required to wear clothing with a “distinguishable” label and badge that clearly identifies them as law enforcement and the bill recommends warrants be carried out before 10 p.m.</p> <p>This bill limits of “no knock” entries to instances where there is a high risk to the physical safety of officers.</p>		
ULCT Support	CITY Support	VOTE Unanimous

HB 171 2 nd Sub	Custodial Interrogation Amendments	Wilcox, R.
Prohibits officers from using deception during interrogations with a minor and from promising leniency if such promises have not been authorized. (E.g., officer cannot claim they have proof of a juvenile's crime if they don't have it). The purpose is to reduce false confessions from minors.		
ULCT N/A	CITY Neutral	VOTE Unanimous

HB 259	Law Enforcement Use of Unmanned Aircraft	Wilcox, R.
Further limits law enforcement drone surveillance. In 2014, Utah passed a law requiring police to get a warrant before conducting drone surveillance in most situations. HB259 clarifies that the law applies "to any imaging surveillance device (radar, sonar, infrared, or other remote sensing or detection technology). This bill clarifies that surveillance devices cannot be used with a drone without a warrant.		
ULCT N/A	CITY Support	VOTE Unanimous (Absent or Not Voting: Davis, Iwamoto)

HB 260 2 nd Sub	Law Enforcement Recording Release Amendments	Wheatley, M.
Mandates the public release of law enforcement use-of-force (death or bodily injury) video recordings in most cases. If charges have been filed against an officer, the recording would only be released if the judge determines it would not likely prejudice jurors.		
ULCT Support	CITY Neutral	VOTE Unanimous

SB 126	Officer Intervention and Reporting Amendments	Iwamoto, J.
This bill requires police to intervene when they see another officer engaging in misconduct, such as using excessive force. It also requires them to report the misconduct and prohibits retaliation against an officer who intervenes in and reports misconduct.		
ULCT Support	CITY Support	VOTE Unanimous

HB 403 2 nd Sub	Justice Reinvestment Initiative Modifications	Wilcox, R.
<p>The Justice Reinvestment Initiative (JRI) assists states committed to using their criminal justice data to design and implement innovative, data-driven, and comprehensive approaches to reduce crime, cut recidivism rates, and direct resources toward more cost-effective safety strategies.</p> <p>This bill requires State Commission on Criminal and Juvenile Justice to oversee the creation and management of a Criminal Justice Database. The database will contain information from criminal justice players – in our case, justice court, police department, and prosecution information – from across the state. The database will provide data for assessments and revisions to fulfill the goals of the JRI, reduce crime, cut recidivism rates, and direct resources toward more cost-effective safety strategies.</p>		
ULCT N/A	CITY Neutral	VOTE Unanimous

Victim Assistance

HB 117 3 rd Sub	Victim Address Confidentiality Program	Pitcher, S.
<p>Creates an address confidentiality program for qualifying crime victims (i.e., victims of abuse, domestic violence, human trafficking, stalking, or sexual assault). Routes mail of crime victim to alternate address to avoid tracking making it more difficult for an abuser to figure out where the victim lives.</p> <p>This program keeps the personal addresses of victims private and forwards all their mail. The confidentiality program address will be listed on the voter registration or driver's license, and not the personal address.</p> <p>Very few people will have access to the private address database. Even police will not be able to check the database without filing a request and waiting for the turnaround time (a maximum of 24 hours).</p>		
ULCT N/A	CITY Support	VOTE Unanimous

HB 134 1 st Sub	Victims' Rights Revisions	Rohner, J.
<p>Amends victims' rights requirements. When a case involving a victim may resolve before trial with a plea deal, the prosecutor must notify the victim of that possibility as soon as practicable.</p> <p>If the victim requests, the prosecutor must explain the details of an anticipated plea deal.</p>		
ULCT N/A	CITY Support	VOTE Unanimous (Absent or Not Voting: Davis)

HB 175	Protection of Animals Amendments	Romero, A.
<p>This bill allows pets to be included in a victim's protective order (disallowing contact with the pet by the alleged or actual perpetrator).</p>		
ULCT N/A	CITY Support	VOTE Unanimous

SB 217	Protective Order Modifications	Weiler, T.
<p>Provides that an ex parte civil protective order or a civil protective order may be filed where the petitioner is temporarily living. Allows a petitioner to request that address not be listed on the petition. In that case, the address is protected and maintained in a separate document or automated database, is not subject to release or disclosure unless ordered by the court for good cause shown.</p>		
ULCT N/A	CITY Support	VOTE Unanimous

HB 228 2 nd Sub	Crime Victim Reparations Amendments	Ivory, K.
<p>In order to apply for crime victims reparations, a victim must report the crime to law enforcement and cooperate with law enforcement to apprehend the suspect and cooperate with prosecutors in the prosecution of the suspect. HB228 carves out two exceptions to these reporting and cooperation requirements.</p> <p>Sexual assault exception. A victim of sexual assault is not required to report or cooperate with law enforcement if the victim seeks assistance from an advocacy services provider, a criminal justice system victim advocate, or a nongovernment organization victim advocate; and</p>		

the advocacy services provider, the criminal justice system victim advocate, or the nongovernment organization victim advocate completes a certain questionnaire.

Strangulation exception. A victim of strangulation is not required to cooperate with law enforcement or prosecuting attorneys to be eligible for reparations if the victim reports the strangulation to a law enforcement officer or another federal or state investigative agency after the strangulation occurs; or seeks medical care for the strangulation immediately after the strangulation occurs.

ULCT N/A	CITY Support	VOTE Unanimous
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Traffic

HB 10	Lane Filtering Amendments	Brooks, W.
Utah passed a lane filtering law in 2019 that allowed motorcyclists to move to the front of a traffic light on roads where the speed limit is 45 mph or less and has two or more adjacent traffic lanes in the same direction of travel. A motorcyclist may only move to the front when vehicles are stopped. A motorcyclist cannot travel more than 15 mph when filtering lanes. The 2019 law was set to expire this year. This bill extends further the 2019 bill in order to gather data regarding whether lane filtering improves motorcycle safety. The sunset date is now July 1, 2027.		
ULCT N/A	CITY Neutral	VOTE Unanimous

HB 68	Commercial Driver License Amendments	Burton, J.
Changes provisions related to commercial driver licenses in order to keep the State of Utah in compliance with Federal CDL guidelines (which will give the state access to federal traffic funds). One change allows military personnel who pass a CDL test given in another state to renew the license in Utah and have the tests waived. HB68 establishes the loss of a CDL due to trafficking of persons.		
ULCT N/A	CITY Support	VOTE Unanimous

HB 76 1 st Sub	Vehicle Merger Amendments	Brammer, B.
Requires vehicle drivers to use the zipper method when two traffic lanes merge into one. This keeps traffic flowing. Each vehicle should alternate zipper fashion into the remaining open lane just before one lane ends. A violation is an infraction.		
ULCT N/A	CITY Neutral	VOTE Unanimous (Absent or Not Voting: Davis, Iwamoto)

HB 139 2 nd Sub	Traffic Violation Amendments	Teuscher, J.
This bill creates a deferred prosecution program for traffic infractions. Prosecution is “deferred” if a driver cited with a traffic infraction pays the fine and has no more traffic violations in the next 24 months. If successful, a driver may have the traffic citation “expunged.”		
ULCT Oppose	CITY Oppose	VOTE Support: Davis, Iwamoto, Riebe, Moss, Kwan, Bennion, Wheatley Oppose: Stoddard

HB 328 3 rd Sub	Driver License and License Plate Amendments	Pitcher, S.
A driver with a mental health condition or disability may choose to add a discrete symbol to their driver license and may choose to have this information kept with the Driver License Division. The information may be accessed by law enforcement during a traffic stop, a medical emergency, or during a criminal investigation with the hope that officers may better understand any unique dynamics of the contact.		
ULCT N/A	CITY Support	VOTE Unanimous

HB 391	Autocycle Amendments	Christofferson, K.
Allows three-wheeled vehicles (“autocycles” - equipped with (i) a steering mechanism; (ii) seat belts; and (iii) seating that does not require the operator to straddle or sit astride the motor vehicle) to be operated without a motorcycle license		
ULCT N/A	CITY Neutral	VOTE Unanimous (Absent or Not Voting: Moss)

SB 53 5 th Sub	Driver Speeding Amendments	Iwamoto, J.
<p>This bill creates a new minimum fine for anyone caught going 100 mph or faster. The fine total varies based on the speed limit of the road, and has been increased to "a fine not less than 150% of the suggested fine in the uniform fine schedule." For example, someone guilty of traveling 100 mph on a road with a 40 mph speed limit faces a heavier fine than one caught traveling 100 mph on a road with an 80 mph limit.</p> <p>Amends the qualifications of reckless driving to include anyone clocked at 105 mph or faster. (Class B misdemeanor.)</p> <p>Anyone convicted of speed racing will face a class A misdemeanor instead of a class B misdemeanor. An illegal vehicle caught speeding racing may also be seized, under the law. Prohibits spectators.</p>		
ULCT N/A	CITY Support	VOTE Unanimous

SB 72	ATV Weight Limit Amendments	Hinkins, D.
Amends the definition of an all-terrain type II vehicle to change the weight limit from 2,500 pounds to 3,500 pounds.		
ULCT N/A	CITY Neutral	VOTE Unanimous

SB 75	Fine Amendments	Fillmore, L.
Requires the state auditor to monitor the amount of traffic fines a local government collects. Limits the amount of traffic fine revenue a local government may use for the local government's general fund revenue (not to exceed 25% of total general fund revenue for a fiscal year). If traffic fines exceed the 25% threshold, the City must transfer the excess to the		

state treasurer to be allocated to the Department of Transportation for class B and class C roads. The intent of the bill is to prevent abuses in the legal system by removing a monetary incentive for excessive fines.

ULCT Neutral	CITY Oppose	VOTE Unanimous
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SB 77	Military Vehicle License Plate Amendments	Harper, W.
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Under current law, surplus military vehicles cannot be driven without an attached license plate. However, some of these vehicles do not have a place for an exterior license plate. This bill allows an exemption from the requirement to display a license plate on a military vehicle and allows drivers to keep the license plates inside the car.

ULCT N/A	CITY N/A	VOTE Unanimous
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SB 99	Electronic Vehicle Registration Amendments	Weiler, T.
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This bill allows a driver to display a photograph of a registration card on a mobile device instead of showing a paper form. This change is similar to an existing law allowing a driver to show proof of insurance on a mobile device.

ULCT N/A	CITY Support	VOTE Unanimous
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SB 102 3 rd Sub	Wireless Communication Device Use in a Motor Vehicle	Wilson, C.
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This bill prohibits writing or sending a text message, instant message, or emailing while “operating a vehicle” as well as dialing a phone number, accessing the internet, recording a video, taking a photograph, reading or writing digital communication, entering data into a device, and viewing a video or photograph. Wireless devices include cell phones, tablets, laptops, global positioning receivers, any devices used to display video or images, and any other digital assistant or similar communication device.

Defines "operate a motor vehicle" to include operating:

- (i) a moving motor vehicle; or
- (ii) a motor vehicle stopped in compliance with a traffic-control device.

Exceptions include use during a medical emergency, when reporting a safety hazard, when reporting criminal activity and when used by a law enforcement or emergency service official within the course of the law.

Amends the automobile homicide charge to specify it applies when “using a wireless communication device while operating a motor vehicle.”

ULCT N/A	CITY Support	VOTE Unanimous (Absent or Not Voting: Stoddard)
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SB 149	Tinted Vehicle Windows Amendment	McCay, D.
<p>Surrounding states allow more window tinting (darker windows) than Utah. Lighter tinting allows law enforcement to see better the interior of a vehicle approaching to speak with the driver. This bill amends the visible light transmission rate of a front side window from 43% to 35% and allows for a 5% tolerance to account for variables (30% visible light transmission is technically within the legal range).</p>		
ULCT N/A	CITY Oppose	VOTE Support: Bennion, Kwan, Moss, Stoddard, Wheatley, Davis Oppose: Iwamoto, Wheatley

SB 215 1 st Sub	Railroad Crossing Modifications	Mayne, K.
<p>Requires a vehicle operator to stop at a railroad grade crossing for on-track equipment in the same manner as for a train. A violation is an infraction.</p>		
ULCT N/A	CITY Support	VOTE Unanimous

Driving Under the Influence (DUI)

HB 137	DUI Amendments	Eliason, S.
<p>Amends provisions related to driving under the influence and related penalties.</p> <p>This bill clarifies that both blood and breath alcohol levels are relevant for certain offenses and penalty purposes. Also clarifies that a person without a valid license is still subject to DUI laws.</p>		
ULCT N/A	CITY Support	VOTE Unanimous

HB 143	DUI Penalty Amendments	Eliason, S.
<p>Changes the classification of a second DUI conviction (within 10 years of the first conviction) from a Class B to Class A misdemeanor. This increases the penalty for a person's second offense of driving under the influence.</p> <p>Currently justice courts have jurisdiction over second DUI charges. Changing to a Class A misdemeanor gives district court jurisdiction over second DUI charges (and the state—not the City-- keeps the entire fine.)</p>		
ULCT N/A	CITY Oppose	VOTE Unanimous (Absent or Not Voting: Riebe)

Crime

HB 18	Intimate Image Distribution Amendments	Collard, C.
<p>UCA §76-5b-205, sets for the crime for the “Unlawful distribution of a counterfeit intimate image.” It also sets for the crime “aggravated” unlawful distribution of a counterfeit intimate image when a child’s image is involved.</p> <p>This bill restricts the offense of aggravated unlawful distribution of a counterfeit intimate image to individuals 18 years old and older ensuring that children aren't unduly charged with aggravated offenses when sharing counterfeit intimate images of their peers. (First aggravated offense is 3rd degree felony; subsequent offenses are 2nd degree felonies.)</p>		
ULCT N/A	CITY Neutral	VOTE Unanimous

HB 32 2 nd Sub	Health Care Worker Protection Amendments	Spendlove, R.
<p>Assault is a class B misdemeanor criminal offense. This bill increases the severity of the same crime to a class A misdemeanor if committed against health care workers. If the assault is intentional and causes substantial bodily injury, then it is a third-degree felony.</p>		
ULCT N/A	CITY Support	VOTE Unanimous

HB 38 1 st Sub	Property Theft Amendments	Wilcox, R.
Bill designed to curb thefts of catalytic converters. Requires pawn shops and second-hand merchandise stores to document catalytic converter sales and report them.		
ULCT N/A	CITY Support	VOTE Unanimous

HB 81 2 nd Sub	Sexual Solicitation Amendments	Pulsipher, S.
Increases the penalty for the sexual solicitation of a minor both online and in person. Convicted patron may be required to pay for and complete court-approved educational program about the negative effects on an individual involved with prostitution or human trafficking.		
ULCT N/A	CITY Support	VOTE Unanimous (Absent or Not Voting: Davis, Riebe)

HB 329	Weapon Possession Penalty Amendments	Teuscher, J.
Utah law prohibits carrying a dangerous weapon while under influence of drugs. This bill exempts a person who has a valid prescription for a medication approved by the federal Food and Drug Administration for the treatment of attention deficit disorder or attention deficit hyperactivity disorder and takes the medication as prescribed.		
ULCT Neutral	CITY Neutral	VOTE Unanimous

HB 353	False Emergency Reporting Amendments	Matthews, A.
Makes calling in a false 9-1-1 call a second-degree felony under circumstances where an emergency responder causes physical injury to an individual at the location the caller gives to respond to or the one making the false reports, reports, or aids, abets, or causes a third party to make the false report with intent to ambush, attack, or otherwise harm a responding law enforcement officer or emergency responder.		
ULCT N/A	CITY Support	VOTE Unanimous

SB 56 1 st Sub	Criminal Stalking Exemption Amendments	Weiler, T.
Creates an exemption in the criminal stalking statute for licensed private investigators, police officers and government investigators who are acting in their official duties. The exemption does not apply to police or investigators who are accused of stalking someone for personal reasons.		
ULCT N/A	CITY Support	VOTE Unanimous (Absent or Not Voting: Riebe)

SB 85 5 th Sub	Protective Order and Stalking Injunction Expungements	Weiler, T.
Creates a process and allows for the expungement of certain protective orders and stalking injunctions.		
ULCT N/A	CITY N/A	VOTE Unanimous

SB 150 3 rd Sub	Criminal Justice Data Management Task Force	Anderegg, J.
<p>Creates the Criminal Justice Data Management Task Force.</p> <p>The task force will review the state's current criminal justice data collection requirements and make recommendations regarding:</p> <ul style="list-style-type: none"> (a) possible ways to connect the various records systems used throughout the state so that data can be shared between criminal justice agencies and with policymakers; (b) ways to automate the collection, storage, and dissemination of the data; (c) standardizing the format of data collection and retention; and (d) the collection of data not already required related to criminal justice. <p>On or before November 30, 2022, the task force shall provide a report, including any proposed legislation, to:</p> <ul style="list-style-type: none"> (a) the Law Enforcement and Criminal Justice Interim Committee; and (b) the Legislative Management Committee. <p>The task force is repealed April 30, 2023.</p>		
ULCT N/A	CITY Neutral	VOTE Unanimous

SB 156 1 st Sub	Protection Against Extortion Amendments	Thatcher, D.
<p>Sexual extortion is communicating a threat with the intent to coerce another person to engage in sexual contact or sexual intercourse, or to produce, provide, or distribute an image, video, or other recording of any individual naked or engaged in sexually explicit conduct.</p> <p>This bill expands sexual extortion to include extortion for money or other valuables</p>		
ULCT N/A	CITY Support	VOTE Unanimous (Absent or Not Voting: Kwan, Stoddard)

SB 167 3 rd Sub	Sexual Exploitation Amendments	Wilson, C.
<p>Increases penalties for producers and distributors of child pornography, making that crime a first-degree felony. Intended to toughen penalties against those who exploit children by producing and distributing child pornography.</p> <p>The bill also directs the state's sentencing commission to study penalties associated with child sexual exploitation and give recommendations for additional improvements to be made next legislative session.</p>		
ULCT N/A	CITY Support	VOTE Unanimous (Absent or Not Voting: Davis, Stoddard)

SB 176 2 nd Sub	Alcoholic Beverage Control Act Amendments	Stevenson, J.
<p>Among other provisions:</p> <ul style="list-style-type: none"> - Utah's Department of Alcoholic Beverage Control will change its name to the Utah Department of Alcoholic Beverage Services - Permits various retail licensees to sell beer for off-premise consumption under certain conditions - Allows mini-bottles to be sold in state-run liquor stores under a pilot program - Prohibits an off-premise beer retailer from: <ul style="list-style-type: none"> • engaging in or permitting on the licensed premises gambling or fringe gambling; • having certain devices or games on the licensed premises; or • knowingly allowing certain drug-related activities on the licensed premises; 		
ULCT N/A	CITY Neutral	VOTE Unanimous

SB 179 5 th Sub	Criminal Justice Amendments	Weiler, T.
Among other things, this bill prohibits the State Commission on Criminal and Juvenile Justice (CCJJ) from providing a state grant to an agency or program who is not in compliance with certain statutory reporting requirements. And this bill provides that a plea to, conviction of, or adjudication for a felony offense is not required for participation in a drug court program.		
ULCT N/A	CITY Neutral	VOTE Unanimous (Absent or Not Voting: Riebe)

Code Enforcement

SB 137 3 rd Sub	Property Decontamination Amendments	Mayne, K.
Authorizes the City to regulate hazardous materials for a structure or any real property closed to occupancy or entry by a local health department, hazardous materials, including requiring the owner or occupant to use the abatement services of a certified decontamination specialist to abate hazardous materials.		
ULCT Support	CITY Support	VOTE Unanimous

Forfeiture

SB 65 2 nd Sub	Asset Forfeiture Amendments	Weiler, T.
Requires that before an agency serves a notice of intent to forfeit seized property under the agency shall conduct a search of public records applicable to the seized property, including county records or records of the Division of Corporations and Commercial Code, the Division of Motor Vehicles, or other state or federal licensing agencies, in order to obtain the name and address of each interest holder of the property. Clarifies that forfeited property is forfeited to the state (and not the agency).		
ULCT Support	CITY Neutral	VOTE Unanimous

Prosecution

HB 159	Attorney General Prosecution Review Amendments	Lisonbee, K.
<p>If the state Attorney General exercises that office's authority to review a first degree felony (for possible charges) when the district of county attorney declines to file charges or fails to file charges within 6 months after investigation results have been filed with a district or county attorney, the law enforcement agency is required to provide all investigative information to the state Attorney General within 14 days of the request for information.</p>		
ULCT N/A	CITY Support	VOTE Unanimous (Absent or Not Voting: Davis)

Evidence

HB 65 S01	Forensic Biological Evidence Preservation	King, B.
<p>This Bill concerns the preservation of DNA evidence obtained in connection with the investigation or prosecution of a violent felony offense.</p> <p>Currently, Utah does not have laws pertaining to the preservation of DNA biological evidence. This creates problems for individuals who have been convicted of a violent crime where DNA evidence was collected, but the technology to test that evidence wasn't available.</p> <p>Requires DNA evidence be preserved for the length of the conviction of a violent criminal offense. If the violent felony case remains unsolved, the evidence must be preserved indefinitely.</p> <p>The intent of HB65 is to preserve DNA evidence that could exonerate, prove guilt and solve cold cases.</p>		
ULCT N/A	CITY Neutral	VOTE Unanimous

9. EMERGENCY RESPONSE

HB 16 1 st Sub	Emergency Response Amendments	Dunnigan, J.
<p>Through an interlocal agreement, the City is a party the Salt Lake Valley Metro Fire Agency, a group of firefighting agencies organized pursuant to the agreement to share resources and equipment. Metro Fire allows agencies to assist member-agencies in the event of an emergency in one agency's jurisdiction that needs additional resources to address the emergency. In addition, Metro Fire has organized a National Urban Search and Rescue Response System task force ("task force") to assist in response to a disaster, emergency or important event (i.e., visiting dignitary event where a large crowd is expected).</p> <p>This bill allows Metro Fire to enter into an agreement with the State's Division of Emergency Management ("Division"). Under the agreement, the State would be able to reimburse Metro Fire for costs related to the operation of the task force in certain specific situations. Also, a team member would be considered an employee of the Division for purposes of workers compensation, operating a vehicle or equipment, and for indemnification purposes.</p>		
ULCT N/A	CITY Support	VOTE Unanimous (Absent or Not Voting: Davis)

HB 169	State and Local Employee Disaster Services	Burton, J.
<p>If the mayor declares a local emergency under Section 53-2a-208, an employee of the City is a local disaster response personnel for the duration of the declared state of emergency. "Local disaster response personnel" means a local government employee who, in accordance with Bill, is reassigned duties in order to respond to a disaster.</p> <p>During a local emergency, a local disaster response personnel shall perform duties as assigned in accordance with an emergency operations plan adopted by the City under Section 53-2a-1403.</p> <p>After a declaration of emergency, the Mayor may activate local disaster response personnel to report to work immediately.</p> <p>A local disaster response personnel may check on the security of the local disaster response personnel's immediate family before reporting to work.</p> <p>An emergency operations plan must exempt a local government employee from acting as a local disaster response personnel if:</p> <ul style="list-style-type: none"> (a) the employee's immediate family is in imminent danger because of the disaster; or (b) the employee's health precludes the employee from performing the duties otherwise assigned to that employee in accordance with the plan. 		

An employee is exempt only for the duration of the time the employee's immediate family is in imminent danger or the underlying cause of the employee's health concern exists.

An employee shall perform his or her assigned local disaster response personnel duties only for the duration of the declared state or local emergency, respectively, or until the disaster response duties are no longer needed, whichever occurs first.

A local disaster response personnel may not be assigned to perform duties:

(a) that are technical in nature unless the local disaster response personnel is trained to perform those duties; or

(b) that the local disaster response personnel is physically not capable of performing.

A local disaster response personnel may be relocated as necessary to respond to the disaster but only for the duration of the declared emergency.

A local government:

(a) may not decrease a local disaster response personnel's pay only because the local disaster response personnel is performing duties as assigned during the emergency;

(b) at the local government's discretion, may increase a local disaster response personnel's pay; and

(c) shall reimburse a local disaster response personnel for incidentals incurred, including any relocation expenses, while the employee is performing his or her duties as a local disaster response personnel.

ULCT Neutral	CITY Support	VOTE Unanimous
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10. GENERAL GOVERNMENT

Emergency Powers

HB 182 1 st Sub	Local Health Department Order Amendments	Strong, M.A.
<p>This bill excludes state facilities, including the Capitol, from a local health department's jurisdiction for health orders, such as mask mandates. (Addressing Salt Lake County Health's indoor mask mandate.) It prohibits the mayor from exercising emergency powers in response to a pandemic, epidemic, or public health emergency. (Addressing SLC Mayor Mendenhall's masks in schools order.) It prohibits the mayor from vetoing an action by the city council to terminate an order of constraint or a declaration of a local emergency.</p> <p>Finally, the bill provides that state law --the Disaster Response and Recovery Act-- preempts and supersedes any law of a political subdivision of the state pertaining to disaster and emergency response.</p>		
ULCT Neutral	CITY Oppose	VOTE Unanimously Oppose (Absent or Not Voting: Davis)

SJR 3 1 st Sub	Joint Resolution to Terminate Public Health Orders Pertaining to Face Coverings	McCay, D.
<p><i>NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah does not concede or confirm the validity of a state of emergency in Salt Lake County, Summit County, or Salt Lake City declared pursuant to Title 53, Chapter 2a, Emergency Management Act.</i></p> <p><i>BE IT FURTHER RESOLVED that the Legislature does not concede or confirm the validity of a public health emergency in Salt Lake County or Summit County declared pursuant to Title 26A, Chapter 1, Local Health Departments.</i></p> <p>With the above statements, the Legislature seems to be making the statement that it believes that the health orders issued by Salt Lake County, Salt Lake City, and Summit County were contrary to the existing statutes referenced, but even if not, the Legislature is ending the orders.</p> <p>The resolution terminates public health orders of constraint that require the wearing of a mask or face covering in Salt Lake County, Summit County, Salt Lake City, or any other place in the state.</p>		
ULCT N/A	CITY Oppose	VOTE Unanimously Opposed

Taxes

HB 125	State Transient Room Tax Modifications	Albrecht, C.
Eliminates the scheduled repeal of the State Transient Room Tax Act		
ULCT Support	CITY Support	VOTE Unanimous (Absent or Not Voting: Riebe)

SB 20 3 rd Sub	Property Tax Amendments	Bramble, C.
<p>This bill changes the way the personal property of telecommunications service providers are assessed. The bill provides that telecommunications service providers are not to be considered public utilities. (Telecommunications service providers will no longer be assessed similar to public utilities.)</p> <p>State tax commission may no longer assess property owned by a telecommunications service provider. This responsibility was shifted to the Multicounty Appraisal Trust.</p> <p>The Multicounty Appraisal Trust shall value each item of personal property of a telecommunications service provider according to the personal property valuation guides and schedules established by the commission.</p> <p>A county adds the valuation the Multicounty Appraisal Trust gives to personal property of a telecommunications service provider to the valuation of any real property of the telecommunications service provider within the county before making an assessment.</p> <p>As for the portion of this bill relating to telecommunications service providers, it is believed that this bill could result in a tax shift. It is believed that telecommunications companies could have reduced property tax burdens and all other filers could have increased property tax burdens.</p>		
ULCT Neutral	CITY Oppose	VOTE Unanimous

SB 25 2 nd Sub	Property Tax Deferral Amendments	Fillmore, L.
<p>Creates property tax deferment program for seniors to provide relief from rising property taxes. The Legislature has heard from seniors who are concerned about losing their homes as their values and property taxes increase.</p> <p>Under this bill, eligible homeowners will be able to defer, or hold off paying property taxes until a title transfer. Upon transfer, the taxes would be due with interest. All taxing entities, under a deferral, would still be able to collect the revenue.</p> <p>There is \$8 million of state funding to keep local governmental entities harmless while the program begins operation.</p> <p>The bill was defeated in 2021, but following months of negotiations with interested parties, an agreement has been made. We expect this program to help those most in need from rising property taxes.</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous

SB 81 3 rd Sub	Affordable Housing Tax Amendments	Iwamoto, J.
<p>This bill prescribes a valuation method for determining the fair market value of real property subject to a low-income housing covenant</p> <p>Requires a county assessor to send a form approved by the State Tax Commission to each owner of real property subject to a low-income housing covenant.</p>		
ULCT Neutral	CITY Support	VOTE Unanimous

Business Licensing

HB 146 1 st Sub	Local Licensing Amendments	Lisonbee, K.
Removes regulations for food trucks so they only have to obtain one business license which is good statewide – as opposed to having a license for each city they operate in. Expands the definition of “food truck” to include ice cream trucks.		
ULCT Neutral	CITY Oppose	VOTE Support; Davis Oppose: Iwamoto, Riebe, Bennion, Kwan, Moss, Stoddard, Wheatley

Records (GRAMA-- Government Records Access and Management Act)

HB 96 1 st Sub	Government Records Fee Amendments	Johnson, D.N.
Right now, if you make a public record request, the first 15 minutes that a government employee spends on it is free. However, a requestor can be required to pay for any time after that. In order to limit “vexatious requests,” this bill allows governmental entities to charge for those first 15 minutes if the person who requested the records has submitted another request in the past 10 days before submitting the present request. This doesn’t apply to journalists.		
ULCT Support	CITY Support	VOTE Support: Davis, Riebe, Iwamoto, Wheatley Oppose: Bennion, Kwan, Moss, Stoddard

HB 399	Government Record Amendments	Wilcox, R.
<p>This bill modifies the list of records that may be classified as protected to include an employee statement given as part of a governmental entity’s investigation into possible wrongdoing where the employee statements are required under threat of disciplinary action, including possible employment termination and where the employee is told that any statement cannot be used against the employee in any criminal proceeding.</p> <p>Such administrative interviews are known as Garrity interviews because of a 1967 court decision that clarified police officers and other public employees have a right under the Fifth Amendment to refuse to testify in a criminal case. The court decision allowed police departments to interview officers for internal policy reviews. Garrity protects law enforcers who are being investigated for incidents like officer-involved shootings from making statements that could be used against them criminally. The expectation is that an officer’s</p>		

agency can interview an officer who will respond truthfully to determine whether any policies were violated.

ULCT Support	CITY Support	VOTE Unanimous
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HB 406	Jail Photo Distribution Prohibition	Stratton, K.
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Under GRAMA a booking photo (mug shot) is a protected record. This bill allows law enforcement to release or disseminate a booking photo to a potential witness for purposes of identifying or locating an individual in connection with a criminal investigation or criminal proceeding without violating GRAMA.

ULCT N/A	CITY Support	VOTE Unanimous (Absent or Not Voting: Moss)
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SB 254	Government Records Access Revisions	Cullimore, K.A.
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Modifies provision of the Government Records Access and Management Act (“GRAMA”). Under the bill, certain records of a drinking water or wastewater facility—including engineering and architectural drawings of the drinking water and wastewater facility and security information—are classified as protected records.

ULCT N/A	CITY Support	VOTE Unanimous
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Jordan River (Parkway)

HB 173	Jordan River Recreation	Winder, M.
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Adjusts the zone boundary for the Jordan River Recreation Area from 4800 south to 5400 south (Taylorsville and Murray) and appropriates \$475,000 ongoing (through 2030) to the Division of Forestry, Fire, and State land for them to administer a 5-year grant to a zoo, aviary, nature center, or other educational program in the zone.

ULCT N/A	CITY Support	VOTE Unanimous
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HB 319 1 st Sub	Jordan River Improvement Amendments	Acton, C.K.
<p>Directs the Utah Department of Transportation to work with the Jordan River Commission on issues regarding state highways. The two entities would need to coordinate on providing signage when state roads cross over the river, improving pedestrian and bike access from the state roads, and improving water quality impacts from the state roads into the river (e.g., pollution runoff from the road directly into the Jordan River).</p>		
ULCT N/A	CITY Support	VOTE Unanimous

HCR 10	Concurrent Resolution Regarding an Interlocal Agreement Creating the Jordan River Commission	Acton, C.K.
<p>This resolution requires the Governor and the Legislature to give approval to the Utah Department of Transportation to enter into an agreement with the Jordan River Commission.</p> <p>The agreement will include UDOT providing signage when state roads cross over the river, improving pedestrian and bike access from the state roads, improving water quality impacts from the state roads into the river, and developing and implementing other shared goals.</p>		
ULCT N/A	CITY Support	VOTE Unanimous (Absent or Not Voting: Davis)

Holiday

HB 238 1 st Sub	State Holiday Modifications	Hollins, S.
<p>Designates Juneteenth as a state holiday (observed on the third Monday in June). June 19th celebrates the day when the last enslaved people were freed in Texas. Last year, the federal government recognized it as an official national holiday.</p>		
ULCT N/A	CITY Support	VOTE Unanimous

Bereavement

SB 63 2 nd Sub	Bereavement Leave Amendments	Harper, W.
SB 63 requires the City to amend its bereavement leave policy to provide at least a three-day paid bereavement leave to employee mothers and fathers who experience a miscarriage or stillbirth regardless of the gestational age or the duration of the pregnancy.		
ULCT Support	CITY Support	VOTE Unanimous

Cybersecurity

HB 280 4 th Sub	Cybersecurity Commission	Handy, S.
Creates the Cybersecurity Commission which shall identify and inform the governor of threats and vulnerabilities in critical infrastructure and other serious threats, and provide best practices, education and mitigation for public and private sector cyber-attacks.		
ULCT Neutral	CITY Neutral	VOTE Unanimous

HB 418 1 st Sub	Grid Resilience Committee	Albrecht, C.
Creates a 12-member committee to examine challenges to the operation of our electricity grid, including the shift away from fossil energy resources, cybersecurity, and extreme weather. The committee will offer recommendations to the Legislature.		
ULCT N/A	CITY Support	VOTE Unanimous

Public Safety Personnel Protection

HB 345 1 st Sub	Public Safety Employee Personal Data Amendments	Wilcox, R.
State law (UCA §53-18-103) allows public a safety employee to file a form with certain government agencies (e.g., county recorder, treasurer, auditor, or tax assessor) requesting that the public safety employee's personal information not be made publicly available.		

HB 345 clarifies that “public safety personnel” includes, a law enforcement officer, a dispatcher, or a current or retired employee or contractor of a law enforcement agency or a correctional facility.

ULCT Support	CITY Support	VOTE Unanimous
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Eminent Domain

HB 357	Eminent Domain Appraisal Amendments	Petersen, M.
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With property values increasing quickly, the Legislature wants to ensure that property appraisals obtained through eminent domain be current. This bill requires the government to obtain an additional appraisal before making a settlement offer if more than 90 days has passed since an earlier appraisal was undertaken.

An appraisal can be undertaken no more than 120 days prior to a trial to resolve an eminent domain dispute. The higher value appraisal is the one that must be utilized.

ULCT Neutral	CITY Neutral	VOTE Support: Davis, Iwamoto, Bennion, Kwan, Moss, Stoddard, Wheatley Oppose: Riebe
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SB 202 1 st Sub	Right-of-way Disposal Amendments	McCay, D.
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If the City decides to sale surplus property that had been acquired by eminent domain, this bill requires the City to provide the right of first refusal to the original owner or subsequent bona fide purchaser of the surplus real property or easement.

ULCT N/A	CITY Neutral	VOTE Unanimous (Absent or Not Voting: Iwamoto)
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Recycling

HB 394 1 st Sub	Recycling Transparency Amendments	Welton, D.
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Requires a recyclable material hauler who bills customers through a political subdivision's billing and collection system to provide, to the political subdivision, data every six months about the end location of recyclable materials collected (landfill or recycling facility).

The political subdivision must publish the recycling data in a newsletter and on the political subdivision's website.

ULCT
Neutral

CITY
Neutral

VOTE
Unanimous

Homeless – Winter Overflow Shelter

HB 440
3rd Sub

Homeless Services Amendments

Eliason, S.

The bill allocates \$5 million annually to a homeless shelter host cities' mitigation fund, and provides \$5.8 million in one-time funding to existing homeless resource centers. Mitigation funds are to be used for social service, community or neighborhood programs, or public safety.

Winter Months Overflow Plan

City Plan. Proposes plans to house the homeless in overflow shelter during winter months. The preferred plan requires city leaders in Salt Lake County to agree on and propose a plan to provide emergency shelter space to the state's office of homelessness no later than Sept. 1 each year (in advance of cold winter weather).

State Fallback Plan. If the city plan is deemed insufficient, the state will require existing homeless shelters to increase the capacity limits at existing homeless resource centers (Salt Lake City and South Salt Lake City) in accordance with the fire code (which would allow substantially more occupants).

State Preemption. (1) No city in Salt Lake County may restrict any entity from operating a temporary overflow shelter. (2) State may contract with for-profit or nonprofit entity to operate temporary overflow shelter in a state facility.

ULCT
Neutral

CITY
Neutral

VOTE
Unanimous

Medical Cannabis

SB 46

Medical Cannabis Patient Protection Amendments

Thatcher, D.

Current law (UCA 26-61a-111) prohibits a public employer (e.g., the City) from taking adverse employment action against an employee who has a valid medical cannabis card even if the employee fails a drug test due to marijuana or tetrahydrocannabinol *unless* there is proof that the employee was impaired or that employment performance was adversely affected due to the use of medical cannabis. Despite this law, it has been reported that a firefighter (not in Murray) had been disciplined for not surrendering the firefighter's medical cannabis card.

This bill clarifies that government employees cannot be punished simply for having a valid medical cannabis card.		
ULCT Oppose	CITY Neutral	VOTE Unanimous

SB 153 2 nd Sub	Medical Cannabis Governance Study	Davis, G.
This bill directs the Health and Human Services Interim Committee to create a subcommittee to study and recommend a single state entity to oversee all medical cannabis regulations.		
ULCT N/A	CITY N/A	VOTE Unanimous

SB 190 2 nd Sub	Medical Cannabis Act Amendments	Vickers, E.
Addresses regulatory measures for the cannabis industry. The bill includes labeling and advertising restrictions. SB190 allows midwives to recommend cannabis. It expands cannabis cards to terminally-ill patients and reaffirms the ban on synthetic THC known as "Delta 8."		
ULCT Support	CITY Support	VOTE

SB 195 2 nd Sub	Medical Cannabis Access Amendments	Escamilla, L.
Allows patients with qualifying conditions such as acute pain or terminal illness to qualify for a limited cannabis prescription. It expands access in hospice care centers. And this bill requires doctors to consider previous substance abuse when prescribing medical marijuana.		
ULCT Neutral	CITY Neutral	VOTE Support: Davis, Iwamoto, Riebe, Bennion, Moss, Stoddard Oppose: Wheatley (Absent or Not Voting: Kwan)

Mobility Disability

SB 66 3 rd Sub	Electric Assisted Bicycle Use Amendments	Weiler, T.
<p>This bill requires local authorities to consider accommodations and increased trail access by a person with a mobility disability when enacting ordinances or making rules related to the use of a pathway or soft-surface trail, and during the planning or construction of a pathway or soft-surface trail.</p>		
ULCT Neutral	CITY Support	VOTE Unanimous

Firearm Preemption

SB 115 2 nd Sub	Firearm Preemption Amendments	Wilson, C.
<p>Creates the Firearms Preemption Enforcement Act, which reminds and clarifies that the state preempts firearms regulation. (Apparently, the legislature believes that there have been recent cases, where local governments have attempted to exploit loopholes in state law to regulate firearms.)</p> <p>The bill waives government immunity for local governments that attempt to regulate firearms and creates a private right of action for citizens to sue local governments that attempt to regulate firearms. (They don't want us (cities) regulating firearms.)</p>		
ULCT Oppose	CITY Oppose	VOTE Unanimously Opposed

Drones

SB 122 2 nd Sub	Unmanned Aircraft Amendments	Kennedy, M.
<p>This bill requires the Department of Transportation to convene a working group to study advanced air mobility; and</p> <p>Provides that an operator of an UAA may be found guilty of an offense if:</p> <ul style="list-style-type: none"> (a) the offense is committed with the aid of an unmanned aircraft; and (b) the UAA system for the unmanned aircraft is under the operator's control at the time of the offense. 		
ULCT N/A	CITY Support	VOTE Unanimous

Background Checks

SB 248	BCI Background Check Amendments	Anderegg, J.
Restricts use of criminal history information obtained from the Utah Criminal Investigations and Technical Services Division to “qualifying entities” that includes a governmental entity that uses volunteers who deal with . . . the provision of care, treatment, education, training, instruction, supervision, or recreation to children, the elderly, or individuals with disabilities.		
ULCT N/A	CITY Support	VOTE Unanimous

11. For Your Information

Electric Vehicle Registration

HB 186 2 nd Sub	Vehicle Registration Amendments	Ward, R.
This bill relates to registration fees for electric vehicles. Provides that EV drivers who participate in the state’s Road Usage Charge Program will pay a lower per-mile rate for the next nine years. For EV drivers that opt not to participate in the Road Usage Charge Program, the current \$120 registration fee will increase to \$180 in 2026, and then \$240 in 2032, plus an annual inflation adjustment. This compromise was made to ensure that EV drivers pay their “fair share” of road maintenance.		
ULCT N/A	CITY N/A	VOTE Unanimous (Absent or Not Voting: Iwamoto)

Project Entity

HB 215 2 nd Sub	Project Entity Oversight Committee	Albrecht, C.
<p>Bill creates Project Oversight Committee which would act as an intermediary between the stakeholders and the public of a certain area and a project entity (i.e., IPA, UAMPS). Project entities must file certain financial information (including wholesale rates, financing sources and bond details, power sold, etc.) with the Committee which will then be made public. The committee may receive concerns from stakeholders and the community and inform the project entity of these concerns.</p>		
ULCT Neutral	CITY Neutral	VOTE Support: Kwan, Moss, Stoddard, Wheatley, Iwamoto, Riebe. Oppose: Bennion (Absent or Not Voting: Davis)

Establishing Speed Limits

HB 235	Speed Limit Designation Amendments	Lund, S.
<p>Allows the City (or a county) to establish a speed limit without completing a traffic engineering and safety study.</p>		
ULCT Support	CITY Support	VOTE Unanimous (Absent or Not Voting: Davis)

UOSH (Utah Occupational Health & Safety)

HB 245	Occupational Safety and Health Amendments	Hawkes, T.
<p>Increases the penalties for a violation of safety rules to \$13,653 from \$7000 that may be imposed on an employer for various OSHA violations. This keeps Utah in control of the state OSHA program by keeping our fines in compliance with federal OSHA fines.</p>		
ULCT N/A	CITY Support	VOTE Unanimous

Digital Payments

HB 456 3 rd Sub	Digital User Asset Payment Amendments	Teuscher, J.
Expands acceptance of Digital User Asset Payments. Allows for the payments to participating political subdivisions with virtual currency.		
ULCT N/A	CITY Neutral	VOTE Support: Davis, Iwamoto, Riebe, Bennion, Kwan, Moss Oppose: Stoddard, Wheatley

Extortion – Civil Liability

HB 434	Theft by Extortion Amendments	Abbott, N.
Under this bill, a person impacted by extortion can bring a private cause of action (bring a civil private lawsuit). The lawsuit must be commenced within three years after the day the cause of action arises.		
ULCT N/A	CITY Neutral	VOTE Unanimous (Absent or Not Voting: Stoddard)

Trespass – Civil Liability

SB 68	Trespass Penalty Amendments	Sandall, S.
<p>This bill resolves a discrepancy in state trespass law. A trespasser who damages Utah state property can be fined up to three times the actual cost of the damage, while a violation on private property is fined at a much lower rate.</p> <p>Imposes liability for civil damages against a person who is convicted of criminal trespass or of entering on private land, without permission, while hunting or fishing.</p> <p>Adjusts the amount of civil damages that a person may be liable for when the person commits criminal trespass on agricultural land or range land. Private property violations now match the statutory damages on state lands.</p>		
ULCT N/A	CITY N/A	VOTE Unanimous

Legal Descriptions

SB 80 2 nd Sub	Real Property Recording Amendments	Winterton, R.
Provides requirements for a legal description of real property. This bill will create a standard for these legal descriptions and therefore encourage consistent definitions across the state. This will improve effectiveness in legal descriptions statewide.		
ULCT N/A	CITY Support	VOTE Unanimous

One-Time Revenue

SCR 7	Concurrent Resolution Calling on Local Governments to Treat Above-trend Revenue Growth as One-Time Revenue	Fillmore, L.
Recognizes the volatility of tax revenue and federal funds received by state and local governments; benefits of treating above-trend revenue growth as one-time revenue and encourages counties, cities, towns, and metro townships to treat above-trend revenue growth as one-time revenue instead of ongoing revenue		
ULCT N/A	CITY Support	VOTE Unanimous

9-1-1 Fees

SB 147 2 nd Sub	Utah Communications Authority Amendments	Harper, W.
Revokes the Utah Communications Authority existing exemption from the Budgetary Procedures Act.		
Authorizes the State Tax Commission to contract with an auditor to ensure compliance with and collect fees for the 911 emergency services charges, including when collecting fees for the: Utah Statewide Radio System Restricted Account; and Unified Statewide 911 Emergency Service Account.		
Adjusts the collection amount for: the Utah Statewide Radio Restricted Account and the 911 emergency service charge.		
Adjusts the collection amount for the 911 emergency service charge.		
Utah has one of the highest wireless state and local taxes and fees in the nation. 16.15% of a user's total bill being state and local imposed taxes and fees.		

SB 147 lowers fees on cell phone bills in 2025. Currently, users pay the radio network charge of \$0.52 per month. Beginning in January of 2025, the fee will be reduced to \$0.27.

ULCT N/A	CITY N/A	VOTE Unanimous
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MURRAY
CITY COUNCIL

Discussion Item #2



Community and Economic Development

4800 Lofts, Memorandum of Understanding

Council Action Request

Committee of the Whole

Meeting Date: April 19, 2022

Department Director Jared Hall	Purpose of Proposal Review of the draft Memorandum of Understanding to govern a mixed use development approved by the Planning Commission.
Phone # 801-270-2427	Action Requested Informational Only. Review of the draft Memorandum of Understanding for subsequent adoption.
Presenters Zachary Smallwood Jared Hall	Attachments Presentation, Draft MOU (and attachments).
	Budget Impact None.
Required Time for Presentation 20 Minutes	Description of this Item On October 7, 2021 the Planning Commission granted Master Site Plan approval for the development of 4800 Lofts by IMH 4800 Lofts, LLC; a mixed use project with 18,571 square feet of commercial and 371 homes. The address is 447 West 4800 South and comprises approximately 4.79 acres.
Is This Time Sensitive No	The Master Site Plan process requires that the applicant enter into a Memorandum of Understanding (MOU). This document ensures the development phasing be evenly distributed with the residential and commercial being developed in set time-frames.
Mayor's Approval	The City Council as the legislative authority is the body that can enter into contracts for the city. The MOU is a contract, and so must be approved by the City Council.
Date January 31, 2018	

Continued from Page 1:

The Memorandum of Understanding (MOU) is similar to a development agreement. It differs in that a development agreement is often conducted before the land use approvals and controls the project's density/aesthetics/etc. In this case, the MOU is put in place after the Land Use Authority's review and approval and is meant to memorialize that approval and govern how the project will be built, not if it should.

The MOU for 4800 Lofts can be considered in five major components, each of which is briefly reviewed below:

1. The composition of the mixed use project. For the 4800 Lofts project, the MOU specifies that the project is composed of 18,571 square feet of commercial and 371 multifamily homes. It includes parking, amenities, landscaping, utilities, accesses, and right of way improvements that have been approved in the Master Site Plan.
2. The phasing of the development. Large mixed use developments are often constructed in phases. The MOU identifies which buildings must be built in each phase; this is to ensure that a varied amount of the commercial and residential are built in concurrence with each other. This will allow for a truly mixed use project.
3. Public Space. The development is unique in that it provides public open space amenities on top of retail portions of the mixed use buildings. It is important that public availability of those spaces is maintained.
4. Access Requirements. The project is also unique in providing a fourteen foot (14') open access through residential building B that allows emergency services to get through the property without hindrance. The MOU requires that a temporary access to Galleria Drive be installed prior to the construction of residential building B.
5. Performance and termination. The MOU provides for the City's withholding of building permits or certificates of occupancy and the issuance of stop orders as remedies for failure on the Developer's part to meet the requirements of the Master Site Plan and MOU. The MOU can also potentially be terminated by the City if the Developer fails to submit building permit applications for the first phase of development within two years of the execution of the MOU, and applications for the required commercial development within five years.



MEMORANDUM of UNDERSTANDING

For Process and Timing of a Mixed-Use Development

This Memorandum of Understanding (“MOU”) is made and entered into this _____ day of _____, 2022 (the “Effective Date”) by and between Murray City Corporation (“City”), a Utah municipal corporation, and IMH 4800 Lofts, LLC (“Developer”).

RECITALS

WHEREAS, Developer is the owner of certain real property located at or near 447 West 4800 South and 380 West 4850 South, Murray, in Salt Lake County, Utah, (“Property”). The Property consists of 4.79 acres of land as more particularly described in Exhibit “A”, attached hereto and incorporated herein; and

WHEREAS, the Property is located and situated in the Murray Central Mixed Use, MCMU Zone; and

WHEREAS, Developer wants to develop the Property and is willing to design and construct a mixed-use development (“Development”) in a manner that is in harmony with and intended to promote the long range policies, goals, and objectives of the Murray City General Plan, zoning, and development regulations; and

WHEREAS, Developer proposes the construction of a mixed-use development as illustrated on the site and phasing plan attached as Exhibits “B.1, B.2, and B.3”, which Development includes both commercial and residential aspects, respectively three multi-family residential apartment buildings totaling 371 dwelling units and commercial uses and a pads to accommodate 18,571 square feet of commercial, retail, and/or office buildings along with associated right-of-way, utility, amenity, and landscaping improvements; and

WHEREAS, the parties acknowledge that both commercial and residential aspects are essential components of mixed-use developments; and

WHEREAS, the City wants assurance from Developer that the commercial aspects and required improvements of the Development are completed through coordinating the process and timing of the commercial and residential aspects of the Development and the associated site improvements thereof; and

WHEREAS, the parties desire to enter this MOU in order to address the process, timing, and specific aspects of the Development as required by the 2019 Mixed-Use Zone; and

WHEREAS, Developer represents that it voluntarily enters into this binding MOU;

NOW, THEREFORE, based upon the mutual promises and conditions herein, the parties hereby enter into this Memorandum of Understanding and agree as follows:

1. Incorporation of Recitals: the recitals are hereby incorporated as part of this MOU.
2. Affected Property: This MOU shall apply to the property located at or near 447 West 4800 South and 380 West 4850 South, Murray, Utah as more particularly described in Exhibit “A”, which is attached hereto and incorporated by reference herein.
3. Master Site Plan: Developer agrees to adhere to and install improvements in accordance with the Master Site Plan, attached hereto as Exhibit B.1, approved by the Murray City Planning Commission. The Development shall include three residential buildings with 371 total dwelling units, commercial buildings totaling no less than 18,571 square feet, as well as associated parking, landscaping amenities, utilities, accesses and right-of-way improvements.
4. Development Phasing: Residential development will be constructed in two phases described here and as more particularly illustrated in Exhibit “B.3”, which is attached hereto.
 - a. Phase 1 shall include construction of:
 - i. 103 residential units in one (1) 6-story building with podium parking as shown on exhibit “B.2”;

- ii. Retail areas “A” and “B”; at approximately 2,224 and 9,065 square feet respectively.
 - iii. Improvements to interior accesses as conditioned by the Conditional Use Permit and depicted in Exhibit “B.1”;
 - b. Phase 2 shall include construction of:
 - i. 228 residential units in one (1) 7-story building with two levels of podium parking, and 40 residential units in one (1) 5-story building; and
 - ii. Retail areas “C” and “D”; at approximately 4,205 and 3,077 square feet respectively.
 - iii. All remaining parking and site amenities required under the Master Site Plan.
- 5. Public Space: Developer agrees to maintain free and open access to the rooftop areas located on buildings “A” and “B” for use by the public as depicted in Exhibit “B.2”.
- 6. Access Requirements: Developer agrees to maintain free and open access through Residential Building “B” with a minimum fourteen foot (14’) tall access that connects Galleria Drive to the Development.
 - a. A temporary access to Galleria Drive will need to be installed prior to a CO being issued for Residential Building “A”.
- 7. Compliance with City Design and Construction Standards. Developer acknowledges and agrees that nothing in this MOU shall be deemed to relieve it from the obligation to comply with all applicable laws, ordinances, resolutions, regulations, rules, policies and procedural requirements of the City necessary for the development of the Property, including payments of fees and compliance with the City’s design and construction standards, except as expressly provided herein.
- 8. Applicable Land Use Code. The Development was approved utilizing the City’s 2019 Mixed Use Land Use Code, attached hereto as Exhibit “C”. The Development is governed by and is required to comply with the 2019 Mixed Use Code.

9. Reserved Legislative Powers. Nothing in this MOU shall limit the future exercise of the police power by the City in enacting zoning, subdivision, development, transportation, environmental, open space and related land-use plans, policies, ordinances and regulations after the date of this MOU, provided that the adoption and exercise of such power shall not restrict Developer's vested rights to develop the Property as provided herein.
10. Remedies: Should Developer fail to adhere to requirements as outlined herein, the City may: (a) issue stop orders and/or (b) refuse to issue additional permits or certificates of occupancy for any buildings or portions thereof of the Development.
11. Assignment: This MOU, the provisions, terms or conditions hereof and the benefits, rights and obligation arising hereunder may not be assigned in whole or in part by Developer to any other party, individual, or entity without the prior express written consent of the City, which consent shall not be unreasonably withheld or delayed. The City may withhold its consent if the City is not reasonably satisfied of the assignees ability to perform the obligations of Developer proposed to be assigned. Any successors or assigns shall be deemed to be the Developer for all purposes under this MOU and shall be bound by the terms and conditions of this MOU. This restriction on assignment is not intended to prohibit or impede sale by the Developer.
12. Governing Law & Venue: This MOU shall be governed by the laws, rules, and regulations of the State of Utah. Any action or proceeding arising from this MOU shall be brought in a court of competent jurisdiction in the State of Utah. Venue shall be in Salt Lake City, in the Third Judicial District Court for Salt Lake County.
13. Severability: In case any one or more of the provisions contained in this MOU shall be held invalid, illegal, or unenforceable in any respect under any applicable statute or rule of law, then such provision shall be deemed inoperative to the extent that they are invalid, illegal, or unenforceable, and the remainder of this MOU shall continue in full force and effect.

14. Limitation of City's Liability: In no event shall the City be liable for anticipated profits or for incidental, indirect, consequential, liquidated, or special damages.
15. MOU to Run with the Land: This MOU shall be recorded against the Property described in Exhibit "A" hereto and shall be deemed to run with the land and shall be binding on all successors and assigns of Developer in the ownership or development of any portion of the Property.
16. Waiver: The failure of either party at any time or times hereafter to require strict performance by the other of any of the undertakings, agreements, or covenants contained in this MOU shall not constitute a waiver of such provision, nor in any way affect the validity of the MOU, any part hereof, or the right of the party hereunder to demand strict compliance and performance therewith. None of the undertakings, agreements, or covenants of either party under this MOU shall be deemed to have been waived unless such waiver is evidenced by an instrument in writing signed by both parties.
17. Relationship of Parties: This MOU does not create any joint venture, partnership, undertaking, or business arrangement between the parties hereto. Neither party has the power or authority to act for, bind, or otherwise create or assume any obligation on behalf of the other.
18. No Third-Party Beneficiaries: City and Developer are the only parties to this MOU and are the only parties entitled to enforce its terms. Nothing in this MOU, express or implied, is intended or shall be construed to confer upon or give to any person, firm, corporation, or legal entity other than the parties, any rights, remedies, or other benefits under or by reason of the MOU.
19. Termination:
- a. This MOU may be terminated by the City if Developer fails to submit to the City within two (2) years of City Council approval of this MOU ("Approval") "complete" building permit applications as defined by the City's Building

Code in effect at the time of Approval for the first phase of residential development (excluding the area necessary for any required parking). Prior to such termination, the City shall first provide Developer with sixty (60) days written notice, which notice shall be withdrawn if Developer submits a "complete" application prior to the expiration of 60 day period or such additional time as agreed to between the parties. Termination of this MOU shall not result in termination of any other legally binding Agreement or action based upon this MOU unless such additional termination is required under the terms of such other Agreement or action. Notice of termination shall be given in writing and either (1) delivered personally, (2) sent by facsimile transmission with an additional copy mailed first class, or (3) deposited in the U.S. mail, certified mail postage prepaid, return receipt requested. Upon termination of this Agreement, the City shall record a notice of such termination in a form satisfactory to the City that the Agreement has been terminated.

- b. This MOU may be terminated by City if Developer fails to submit to the City within five (5) years of Approval "complete" building permit applications as defined by the City's Building Code in effect at the time of Approval for an additional amount of square feet of commercial development (excluding the area necessary for any required parking) to achieve a total for the Project of 18,571 square feet of commercial development (excluding the area necessary for any required parking). Notice of termination shall be given in writing and either (1) delivered personally, (2) sent by facsimile transmission with an additional copy mailed first class, or (3) deposited in the U.S. mail, certified mail postage prepaid, return receipt requested. Upon termination of this Agreement, the City shall record a notice of such termination in a form satisfactory to the City that the Agreement has been terminated.

20. Authority: The parties to this MOU represent to each other that they have the full power and authority to enter into this MOU, and that all necessary actions have been taken to give full force and effect to this MOU. Developer and City warrant to

each other that the individuals executing this MOU on behalf of their respective parties are authorized and empowered to bind the parties on whose behalf each individual is signing.

SIGNATURES ON FOLLOWING PAGE

DRAFT

DATED as of the day and year first written above.

MURRAY CITY CORPORATION

IMH 4800 Lofts, LLC

Brett Hales, Mayor

(Signature)

ATTEST:

(Print Name and Title)

City Recorder

APPROVED AS TO FORM:

City Attorney's Office

APPROVED AS TO CONTENT:

Community & Economic Development Department

Exhibit A – Legal Description

Mail Tax Notices to:
IMH 4800 Lofts, LLC, a Utah Limited
Liability Company
11616 South State Street, Suite 1504,
Draper, Utah 84020

13922621 B: 11323 P: 2255 Total Pages: 4
03/30/2022 03:04 PM By: dconway Fees: \$40.00
QCD- QUIT CLAIM DEED
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: HIGHLAND TITLE
6622 S 1300 ESALT LAKE CITY, UT 84121

File No.: 56132

Space above this line for Recorder's use

Tax ID No. 21-12-129-007, 21-12-129-017, 21-12-129-027, 21-12-129-028, and 21-12-129-026

QUIT CLAIM DEED

IMH 4800 Lofts, LLC, a Utah Limited Liability Company, GRANTOR(S)

hereby **QUIT CLAIMS TO**

IMH 4800 Lofts, LLC, a Utah Limited Liability Company, GRANTEE(S)

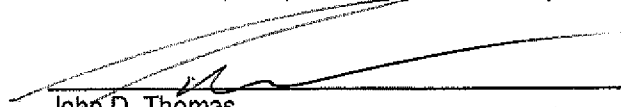
for the sum of (\$10.00) Ten Dollars and other good and valuable considerations the following described tract of land in Salt Lake County, State of Utah, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

The purpose of this Deed is to consolidate Parcel No's 21-12-129-007, 21-12-129-017, 21-12-129-027, 21-12-129-028 and 21-12-129-026 into one Parcel Description and one Tax Parcel no.

WITNESS the hand of said Grantor(s) this 30 day of March, 2022.

IMH 4800 Lofts, LLC, a Utah Limited Liability Company


John D. Thomas
Manager

State of Utah
County of Salt Lake

On this 30 day of March, 2022, personally appeared before me, the undersigned Notary Public, personally appeared John D. Thomas, Manager of IMH 4800 Lofts, LLC, a Utah Limited Liability Company, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged before me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.


Notary Public

My commission expires: 3/18/23

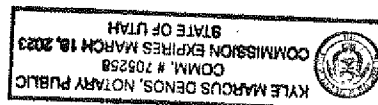


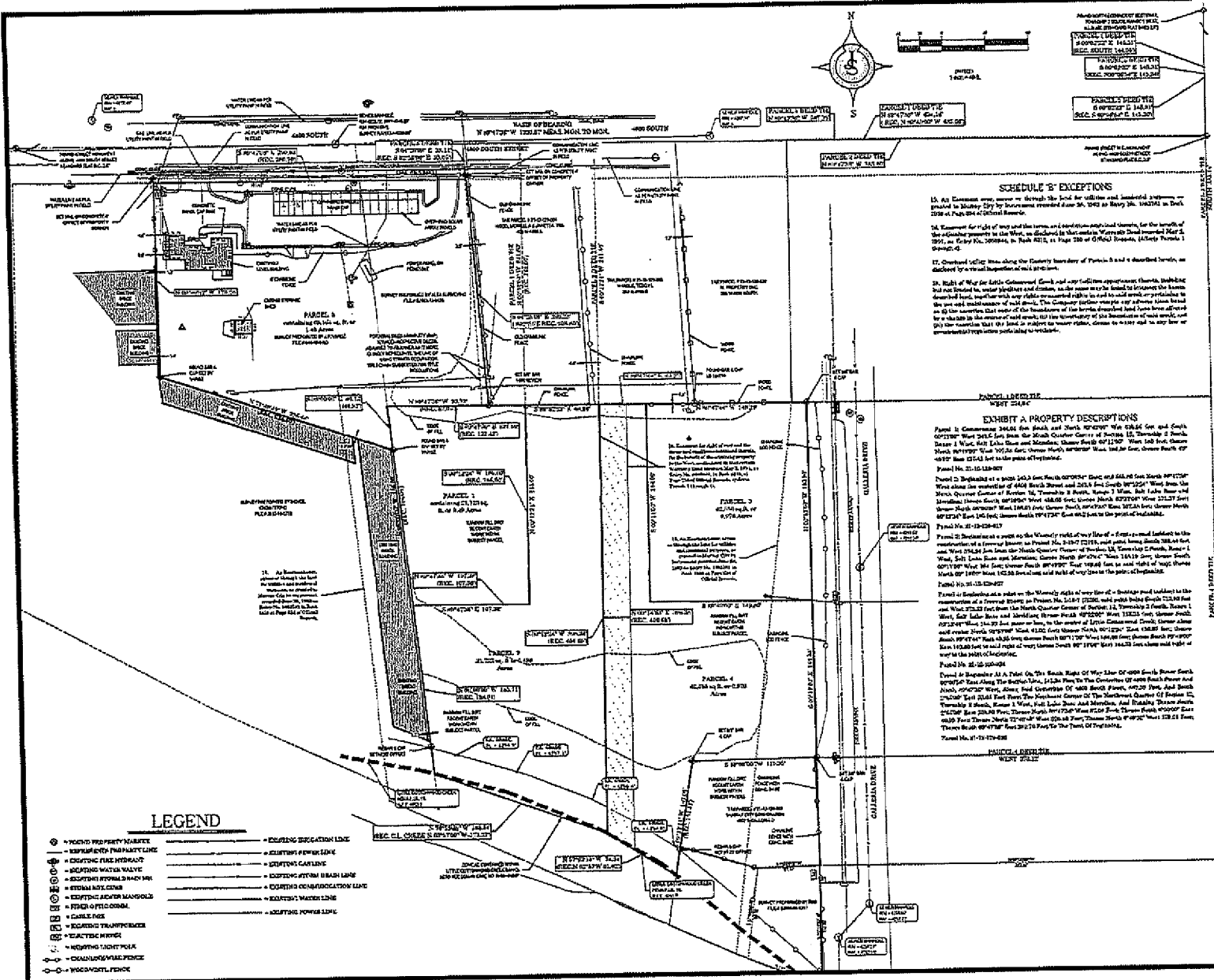
EXHIBIT "A"
LEGAL DESCRIPTION

Beginning at a point on the South right of way line of 4800 South Street South 00°02'22" East 145.31 feet to the centerline of 4800 South Street and North 89°47'36" West, along said centerline of 4800 South Street, 687.39 feet, and South 04°25'09" East 33.11 feet from the Northeast Corner of the Northwest Quarter of Section 12, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence South 04°25'09" East a distance of 209.28 feet; thence South 89°48'55" East a distance of 293.67 feet; thence South 00°19'04" East a distance of 328.50 feet; thence South 89°02'00" West a distance of 115.35 feet; thence South 09°13'44" West a distance of 107.05 feet to the center of Little Cottonwood Creek; thence along said creek North 57°02'18" West a distance of 74.34 feet; thence along said creek North 70°13'36" West a distance of 168.54 feet; thence North 06°00'00" West a distance of 301.08 feet; thence North 71°49'45" West a distance of 226.48 feet; thence North 00°40'32" West a distance of 179.25 feet; thence South 89°47'36" East, a distance of 290.63 feet to the point of beginning.

Consolidated boundary description for Parcel No.'s 21-12-129-007, 21-12-129-017, 21-12-129-027, 21-12-129-028, 21-12-129-026

EXHIBIT "B"
SURVEY

Plat of Consolidation Lot Line Adjustment Survey prepared by Johanson Surveying, dated February 15, 2022, as Job No. S-22-021, by R. Shane Johanson, a Registered Land Surveyor holding License No. 7075114



ALTA NSPS SURVEY

KYLE DENOS
NEXT LEVEL HOMES, LLC
385-557-4979

4800 S GALLERIA ROAD LOCATED
WITHIN, SALT LAKE COUNTY,
UTAH. A PART OF THE N.W. $\frac{1}{4}$ OF
SEC. 12, T. 2 S., R. 1. W. S.L.B.&M.

The undersigned, being a licensed surveyor of the State of Ohio, certifies that the above is a true and correct copy of the original survey as shown to him.

This is to certify that this map or plot, and the system on which it is based were made in accordance with the "22nd Mile and Standard Road Registration for Alluvial Lands" Law of this Province, fully complied with and adopted by ACTA, and published under Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19 of Volume I Journal. The map was registered on December 28, 1921. Perfect copies are in said register maintained in the State of Utah, holding License No. 207551, containing the following:

2. The location of each account, nature of such and other plausible information affecting the subject property or which have been related upon or in the circumstances on examination dated January 17, 1961, dated March 24, 1961, dated April 19, 1961, dated May 1961, with respect to the subject property. The nature of the information with appropriate in-lending reference, to the extent the search can be limited. The property listed on the schedule is the property located at the address listed. All information at present has been entirely relied upon as shown in the said The examination. Unexplained transactions are in part listed in the schedule in the schedule of the subject property.

2. Utilities charges are based on actual amounts, together with a request for utility rates. Such information supplied in this survey is to the best of your knowledge is accurate in order to determine actual costs regarding utility consumption, and the current date there has no limit. It is recommended that a utility company, together with a payment method that should be made every to any utility company for the utility to provide any final consumption plan.

3. Explain the structure of the company, and the main business or purpose of the company, and the main products or services it provides.
4. Identify the main competitors of the company, and the main markets or customers it serves.
5. Identify the main risks to the company, and the main strategies or plans to address them.

4. The subject property lies between and across a duly dedicated and completed public street or highway or other thoroughfare.
5. Measured descriptions of the subject property forms a mathematically closed figure. Formal descriptions from several adjoining tracts are unnecessary to establish the same. (A.R.C.)
6. The basis of location was derived from the Street Center and Street Intersection along the 4000 South Street and willard on this survey on South N 56° 52' 00" East lot is as described in the first decade and previous surveys or records.

9. Downloaded security is retained until such time as same downloaded to be outside of the U.S. or removed from fixed places. FROM FROM, Wagon #08332 MISC, Part 1 Add of 2nd hand Sept. 21, 2001 ALSO SEE LAMAR COUNTY LA-00007

10. Subject inquiry has verified The protection are located in the Security Control Manual Use CDF/CHD Zone which was approved as July of 2001. Prior to the July 2001 amendments, a disclaimer application had been.

21. The above mentioned is original and true, I have duly written the subject matter.

R. Rajan Rajagopal
Lisence No. 1076724

JOHANSON
PUGH NATIONAL LAND SURVEYING

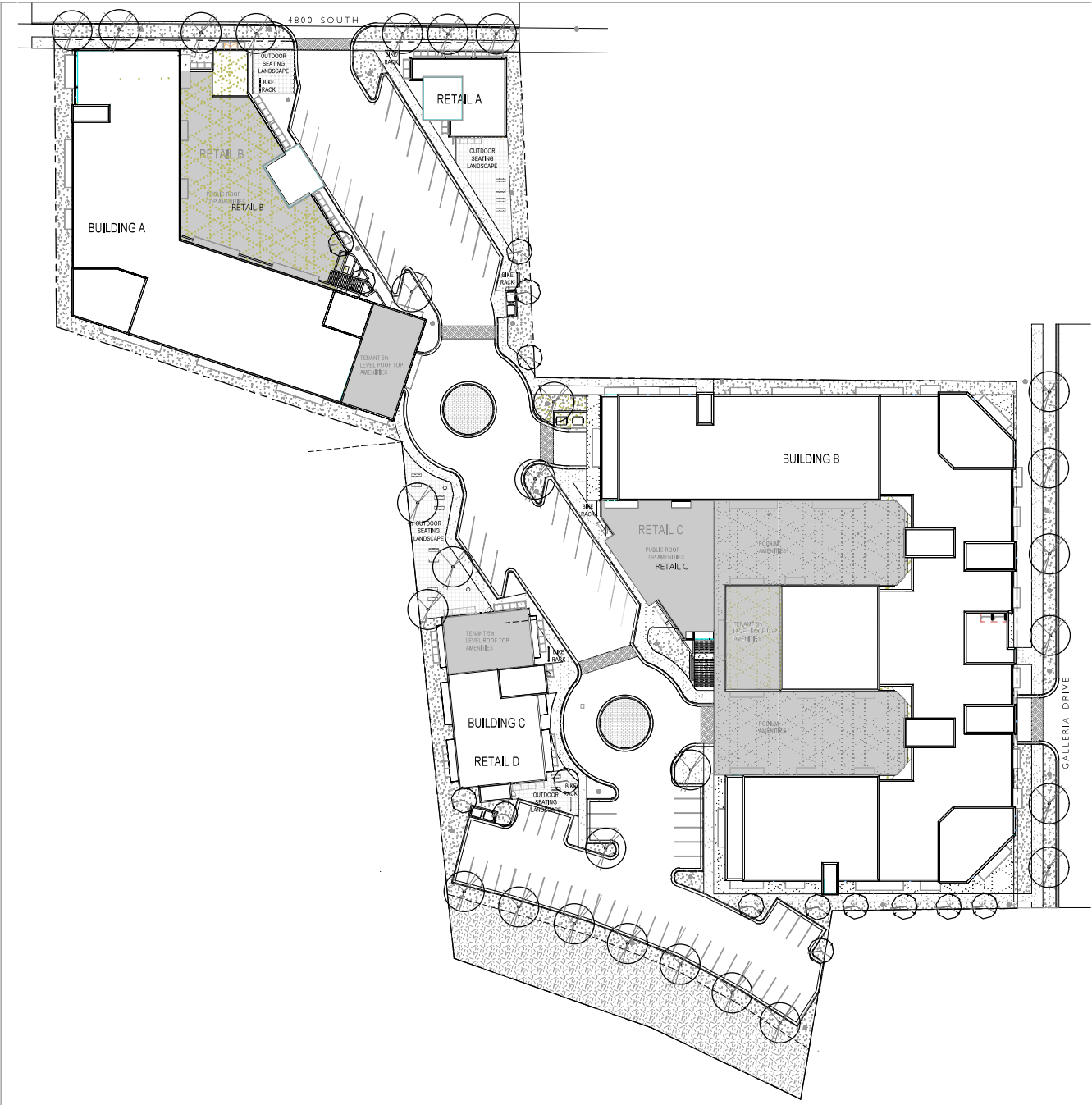
SURVEYING


 FEDERAL BUREAU OF INVESTIGATION
 DEPARTMENT OF JUSTICE
 WASHINGTON, D. C. 20535

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This document is not to be distributed outside the agency or its field offices.
It is to be used only for the purpose of the investigation and not for any other purpose.

[illegible]

Exhibit B.1 – Master Site Plan



LANDSCAPE SCHEDULE

- EVERGREEN TREE
- SHADE TREE
- ORNAMENTAL / SCREENING TREE
- PLANTER AREA
- NATIVE AREA



LANDSCAPE ARCHITECTURE
& LAND PLANNING

1375 E. PERRY'S HOLLOW ROAD
SALT LAKE CITY, UTAH 84103
PH/TEXT: 801.454.4146
SCOTT@STBDG.COM

ISSUE	DESCRIPTION	DATE
1	ISSUE 1	8/26/2021

#	REV.	DESCRIPTION	DATE
1	1	ISSUE 1	8/26/2021
2	1	ISSUE 2	
3	1	ISSUE 3	
4	1	ISSUE 4	
5	1	ISSUE 5	
6	1	ISSUE 6	
7	1	ISSUE 7	
8	1	ISSUE 8	
9	1	ISSUE 9	
10	1	ISSUE 10	

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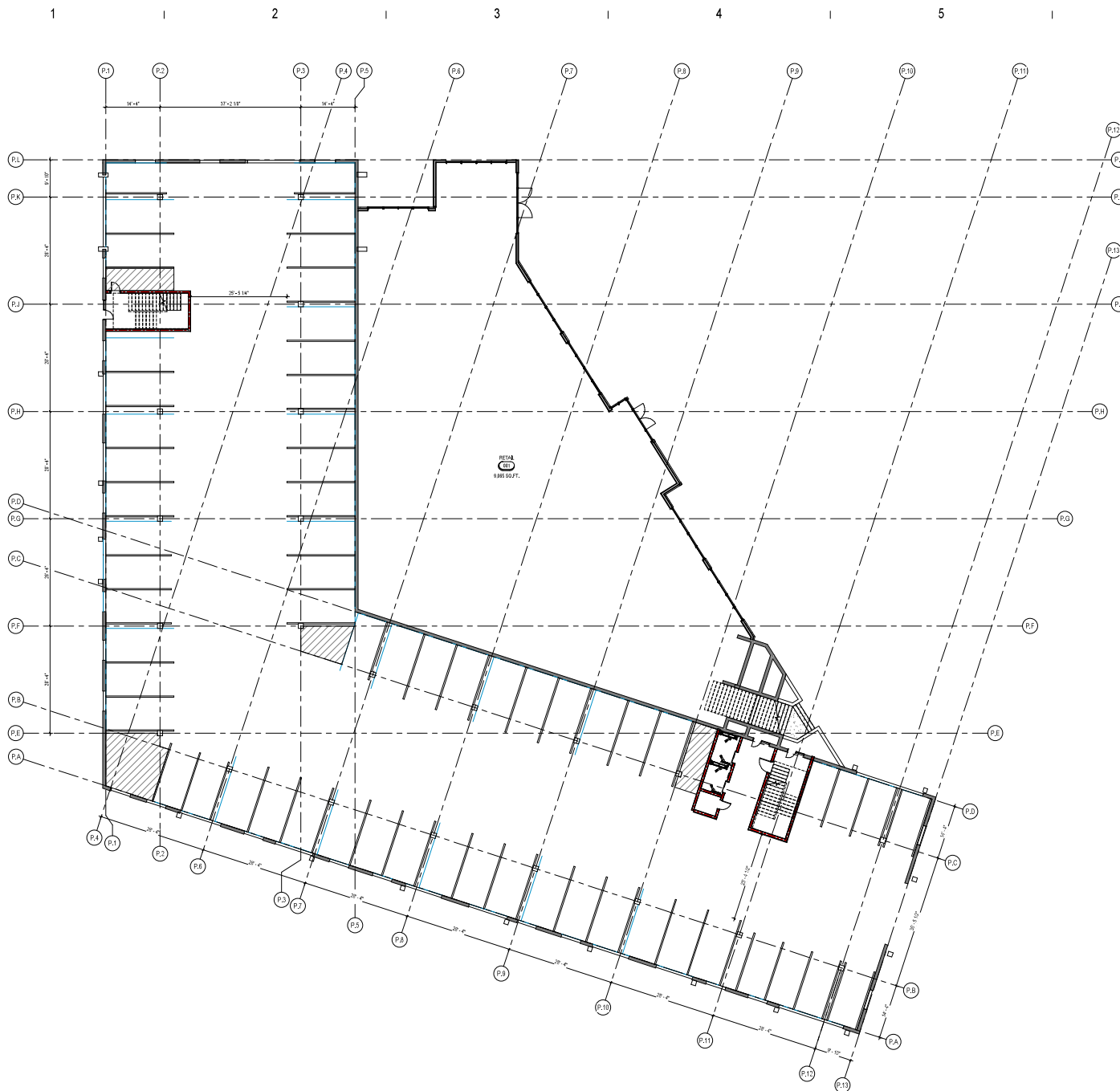
4800 SOUTH MIXED USE PROJECT
MURRAY, UTAH

LANDSCAPE
PLAN

(A) PRELIMINARY LANDSCAPE PLAN
SCALE: 1"=35'-0" NORTH

L100








Exhibit B.2 – Buildings and Materials



PARKING...	
STALL TYPE	ALBUQUERQUE
PARKING LEVEL P2	
	62
	62
TOTAL	62



EXTERIOR MATERIALS LEGEND

-  **VERTICAL HERRINGBONE** | LIGHT BLUE
-  **ISPIRI** | LIGHT GREY
-  **STONE** | BROWN
-  **METAL PANEL** | LIGHT GREEN PANEL
-  **METAL PANEL** | LIGHT GREY PANEL
-  **CONCRETE** | ARCHITECTURAL FINISH
WIDE BRICK PATTERN
-  **BRICK** | INTERSTATE BRICK, GREY

WALL MATERIALS (EXTERIOR)		
LEVEL	WALL	%
EAST		
EAST	COMPOSITE WOOD VENEER PANELS STAGGERED	13%
EAST	EIFS	41%
EAST	VERTICAL SLATS	43%
NORTH		
NORTH	BRK. BLK.	61%
NORTH	COMPOSITE WOOD VENEER PANELS STAGGERED	18%
NORTH	EIFS	49%
NORTH	VERTICAL SLATS	22%
SOUTH		
SOUTH	BRK. BLK.	18%
SOUTH	COMPOSITE WOOD VENEER PANELS STAGGERED	24%
SOUTH	EIFS	48%
SOUTH	VERTICAL SLATS	10%
WEST		
WEST	BRK. BLK.	24%
WEST	COMPOSITE WOOD VENEER PANELS STAGGERED	18%
WEST	EIFS	38%
WEST	VERTICAL SLATS	22%

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North West Elevation
1" = 1'-0"



North East Elevation
1" = 1'-0"

- ### EXTERIOR GENERAL NOTES
- A. SEE SHEET A801 FOR DOOR AND WINDOW TYPES.
 - B. COORDINATE WINDOW HEIGHTS WITH WINDOW SCHEDULE.
 - C. MECHANICAL CONTRACTOR TO COORDINATE FAN PLACES FOR EXHAUST AND INTAKE.
 - D. FIBER REINFORCED CONCRETE PANELS TO BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
- ### EXTERIOR MATERIALS LEGEND
- VERTICAL SIDING | LIGHT BLUE
 - SPF | LIGHT GREY
 - STONE | BROWN
 - METAL PANEL | LIGHT GREEN PANEL
 - METAL PANEL | LIGHT GREY PANEL
 - CONCRETE ARCHITECTURAL FINISH
"WIDE BRUSH" PATTERN
 - BRICK | INTERSTATE BRICK GREY

WALL MATERIALS (EXTERIOR)		
LEVEL	NAME	%
LEVEL 5	EAST COUPLED FIBER REINFORCED PANELS (STAGGERED)	13%
LEVEL 5	EAST SPF	44%
LEVEL 5	EAST VERTICAL SIDING	43%
LEVEL 4	WEST BRICK ALY	11%
LEVEL 4	WEST COUPLED FIBER REINFORCED PANELS (STAGGERED)	19%
LEVEL 4	WEST SPF	47%
LEVEL 4	WEST VERTICAL SIDING	23%
LEVEL 3	WEST BRICK ALY	16%
LEVEL 3	WEST COUPLED FIBER REINFORCED PANELS (STAGGERED)	24%
LEVEL 3	WEST SPF	46%
LEVEL 3	WEST VERTICAL SIDING	15%
LEVEL 2	WEST BRICK ALY	24%
LEVEL 2	WEST COUPLED FIBER REINFORCED PANELS (STAGGERED)	19%
LEVEL 2	WEST SPF	38%
LEVEL 2	WEST VERTICAL SIDING	33%
TOTAL	100	

4800 SOUTH LOFTS BUILDING A
MURRAY

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AUSTIN, TEXAS 78701

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Project Number

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Author

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EXTERIOR ELEVATIONS

DATE: 08/10/2021

A202



EXTERIOR GENERAL NOTES

- A. SEE SHEET A01 FOR DOOR AND WINDOW TYPES.
- B. COORDINATE WINDOW HEIGHTS WITH WINDOW SCHEDULE.
- C. MECHANICAL CONTRACTOR TO COORDINATE FACE PLATES FOR EXTERIOR VENT AND EXHAUST UNITS WITH TOP OF BUILDING.
- D. REBAR VENTILATION PANELS TO BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS.

EXTERIOR MATERIALS LEGEND

- VERTICAL GROOVE LIGHT BLUE
- EPS LIGHT GREY
- STONE BROWN
- METAL PANELS LIGHT GREEN PANEL
- METAL PANELS LIGHT GREY PANEL
- CONCRETE ARCHITECTURAL FINISH (WIDE BRICK PATTERN)
- BRICK INTERSTATE BRICK GREY

WALL MATERIALS (EXTERIOR)		
LEVEL	MATERIAL	%
ROOF PLAN	ROOF PLAN	100%
LEVEL 6	ROOF PLAN	100%
LEVEL 5	ROOF PLAN	100%
LEVEL 4	ROOF PLAN	100%
LEVEL 3	ROOF PLAN	100%
LEVEL 2	ROOF PLAN	100%
LEVEL 1	ROOF PLAN	100%
LEVEL 0	ROOF PLAN	100%
LEVEL 1	ROOF PLAN	100%
LEVEL 2	ROOF PLAN	100%
LEVEL 3	ROOF PLAN	100%
LEVEL 4	ROOF PLAN	100%
LEVEL 5	ROOF PLAN	100%
LEVEL 6	ROOF PLAN	100%
LEVEL 7	ROOF PLAN	100%
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LEVEL 9	ROOF PLAN	100%
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LEVEL 100	ROOF PLAN	100%

4800 SOUTH LOFTS BUILDING A
MURRAY



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EXTERIOR ELEVATIONS

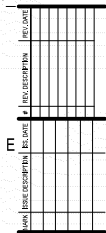
4800 SOUTH LOFTS BUILDING A
A203



C  SOUTH WEST PERSPECTIVE VIEW



A1 NORTH EAST PERSPECTIVE VIEW



C
4800 SOUTH LOFTS BUILDING A
MURRAY



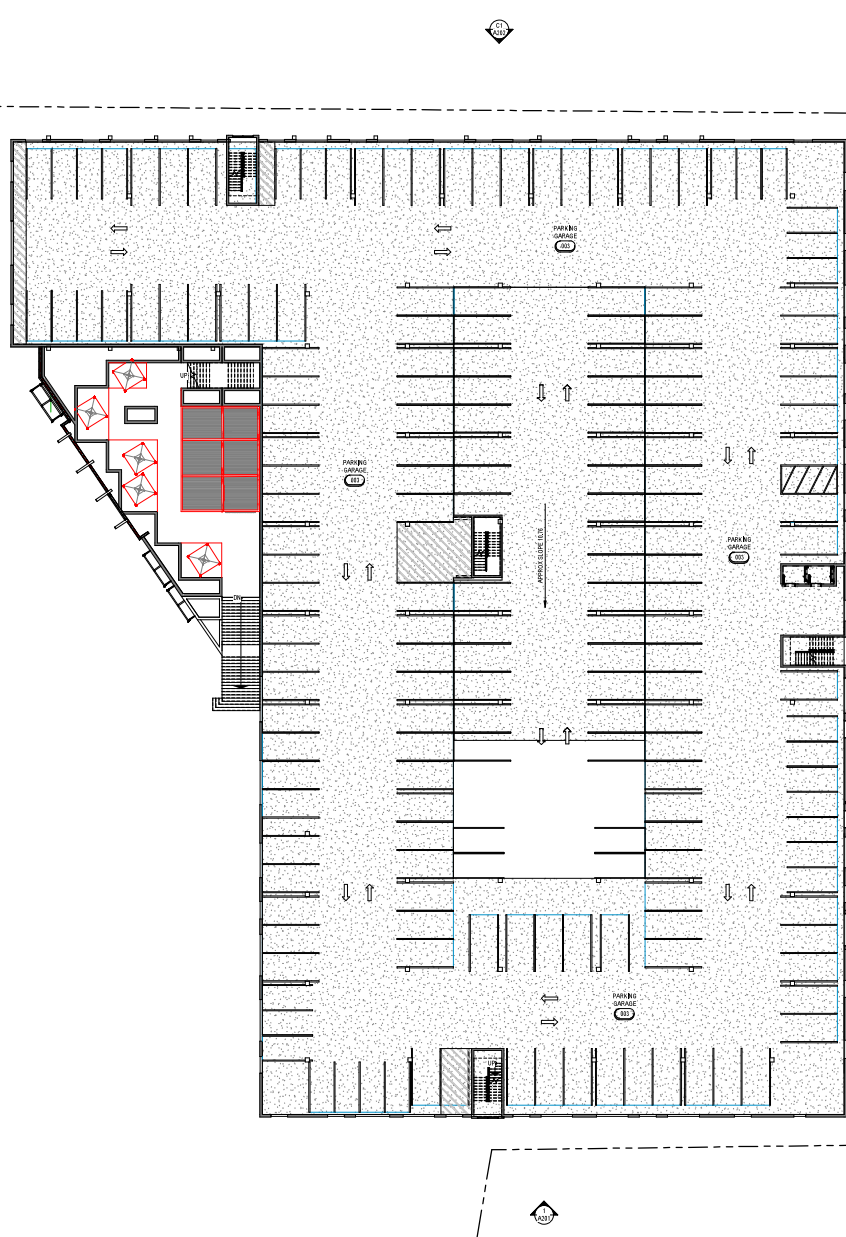
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EXTERIOR ELEVATION PERSPECTIVES

DRAWING NUMBER
A204

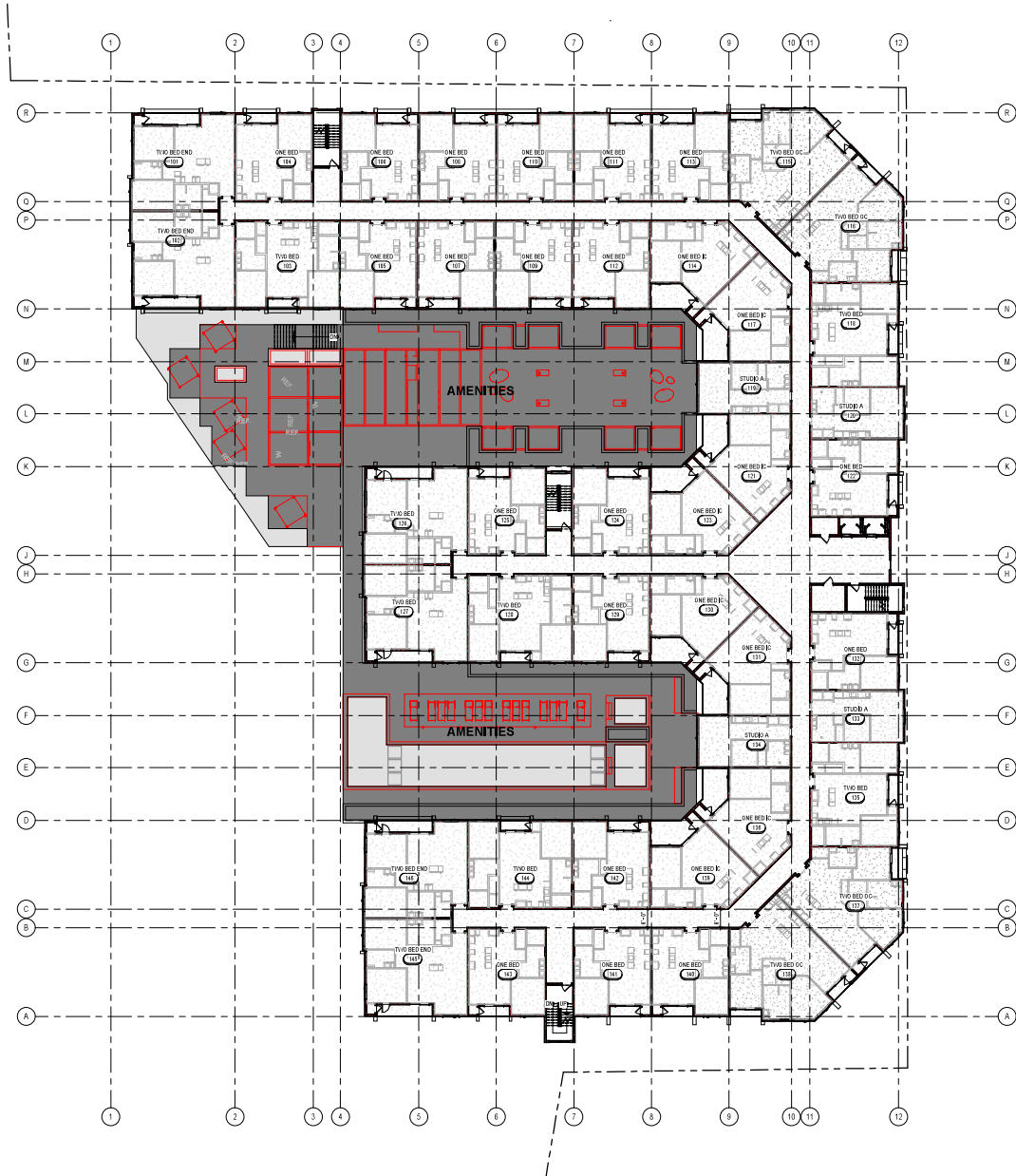


PARKING SCHEDULE	
STALL TYPE	AMOUNT
PARKING LEVEL P1	
5' x 15' - 90 deg 2	57
5' x 15' (F/Aide)	1
5' x 15' - 90 deg	155
5' x 15' - 90 deg ADA	2
	155
PARKING LEVEL P2	
5' x 15' - 90 deg 2	48
5' x 15' (F/Aide)	1
5' x 15' - 90 deg	67
5' x 15' - 90 deg ADA	1
	119
TOTAL	234



LEVEL P2 PARKING FLOOR PLAN

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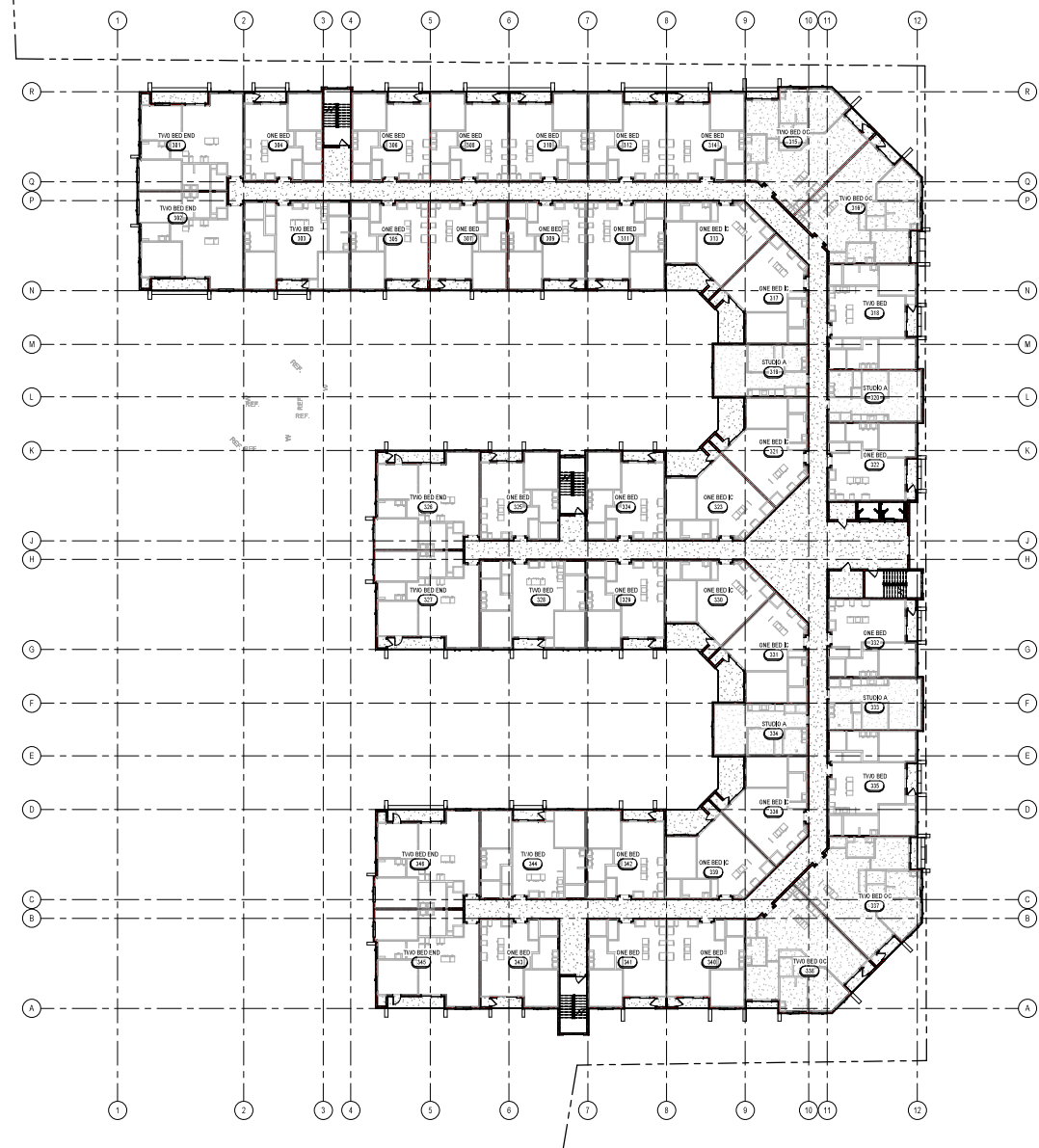
UNIT MIXTURE-LEVEL 1		
UNIT TYPE		COUNT
ONE BED	1	1
ONE BED E	1	1
TWO BED	1	1
TWO BED E	1	1
TWO BED OC	1	1
TOTAL UNITS	48	

4800 SOUTH LOFTS BUILDING B
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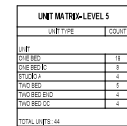
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Architecture/Interiors
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P.O. BOX 438 BUREAU
1115 EAST UPTON LANE 400
MURRAY, UTAH 84303

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LEVEL 1 FLOOR PLAN
DATE: 01/11/2021
A101



UNIT MATRIX-LEVEL 3	
UNIT TYPE	COUNT
UNIT	
ONE BED	16
ONE BED CC	8
STUDIO A	4
TWO BED	5
TWO BED END	6
TWO BED CC	4
TOTAL UNITS - 46	



1 LEVEL 5 FLOOR PLAN
A105 1/16" = 1'-4"



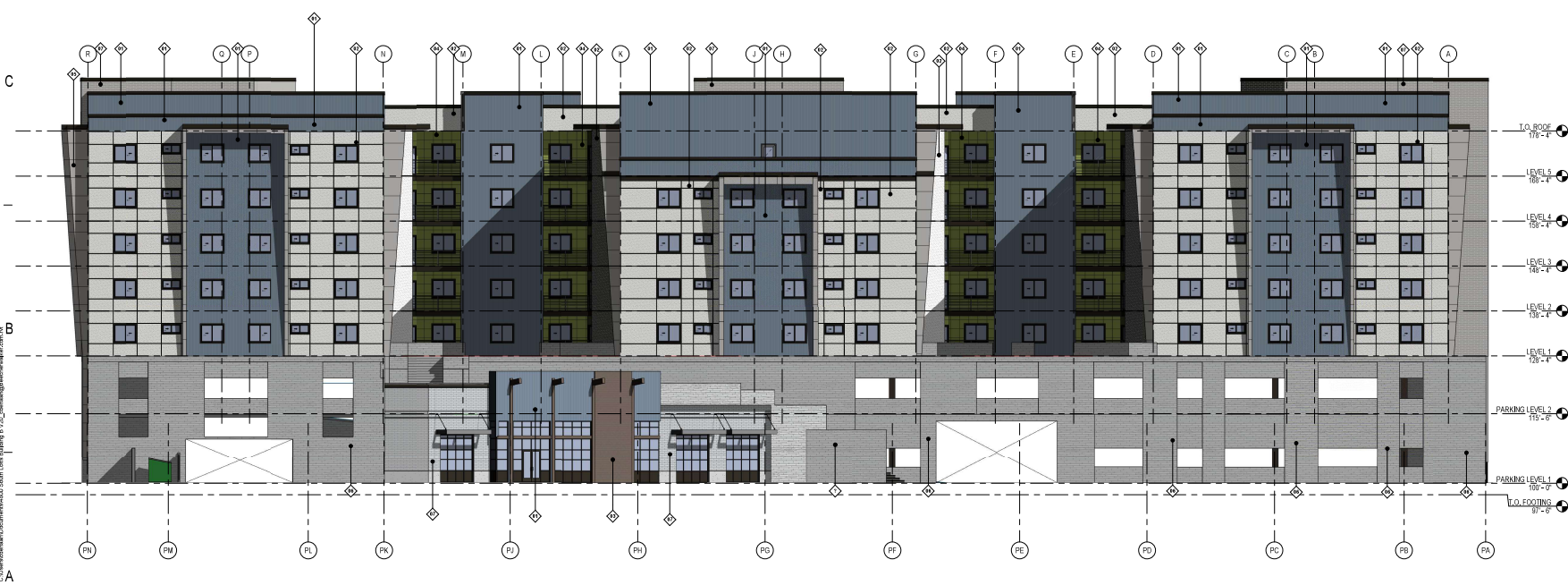
- EXTERIOR GENERAL NOTES**
- A. SEE SHEET A01 FOR DOOR AND WINDOW TYPES.
 - B. COORDINATE WINDOW HEIGHTS WITH WINDOW SCHEDULE.
 - C. MECHANICAL CONTRACTOR TO COORDINATE FACE PLATES FOR EXTERIOR VENT AND EXHAUST UNITS IN TOP OF BUILDING.
 - D. EXTERIOR VENTILATION PANELS TO BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS.

- EXTERIOR MATERIALS LEGEND**
- VERTICAL BRICK LIGHT BLUE
 - BRICK LIGHT GREY
 - STONE BROWN
 - METAL PANEL LIGHT GREEN PANEL
 - METAL PANEL LIGHT GREY PANEL
 - CONCRETE ARCHITECTURAL FINISH (WIDE BRICK PATTERN)
 - BRICK INTERSTATE BRICK GREY

WALL MATERIALS (EXTERIOR)		
TYPE	NAME	%
EAST	COMPOSITE WOOD VENEER PANELS STAGGERED	12%
	CONCRETE	41%
	BRICK	32%
	STONE	1%
	BRICK	1%
NORTH	COMPOSITE WOOD VENEER PANELS STAGGERED	35%
	CONCRETE	41%
	BRICK	1%
	STONE	1%
	BRICK	1%
SOUTH	COMPOSITE WOOD VENEER PANELS STAGGERED	31%
	CONCRETE	41%
	BRICK	1%
	STONE	1%
	BRICK	1%
WEST	COMPOSITE WOOD VENEER PANELS STAGGERED	31%
	CONCRETE	41%
	BRICK	1%
	STONE	1%
	BRICK	1%
TOTAL: 177		



4800 SOUTH LOFTS BUILDING B
NORTH ELEVATION
1"=10'-0"



4800 SOUTH LOFTS BUILDING B
WEST ELEVATION
1"=10'-0"

EXTERIOR GENERAL NOTES

- SEE SHEET A81 FOR DOOR AND WINDOW TYPES.
- COORDINATE WINDOW HEIGHTS WITH WINDOW SCHEDULE.
- MECHANICAL CONTRACTOR TO COORDINATE FACE PLACES FOR EXTERIOR VENT AND EXHAUST UNITS TO TOP OF BUILDING.
- EXTERIOR VENT/FACE PANELS TO BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS.

EXTERIOR MATERIALS LEGEND

- VERTICAL SIDING LIGHT BLUE
- SPF LIGHT GREY
- STONE BROWN
- METAL PANEL LIGHT GREEN PANEL
- METAL PANEL LIGHT GREY PANEL
- CONCRETE ARCHITECTURAL FINISH "WIDE BRICK" PATTERN
- BRICK INTERSTATE BRICK GREY

WALL MATERIALS (EXTERIOR)		
ELEV	WALL	%
NORTH	COMPOSITE WOOD VENEER PANELS STAGGERED	12%
	CONCRETE	41%
	SPF	32%
	STONE FACE	15%
NORTH (W/CL) (W)	COMPOSITE WOOD VENEER PANELS STAGGERED	35%
	CONCRETE	41%
	SPF	19%
	STONE FACE	5%
NORTH (W/CL) (W)	COMPOSITE WOOD VENEER PANELS STAGGERED	31%
	CONCRETE	41%
	SPF	19%
	STONE FACE	9%
SOUTH (W/CL) (W)	COMPOSITE WOOD VENEER PANELS STAGGERED	37%
	CONCRETE	41%
	SPF	19%
	STONE FACE	3%
SOUTH (W/CL) (W)	COMPOSITE WOOD VENEER PANELS STAGGERED	35%
	CONCRETE	41%
	SPF	19%
	STONE FACE	5%
SOUTH (W/CL) (W)	COMPOSITE WOOD VENEER PANELS STAGGERED	31%
	CONCRETE	41%
	SPF	19%
	STONE FACE	9%
WEST	COMPOSITE WOOD VENEER PANELS STAGGERED	31%
	CONCRETE	41%
	SPF	19%
	STONE FACE	9%
TOTAL (37)		37%

4800 SOUTH LOFTS BUILDING B
MURRAY

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C1 BUILDING INTERIOR NORTH WING
1" = 1/8"



A1 BUILDING INTERIOR NORTH MIDDLE WING
1" = 1/8"

EXTERIOR GENERAL NOTES

- A. SEE SHEET A81 FOR DOOR AND WINDOW TYPES.
- B. COORDINATE WINDOW HEIGHTS WITH WINDOW SCHEDULE.
- C. MECHANICAL CONTRACTOR TO COORDINATE FACE PLACES FOR EXTERIOR VENT AND EXHAUST UNITS TO TOP OF BUILDING.
- D. EXTERIOR VENT/FACIAL PANELS TO BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS.

EXTERIOR MATERIALS LEGEND

- VERTICAL SIDING | LIGHT BLUE
- SPF | LIGHT GREY
- STONE | BROWN
- METAL PANEL | LIGHT GREEN PANEL
- METAL PANEL | LIGHT GREY PANEL
- CONCRETE | ARCHITECTURAL FINISH
"WIDE BRICK" PATTERN
- BRICK | INTERSTATE BRICK, GREY

WALL MATERIALS (EXTERIOR)		
FACE	MATERIAL	%
EAST		
EAST	COMPOSITE WOOD VENEER PANELS STAGGERED	12%
EAST	CONCRETE	48%
EAST	SPF	32%
EAST	STONE PANEL	7%
NORTH MIDDLE WING		
NORTH MIDDLE WING	COMPOSITE WOOD VENEER PANELS STAGGERED	35%
NORTH MIDDLE WING	SPF	65%
NORTH WING		
NORTH WING	COMPOSITE WOOD VENEER PANELS STAGGERED	31%
NORTH WING	SPF	69%
SOUTH MIDDLE WING		
SOUTH MIDDLE WING	COMPOSITE WOOD VENEER PANELS STAGGERED	37%
SOUTH MIDDLE WING	SPF	63%
SOUTH WING		
SOUTH WING	COMPOSITE WOOD VENEER PANELS STAGGERED	35%
SOUTH WING	SPF	65%
WEST		
WEST	COMPOSITE WOOD VENEER PANELS STAGGERED	19%
WEST	CONCRETE	41%
WEST	SPF	35%
WEST	STONE PANEL	6%
TOTAL		
TOTAL		100%

4800 SOUTH LOFTS BUILDING B
MURRAY

beecherwalker
Architecture/Interiors
BEECHERWALKER.COM
P. 804.438.8500 F. 804.438.8501
1115 EAST UPTOWN AVENUE, SUITE 100
AUSTIN, TEXAS 78701

PROJECT NUMBER
Project Number

DRAWN BY
Author

CHECKED BY
Checker

Project Status

EXTERIOR
ELEVATIONS

DATE: 10/10/2017

A203

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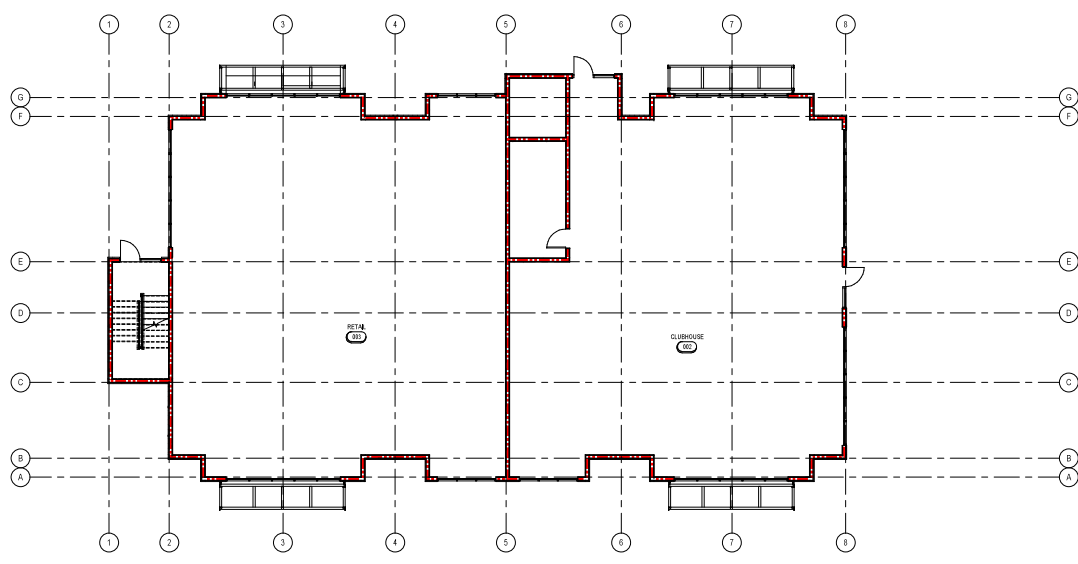
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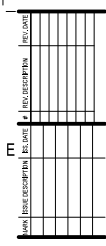
A

1 2 3 4 5 6 7



UNIT MATRIX-LEVEL 1
LOFTTYPE 1000T

LEVEL 1 FLOOR PLAN
1/8" = 1'-0"



D

4800 SOUTH LOFTS BUILDING C
MURRAY

beecherwalker
Architecture/Interiors
P. 801.438.8500 | 1115 EAST UPTOWN AVE. SUITE 1000
C. 801.438.8501 | HOUSTON, TEXAS 77002
BEECHERWALKER.COM

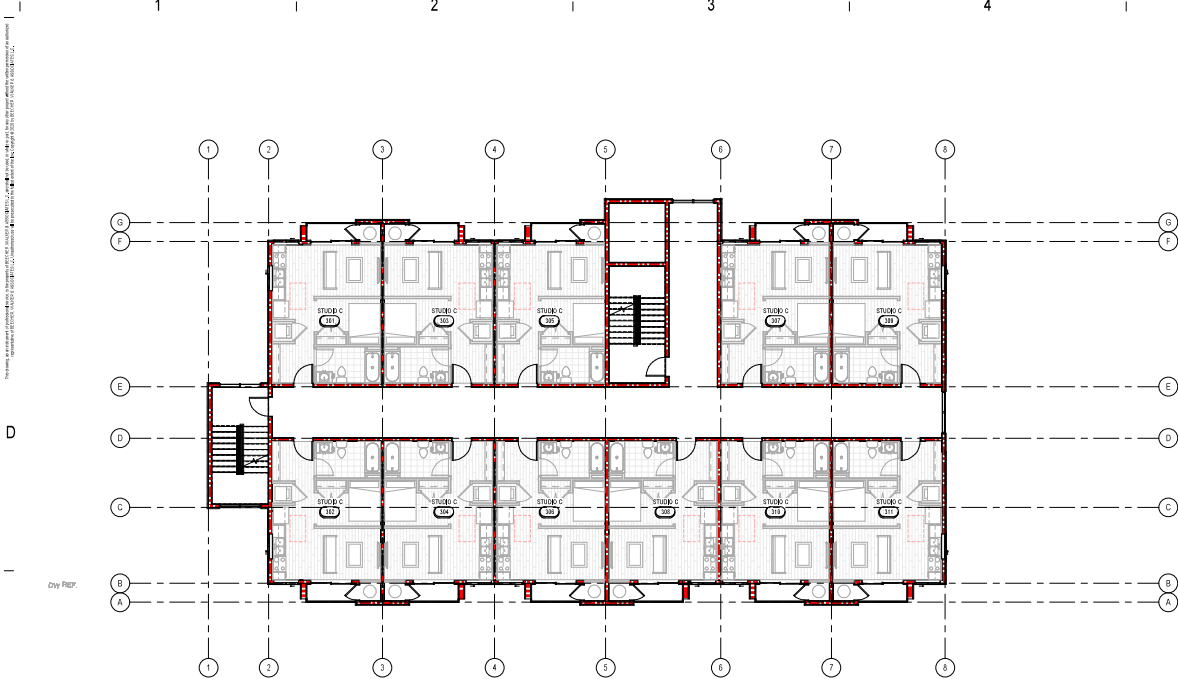
PROJECT NUMBER	
Project Number	
Drawn By	Checked By
Author	Checker
Project Status	

LEVEL 1 FLOOR PLAN

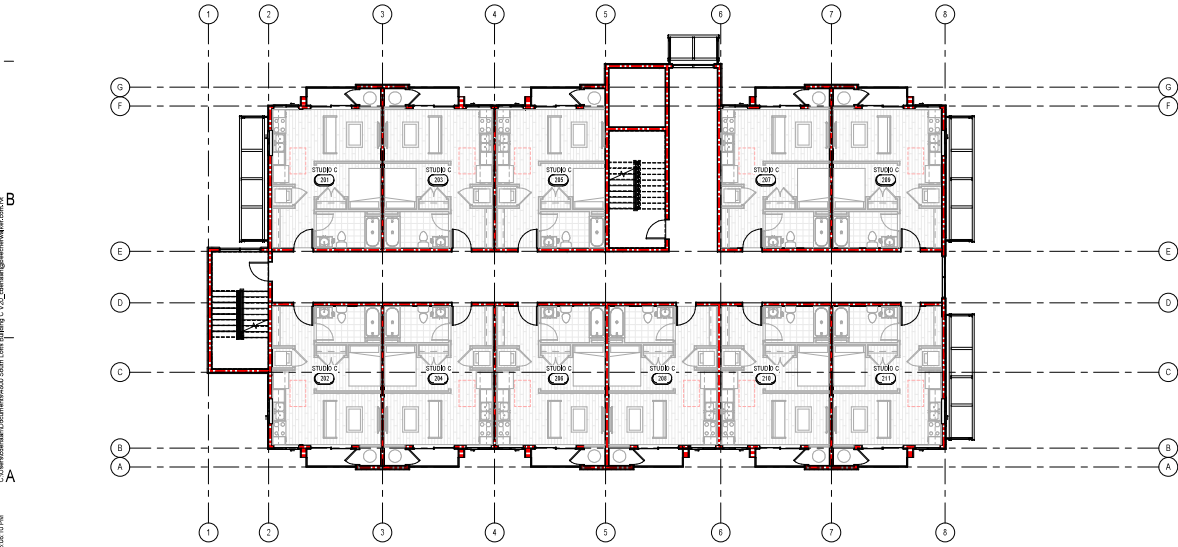
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A101

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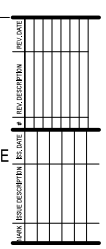
C-1 LEVEL 3 FLOOR PLAN
1/8" = 1'-0"



A-1 LEVEL 2 FLOOR PLAN
1/8" = 1'-0"

UNIT MATRIX-LEVEL 2	
UNIT TYPE	COUNT
STUDIO C	11
TOTAL UNITS	11

UNIT MATRIX-LEVEL 3	
UNIT TYPE	COUNT
STUDIO C	11
TOTAL UNITS	11




4800 SOUTH LOFTS BUILDING C
MURRAY

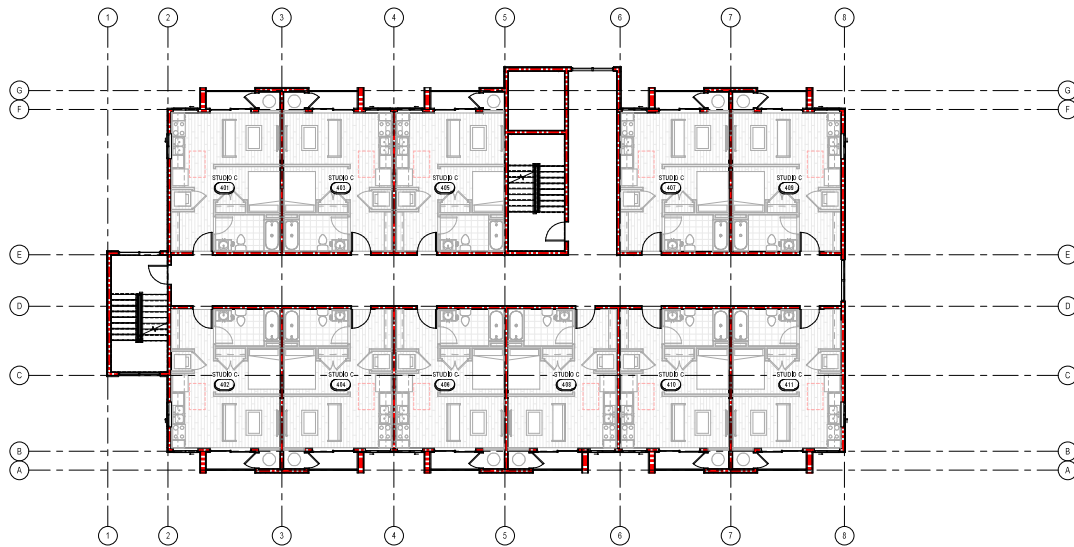
beecherwalker
Architecture/Interiors
P. 801.438.8500 | 1115 EAST UPTOWN AVE. 4000
C. 801.438.8501 | HOUSTON, TEXAS 77011
BEECHERWALKER.COM

PROJECT NUMBER
Project Number
Drawn By
Author
Checked By
Checker
Project Status

LEVEL 2 & 3 FLOOR
PLAN
A102



C  LEVEL 5 FLOOR PLAN
1/8" = 1'-0"



LEVEL 4 FLOOR PLAN
1/8" = 1'-4"

UNIT MATRIX-LEVEL 4	
UNIT TYPE	COUNT
UNIT	
STUDIO C	11
TOTAL UNITS: 11	

UNIT MATRIX-LEVEL 5	
UNIT TYPE	COUNT
UNIT	
STUDIO C	7
TOTAL UNITS : 7	

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B



A1 EAST ELEVATION
1/8" = 1'-0"



A2 WEST ELEVATION
1/8" = 1'-0"

EXTERIOR GENERAL NOTES

- A. SEE SHEET A611 FOR DOOR AND WINDOW TYPES.
- B. COORDINATE WINDOW HEIGHTS WITH WINDOW SCHEDULE.
- C. MECHANICAL CONTRACTOR TO COORDINATE FACE PLATES FOR EXTERIOR VENT AND EXHAUST UNITS TO TOP OF BUILDING.
- D. EXTERIOR FENESTRATION PANELS TO BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS.

EXTERIOR MATERIALS LEGEND

- VERTICAL SIDING | LIGHT BLUE
- SPF | LIGHT GREY
- STONE | BROWN
- METAL PANEL | LIGHT GREEN PANEL
- METAL PANEL | LIGHT GREY PANEL
- CONCRETE | ARCHITECTURAL FINISH
"WIDE BRICK" PATTERN
- BRICK | INTERSTATE BRICK, GREY

EXTERIOR GLAZING SCHEDULE

- 1" INSULATED CLEAR GLAZING
- 1" INSULATED CLEAR TO-TOPPED GLAZING
- SPANDREL GLAZING PANEL

WALL MATERIALS (EXTERIOR)		
ELEV.	NAME	%
EAST		
EAST - BRICK NLG		42%
EAST - MET ST		25%
EAST - SPAN PANEL		28%
EAST - BRICK ST		15%
NORTH		
NORTH - BRICK NLG		42%
NORTH - MET ST		25%
NORTH - BRICK ST		33%
SOUTH		
SOUTH - BRICK ST		84%
SOUTH - BRICK ST		16%
WEST		
WEST - BRICK ST		45%
WEST - SPAN PANEL		35%
WEST - BRICK ST		20%
TOTAL: 100		

4800 SOUTH LOFTS BUILDING C
MURRAY

beecherwalker
Architecture/Interiors
BEECHERWALKER.COM
P. 604.438.8500 | 1115 EAST UPTOWN, SUITE 1000
C. 604.438.8501 | HOUSTON, TEXAS 77002

PROJECT NUMBER
Project Number
Drawn By: Author
Checked By: Designer
Project Status

EXTERIOR ELEVATIONS

DATE: 10/15/2021

A201

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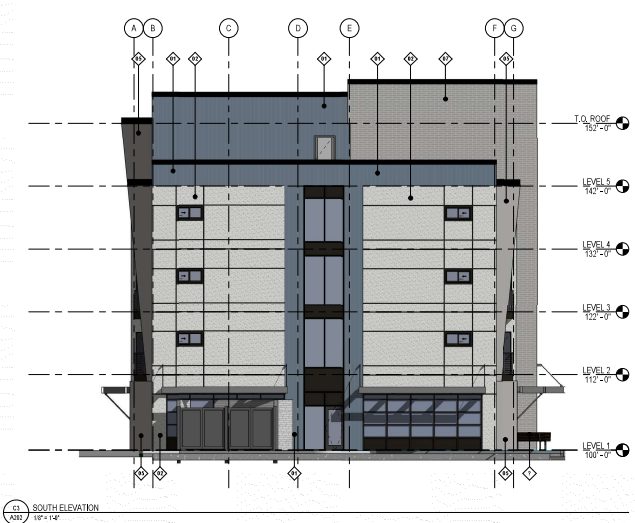
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- EXTERIOR GENERAL NOTES**
- A. SEE SHEET A611 FOR DOOR AND WINDOW TYPES.
 - B. COORDINATE WINDOW HEIGHTS WITH WINDOW SCHEDULE.
 - C. MECHANICAL CONTRACTOR TO COORDINATE FACE PLATES FOR EXTERIOR VENT AND EXHAUST UNITS WITH TOP OF BUILDING.
 - D. FIBER CEMENT FIBER PANELS TO BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS.

- EXTERIOR MATERIALS LEGEND**
- VERTICAL SIDING | LIGHT BLUE
 - SPR | LIGHT GREY
 - STONE | BROWN
 - METAL PANEL | LIGHT GREEN PANEL
 - METAL PANEL | LIGHT GREY PANEL
 - CONCRETE | ARCHITECTURAL FINISH "WIDE BRICK" PATTERN
 - BRICK | INTERSTATE BRICK GREY

- EXTERIOR GLAZING SCHEDULE**
- 1" INSULATED CLEAR GLAZING
 - 1" INSULATED CLEAR TO-TYPED GLAZING
 - SPANDREL GLAZING PANEL

WALL MATERIALS (EXTERIOR)		
ELEV.	NAME	%
EAST		
EAST - BRICK SLAT		42%
EAST - SPR		25%
EAST - STONE PANEL		20%
EAST - BRICK SLAT		13%
NORTH		
NORTH - BRICK SLAT		42%
NORTH - SPR		25%
NORTH - BRICK SLAT		33%
SOUTH		
SOUTH - SPR		84%
SOUTH - BRICK SLAT		16%
WEST		
WEST - SPR		45%
WEST - STONE PANEL		35%
WEST - BRICK SLAT		20%
TOTAL: 100%		



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4800 SOUTH LOFTS BUILDING C
MURRAY

beecherwalker
Architecture/Interiors
BEECHERWALKER.COM
P: 804-438-8500 | 3115 EAST UPTOWN LANE #200
F: 804-438-8501 | FOLLOWS: @BWK101

PROJECT NUMBER
Project Number

DRAWN BY
Author

CHECKED BY
Checker

Project Status

EXTERIOR
ELEVATIONS

DATE: 10-10-2023

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4800 SOUTH LOFTS BUILDING C
MURRAY

beecherwalker
Architecture/Interiors
604-438-8500 1115 EAST 10TH AVE #200
VANCOUVER, BC V6L 1A1
BEECHERWALKER.COM

PROJECT NUMBER
Project Number
Drawn By: Author
Checked By: Checker
Project Status

EXTERIOR
ELEVATIONS

CPH/MS/RLP/BEK
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This drawing is a conceptual architectural drawing. It is not a contract document. It is not to be used for construction or other purposes without the written consent of the architect.

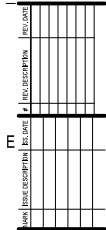
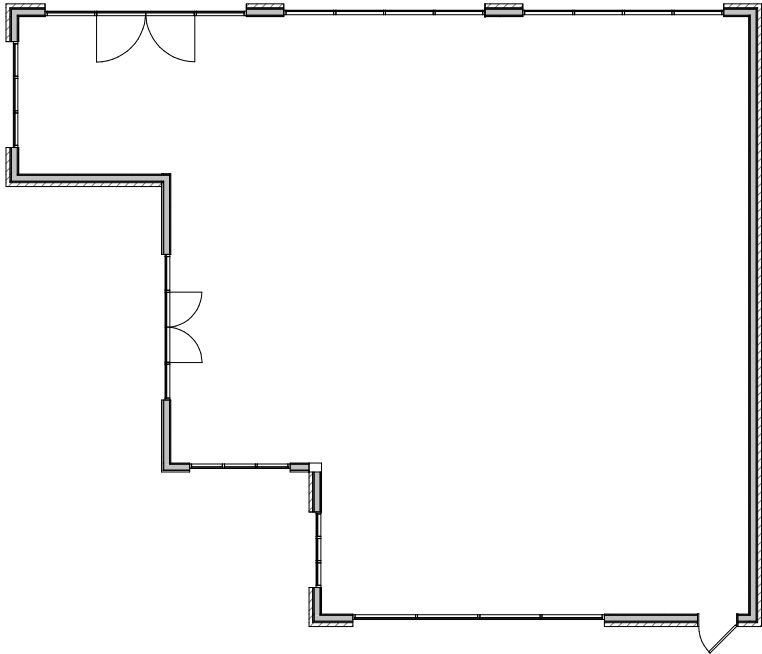
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A101 LEVEL 1 FLOOR PLAN
1/8" = 1'-0"



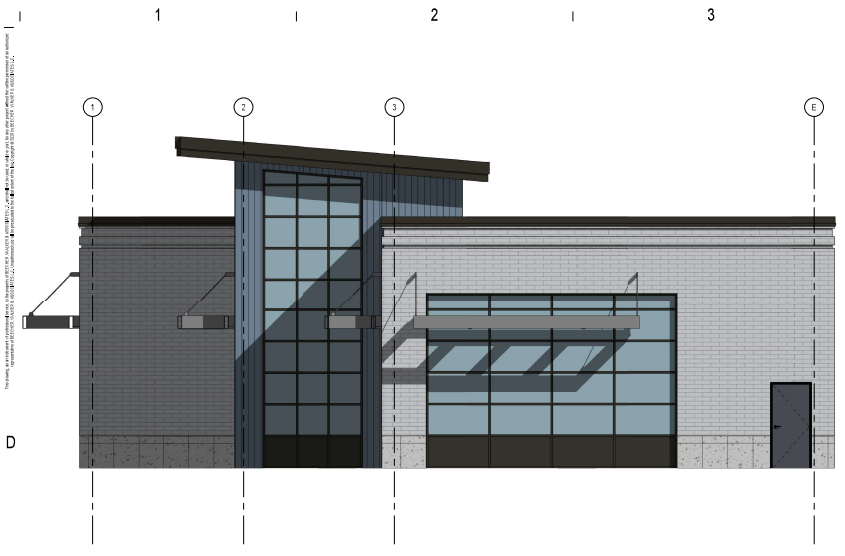
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4800 SOUTH LOFTS RETAIL
MURRAY

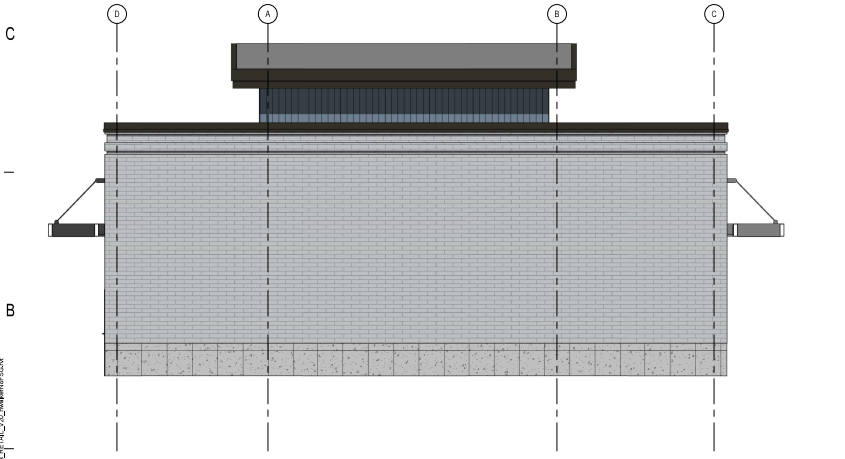
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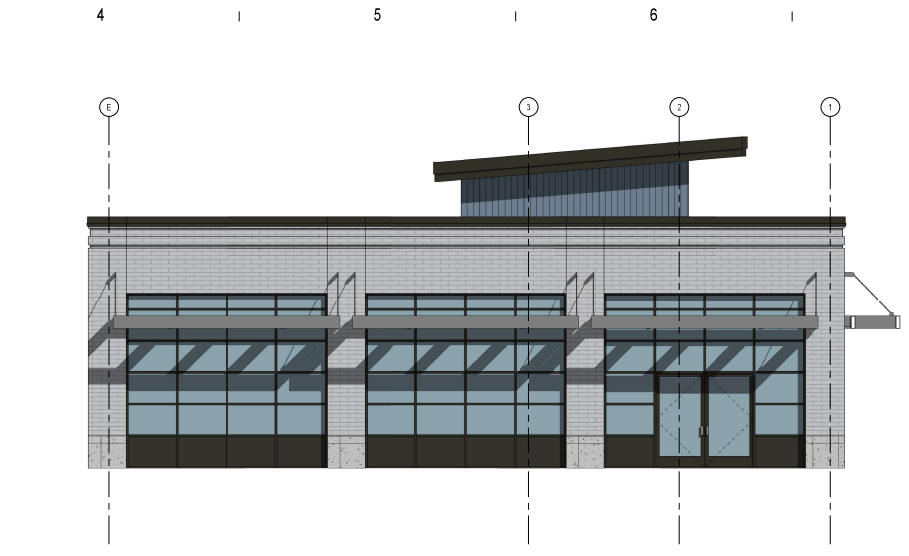
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01 SOUTH ELEVATION
1/4" = 1'-0"



02 EAST ELEVATION
1/4" = 1'-0"



03 NORTH ELEVATION
1/4" = 1'-0"



04 WEST ELEVATION
1/4" = 1'-0"

4800 SOUTH LOFTS RETAIL
MURRAY

beecherwalker
Architecture/Interiors
P.O. BOX 438 BUREAU | 3115 EAST UPTOWN LANE #200
COLUMBIA, MO 65201 | 314.438.3351 | BEECHERWALKER.COM

PROJECT NUMBER	
Project Number	
DRAWN BY	CHECKED BY
Author	Checker
Project Status	

EXTERIOR
ELEVATIONS

4800 SOUTH LOFTS RETAIL

A201

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1 2 3 4 5 6 7

INDEX OF DRAWINGS

SHEET NO.	SHEET TITLE	SHEET NO.	SHEET TITLE
GENERAL			
G001	TITLE SHEET		
ARCHITECTURAL			
A001	LEVEL 1 FLOOR PLAN		
A002	EXTERIOR ELEVATIONS		

LEVEL 1	LEVEL 1
LEVEL 2	LEVEL 2
LEVEL 3	LEVEL 3
LEVEL 4	LEVEL 4
LEVEL 5	LEVEL 5
LEVEL 6	LEVEL 6
LEVEL 7	LEVEL 7
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LEVEL 63	LEVEL 63
LEVEL 64	LEVEL 64
LEVEL 65	LEVEL 65
LEVEL 66	LEVEL 66
LEVEL 67	LEVEL 67
LEVEL 68	LEVEL 68
LEVEL 69	LEVEL 69
LEVEL 70	LEVEL 70
LEVEL 71	LEVEL 71
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LEVEL 87	LEVEL 87
LEVEL 88	LEVEL 88
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LEVEL 91	LEVEL 91
LEVEL 92	LEVEL 92
LEVEL 93	LEVEL 93
LEVEL 94	LEVEL 94
LEVEL 95	LEVEL 95
LEVEL 96	LEVEL 96
LEVEL 97	LEVEL 97
LEVEL 98	LEVEL 98
LEVEL 99	LEVEL 99
LEVEL 100	LEVEL 100

PROJECT IMAGE



ARCHITECT BEECHER, WALKER & ASSOCIATES 3115 EAST LION LANE, SUITE 200 HOLLADAY, UTAH 84121 B: 801.433.9500 M: 801.910.1948 CONTACT: CHRIS DEHAAN EMAIL: CDEHAAN@BEECHERWALKER.COM CONTRACTOR ???? ???? ???? B: ### M: ### CONTACT: ???? EMAIL: ???? LANDSCAPE ARCHITECT STB DESIGN 1375 E. PERRY'S HOLLOW ROAD SALT LAKE CITY, UT 84103 B: 801.554.8146 CONTACT: SCOTT T. BLAKE EMAIL: SCOTT@STBDESIGNLLC.COM MECHANICAL ENGINEER ???? ???? ???? B: ### M: ### CONTACT: ???? EMAIL: ????	OWNER NEXT LEVEL HOMES 11016 SOUTH STATE STREET SUITE 1004 DRAPER, UT 84020 B: 801.833.3501 CONTACT: JOHN D. THOMAS EMAIL: JTHOMAS@NHLBUILDERS.COM CIVIL ENGINEER S. E. SCIENCE P.O. BOX 2412 SALT LAKE CITY, UT 84110 B: 801.433.2480 M: 801.891.9376 CONTACT: PAUL FESER EMAIL: PAUL@SESCIENCE.COM STRUCTURAL ENGINEER ???? ???? ???? B: ### M: ### CONTACT: ???? EMAIL: ???? ELECTRICAL ENGINEER ???? ???? ???? B: ### M: ### CONTACT: ???? EMAIL: ????
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APPROVALS

DEFERRED SUBMITTALS

NAME	DATE	NAME	DATE	L. NONE
NAME	DATE	NAME	DATE	
NAME	DATE	NAME	DATE	
NAME	DATE	NAME	DATE	
NAME	DATE	NAME	DATE	

4800 SOUTH LOFTS RETAIL
MURRAY



PROJECT NUMBER	Project Number
DWG BY	CHKD BY
Author	Checker
Project Status	

TITLE SHEET
CHW/BW/BJR
G001

Exhibit B.3 – Phasing Plan



201,451,515 SQ. FT. 4.52 ACRES
OPEN SPACE/LANDSCAPING: 32,646 SQ. FT. 10%

PHASE 1:
BUILDING A
RETAIL B
PHASE 1A:
RETAIL A
PHASE 2:
BUILDING B
RETAIL C
BUILDING C

STALLS ON GRADE	78 STALLS
STRUCTURED PARKING	388 STALLS
TOTAL:	466 STALLS

RETAIL BUILDING A	2,224 SQ.FT.	
RETAIL BUILDING B	9,866 SQ.FT.	
ROOF TOP		7,898 SQ. FT.
RETAIL BUILDING C	4,266 SQ.FT.	
ROOF TOP		4,132 SQ. FT.
RETAIL BUILDING D	3,637 SQ.FT.	
RETAIL CLUBHOUSE		2,867 SQ. FT.
TOTAL:	18,571 SQ. FT.	14,888 SQ. FT.

BUILDING A	180 UNITS
BUILDING B	220 UNITS
BUILDING C	40 UNITS
TOTAL:	440 UNITS

ONE BEDROOM (900 SQ.FT.)	68 UNITS
STUDIO B (499 SQ.FT.)	18 UNITS
TWO BED (838 SQ.FT.)	11 UNITS
TWO BED END (975 SQ.FT.)	17 UNITS
TWO BED D.C. (1,094 SQ.FT.)	5 UNITS
TOTAL	112 UNITS
STRUCTURED PARKING	82 STALLS

ONE BED (\$90 SQ.FT.)	95 UNITS
ONE BED LC. (\$79 SQ.FT.)	40 UNITS
STUDIO A (\$49 SQ.FT.)	20 UNITS
TWO BED (\$39 SQ.FT.)	27 UNITS
TWO BED END (\$75 SQ.FT.)	36 UNITS
TWO BED O.G. (1,101 SQ.FT.)	28 UNITS
TOTAL	226 UNITS

STUDY 1238 SOFT	48 UNITS
TOTAL	48 UNITS

C
4800 SOUTH DEVELOPMENT
4800 SOUTH

beeherwalker
Architecture/Interiors

q. 801.438.9500
f. 801.438.9501
3115 EAST LION LANE #200
HOLLADAY, UTAH 84121

BECHERWALKER.COM

PROJECT NUMBER
Project Number

DIVN BY Author	CHKD BY Checker
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Project Status

ARCHITECTURAL
MASTER SITE PLAN

DRAWING NUMBER

AS10

Exhibit C – 2019 Mixed Use (M-U) Zone

Chapter 17.146

MIXED USE DEVELOPMENT DISTRICT M-U

17.146.010: PURPOSE:

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

- A. Encourage high quality, compact development and increase the number of residents and workers within walking distance of transit opportunities;
- B. Encourage a mix of high quality residential, office, commercial, live-work, open space, entertainment, recreation, public and institutional land uses;
- C. Revitalize areas proximate to transit stations;
- D. Improve the urban design in the area;
- E. Encourage active community life within a framework of attractive and welcoming buildings and usable open spaces;
- F. Coordinate the urban design and streetscape elements in order to create a distinct visual quality for the area;
- G. Manage parking and access in a manner that enhances pedestrian safety, pedestrian mobility and quality urban design;
- H. Encourage structured parking, new roads and public open spaces to enhance the design and function of the built environment;
- I. Encourage a safe, attractive and comfortable environment for the pedestrian and bicyclist by providing public open spaces, public pedestrian walkways, wide sidewalks, bike lanes, street furniture, pedestrian scale lighting, street trees and other appropriate amenities;
- J. Encourage conservation of resources and optimal use of public infrastructure toward a sustainable community;
- K. Require property owners, developers, architects, and contractors to use a mix of high quality, durable, low maintenance building materials for projects in this zoning district. (Ord. 10-04 § 2)

17.146.020: DEFINITIONS:

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

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

PUBLIC STREET: Means a thoroughfare which has been dedicated to the public and accepted by proper public authority, or a thoroughfare which has been adjudicated to be a public street by public use as provided by law.

PRIVATE STREET: Means a right of way of easement in private ownership, not dedicated or accepted as a public street, which affords the principal means of access to two (2) or more sites.

PRINCIPAL STREET: The street with higher traffic volume.

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

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

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

17.146.030: PERMITTED USES:

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

<u>Use No.</u>	<u>Use Classification</u>
1100	Household units (except 1110, 1112, 1114, 1115, 1116, 1121, 1122;). Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.
1210	Residential facility for disabled persons.
1210	Residential facility for elderly persons (see chapter 17.32 of this title).

1241	Retirement homes, independent living or congregate care.
1300	Residential hotels and apartment hotels.
1511	Hotels.
4100	Railroad, rapid rail transit, and street railway transportation.
4601	No fee parking lots and garages (except surface parking lots not associated with a permitted use).
4602	Commercial parking lots and garages on a fee basis (except surface parking lots not associated with a permitted use).
4710	Telephone communications (except 4712).
4730	Radio communications.
4740	Television communications.
4750	Radio and television communications, combined.
4760	Recording and sound studios.
4800	Utilities (offices, lines and right of way only; except 4812, 4813, 4822, 4823, 4832, 4842, 4843, 4845, 4850, 4861, and 4874).
4920	Transportation services and arrangements (with no more than 5 employees in no more than 2,500 square feet; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
5210	Building materials, tile (no outside storage; not to exceed 12,000 square feet).
5220	Heating and plumbing equipment (no outside storage; not to exceed 12,000 square feet).
5230	Paint, glass, and wallpaper (no outside storage; not to exceed 12,000 square feet).
5240	Electrical supplies (no outside storage; not to exceed 12,000 square feet).
5251	Hardware (no outside storage; not to exceed 12,000 square feet).
5254	Janitorial supplies (no outside storage; not to exceed 12,000 square feet).
5255	Building maintenance materials (no outside storage; not to exceed 12,000 square feet).

5256	Swimming pool supplies (no outside storage; not to exceed 12,000 square feet).
5310	Department stores (not to exceed 40,000 square feet unless floor area ratio (FAR) of 1.0 is met).
5320	Mail order houses (deliveries and shipping only during normal business hours; not to exceed 12,000 square feet).
5330	Variety stores (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5350	Direct selling organizations (deliveries and shipping only during normal business hours; no outside storage; not to exceed 20,000 square feet).
5390	General merchandise (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5400	Food stores (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5600	Apparel and accessories (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5700	Furniture, home furnishings, and equipment (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5810	Eating places (drive-through sales to be allowed by conditional use permit; not to exceed 20,000 square feet).
5910	Drug and proprietary (not to exceed 12,000 square feet).
5920	Liquor, package (state store).
5930	Antiques and secondhand merchandise (except 5935, 5938 and construction materials; not to exceed 20,000 square feet).
5940	Books, stationery, art, and hobby supplies (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5950	Sporting goods, bicycles, and toys supplies (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5969	Garden supplies (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5970	Jewelry (not to exceed 12,000 square feet).
5990	Miscellaneous retail trade (not to exceed 12,000 square feet).
6100	Finance, insurance, and real estate (except 6112, payday loan services, 6123, 6124, and 6141 surety bail bonding) (not to exceed 40,000 square feet unless FAR of 1.0 is met).
6213	Dry cleaning (in no more than 7,500 square feet; no outside storage).

6216	Self-service laundries.
6218	Rug cleaning and repair (in no more than 7,500 square feet; no outside storage).
6220	Photographic services.
6230	Beauty and barber services.
6241	Funeral home.
6250	Apparel repair, alteration, and cleaning, shoe repair services (except 6256).
6290	Personal services (except 6293, 6294).
6310	Advertising services (office only; no outside storage).
6320	Consumer credit reporting services.
6330	Duplicating, mailing, stenographic, and office services.
6340	Dwelling and building services (office only, except 6342, 6345).
6350	News syndicate services (office only).
6360	Employment services.
6390	Business services (office only, except 6394 and 6397).
6420	Electrical appliance repair and service (except 6421 and 6426; in no more than 12,000 square feet; no outside storage).
6493	Watch, clock, jewelry repair, engraving.
6496	Locksmiths and key shops.
6498	Saw, knife, lawn mower and tool sharpening (in no more than 5,000 square feet; no outside storage).
6499	Miscellaneous small item repair (in no more than 5,000 square feet; no outside storage).
6500	Professional services (office only, except 6513 and 6516).

6600	Contract construction services (office and indoor storage only; no outside storage; not to exceed 12,000 square feet).
6700	Governmental services (except 6714, 6740, 6750, and 6770).
6800	Educational services.
6900	Miscellaneous service organizations.
7100	Cultural activities and nature exhibitions (except 7124).
7210	Entertainment assembly (except 7213).
7220	Sports assembly (except 7223 and 7224).
7230	Public assembly.
7391	Penny arcades and other coin operated amusements.
7395	Card rooms.
7396	Dance halls, ballrooms (includes dance clubs).
7397	Billiard and pool halls.
7399	Other amusements (office only).
7413	Tennis courts.
7414	Ice skating.
7417	Bowling alleys.
7420	Playgrounds and athletic areas.
7425	Athletic clubs, bodybuilding studios.
7432	Swimming pools and schools.
7451	Archery range (indoor only).

7492	Picnic areas.
7600	Parks (public and private).
8221	Veterinarian services (completely enclosed within a building).
8224	Pet grooming (completely enclosed within a building).

(Ord. 16-41: Ord. 10-04 § 2)

17.146.040: CONDITIONAL USES:

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

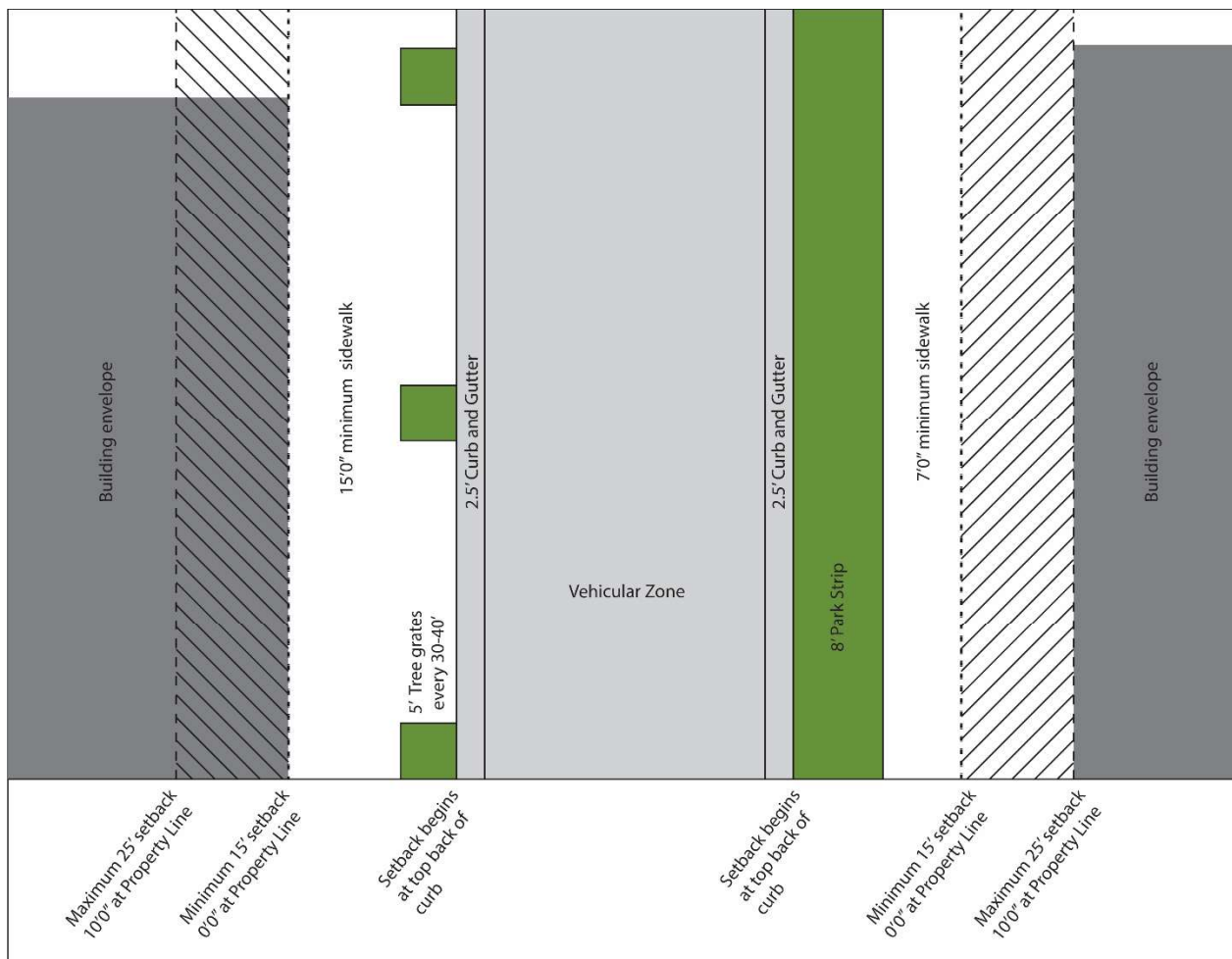
<u>Use No.</u>	<u>Use Classification</u>
1140	Condominium, low rise or garden type. Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to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

	units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.
2000	Manufacturing industries (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3220	Glass and glassware (pressed or blown; in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3250	Pottery and related products (except 3251 and 3255; trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3500	Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3900	Miscellaneous manufacturing (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
5100	Wholesale trade (except 5110, 5120, 5150, 5162, 5169, 5170, 5181, 5182, 5185, 5191, 5192, 5193, 5198, 5199 firearms and ammunition, charcoal, livestock and poultry feed, farm supplies, hay; in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
5813	Short order eating places with no product specialty, auto oriented (drive-in or drive-through establishments, etc.).
5820	Drinking places alcoholic beverages.
6516	Skilled nursing, convalescent and rest home facilities. (Does not include asylums.)
6516.1	Assisted living facilities.

(Ord. 16-41: Ord. 10-04 § 2)

17.146.050: AREA, WIDTH, FRONTAGE AND YARD REGULATIONS:

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



- B. The courtyard or plaza area shall be deemed to be a part of the front setback of the building.
- C. Buildings located on a corner lot shall front on both streets.
- D. All front setback areas shall be landscaped in accordance with applicable sections of this title.
- E. Parking and/or driveways are not permitted in the front setback area of any building. Drive-thru lanes and other accesses may be approved in front setback areas as part of a Master Site Plan if the Planning Commission finds that the purposes and other requirements of the M-U Zone are met.
- F. When located within one-half mile of a transit station, commercial uses shall occupy a minimum of 75% of the width of the ground floor of a building facing a public street. When located more than one-half mile from a transit station, commercial uses shall occupy a minimum of 50% of the width of the ground floor of a building facing a public street. When located on the ground floor of the same building, the commercial uses must extend forty feet (40') in depth. The balance of the ground floor may be occupied by residential uses, including parking. Horizontal Mixed Use projects shall provide a minimum commercial square footage component equal to an area calculated as 75% of the project frontage on the public street and forty feet (40') in depth. For projects which comprise multiple parcels, square footage shall be calculated based on total project frontage on the public street.
- G. A Master Site Plan approved by the Planning Commission is required for Horizontal Mixed Use Developments and Mixed Use developments located on a parcel or combination of parcels greater than five (5) acres. In addition to the requirements of this zone, the Planning Commission shall address the following when considering the Master Site Plan:
 - 1. Building Orientation. Commercial and residential buildings in the same project should

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

2. Central Feature. A prominent, centrally located feature such as a park, plaza, or other gathering place should be provided to unify the residential and commercial uses of the project. This location should include features and amenities to encourage public use and activity, with convenient access from both residential and commercial components of the development.
 3. Outdoor Spaces. To the extent possible, buildings should be designed to form outdoor spaces such as courtyards, plazas, and terraces that can integrate the components of the development. Pedestrian walkways linking the components of the development with these outdoor spaces and the public streets should be developed. Where possible, the potential linkages to existing and future adjacent developments should be considered.
 4. Memorandum of Understanding. Mixed Use developments that require a Master Site Plan shall be approved in conjunction with a Memorandum of Understanding (MOU) between Murray City and the developer. The MOU shall govern requirements for the timing of the installation of improvements, performance on construction of critical development components, and shall further memorialize the requirements for development of the several buildings and parcels as contained in the Master Site Plan and other project approvals.
- H. Maintenance buildings, trash collection and recycling areas, storage and service areas, mechanical equipment and loading docks shall not be permitted in the front setback of any building. Single or ganged utility meters or other service equipment may be located in the front setback of any building, provided there are site constraints which preclude their access in a location elsewhere on site, and they are screened and approved by the city.
- I. The side lot area between non-adjoining buildings and the property line shall be developed as parking, plaza, landscaped open space, or a landscaped walkway with access to the sidewalk. Where parking is located in the side lot area adjacent to a property boundary a five foot (5') wide landscaping area will be required along all property lines not occupied by drive accesses.
- J. A parking structure fronting on a street shall have a front setback of between fifteen feet (15') and twenty five feet (25') from the back of curb and gutter. The parking structure front setback shall not be less than the setback of the main building. The face of the structure abutting the street shall have building materials compatible with the main buildings on the same or adjoining property. The area between the sidewalk and the parking structure shall have a minimum of ten feet (10') of landscaping or shall provide window treatment consistent with subsection [17.146.070B](#) of this chapter.
- K. Surface parking lots shall have a minimum setback of between fifteen feet (15') and twenty five feet (25') from the curb. Surface parking shall be located to the side or behind the building. The area between the sidewalk and the parking lot shall have a minimum of ten feet (10') of landscaping. The remainder of the area between the required landscaping and parking shall be a combination of plazas, artwork, fountains, and pedestrian ways. In no case shall the parking be set back from the street less than the building.
- L. There shall be a minimum fifty foot (50') setback from the top of the bank of Little Cottonwood Creek, Big Cottonwood Creek and the Jordan River.

17.146.060: HEIGHT REGULATIONS:

- A. Height Restrictions: There are no height restrictions in the district except as provided herein. The height of a structure located within one hundred feet (100') of the nearest boundary of a residential zone district may not exceed fifty feet (50'). Beyond one hundred feet (100'), the building height may increase one foot (1') of height for each additional one foot (1') of setback from the residential zone district.
- B. Measurement Of Distances:
1. For purposes of this section, the width of public or private roadways shall be included in computing setback distances. For example, if a roadway is located on the boundary of a residential zoning district, the measurements required under this section shall be made from the property line of that roadway which is nearest the residential use or zone. Otherwise, the measurement shall be made from the residential zoning district boundary.
 2. Setback distances to structures located pursuant to this section shall be measured from the nearest residential zoning district boundary, except as otherwise provided in this section, to the nearest exterior wall of the structure.
 3. Where residential zoning is separated from the mixed use zone by a federal interstate highway the height restrictions of this chapter shall not apply.
- C. Authority: Nothing in this section shall be construed to limit the authority of the planning commission or community and economic development staff to review building materials, design elements and other aesthetic considerations as it deems proper to mitigate or modify the visual impact of the height of buildings upon surrounding land uses. (Ord. 10-04 § 2)

17.146.070: BUILDING REQUIREMENTS:

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

17.146.080: PARKING REGULATIONS:

- A. For buildings that exceed four (4) stories in height, at least fifty percent (50%) of the parking shall be located within the exterior walls of the building or in a parking structure that is within seven hundred fifty feet (750') of the main building. For the purposes of this chapter, building height is determined by measuring the vertical distance from the average of the finished ground level adjoining the building at the exterior wall to a flat roof deck or, for sloped roofs, to the average height of the highest roof surface. Pursuant to section [17.76.080](#) of this title, the height limitations shall not apply to architectural screening for mechanical equipment, church spires, and decorative tower elements.
- B. If more than twenty five percent (25%) of the off street parking is provided in surface parking lots, the **minimum** parking shall be:
 - 1. For residential units with two (2) bedrooms or fewer, 1.5 stalls per unit.
 - 2. For residential units with more than two (2) bedrooms, 1.85 stalls per unit.
 - 3. For all office and retail uses, off street parking will be calculated at three parking stalls for each one thousand (1,000) square feet of net usable office area or retail floor area.
- C. If seventy five percent (75%) or more of the off street parking is provided within the main buildings or within parking structures with two (2) or more floors, the minimum parking shall be:
 - 1. For residential units with two (2) bedrooms or fewer, 1.125 stalls per unit.
 - 2. For residential units with more than two (2) bedrooms, 1.4 stalls per unit.
 - 3. When the office uses or net usable square footage is unknown, off street parking will be calculated at one parking stall for each three hundred fifty (350) square feet of net usable office area or retail floor area.
 - 4. All medical, dental and related office uses will require one off street parking stall for each three hundred fifty (350) square feet of net usable office area.
 - 5. All other office uses will be calculated at the ratio of two and one-fourth (2.25) off street parking stalls for each one thousand (1,000) square feet of net usable floor area.
 - 6. Retail use parking shall be calculated at the rate of one parking space for each three hundred fifty (350) square feet of net floor area.
 - 7. On street parking adjacent to the development parcel shall not count toward the minimum parking required by this chapter.
- D. Parking in excess of one hundred twenty-five percent (125%) of the minimums outlined above may only be provided in parking structures or within the envelope of the building.
- E. Off street parking will not be permitted in any fire lane, aisle space or front yard setback areas except as allowed by this chapter.

- F. Comply with off street parking dimensional standards as found in [chapter 17.72](#) of this title.
- G. Shared parking is permitted and encouraged in the mixed use zone. Parking spaces shall be located within one thousand feet (1,000') of the property served by the spaces.
- H. For properties within one-fourth ($\frac{1}{4}$) mile of an existing transit stop, minimum required parking shall be reduced by ten percent (10%). (Ord. 14-12: Ord. 10-04 § 2)

17.146.090: LANDSCAPING REGULATIONS:

- A. Water conserving landscape designs shall be used. All landscaping must be irrigated and planted with substantial live plant material or appropriate xeriscape for the purpose of buffering, screening and beautifying the site, and comply with applicable landscape requirements found in chapter 17.68 of this title, except lawn shall not be required as stated in subsection 17.68.040A1a of this title. At plant maturity the landscaping should represent, as a minimum standard, compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.
- B. Landscaping adjacent to a residential zoning boundary line will require a minimum landscaping buffer of ten feet (10') in width from the boundary line on the nonresidential side of the property excluding the fence, and curb wall if located adjacent to off street parking.
- C. Parking lots abutting a property line shall be screened by a minimum five foot (5') wide landscape area as outlined in subsection 17.146.050(I) of this chapter.
- D. Sustainable landscaping including xeriscape species and innovative water recycling or irrigation systems is encouraged. All landscape plans must be approved by the city's urban forester. (Ord. 10-04 § 2)

17.146.100: LOADING AND SERVICE AREAS:

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

17.146.110: OPEN SPACE:

- A. Fifteen percent (15%) of the land area of each development shall be developed as landscaping, courtyards, plazas, or walkways, except any areas used for drainage retention with a slope greater

than three to one (3:1) will not qualify as open space. Amenity areas provided in conjunction with multi-family uses will qualify as open space.

- B. Each development shall have a system of pedestrian walkways and sidewalks that provide easy connections between the building entrances, neighboring building entrances, sidewalks, parking areas, open space and public trails. (Ord. 10-04 § 2)

17.146.120: ACCESS IMPROVEMENTS:

- A. Construction of new buildings or renovations of existing buildings shall include construction and installation of the adjacent sidewalks, park strips and other landscaping, curbs, gutters, lighting, and street furniture as required in this chapter.
1. For developments that do not include a commercial use on the ground floor, improvements within the rights of way for public streets shall include, but not be limited to, the following: Seven foot (7') wide paved sidewalks with an eight foot (8') landscaped park strip adjacent to the curb and gutter or fifteen foot (15') paved sidewalk with five foot (5') tree wells adjacent to the curb as approved by the city engineer and the planning commission.
 2. Street trees shall be spaced between thirty feet (30') and forty feet (40') on center as approved by the City. Landscaping and tree grates to be approved by the City.
 3. Street lighting shall be spaced between ninety feet (90') and one hundred ten feet (110') as approved by the City.
- B. For developments that include a commercial use on the ground floor, or unless otherwise approved by the City, improvements within the rights of way for public streets shall include, but not be limited to, the following:
1. Seven foot (7') wide paved sidewalks with nine foot (9') wide adjacent on street parallel parking (including gutters). Forty foot (40') landscape planters shall be installed between every two (2) to three (3) parallel parking spaces and shall include the following:
 - a. The forty foot (40') landscaping planters shall have one streetlight, two (2) trees, and shrubs to provide a minimum ground coverage of fifty percent (50%) at time of planting;
 - b. Landscape planter trees shall have branching beginning no less than six feet (6') above the ground and shrubs not exceeding a height of three feet (3');
 - c. Streetlights shall be placed at the center of every landscaping planter with the nearest shrubs being located a minimum of four feet (4') from every light pole;
 - d. Street trees shall be located fourteen feet (14') from center street lighting;
 - e. Street planters shall be flared at a minimum forty five degree (45°) angle in order to facilitate ease of access for the adjacent parallel parking spaces;
 - f. Additional ground cover shall be provided as necessary in order for landscape planters to have a minimum of fifty percent (50%) ground cover at time of planting.
 2. Parking must be located a minimum of thirty feet (30') from intersecting rights-of-way or drive accesses.

3. Street trees shall also be located in park strip areas not utilized as landscape planters and shall be spaced every thirty feet (30') to forty feet (40') on center.
4. Street lighting within landscape planters and all other park strip areas shall be spaced every ninety feet (90') to one hundred ten feet (110') on center and as approved by the City. Street lighting shall be residential in character with an overall height not to exceed twelve feet (12') as measured from the base to the top of the pole luminary. Street lighting shall comply with all other City street lighting specifications.

C. The following public improvements are required for all developments within the Mixed Use Zoning District:

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

17.146.130: LIGHTING STANDARDS:

- A. Street and sidewalk lighting shall meet adopted City light design standards.

- B. Illumination levels shall not exceed IESNA recommended standards.
- C. Lighting shall be provided for pedestrian ways that is appropriately scaled to walking. Light standards shall not be taller than sixteen feet (16'). However, light standards adjacent to State Street or 4500 South (major arterial roadways), as well as Vine Street and 4800 South (major collector roadways) are allowed up to twenty three feet (23') in height. Light standard height will be reviewed on a case by case basis by City staff.
- D. Lighting shall be shielded and directed downward to prevent any off site glare.
- E. All site lighting luminaires will conform to IESNA "cutoff" or "sharp cutoff" classification. City staff will provide additional details as needed.
- F. An amber lamp color (3,000 Kelvin), or other color in consultation with the Power Department can be used for a project.
- G. For property owner installed private lighting, metal halide and induction lamp sources may be used subject to approval by the City Power Department and CED staff. Building facade lighting must be shielded and directed downward to avoid light trespass and illumination of the night sky. (Ord. 18- 22)

17.146.140: STORAGE OF COMMERCIAL VEHICLES:

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

17.146.150: NONCONFORMING USES AND DEVELOPMENTS:

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

Applications for renovations or improvements to properties that are nonconforming in relation to development standards shall include a calculation of the cost of the improvements.

Exhibit D
PC Minutes of October 7, 2021

Minutes of the Planning Commission meeting held on Thursday, October 7, 2021, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

The public was able to view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>. Anyone who wanted to make a comment on an agenda item may submit comments via email at planningcommission@murray.utah.gov.

Present:

Ned Hacker, Vice Chair
Travis Nay
Jake Pehrson
Lisa Milkavich
Jeremy Lowry
Jared Hall, Planning Division Manager
Susan Nixon, Associate Planner
Zachary Smallwood, Associate Planner
Briant Farnsworth, Deputy City Attorney
Citizens

Excused: Maren Patterson, Chair
Sue Wilson

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

Ned Hacker welcomed all who were present and stated that item #5 Joe Colosimo project #21-105 will be continued to October 21, 2021.

APPROVAL OF MINUTES

Travis Nay made a motion to approve the September 2, 2021 minutes with the two minor changes and seconded by Jake Pehrson. A voice vote was made, motion passed 5-0.

CONFLICT OF INTEREST

There were no conflicts of interest. Travis Nay stated he is an employee of Intermountain Health Care and his wife is the manager of Cardiac Molecular Imaging at Intermountain Medical Center.

APPROVAL OF FINDINGS OF FACT

Lisa Milkavich made a motion to approve the Findings of Fact for a Conditional Use Permit for Bullion Place Planned Unit Development and for a Conditional Use for Murray Heights Planned Development. Seconded by Jeremy Lowry. A voice vote was made, motion passed 5-0

4800 LOFTS – 380 West 4850 South and 447 West 4800 South – Project #20-115

The applicant is requesting a Conditional Use and Master Site Plan approval for a mixed-use project that includes 371 multifamily dwellings and 18,571 ft² of commercial space at the subject properties. Zachary Smallwood presented the request for a Master Site Plan Review for a new

Mixed-Use development at 380 West 4850 South and 447 West 4800 South. The property is located just west of I-15 and 4800 South. The Galleria parking lot is to the south of the site which is mostly just field space. The application was submitted at the end of 2019 but is now being reviewed. Therefore, the project is being reviewed under the 2019 Mixed-Use Zone regulations. In July 2021 the zoning was changed to Murray Central Mixed-Use, but the property is vested because the applicant was submitted prior to the moratorium that was instituted in February 2021. The site is next to Cottonwood Creek and the previous use was a private school that has been closed for over a year and it has been unmaintained for a while. The proposed project would consist of three buildings. Building A would have 103 Units, building B would have 228 Units and building C would have 40 units. The Mixed-Use code requires horizontal mixed-use projects occupy 75% of the frontage for a depth of 40 feet back for the commercial requirement. This project will have 18,571 sq ft for the commercial requirement which is slightly above the required amount. The landscaping improvements will be along Galleria Drive and along 4800 South. There will be outdoor seating and amenity spaces above the retail on building A and B. They are providing the 7 ft sidewalks and 8 ft park strip and trees on center spaced about 40 ft. The power lines will be in the park strip area. The buildings are made up of brick and light blue siding with a mix of materials, stucco, stone, and vertical siding. Building A would have stairs going up to the public available roof top area. Building B is the largest of the buildings and will face Galleria. There were fire access issues and an innovative way to address the issue was, they have put a tunnel through the building that is tall enough for a fire truck to pass through. Building C will have 40 studio units with retail on the bottom floor along with some amenity space. The roof top amenities have seating areas and fire pits. The required parking allotment is 460 spaces for the units and they have provided 472; 396 of the stalls are located within parking structures. The landscaping and open space is 35% or 1.68 acres which is well over the 15% required.

There is another element which is the Master Site Plan Memorandum of Understanding which would need to be adopted and signed off by the City Council. Any conditions placed will be part of the Memorandum of Understanding. Staff is recommending approval for Conditional Use and Master Site Plan.

Mr. Nay asked about curb management strategy for deliveries and move in/move out. Staff has suggested that the 4800 South side be striped to not allow for parking but to allow for delivery with a time limit. The Galleria side should be wide enough for on street parking.

Jory Walker, Principal Design Architect with Breacher Walker Architects, applicant, stated their address as 13459 South 1400 East and stated their willingness to comply with the conditions. He addressed the delivery question by indicating they have created spaces inside the parking structure where there will be reserved stalls where people can move in and out.

Mr. Pehrson asked about the central feature requirement and expressed the concern about the roof top terrace not being seen or easily known to the public and relayed the additional condition for clear public use signage. Mr. Nay asked for clarification on whether it will be public use or just seating for the restaurants. Mr. Walker stated it would partly be an extension of the retail space but also public barbecue pits and fire pits and added they want to encourage public use and stated that it would make the retail more successful. The environment will boast an urban resort feeling where the plazas and podium spaces become amenity space that features outdoor gathering and hang out areas. Mr. Walker added that people are happy with less square footage and studios as long as this type of open space and amenities are available.

Mr. Hacker indicated he drives Galleria Drive and 4800 South daily and know the power corridor lines on those facilities and asked if they have considered putting those underground. Mr. Walker stated he would be open to that and wants a partnership to make that happen. Mr. Nay stated the power department has been resistant to that in the past.

Mr. Hacker asked about the phasing and schedule. Mr. Walker stated the first phase would be the blue building and the retail building, the second phase will be the larger building with the club house. He added that there is a strong need for higher end apartments with secure parking and the goal is to build it out quickly.

Mr. Hacker opened the meeting for public comment.

Teddy Wardle, 393 West 4800 South

I live right behind the brown building and our fence line is their fence line and my concern is the drainage problem there because they have raised it so high that they are above my 6ft chain link fence and if they put up a building there, it will be flooding my house. The other concern is 4800 South being only one lane both ways would be big enough to handle all the additional traffic.

Jason Tyson, 4769 South Box Elder Street

4800 South is my main route throughout the whole valley. My concern is with traffic that kind of a units are going to bring. The lights on 4800 South are horrible and the one on Commerce Drive never goes the right way. It stops when cars are coming and goes when cars aren't coming and on Box Elder Street with the new structure put up just west of Box Elder Street great big town homes and brick building by the firehouse and new firehouse and all the traffic from Trax with the new stuff going in for the city building with new roads, you won't be able to turn left. In addition to all the bar traffic and parking on both sides of the road you can't see cars coming from the north or the south. My concern is the current traffic concern and congestion and if there is going to be some resolve for that.

The following emailed comments were read into the record:

Bonnie McCallister, SLCo Flood Control & Engineering

Hello, I am reaching out in response to the request for comments regarding the proposed development at 467 W 4800 S. 1. The proposed project will require a SLCO Flood Control permit for any work within 20 ft. of the top of bank of Little Cottonwood, which borders the subject property to the South. 2. A County Flood Control permit will also be required if any discharge into Little Cottonwood Creek is proposed. 3. SLCO will also want to maintain access to the creek for maintenance and emergency flood control activities. This is typically accomplished via an easement of 20 ft. from top of bank.

Scott Burton

As a business located in close proximity to the proposed mixed-use development, we have concerns about parking and traffic. It appears that there are very few designated parking spaces for this size of a development. At the time our business moved into Murray City, we were required to have 20 parking spaces for commercial use property of approximately 15,000 square feet. Have parking code requirements changed, or is an exception being made? Adding to the concern is the 371 residential units. 4800 South cannot accommodate on street parking without a severe impact to traffic. We are impacted by

previous developments of this nature in Murray where the streets are lined on both sides by residents' vehicles as there is insufficient parking allotted for their use. It is unreasonable to assume that every resident will be utilizing Trax or only have one vehicle per dwelling. Guest parking also needs to be taken into account. We are already seeing an increase in business overflow parking lining 4800 south adding to traffic congestion. We would ask that the Murray City Planning Commission remain consistent in it's requirements for new developments, and consider the impact this will have on current business and residents.

Steven Schaefermeyer

Dear Commissioners:

I think it is safe to say most Murray residents have no idea how much time the Planning Commission and staff dedicate to trying to keep Murray a wonderful place to live. "Thank you" is not something you hear much during public comment, so I wanted to make sure you heard it from me--thank you! I am concerned about the 4800 Lofts project. I believe what is planned is too intense for the location, particularly when you consider what will eventually be approved to the south. I-15 is a mental and physical barrier, especially at this location, that keeps most people from accessing FrontRunner and Trax except by car. It is not comfortable or convenient to access the rail stations from this location except by car. For this reason, I think using the distance from the rail stations as a justification to allow greater densities west of I-15 is unwarranted. The City made some much needed changes to the mixed use zones, and it is a shame that this project will not conform to those new standards. But before you accept that as true, I hope the Commission will ask staff for more information about the application. For example: What plans and information does Murray's code require for a CUP and Master Site Plan application to be considered "complete" and therefore "vested"? What is the date that the applicant submitted a "complete" application? Presumably that date was in October 2020, but the staff report does not state the exact date, and the documents included with the staff report are unlikely to be the originally submitted documents since there have been revisions to the plan. Mr. Smallwood has written a comprehensive staff report, and I appreciate his thoroughness. I do think, however, that to assert that an application is vested under old rules, staff needs to provide a clearer analysis of how they came to this conclusion. Assuming the project is vested, I would like more details about the retail/commercial portions of the project. Given the location, what about how the commercial spaces are designed will help make them successful? What experience does the applicant have, or what strategies will they use, to ensure that the commercial portions of the project will be successful? What requirements can or will be included in the subsequent MOU to ensure success of the commercial components of this project? Again, I appreciate the Planning Commission's efforts and scrutiny of this project. I hope that staff will continue to work with the applicant to ensure compliance with all code requirements and conditions of approval. If built, this project will change this area dramatically and set the tone for future development. I appreciate all efforts to make sure it is done right.

Kathy Archuletta

Hunters Woods Apartments would like to oppose the approval of the 4800 Lofts plan as we are very familiar with the traffic along 4800 South and 500 West currently and feel adding 371 more dwellings along with additional businesses would make the current congestion even worse. 4800 South is a small 2 lane road, it cannot handle the additional traffic especially during early

morning or rush hour 5:00 traffic. Also having a semi-hi rise is going to block views from across the I-15 to the mountains for several established residents.

No further comments were made. The public comment portion for this agenda item was closed.

Mr. Smallwood addressed the vesting of this project. He stated the applicant submitted their first application in 2019 for a concept review and then later in 2020 they submitted for Conditional Use and Master Site Plan approval. They submitted complete plans that were required for the review. They were scheduled the meeting to be heard on the planning commission multiple times but then as staff reports were written there were items missing and had to be rescheduled. They meet all the codes and regulation under the code they were vested in. The parking requirements across the street is the M-G Zone, which is manufacturing district, have different parking requirements than what is required for Mixed-Use. Staff and Engineering do understand there is traffic congestion along 500 West between Vine and 4800 South, as you are going north from 4800 to 4500 South there shouldn't be impacts there. One of the conditions does require by Engineering to provide a UDOT level 2 traffic impact study and implement recommendations. Mr. Nay asked about how this project impacts the Master Transportation Plan. Mr. Smallwood verified that the consultants were aware of this and given the project site plan because they were vested at the time the Master Transportation Plan and was part of the Phase One mitigation plan. Some of the signalized timing further east on 4800 South should be improved with the Phase One changes.

Mr. Smallwood added that the drainage should be draining toward the creek as opposed to the neighbors to the north. The City Engineer is very aware of that type of issue.

Mr. Nay asked about the extension of the trail system. Mr. Smallwood clarified the trail system will be on the south side.

Mr. Pehrson asked about the flood control and the regulation. Mr. Smallwood stated it would be part of engineering requirements and county supersedes city regulations.

Mr. Hacker asked the applicant to address the drainage and Mr. Lowry asked for more information about their parking plan.

Mr. Walker stated there will be sufficient parking for this project. Similar projects have been done and that the parking is where it needs to be. We are trying to have a project where people don't need cars as much and so there are incentives to use light rail and other means of transportation. Mr. Lowry indicated the project has 426 bedrooms and there are 471 stalls. Mr. Walker added the requirement is higher in that zone and this is the most parking he has had in any of his other developments.

Paul Fiezer, Civil Engineer for the project stated his address as 1001 South Arbor Way. He stated the drainage will flow to the south, there will be a subsurface detention basin in the parking lot on the south end of the project. Mr. Fiezer addressed the neighbor to the west of the site and stated there would be some grading and asked to meet with her afterwards to look at her site but felt confident they could accommodate and detain the drainage.

Mr. Pehrson wanted to add the condition of clearer public access signage. Mr. Nay reiterated that he asked for better signage in the Memorandum of Understanding. Mr. Pehrson added that

people are asking about the high-density housing and stated this is what this is zoned for. Mr. Nay clarified that this zoning was established over 10 years ago.

Travis Nay made a motion the Planning Commission approve the Master Site Plan to allow the construction of a new Mixed-Use project on the properties addressed 380 West 4850 South and 447 West 4800 South subject to the nine conditions with the addition of a tenth condition stating that the Memorandum of Understanding must include prominent wayfinding signage to the public amenities.

1. The applicant shall meet all requirements of the City Engineer, including but not limited to the following:
 - a. Meet City storm drainage requirements, on-site retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.
 - b. Obtain all required permits for stormwater discharge to Little Cottonwood Creek – Salt Lake County Flood Control, State Stream Alteration and City Floodway permits are all required.
 - c. Dedicate right-of-way along 4800 South and Install MU street improvements (sidewalk & park strip). Install MU street improvements along the Galleria Drive frontage.
 - d. The parking access should be setback from the sidewalk to allow adequate line of sight for pedestrian and vehicular cross traffic.
 - e. On-street parking needs to be avoided near the drive accesses to allow adequate line of sight for vehicular access onto Galleria Drive.
 - f. Must avoid using the public right-of-way for construction staging, dumpster service, emergency service vehicles, delivery vehicles and moving trucks. 4800 South will not accommodate on-street parking and will be posted no-parking.
 - g. Provide access/connection through Building B parking structure that connects to Galleria Drive. The connection needs to remain open for site circulation and emergency vehicle access.
 - h. Provide a looped water main through the site - 4800 South to Galleria Drive.
 - i. Develop a curb side management plan that addresses commercial space parking, deliveries, service vehicles, emergency vehicles, moving trucks and dumpster service.
 - j. Provide a UDOT level II Traffic Impact Study and implement recommendations.
 - k. The 4800 South road surface is new and any utility cuts into 4800 South will need to be restored to new condition and meet the City's moratorium standards.
 - l. Develop a site SWPPP and obtain a Land Disturbance Permit prior to beginning any site work.
 - m. Obtain a City Excavation Permit for work in the City right-of-way.
2. The applicant shall meet all requirements of the Murray City Fire Department, including but not limited to the following:
 - a. Follow all IFC codes and NFPA 20 for the PSI requirements to see if a fire pump and others are needed in the building. The calculation is based on many items that you'll need to demonstrate for flow from a sprinkler head and making sure enough pressure reaches the top floors.

- b. Verify IFC road clearances for width. Access points seem to be attainable but a fire pullout would be suggested to eliminate potential traffic congestion when EMS, police or fire is called.
 - c. Through discussions with the Engineering Division about the width of the road when it divides. The Tower needs a width of 22 feet to be able to set up the outriggers. The code specifies 26 for width. Hopefully this helps with their planning. For the roundabouts the tower with have is a 65ft long mid mount platform if running computer modules for the size.
 - d. Maintain the access and drive through as we talked for the 26 feet in width and low/drive over round-about in the property.
3. The applicant shall meet all requirements of the Murray City Power Department, including but not limited to the following;
 - a. Work with power to ensure that the building along Galleria drive has a minimum of twenty feet (20') from the existing power line.
 - b. Will be required to relocate the guy wire on the property where the proposed building is.
4. The applicant shall ensure that all water and wastewater requirements and standards are followed.
5. The applicant shall enter into a Memorandum of Understanding with Murray City governing the development of the property as outlined in the Staff Report and required by the Planning Commission.
6. The project shall comply with all applicable building and fire code standards.
7. The project shall adhere to the requirements of chapter 17.146, Mixed Use Zone as adopted in 2019.
8. The applicant shall ensure that the emergency access through Building B is left opened at all times.
9. The project shall obtain a Murray City Business License for any rentals and businesses occupying the retail buildings.
10. The Memorandum of Understanding must include prominent wayfinding signage to the public amenities

Seconded by Jake Pehrson.

Call vote recorded by Mr. Smallwood.

 A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 A Jeremy Lowry
 A Jake Pehrson

Motion passed 5-0.

Murray City City Council Committee of the Whole

April 19, 2022



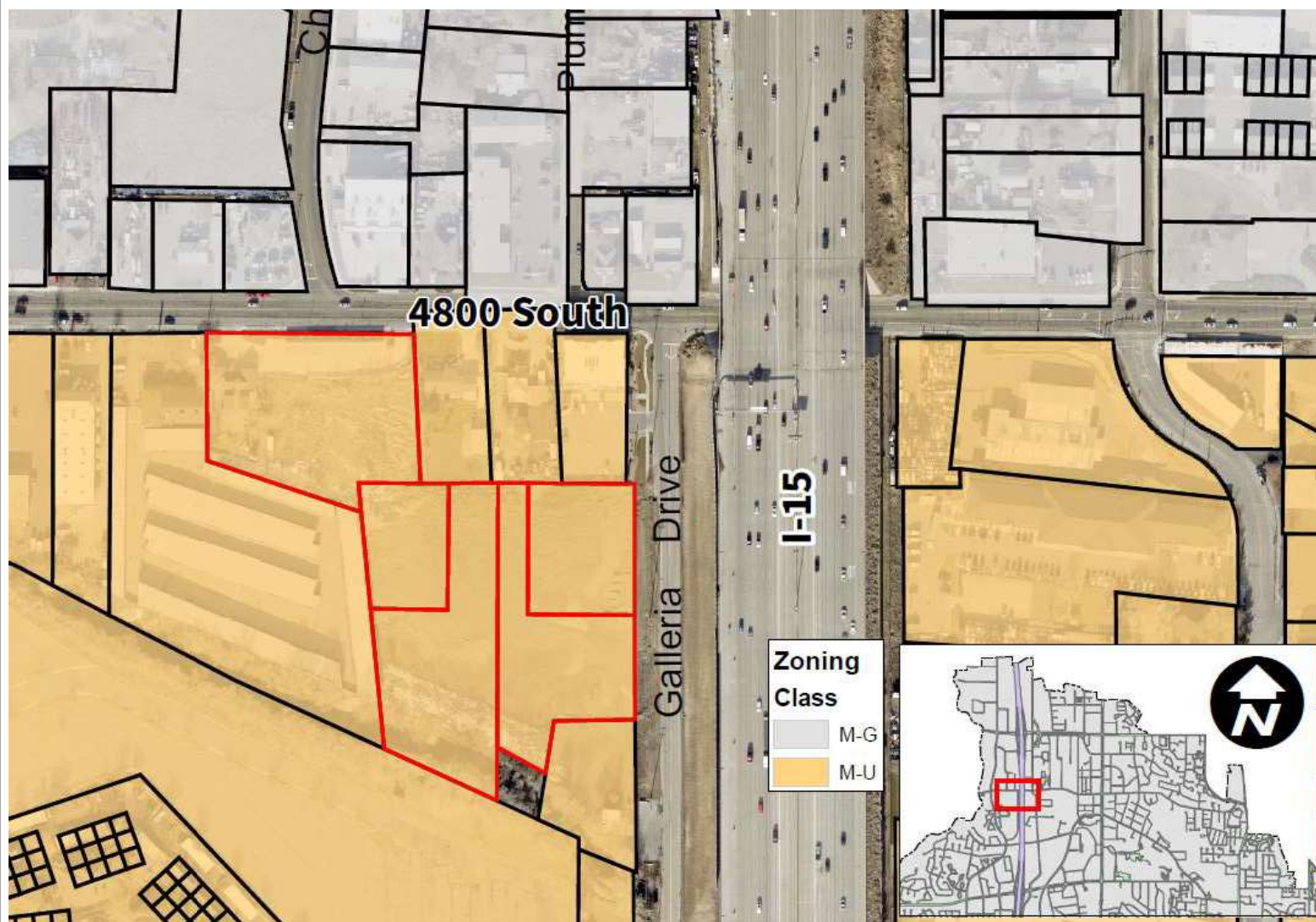
Applicant: IMH 4800 Lofts

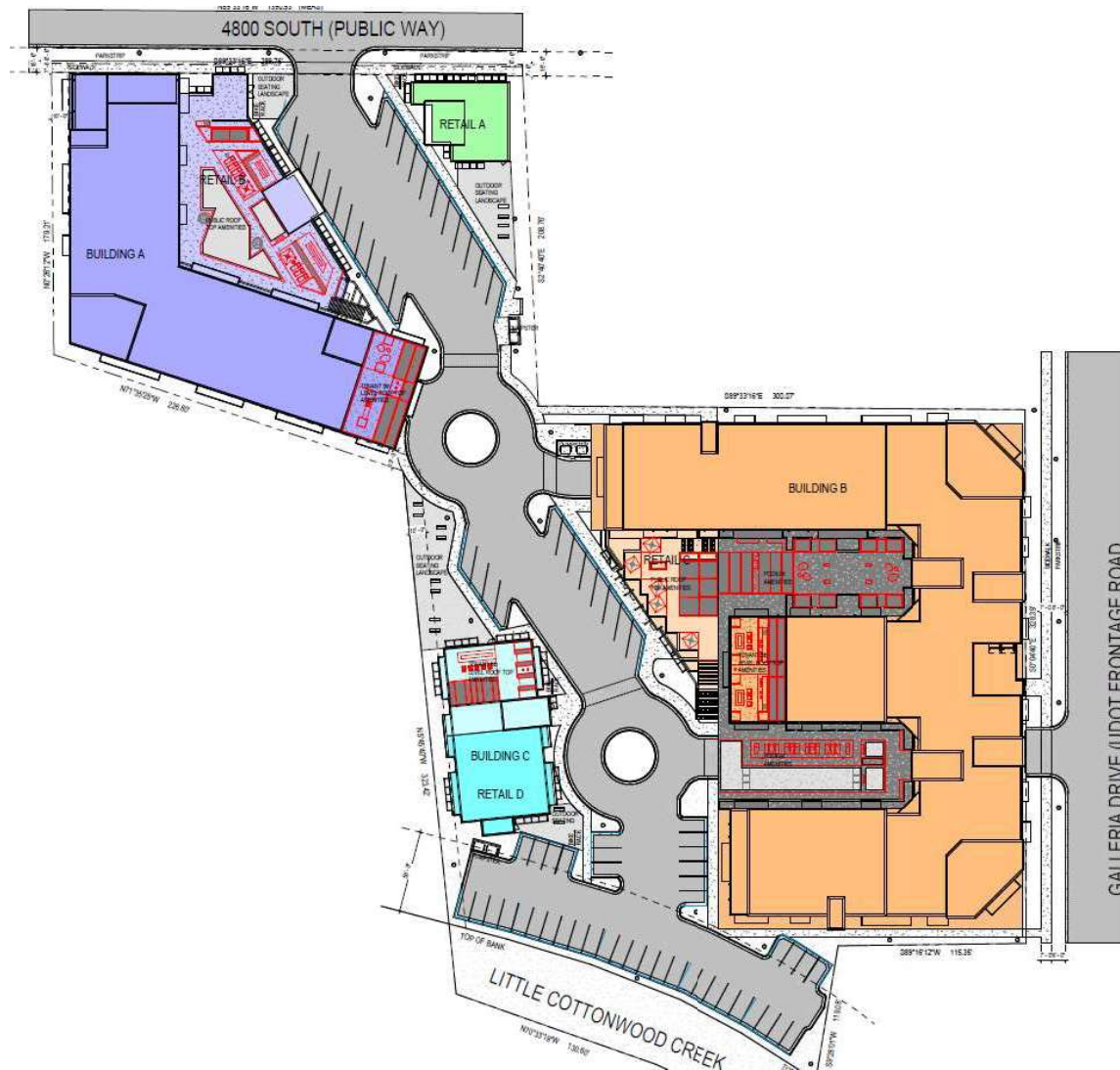
Request: Approval of a Memorandum of Understanding for a mixed-use project.

Address: 447 West 4800 South









PROPERTY DESCRIPTION:

201,451.5157 SQ.FT. 4.62 ACRES
OPEN SPACE/LANDSCAPING: 32,046 SQ.FT. 16%

PROJECT PHASING:

PHASE 1:
BUILDING A
RETAIL B

PHASE 1A:
RETAIL A

PHASE 2:
BUILDING B
RETAIL C
BUILDING C

PARKING:

STALLS ON GRADE	76 STALLS
STRUCTURED PARKING	398 STALLS
TOTAL:	472 STALLS

RETAIL:

RETAIL BUILDING A	2,224 SQ.FT.	
RETAIL BUILDING B	9,065 SQ.FT.	
ROOF TOP		7,896 SQ.FT.
RETAIL BUILDING C	4,205 SQ.FT.	
ROOF TOP		4,132 SQ.FT.
RETAIL BUILDING D	3,077 SQ.FT.	
RETAIL CLUBHOUSE		2,887 SQ.FT.
TOTAL:	18,571 SQ.FT.	14,988 SQ.FT.

LOFT UNITS:

BUILDING A	103 UNITS
BUILDING B	228 UNITS
BUILDING C	40 UNITS
TOTAL	371 UNITS

BUILDING A

ONE BEDROOM (880 SQ.FT.)	80 UNITS
STUDIO B (480 SQ.FT.)	10 UNITS
TWO BED (939 SQ.FT.)	11 UNITS
TWO BED END (973 SQ.FT.)	17 UNITS
TWO BED O.C. (1,164 SQ.FT.)	5 UNITS
TOTAL	103 UNITS
STRUCTURED PARKING	62 STALLS

BUILDING B

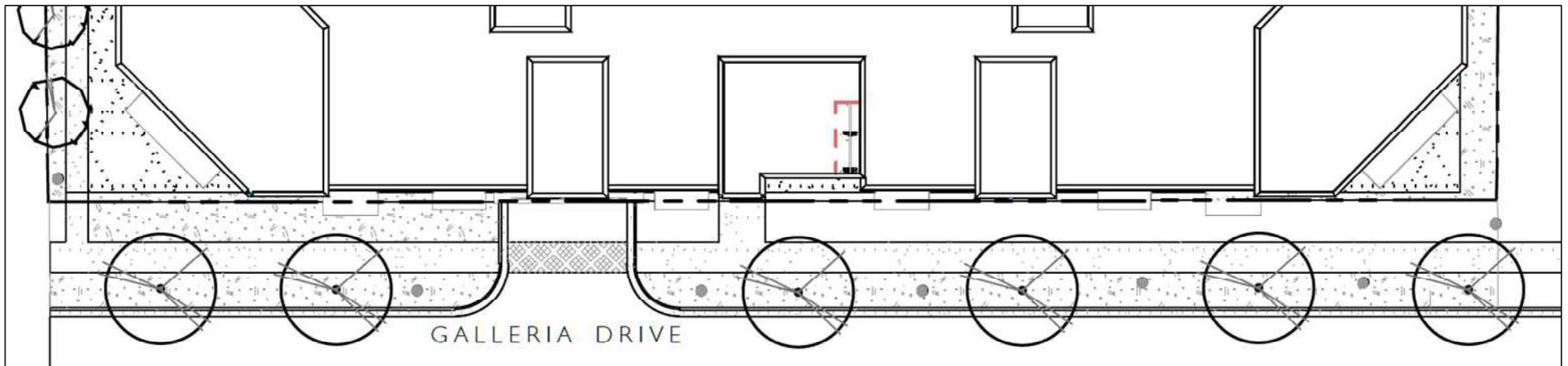
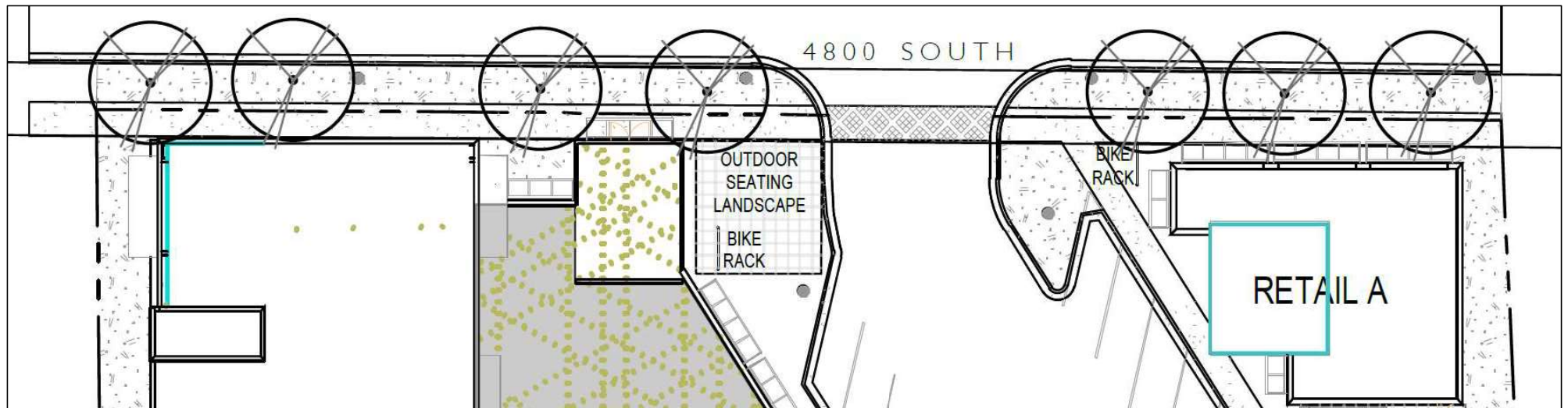
ONE BED (880 SQ.FT.)	95 UNITS
ONE BED I.C. (679 SQ.FT.)	40 UNITS
STUDIO A (480 SQ.FT.)	20 UNITS
TWO BED (939 SQ.FT.)	27 UNITS
TWO BED END (973 SQ.FT.)	28 UNITS
TWO BED O.C. (1,101 SQ.FT.)	20 UNITS
TOTAL	228 UNITS
STRUCTURED PARKING	334 STALLS

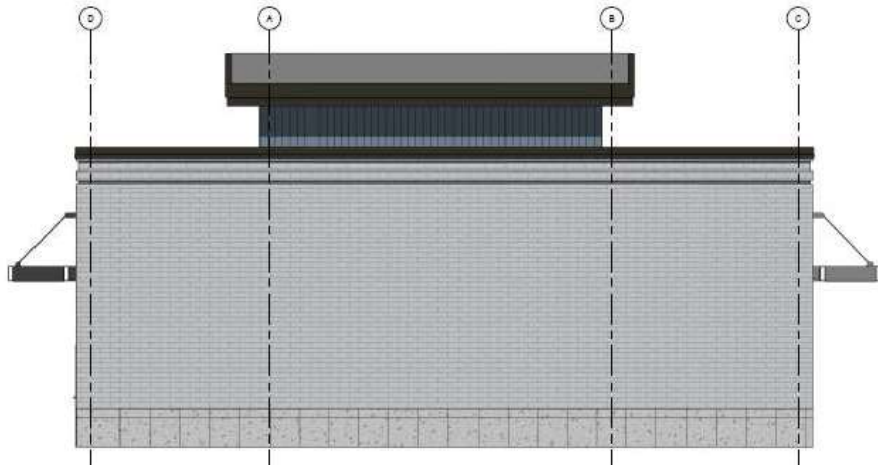
BUILDING C

STUDIO (338 SQ.FT.)	40 UNITS
TOTAL	40 UNITS



EVERGREEN TREE
 SHADE TREE
 ORNAMENTAL / SCREENING TREE
 PLANTER AREA
 NATIVE AREA












Elevations Retail Building










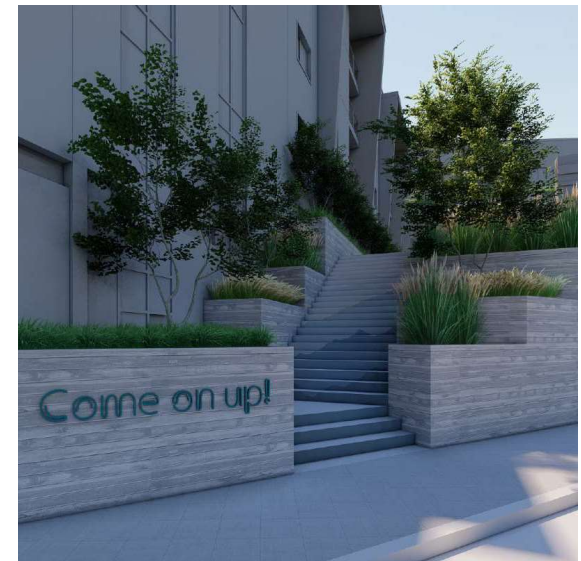
Elevations Building A

- 01  VERTICAL SIDING | LIGHT BLUE
- 02  EIFS | LIGHT GREY
- 03  STONE | BROWN
- 04  METAL PANEL | LIGHT GREEN PANEL
- 05  METAL PANEL | LIGHT GREY PANEL
- 06  CONCRETE | ARCHITECTURAL FINISH
WIDE BRICK PATTERN
- 07  BRICK | INTERSTATE BRICK, GREY



Perspective Building A

- 01  VERTICAL SIDING | LIGHT BLUE
- 02  EIFS | LIGHT GREY
- 03  STONE | BROWN
- 04  METAL PANEL | LIGHT GREEN PANEL
- 05  METAL PANEL | LIGHT GREY PANEL
- 06  CONCRETE | ARCHITECTURAL FINISH
WIDE BRICK PATTERN
- 07  BRICK | INTERSTATE BRICK, GREY



Building A Amenities

Building A Amenities










VIEW FROM PUBLIC ENTRY



VIEW FROM RESIDENT ENTRY










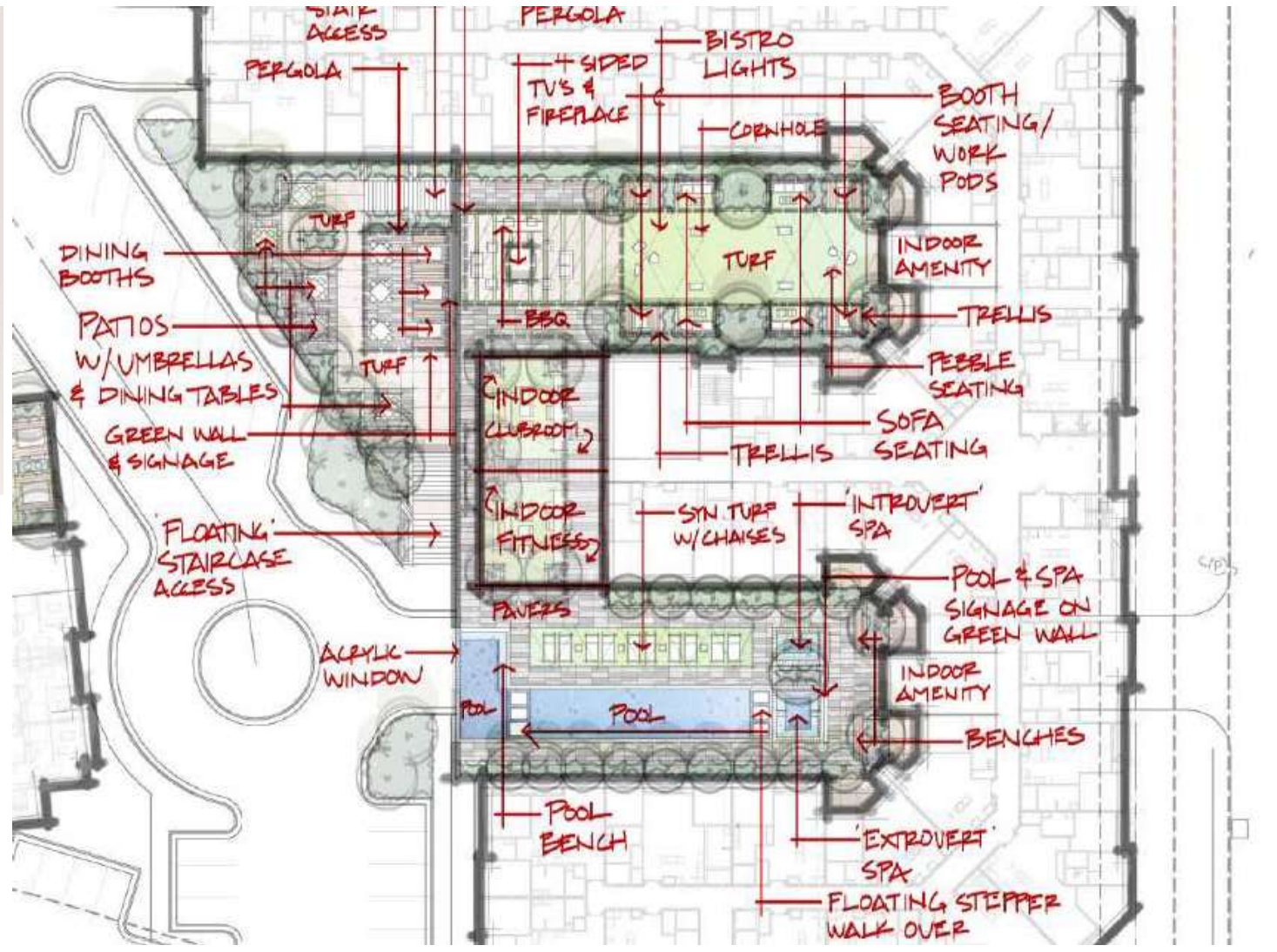
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- 02  EIFS | LIGHT GREY
- 03  STONE | BROWN
- 04  METAL PANEL | LIGHT GREEN PANEL
- 05  METAL PANEL | LIGHT GREY PANEL
- 06  CONCRETE | ARCHITECTURAL FINISH
WIDE BRICK PATTERN
- 07  BRICK | INTERSTATE BRICK, GREY

Elevations Building B



Elevations Building B

- 01  VERTICAL SIDING | LIGHT BLUE
- 02  EIFS | LIGHT GREY
- 03  STONE | BROWN
- 04  METAL PANEL | LIGHT GREEN PANEL
- 05  METAL PANEL | LIGHT GREY PANEL
- 06  CONCRETE | ARCHITECTURAL FINISH
WIDE BRICK PATTERN
- 07  BRICK | INTERSTATE BRICK, GREY



Building B Amenities



BIRD'S EYE - NORTH COURTYARD



THE SUNSET LOUNGE



BIRD'S EYE - SOUTH COURTYARD



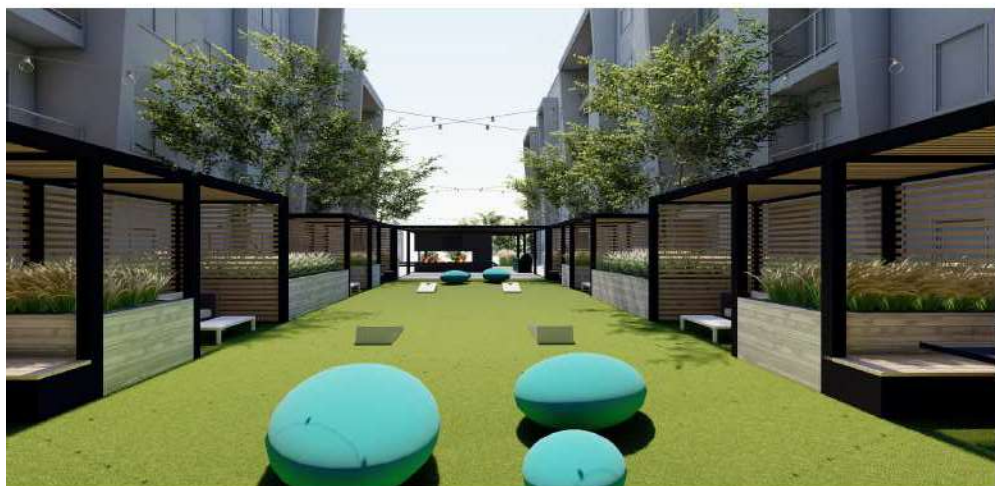
BIRD'S EYE - RETAIL ROOFTOP



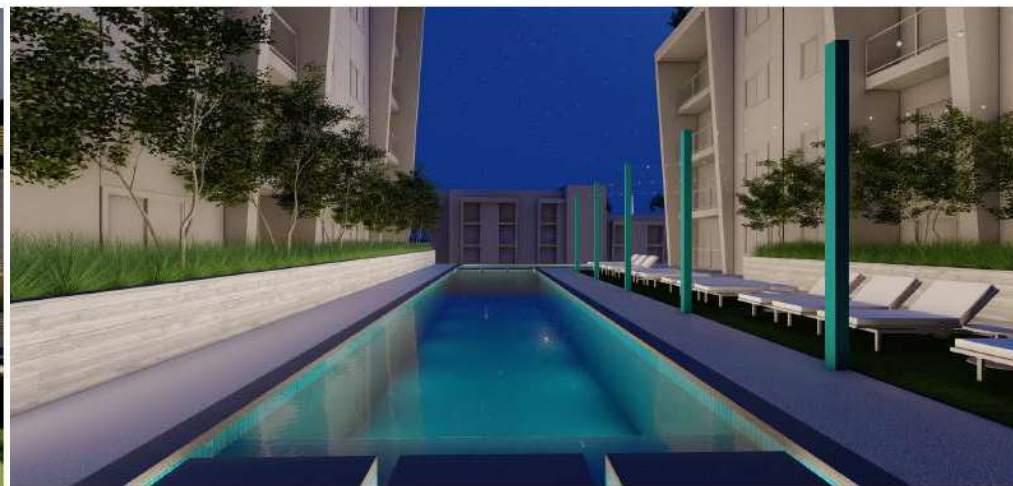
BBQ / TV LOUNGE



POOL COURTYARD LOOKING EAST - NIGHT



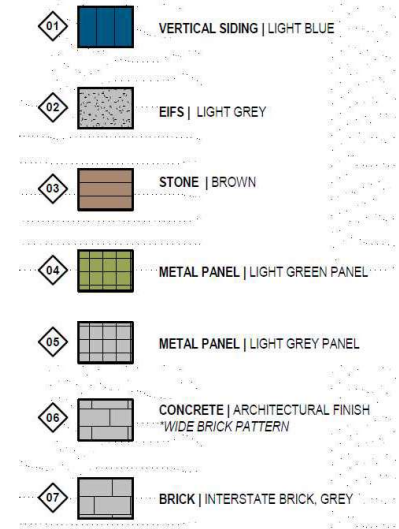
GAMING LOUNGE



POOL COURTYARD LOOKING WEST - NIGHT



Elevations Building C



Planning Commission

- A public meeting was held by the Planning Commission on October 7, 2021.
- Sixty-five (65) notices were sent to all property owners within 500' of the subject property and to affected entities.
- The Planning Commission voted 5-0 to approve the Master Site Plan and Conditional Use Permit.

Recommendation

Planning Division staff recommends that the City Council **APPROVE** the Memorandum of Understanding for the 4800 Lofts mixed use project located at 447 West 4800 South.



Discussion Item #3



MURRAY

Human Resources

Juneteenth National Freedom Day

Council Action Request

Committee of the Whole

Meeting Date: April 19, 2022

Department Director Robyn Colton	Purpose of Proposal To discuss an ordinance amending Section 2.62.120 of the Murray City Municipal Code to include Juneteenth
Phone # 801-264-2657	Action Requested Discussion
Presenters Robyn Colton	Attachments Proposed ordinance
	Budget Impact Estimated \$41,527 for in lieu of holiday wages for Police and Fire for 2022 only. Discussions are in progress with Police and Fire on how to minimize the budget impact.
Required Time for Presentation 10 Minutes	Description of this Item Recognize Juneteenth National Freedom Day as a city holiday
Is This Time Sensitive No	
Mayor's Approval	
Date March 29, 2022	

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 2.62.120 OF THE
MURRAY CITY MUNICIPAL CODE RELATING TO EMPLOYEE
HOLIDAY VACATIONS.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this ordinance is to amend Section 2.62.120 of the Murray City Municipal Code relating employee holiday vacations.

Section 2. Amendments. Section 2.62.120 of the Murray City Municipal Code shall be amended to read as follows:

2.62.120: HOLIDAYS:

A. Each regular full time employee in City service shall be granted holiday vacations at full pay in accordance with the following schedule:

New Year's Day: January 1

Martin Luther King Day: Third Monday in January

Presidents' Day: Third Monday in February

Memorial Day: Last Monday in May

Juneteenth National Freedom Day: Third Monday in June

Independence Day: July 4

Pioneer Day: July 24

Labor Day: First Monday in September

Veterans Day: November 11

Thanksgiving Day: Fourth Thursday in November

Day after Thanksgiving: Friday after Thanksgiving

Christmas Eve: December 24, the last four hours of an employee's workday. (When Christmas Eve day falls on a Friday, Saturday, or Sunday, the four-hour provision shall not apply.)

Christmas Day: December 25

3 employee appreciation days (*Effective through 12/31/22*)

2 employee appreciation days (*Effective 1/1/23*)

B. If ~~any of the above listed holidays~~ *New Year's Day, Independence Day, Pioneer Day, Veterans Day, Christmas Eve or Christmas Day* falls on a Saturday, all employees shall take the preceding Friday as the holiday, and if it falls on a Sunday, then all employees shall take the following Monday as the holiday.

C. The ~~three (3)~~ employee appreciation days may be taken as a day off work by each employee. Employee appreciation days may not be accumulated or used for any calendar year past December 31 of each year, and in no event will employees be allowed to receive pay in lieu of taking the ~~three (3)~~ employee appreciation days.

D. Eligible new hires are entitled to receive ~~up to three (3)~~ employee appreciation days ~~(24 hours)~~ the first year of employment based upon the following schedule:

(Effective through 12/31/22)

Hire Date	Employee Appreciation Hours Available
January 1 to March 31	24
April 1 to June 30	18
July 1 to September 30	12
October 1 to December 31	6

(Effective 1/1/23)

Hire Date	Employee Appreciation Hours Available
January 1 to March 31	16
April 1 to June 30	12
July 1 to September 30	8
October 1 to December 31	4

E. Employee appreciation hours are not available to part time employees.

F. Due to differences in shifts, employees in the Fire and Police Department will receive vacation and holidays as determined by the Fire and Police Chiefs respectively and approved by the Mayor.

Section 3. Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this ____ day of _____, 2022.

MURRAY CITY MUNICIPAL COUNCIL

Kat Martinez, Chair

ATTEST:

Brooke Smith, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2022.

Brett A. Hales, 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 _____, 2022.

Brooke Smith, City Recorder



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, March 8th, 2022

The Murray City Municipal Council met on Tuesday, March 8th, 2022, 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 or <https://www.facebook.com/Murraycityutah/>. A recording of the City Council meeting can be viewed [HERE](#).

Council in Attendance:

Kat Martinez	District #1
Pamela Cotter	District #2 – Conducting
Rosalba Dominguez	District #3 (<i>attended virtually</i>)
Diane Turner	District #4
Garry Hrechkosy	District #5
Jennifer Kennedy	Council Director
Patti Johnson	Council Office Administrator III

Administrative Staff in Attendance:

Brett Hales	Mayor
Doug Hill	Chief Administrative Officer
Tammy Kikuchi	Chief Communication Officer
GL Critchfield	City Attorney
Brooke Smith	City Recorder
Brenda Moore	Finance and Administration Director
Craig Burnett	Police Chief
Kim Sorensen	Park and Recreation Director
Phyllis Wall	Treasurer Clerk
Joey Mittelman	Fire Chief
Danny Astill	Public Works Director
Trae Stokes	City Engineer
Jared Hall	Community and Economic Development Director

Zac Smallwood	Senior Planner
Susan Nixon	Associate Planner
Rob White	IT Director
Cameron Kollman	IT Technician

Others in Attendance:

Sharon Webb	Joan Andreason	Charles Turner	Lawrence Horman
Steven Murray	Jenn Kikel-Lynn	Charles Faux	Jeannie Patton
Maria Garcia	Jon Rudd	Cindy Hales	Joe Christensen
Mark Boren	Shane Hall	Luke Hall	Quaid Short
(Additional family and friends of Jared Hall)			

Opening Ceremonies

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

Pledge of Allegiance – The Pledge of Allegiance was led by Quaid Short.

Approval of Minutes

None Scheduled.

Special Recognition

1. Murray City Employee of the Month: Phyllis Wall, Treasurer Clerk/CSR

Presenting: Brenda Moore, Finance and Administration Director, and Brett A. Hales, Mayor

Mayor Hales and Brenda Moore, Finance and Administration Director introduced Phyllis Wall, as the March recipient for Employee of the Month. Wall is the Treasurer Clerk/CSR in the Finance and Administration Department. She will receive a certificate; a \$50 gift card and her name will appear on the plaque located in the Council Chambers.

Brenda Moore said Phyllis Wall is a great asset to Murray City. As the city transitions between Treasurers, she has taken on all the duties and responsibilities to continue to process payments and ensure that the City funds are sent to the bank in a timely fashion. She is always courteous and kind to everyone entering the office. Wall has senior customers which come in monthly to make their payment and chat with her, they express their disappointment when she is gone or at lunch. She cares about Murray City and does everything she can for the city.

Wall thanked the council and Mayor for the special recognition. She introduced her

family members sitting in the audience.

Councilmembers thanked Wall for her ten (10) years of service, and they appreciate her being a part of Murray City.

2. Consider a Joint Resolution of the Murray Municipal Council and Mayor in support of the people in Ukraine

Presenting: Mayor Brett A. Hales and Councilmember Hrechkosy
Resolution number: R22-10

Councilmember Hrechkosy read into Resolution number R22-10.

Councilmembers Hrechkosy shared that he is the third generation Ukrainian. His great grandparents emigrated from Ukraine and he is glad that the council and Mayor could present this joint resolution.

Councilmember Dominguez shared that she wants to recognize the families and children who stand with Ukraine who are Russian and recognize that they too, do not want this war.

MOTION

Councilmember Turner moves to adopt the resolution. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Hrechkosy, Councilmember Martinez, Councilmember Cotter

Nays: None

Abstentions: None

Motion passed 5-0

Citizen Comments

The meeting was open for public comment.

Garry Hrechkosy - Councilmember

Garry sits on the Women's Initiative Network at his current company and he wants to recognize that it's International Women's Day. Tonight, he expressed gratitude to the councilwomen he sits with on the stand.

Lawrence Horman

Shared information about homeless issues and shared that Salt Lake County passed the law for Medical Vulnerable Housing Program. He encourages the city council to support this initiative and to look at laws and ordinances that support the homeless community.

No additional comments were given, and the open public comment period was 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 relating to land use; amending the zoning map for the property located at 6560 South 130 West, Murray City, Utah from R-1-8 (Low-density single-family) to R-2-10 (Low/medium density residential).**

Presentation: Jared Hall, Community Development Director, and Susan Nixon, Associate Planner

Applicant: JNG Investments, LLC

PowerPoint Presentation: Attachment A - 6560 S 130 W

Ordinance: O22-11

Planning Commission Presentation on [January 6, 2022](#)

Committee of the Whole Presentation on [March 1, 2022](#)

Presentation

Susan Nixon shared the purpose of the proposed changes tonight is intended to request an amendment to the zoning map for the property located at 6560 South 130 West, Murray City, Utah from R-1-8 (Low-density single-family) to R-2-10 (Low/medium density residential).

JNG has proposed the change in zoning to allow the development of twin homes located at approximately 6560 South 130 West. Twin homes are comprised of two separate dwellings on two separate lots, where those two dwellings share a common wall along the interior property line between the two. Unlike a duplex, each of the two twin homes can be individually owned.

- 1) The requested amendment is supported by the Future Land Use Map of the 2017

General Plan.

- 2) The requested amendment is supported by the Fashion Place West Small Area Plan.
- 3) The requested amendment to R-2-10 is appropriate because it will be context-sensitive.

The proposed change to R-2-10 zoning was reviewed by other city department personnel including Engineering, Power, Water, Sewer, and Fire Department Staff. No issues of concern were identified.

DISCUSSION

Councilmember Cotter shared a quote about the need for duplexes in the area from the Planning Commission minutes and asked if the applicant still stands with the quote.

John Rod, the representative from JNG Investments was invited up to the podium and shared that duplexes allow for a Murray resident to have the opportunity to own, instead of renting. Rod reiterated that duplexes are single-family homes with a shared central wall.

Councilmember Turner clarifies that what is being determined tonight is the change of zoning, not the development.

Councilmember Hrechkosy asked where other developments have occurred in the area.

Rod responded that the company has an estimated 40 + properties right now, but they are single-family residences, not multifamily or duplexes.

Citizen Comments

The public hearing was open for public comment.

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

MOTION

Councilmember Martinez moves to adopt the ordinance. The motion was SECONDED by Councilmember Hrechkosy.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Hrechkosy, Councilmember Martinez, Councilmember Cotter

Nays: None

Abstentions: None

Motion passed 5-0

2. Consider an ordinance permanently closing and vacating a portion of an alleyway at 4860 South Poplar Street, Murray City, Salt Lake County, State of Utah

Presentation: Trae Stokes, City Engineer

Ordinance O22-12

Committee of the Whole Presentation on [March 1, 2022](#)

Presentation

Trae Stokes shared the purpose of the proposed changes tonight is to request to permanently close and vacate a portion of an alleyway at 4860 South Poplar Street, Murray City, Salt Lake County, State of Utah.

As part of the plat preparation for the City Hall site, his team has been working to clear up the remaining access and utility alleyways. This is a petition and requests to vacate one of the remaining alleyways that existed when the City acquired the property.

These alleyways were originally used by property owners to access the rear portions of their lots and for utility companies to provide service. Access is no longer needed, and all utilities have been removed from the site.

Citizen Comments

The public hearing was open for public comment.

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

MOTION

Councilmember Turner moves to adopt an ordinance. The motion was SECONDED by Councilmember Hrechkosy.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Hrechkosy, Councilmember Martinez, Councilmember Cotter

Nays: None

Abstentions: None

Motion passed 5-0

3. Consider an ordinance permanently closing and vacating an alleyway at 1 East 4800 South, Murray City, Salt Lake County, State of Utah

Presentation: Trae Stokes, City Engineer
Ordinance O22-13
Committee of the Whole Presentation on [March 1, 2022](#)

Presentation

Trae Stokes shared the purpose of the proposed changes tonight is intended to request to permanently close and vacate an alleyway at 1 East 4800 South, Murray City, Salt Lake County, State of Utah.

As part of the plat preparation for the City Hall site, his team has been working to clear up the remaining access and utility alleyways. This is a petition and requests to vacate one of the remaining alleyways that existed when the City acquired the property.

These alleyways were originally used by property owners to access the rear portions of their lots and for utility companies to provide service. Access is no longer needed, and all utilities have been removed from the site.

Citizen Comments

The public hearing was open for public comment.

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

MOTION

Councilmember Hrechkosy moves to adopt an ordinance. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Hrechkosy, Councilmember Martinez, Councilmember Cotter

Nays: None

Abstentions: None

Motion passed 5-0

4. Consider an ordinance related to the Murray City Center District (MCCD); repeal of 2011 design review guidelines and enactment of new design review guidelines

Presentation: Zach Smallwood, Senior Planner, and Jared Hall, Community and Economic Development Director
PowerPoint Presentation Attachment B – MCCD guidelines
Ordinance O22-14
Committee of the Whole Presentation on [March 1, 2022](#)

Planning Commission Presentation on [October 15, 2020](#), continued to [November 19, 2020](#)

Presentation

Zach Smallwood shared the purpose of the proposed changes tonight is intended to request a repeal of 2011 design review guidelines and enactment of new design review guidelines.

At the November 19, 2020, Planning Commission meeting, the Planning Commission forwarded a positive recommendation for the revised Murray City Center District (MCCD) Design Guidelines. This item was scheduled for discussion in 2021, but when the Temporary Land-Use Regulation (TLUR) on mixed-use zones was put in place in February 2021, we postponed this item.

In November of 2019 and again in 2021, the MCCD zone was revised to simplify the ordinance, the zoning approval process, and eliminate regulations. The ordinance revisions necessitated the simplification of the design guidelines.

The guidelines are based on 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.

The five shared values in the proposed new guidelines are:

- Authentic
- Active
- Inclusive
- Multi-Modal
- Connected

In April 2020, the department started working on new guidelines and started seeing a trend of one page-basic explanation of the guidelines which linked back to the General Plan.

DISCUSSION

Councilmembers and staff discussed historical values, preservation, and zoning requirements. Jared Hall clarified that the MCCD guidelines can be updated as input is gathered. The MCCD guidelines are there to help staff coordinate design plans with developers to make sure the entire district is cohesive and not just the specific building plans for one development. If a developer does not adhere to the principles of the MCCD design guidelines then staff can ask them to go back to the drawing boards during the concept phases before it is presented to the Planning Commission or City Council.

Staff clarified the difference between Mixed-Use Design Standards and the proposed MCCD guidelines.

Staff clarified when Traffic Studies are conducted as new developments are proposed in a Master Site plan phase.

Councilmembers Dominguez asked what the public input process is typically like when determining guidelines?

Jared Hall responded that he was not employed with Murray City when the 2011 guidelines were approved. However, some cities approve guidelines with a Public Hearing process and other cities gather input from several stakeholders. It is different with each city and it depends on what level of public involvement the council finds necessary.

Councilmember Dominguez shared that some new laws and the Utah Governor encourage getting the community involved. She is wondering if additional research and community input can be gathered before approving the proposed guidelines tonight?

Zac Smallwood shared that the staff's role is to serve the public so they are willing to review and update guidelines and needs as they are identified. This document, if approved, is a living document and can be updated as needed.

Councilmember Dominguez asked how the MCCD guidelines will reflect historical preservation if approved?

Zac Smallwood shared that the Murray Code specifically lays what the historical requirements are for preservation, not the guidelines.

Councilmember Turner shared concern that if we don't go forward then we keep getting stuck and because it is a living document, changes can be made. She believes that historical values should be added but in the meantime, the 2011 MCCD guidelines should be updated to support staff.

Councilmember Hrechkosy addressed the word "authentic" and wondered if the statement, "Murray City is pursuing the development of a true functioning and authentic downtown neighborhood, not a historical replication of another time" could be pulled from the guidelines being presented tonight so that council and staff could work on updating the historical values of Murray's citizens.

Council members discussed the approval process for development in the MCCD zone.

Jared Hall stated that these design guidelines do not affect the approval process for a Master Site Plan as long as they adhere to the shared values. If a development is over three (3) acres, then the proposed project would be presented to the Planning Commission and City Council for approval as a Master Site Plan approval.

Councilmember Hrechkosy asked if the code could be updated to request any development, regardless of size, to be presented for approval to the City Council?

Jared Hall clarified that only the two newest zones in the less transit-oriented parts of the city have the Master Site Plan agreement with the three (3) acre rule and that code could be changed.

Attorney GL Critchfield clarified that if the City Council would like to update the design guidelines using their legislative powers, then the council has that ability. However, the council cannot make administrative decisions during the initial review and application process.

Councilmember Cotter asked if a public survey could be conducted before approving the changes?

Zac Smallwood responded that the survey being requested right now is for "Block One" of the city and the proposed guidelines being discussed tonight affect more than the Block One area, so it depends on what the RDA and City Council decide as they build the survey.

Citizen Comments

The public hearing was open for public comment.

Jeannie Patton

Lack of clear and transparent communication to citizens. Concerns over how this proposal can fit into the State Main Street Program and available funding.

Rachel Morot - Speaking on behalf of the Murray First Foundation

Would like the city to partner with Utah Main Street Program which has had great success and examples around several downtowns in Utah. Would also like the city to do an analytic survey of the citizen to gather input before official guidelines are updated.

Lloyd Jones

Shared a concern about the flexibility of the guidelines once something is written. Asked the council to wait before passing the guidelines and incorporate the language that they want in the proposal.

Joe Christensen

Asked the council to consider what the urgency is between the 2011 guidelines and what is being presented today. Would like to see a side-by-side comparison of what the changes are and why they are important.

Jenn Kikel-Lynn

Requested that residents hear about these changes, so they understand everything that goes into the changes and why. She would like the residents to feel as if they are a part of the process and provide input.

Before the Public Hearing was closed, Councilmember Cotter asked Zac to respond to a few questions that were asked during the public comments.

Zac Smallwood clarified that these guidelines do not say historical buildings should be torn down, that decision is left up to private property owners and whether they feel like their buildings continue to be useful in the zone.

Zac Smallwood also used examples and photos from Holladay City, Sugar House, and the Central 9th Area around Main Street at 900 South as inspiration for the guidelines. The proposed design guidelines have shared values with statements on what they mean. Those values and statements can be updated. Zac reiterated that the proposed changes tonight have been presented during Planning Commission meetings, Committee of the Whole meetings, and during MCCD committee meetings. City Staff also has an open-door policy for anyone who wants to come into the offices during the day. Staff would love to see more engagement with the public and have goals to engage the public more moving forward.

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

DISCUSSION

Councilmember Martinez shared appreciation for members of the community who heard about this on social media and came to the meeting tonight. She requests citizens to contact the Council office because they will email everyone a copy of the council packets once they are published.

Councilmember Hrechkosy asked how historical buildings are addressed in the guidelines and if it was possible to get public input or survey before the next council meeting date

on April 5?

Zac Smallwood responded that because of noticing laws and the time it takes to build a quality survey with a third party it may not be possible to have everything completed by April 5th.

Doug Hill was invited to the podium to explain the process for a survey which was approved earlier today. From his memory, it typically takes three to four months to get results back and analyzed from a survey.

Councilmember Hrechkosy asked for a commitment from staff to come back and make tweaks to the MCCD guidelines if they approved the proposal tonight.

Staff agreed.

Councilmember Turner asked about the process to make changes.

Zac Smallwood shared the official process to have future amendments to the MCCD guidelines is the same process as any other text amendment. There would be citizen engagement or research, a public hearing at the Planning Commission, and Committee of the Whole presentation, and then a City Council Public Hearing.

Zac Smallwood clarified that current projects have not been evaluated against the proposed guidelines being presented tonight. If approved, then future projects would be evaluated with the updated MCCD guidelines.

Councilmember Cotter shared concerns about the authentic and historical values mentioned in the proposed changes and she would like to see what the citizens will say if they have an option for a survey.

Councilmember Martinez shared that she values public input and reminds the public that ordinances and guidelines are constantly being updated and revised as new information is gathered.

FIRST MOTION

Councilmember Hrechkosy moves to amend the ordinance with the following redlined:

On page 10 of the Murray City Center District Design Guidelines, Shared Value 01: Authentic says:

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 **that unites historical Murray with a modern Murray.***

The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes: Councilmember Turner, Councilmember Hrechkosy, Councilmember Martinez

Nays: Councilmember Dominguez, Councilmember Cotter

Abstentions: None

Motion passed 3-2

SECOND MOTION

Councilmember Hrechkosy moves to adopt an ordinance as amended. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes: Councilmember Turner, Councilmember Hrechkosy, Councilmember Martinez

Nays: Councilmember Dominguez, Councilmember Cotter

Abstentions: None

Motion passed 3-2

Business Item

- 1. Consider an ordinance enacting section 12.24.175 of the Murray City Municipal Code authorizing the mayor to establish certain parks and recreation-related fees**

Presentation: Kim Sorensen, Parks and Recreation Director

Committee of the Whole presentation on [March 1, 2022](#)

Ordinance Number: O22-15

Presentation

Kim Sorensen shared the purpose of the proposed changes is intended to enact section 12.24.175 of the Murray City Municipal Code authorizing the mayor to establish certain parks and recreation-related fees.

Murray City is committed to providing outstanding public parks, recreation facilities, recreation programs, and cultural art and history programs. The increasing demands for additional park usage, recreation programs/facilities, and services, combined with rising operating and capital costs, make it challenging to maintain existing levels of service.

Murray City Parks and Recreation offers a wide range of facilities, programs, and services including parks, aquatic programs, recreation classes, senior services, athletics leagues/programs, youth enrichment programs, cultural art, and history programs, and special events. The City Parks and Recreation collects a variety of program and facility use fees but is still primarily supported by the City's General Fund.

The City Council wants to give the mayor authority to set all user fees and pricing strategies working with the Parks and Recreation Department Advisory Board and staff. This will enable the city to quickly respond to market trends and community needs by implementing pricing methods as appropriate to meet financial sustainability.

To identify effective cost recovery rates, the mayor may use national benchmark information, local market conditions, and user survey information for all parks and recreation programs and services.

MOTION: Councilmember Martinez moved to adopt the resolution. The motion was **SECONDED** by Councilmember Hrechkosy

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Hrechkosy, Councilmember Martinez, Councilmember Cotter.

Nays: None

Abstentions: None

Motion passed 5-0

2. **Consider a resolution approving an agreement between the Redevelopment Agency of Murray City, Murray City Corporation, and Salt Lake Neighborhood Housing Services dba NeighborWorks Salt Lake**

Presentation: Doug Hill, Chief Administrative Officer

RDA presentation on [February 15, 2022](#)

Resolution Number: R22-13

Presentation

Doug Hill shared the purpose of the proposed changes is intended to request approval of an agreement between the Redevelopment Agency of Murray City, Murray City Corporation, and Salt Lake Neighborhood Housing Services dba NeighborWorks Salt Lake.

The proposed agreement is to renew an agreement to create a mutual process and commitments for lending and future development of NeighborWorks to meet City housing goals and objectives from January 2022 through January 2024.

Councilmember Martinez disclosed she is a recipient of a downpayment assistance loan.

MOTION: Councilmember Turner moved to adopt the resolution. The motion was SECONDED by Councilmember Dominguez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Hrechkosy, Councilmember Martinez, and Councilmember Cotter.

Nays: None

Abstentions: None

Motion passed 5-0

3. Consider a resolution providing advice and consent to the mayor's appointment of Jared Hall as the City's Community and Economic Development Department Director

Presentation: Mayor Brett A. Hales

Resolution Number: R22-14

Presentation

Mayor Brett A. Hales introduced Jared Hall as his appointed Community and Economic Development Department Director. Hall was selected from highly qualified candidates by an interview committee and also interviewed by Mayor Hales. Mayor Hales believes Hall is fully capable and prepared to be the next Murray City Community and Economic Development Department Director.

Jared Hall was invited to the podium and said he has worked for Murray City for 8 years and is excited about this new opportunity. Hall introduced his family and friends who were present in the audience.

MOTION: Councilmember Hrechkosy moved to adopt the resolution. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Turner, Councilmember Hrechkosy, Councilmember Martinez, Councilmember Cotter.

Nays: None

Abstentions: None

Motion passed 5-0

Brooke Smith, City Recorder administered the Oath of Office to Jared Hall in a swearing-in ceremony.

Councilmembers congratulated Jared Hall on the promotion.

Mayor's Report and Questions

Mayor Hales shared the following announcements:

- Thanked Danny Astill, the Public Works department, who filled in as interim Department Director for the Community and Economic Development Department while a new director was selected.
- The city looks forward to working with the council and citizens moving forward.

Council members shared thanks to the presenters and staff.

Adjournment

The meeting was adjourned at 8:48 p.m.

Brooke Smith, City Recorder

Attachment A - 6560 S 130 W

Murray City City Council Meeting

March 8, 2022



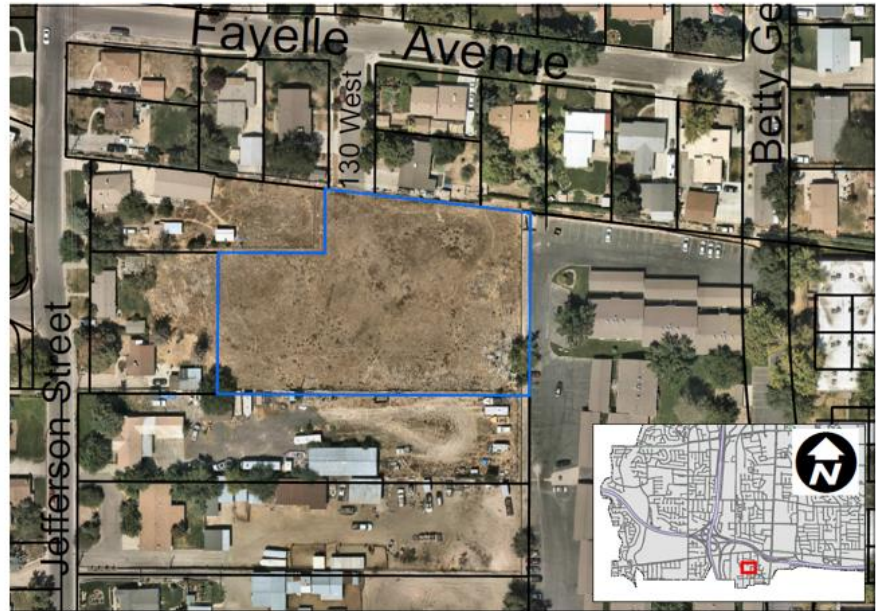
Applicant: JNG Investments

Request: Zone Map Amendment from R-1-8 to R-2-10

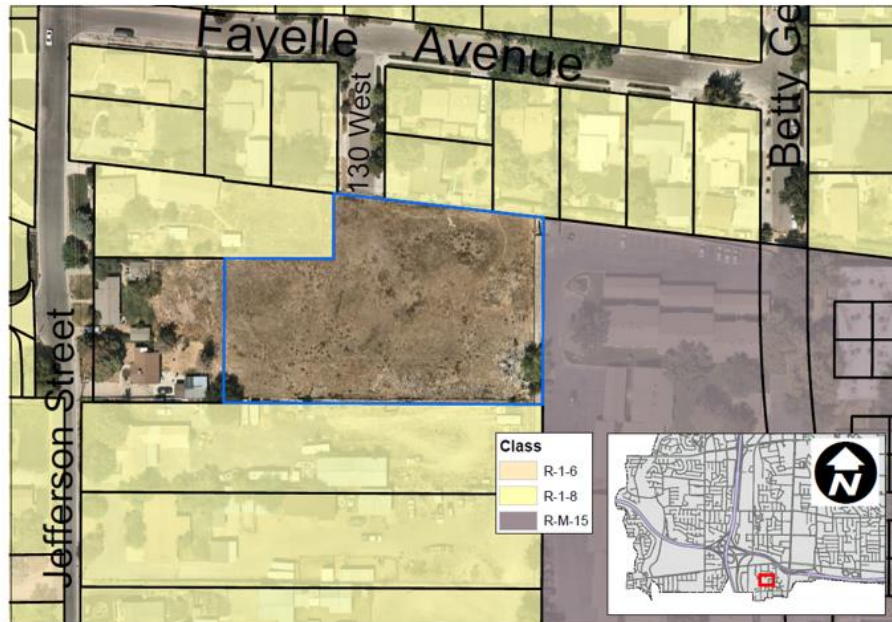
Address: 6560 South 130 West



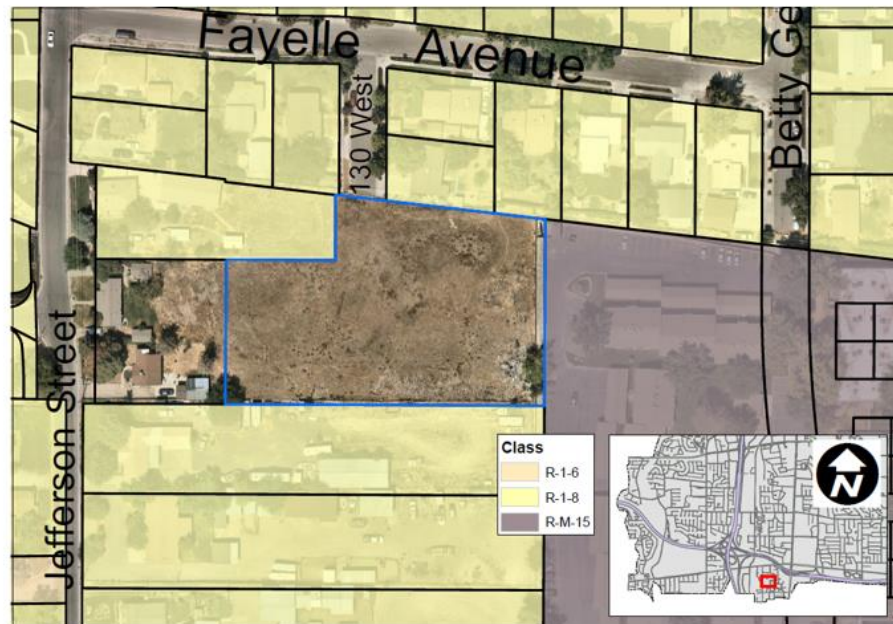
6560 South 130 West



Zone Change
from
R-1-8 to
R-2-10



**Zone Change
from
R-1-8 to
R-2-10**

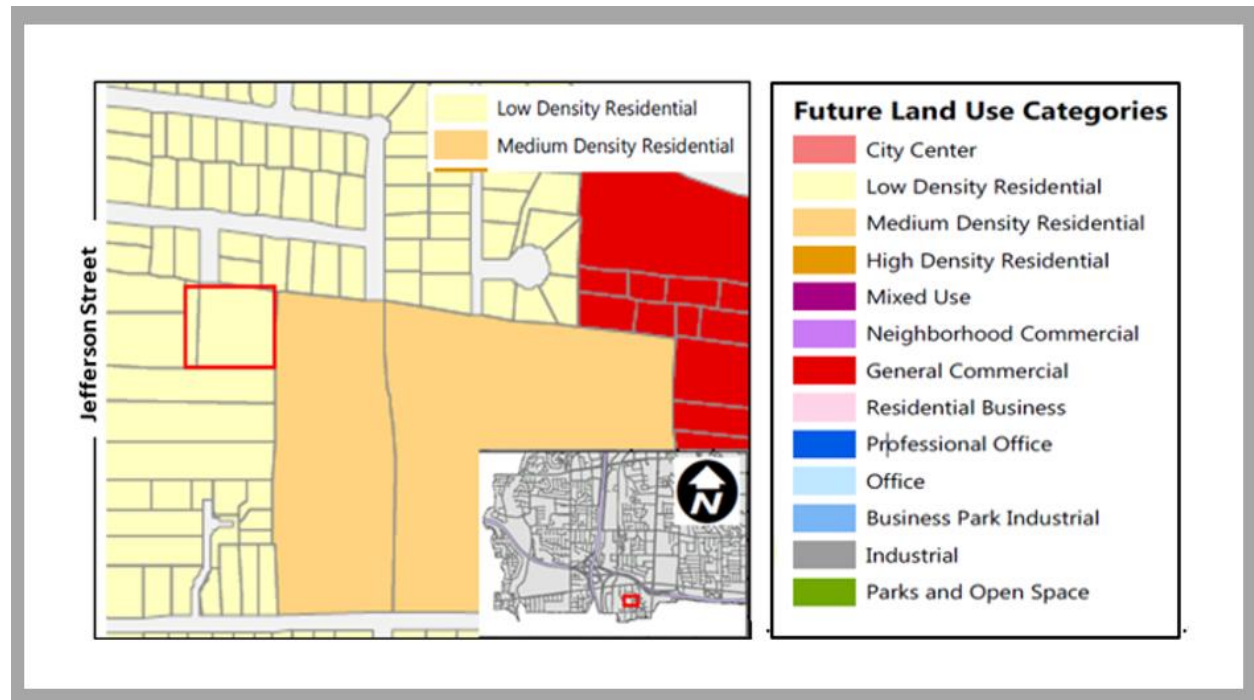


	R-1-8 (existing)	R-2-10 (proposed)
Lot Size Requirement	8,000 ft ²	10,000 ft ² ; (5,000 ft ² per dwelling for twin-homes)
Structure Height	35' maximum	35' maximum
Front Yard Setbacks	25' minimum	25' minimum
Rear Yard Setbacks	25' minimum	25' minimum
Side Yard Setbacks	8' minimum, the two must total no less than 20'	8' minimum, the two must total no less than 18'
Corner Side Yard Setbacks	20' minimum	20' minimum
Parking Requirements	2 off-street spaces	2 off-street spaces per unit

R-1-8 (existing) & R-2-10 (proposed)

Similar Permitted Uses: Single Family dwellings
 Residential Facility for Persons with Disabilities
 Residential Facility for Elderly Person, detached
 Charter Schools
 Public Schools
 Churches
 Playgrounds

Additional Uses in R-2-10: Two-family dwelling (duplex)
 Two-Family dwelling (twin-homes)
 Retirement Homes (independent living or congregate care).



General Plan Chapter 5

LOW DENSITY RESIDENTIAL

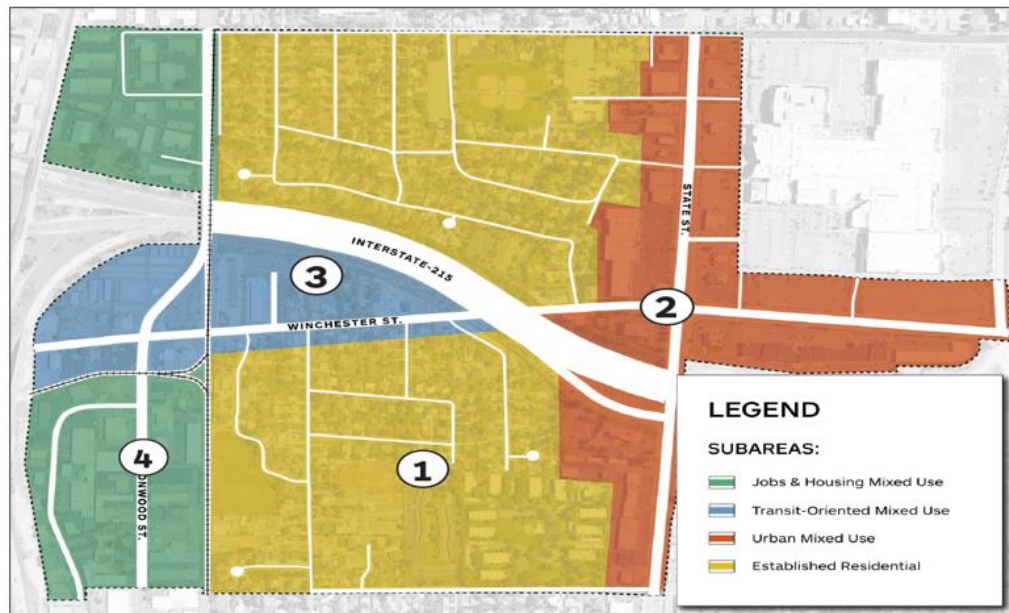
This designation is intended for residential uses in established/planned neighborhoods, as well as low density residential on former agricultural lands. The designation is Murray's most common pattern of single-dwelling development. It is intended for areas where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally have few or very minor development constraints (such as infrastructure or sensitive lands). Primary lands/use types include single-dwelling (detached or attached) residential.

Density range is between 1 and 8 DU/AC.

Corresponding zone(s):

- A-1, Agricultural
- R-1-12, Low density single family
- R-1-10, Low density single family
- R-1-8, Low density single family
- R-1-6, Low/Medium density single family
- R-2-10, Low density two family

Fashion
Place West
Small Area
Plan



Planning Commission

- A public hearing was held by the Planning Commission on January 6, 2022.
- 61 notices were sent to all property owners within 300' of the subject property and to affected entities.
- The Planning Commission voted 3-2 to forward a recommendation of approval to the City Council.

FINDINGS

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The requested zone change has been carefully considered based on the characteristics of the site and surrounding area, and on the policies and objectives of the 2017 Murray City General Plan and Fashion Place West Small Area Plan.
3. The proposed Zone Map Amendment from R-1-8 to R-2-10 is supported by the General Plan and Future Land Use Map designation of the subject property.
4. The Planning Commission voted 3-2 to forward a recommendation of approval to the City Council on 1/6/2022.

Staff Recommendation

Staff and the Planning Commission recommend that the City Council APPROVE the Zone Map amendment from R-1-8 to R-2-10 for the property addressed approximately 6560 South 130 West.

Attachment B – MCCD guidelines

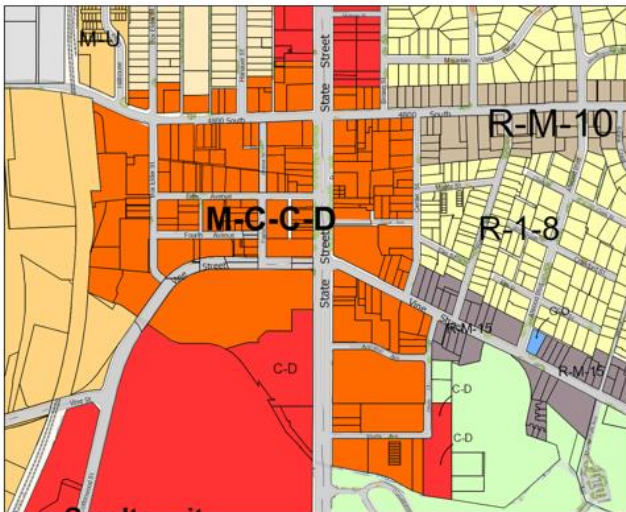
Applicant: Murray City Community and Economic Development

Request: Repeal and Replace the Existing Design Guidelines in the
MCCD Zoning District

Address: Varies



Why Are We Here?



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 DISTRICT 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 provisions 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.



Design Guidelines

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)



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

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)



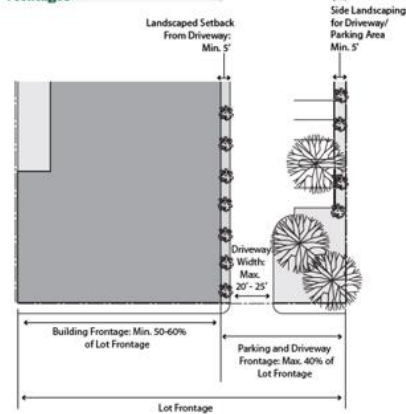
Development Standards

TABLE 4.2-1: RESIDENTIAL MIXED-USE STANDARDS

Standard	CVUSD Land Use Group D (Subareas 2, 4, 5, 6, 7)	CVUSD Land Use Group E (Subarea 8, 9, 10, 11)	ACBD-TA	ACBD-TC, ACBD-FA (E, 14th, Mix-use)	ACBD-RC, ACBD-FA (Low-density)	Additional Standards
DEVELOPMENT INTENSITY AND NEIGHBORHOOD COMPATIBILITY						
Minimum Building Size (sq ft)	10,000 - 20,000	20,000		100	100	
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 CVUSD Land Use Group D, 20-40 du/ac is allowed in special circumstances. See Mixed Use CVUSD 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 CVUSD 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 CVUSD Land Use Group D in Table 4.1-1.
Minimum Overall SDR			0.75			
Maximum Lot Coverage (%)	70	70	70	70	70	
COMMERCIAL USES						
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.

DEVELOPMENT STANDARDS FOR RESIDENTIAL MIXED-USE PROJECTS | 4-15

Figure 4.2-4: Residential Mixed Use: Frontages



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



Streetscape 1

Protect the Pedestrian Where the Building Meets the Street

Values Supported Unique Character, Distinctive Character, Historic Character, Economic Vitality, Connection with the Community

Issue The context of the pedestrian is critical to the development of any dense development which strives to be economically viable. This is especially true in the case where people have come to expect the climate control found in contemporary buildings. Like much of the world, Murray has more months of comfortable and heated weather. It can also have very cold and wet winters. The tendency to park across a parking lot from an air conditioned car into an air conditioned building is normal behavior in these times, and as is the tendency to drop or set only to place 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 context of the building. 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 too uncomfortable or which cause 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 street and downtown lot along 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 awning, or a combination of the two. Awnings 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 secured 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 pedestrian or emergency functions of the sidewalk. Warners that 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 four foot cover should be provided along the right-of-way. Covers are encouraged in this condition to provide pedestrian cover additionally at the edge of the building where it does not reach the property line.
- Existing buildings which experience significant deterioration 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 guidelines modeling them after others with 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 M CCD
- Recommendations
 - Items that could be incorporated to address the issue or guideline



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 Review Committee
- 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 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





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



Findings

1. The proposed guidelines have been considered based on previous planning efforts within the downtown.
2. The proposed amendment is necessary to comply with Section 17.170.020 of the Murray City Land Use Ordinance.
3. The proposed guidelines are consistent with the goals and initiatives of the 2017 Murray City General Plan.
4. The proposed amendment will provide the City and the development community clear guidelines for new development in the downtown.
5. In a public hearing on November 19, 2020, the Planning Commission voted to forward a recommendation of approval to the City Council for the proposed MCCD Design Guidelines.

Recommendation

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





MURRAY
CITY COUNCIL

Special Recognition



MURRAY

City Council

Employee of the Month - Jared Hall

Council Action Request

Council Meeting

Meeting Date: April 19, 2022

Department Director Danny Astill Phone # 801-270-2404 Presenters Danny Astill Rosalba Dominguez Required Time for Presentation Is This Time Sensitive No Mayor's Approval Date April 6, 2022	Purpose of Proposal Employee of the Month recognition Action Requested Informational only Attachments Recognition Form Budget Impact None Description of this Item Jared has always shown his ability to diffuse difficult situations with his calm demeanor and soothing voice. However, this is not all of his talents. Jared is always willing to share his talents and experience not just in the planning division but also in assisting the building division with his language skills. He is often asked to help the building division at the counter to use his Spanish language skills and act as an interpreter. On occasion, Jared has been willing to accompany the City building officials to a job site where he has been able to act as an interpreter to help a property owner, or contractor understand what is being required.
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EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

DATE:

Community and Economic Development

Jan. 26, 2022

NAME of person to be recognized:

Submitted by:

Jared Hall

Danny Astill/building staff

DIVISION AND JOB TITLE:

Community Development Supervisor

YEARS OF SERVICE:

REASON FOR RECOGNITION:

Jared has always shown his ability to diffuse difficult situations with his calm demeanor and soothing voice. However, this is not all of his talents. Jared is always willing to share his talents and experience not just in the planning division but also in assisting the building division with his language skills. He is often asked to help the building division at the counter to use his Spanish language skills and act as an interpreter. On occasion, Jared has been willing to accompany the City building officials to a job site where he has been able to act as an interpreter to help a property owner, or contractor understand what is being required. The building division is very appreciative for his willingness to assist them. This is just one of the ways that Jared works to make sure that we are providing the best customer experience possible. We are fortunate he is part of the CED staff. Additionally, many of us have witnessed how Jared has the ability to help others understand difficult land use issues and works diligently to help all stake holders, i.e. Murray City Administration, Citizens, Developers, Planning Commission and City Council fully understand the issues and identify the best remedies.

COUNCIL USE:

MONTH/YEAR HONORED



MURRAY
CITY COUNCIL

Special Presentations



MURRAY
CITY COUNCIL

Special Presentation #1



MURRAY

Mayor

2023 Budget

Council Action Request

Council Meeting

Meeting Date: April 19, 2022

Department Director Brett Hales Phone # 801-264-2600 Presenters Brett Hales Required Time for Presentation 10 Minutes Is This Time Sensitive Yes Mayor's Approval Brett A Hales <small>Digitally signed by Brett A Hales Date: 2022.04.05 13:43:56 -06'00'</small> Date April 19, 2022	Purpose of Proposal Present the Mayor's proposed budget for fiscal year 2023. Action Requested Accept the Mayor's budget for consideration. Attachments Proposed fiscal year 2023 budget Budget Impact Description of this Item After consultations with department heads, the Budget Director Brenda Moore has created the budget for Murray City. Mayor Brett Hales will present the budget proposal to the Council, who will deliberate before approval.
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MURRAY
CITY COUNCIL

Special Presentation #2



MURRAY

Finance & Administration

FY2022-2023 budget receipt

Council Action Request

Council Meeting

Meeting Date: April 19, 2022

Department Director Brenda Moore Phone # 801-264-2513 Presenters Brenda Moore Required Time for Presentation 10 Minutes Is This Time Sensitive Yes Mayor's Approval Brett A Hales <small>Digitally signed by Brett A Hales Date: 2022.04.05 13:45:49 -06'00'</small> Date June 1, 2021	Purpose of Proposal Acknowledge receipt of the FY2022-2023 Budget. Action Requested Consideration of a resolution Attachments Draft of the resolution Budget Impact Description of this Item Although not required by regulations or ordinance it is customary that the Council acknowledge the receipt of the Mayor's budget. Both PDF and Printed copies of the Budget will be available after the Mayor's budget address
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RESOLUTION NO. _____

A RESOLUTION ACKNOWLEDGING RECEIPT OF THE FISCAL YEAR 2022-2023 TENTATIVE BUDGET FROM THE MAYOR AND THE BUDGET OFFICER AND REFERRING THE MAYOR'S TENTATIVE BUDGET FOR REVIEW AND CONSIDERATION TO THE BUDGET AND FINANCE COMMITTEE OF THE MURRAY CITY MUNICIPAL COUNCIL.

WHEREAS, Section 10-6-111 of the Utah Code requires that on or before the first regularly scheduled meeting of the governing body in May of the current fiscal year, the Mayor and the City's Budget Officer shall prepare the Mayor's tentative budget for each fund for which a budget is required for the ensuing fiscal year; and

WHEREAS, the Mayor and the City's Budget Officer, Brenda Moore, submitted the Mayor's tentative budget for fiscal year 2022-2023 on April 19, 2022 to the Murray City Municipal Council; and

WHEREAS, the Murray City Municipal Council wants to acknowledge receipt of the Mayor's tentative budget and refer it to the Budget and Finance Committee.

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

1. It hereby acknowledges receipt of the fiscal year 2022-2023 Mayor's tentative budget from the Mayor and the City's Budget Officer, Brenda Moore, on April 19, 2022.
2. The submitted Mayor's tentative budget is hereby referred to the Budget and Finance Committee of the Murray City Municipal Council for review and consideration.

DATED this _____ day of _____, 2022.

MURRAY CITY MUNICIPAL COUNCIL

Kat Martinez, Chair

ATTEST:

Brooke Smith, City Recorder



MURRAY
CITY COUNCIL

Citizen Comments

Limited to three minutes, unless otherwise approved by Council



Consent Agenda



MURRAY

Mayor's Office

Appointment of Brian Plamondon to the Parks and Recreation Board

Council Action Request

Council Meeting

Meeting Date: April 19, 2022

Department Director Kim Sorensen Phone # 801-264-2619 Presenters Mayor Hales Required Time for Presentation Is This Time Sensitive Yes Mayor's Approval Brett A Hales <div>Digitally signed by Brett A Hales Date: 2022.04.05 13:42:55 -06'00'</div> Date April 5, 2022	Purpose of Proposal Appointment of board member Action Requested Consider confirmation of the mayor's appointment of Brian Plamondon to the Parks and Recreation Advisory Board. Attachments Resume Budget Impact None Description of this Item Brian Plamondon will be appointed to the parks and recreation advisory board from January 2022 - January 2025.
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BRIAN PLAMONDON
Salt Lake City, UT 84107



PROFESSIONAL SUMMARY

Operations and Partner Program Manager. Military veteran with a Secret Security Clearance and 10 years of proven experience in the United States Marine Corps. Accomplished measurable results while leading upwards of 130 personnel at a time in a dynamic, fast - paced environment. Comprehensive background in managing project objectives on time and on budget, while conducting domestic and global operations. Extensive experience in creating schedules, assessing risks, recruiting and mentoring team members, managing staff and sub-contractors, budgeting, and managing expenses. Managed risk in multiple capacities to protect assets, people, property, and equipment valued over \$35M while exceeding the expectations of senior leadership. Career supported by Department of Defense training, certifications, and a Bachelor of Science in Business Administration. Areas of expertise include:

- Program Management
- Project Collaboration
- Data Analysis
- Strategic Planning
- Operation Management
- Customer Service
- Risk Mitigation/QA/QC
- Oral | Written Communication
- Budget & Finance Projects

PROFESSIONAL EXPERIENCE

Protegrity – Remote, UT **Partner Program Manager**

January 2021 – Present

Established a systematic process for partner outreach, relationship management, enablement, and account mapping.

- Leveraged available data to develop 100 strategic sales and partnership targets through analytics and requisite research, adding value to the Sales and Alliances teams by generating 10 channel partnerships and 1 technology partner. Managed and enabled a total of 7 partner accounts.
- Hand selected to create the Protegrity Summer Internship Program; recruited, interviewed, hired and onboarded 10 interns, internationally. Developed an overwhelmingly successful program that delivered 90 account plans, 100 account analyses, and 10 individual projects that resulted in significant ROI for the Sales, Marketing, Operations and Alliances departments within a 14-week window (10-week program).
- Identified an organizational shortfall and developed a solution by building buy-in and collaborating with Operations, Sales, and Marketing teams. Ultimately, developed an all-encompassing spreadsheet that included 600 Strategic, Targeted and Tertiary global prospective accounts and employee tasking. These changes were mass uploaded into Salesforce. This interdepartmental project aligned our company, eliminated duplication of effort, and ensured accurate tracking, communication with and reporting for prospective customer accounts.

United States Marine Corps – Various Global Locations **Operations Manager | Training & Education (3 Years)**

2010 – August 2020

Directed air operations, coordinating with 14 different countries and alliances in operational support.

- Provided technical implementation and support for web front end applications and network infrastructure.
- Increased service scores by 10% for supported operational areas by facilitating training.
- Led an operations business team in the development and testing equipment, interactive customer CRM system that centralized account opening information and improved customer service.
- Developed and maintained a detailed project plan for each individual account with a 95% success rate.
- Oversaw coordination with 14 partners and working groups engaged in project work to ensure 100% compliance with regulations.
- Prepared and briefed ongoing internal program meetings, including weekly status updates to monitor critical deadlines were met with no mishaps or losses.

Operations Supervisor | *Aviation & Aerospace* (3 Years)

- Researched and analyzed technical issues reported by customers, business/technical teams. Managed code deployment releases, bug fixes, enhancements, and business requests for web front end applications. Investigated and managed technical issues for Assurance Wireless brand post billing system migration. Bug fixes and enhancements led to efficiency improvements of up to 20%.
- Documented and standardized web deployment and post deployment procedures, reducing deployment cycle 10%.
- Managed and monitored production and air operations; ensured 99.9% uptime and providing 24/7 support.
- Collaborated with change management and transition teams to implement training systems with new systems and processes.

Aviator | *Air Operations* (4 Years)

Ensured that issues identified from internal monitoring activities are the subject of agreed action plans with relevant business management and follow up to ensure that actions are completed satisfactorily, safely, and in a timely manner.

- Oversaw daily operations with 4 departments of 35 personnel; directed processing, aircraft loading of cargo & personnel on military/commercial aircraft.
- Increased profitability 30% in a short period through effective fleet management and cost saving initiatives.

Aviator | *Air Operations – Continued*

- Reduced staffing expenses by 30% through improved productivity.
- Monitored projects on an ongoing basis, evaluating progress and quality, managing issue resolution and taking corrective action as necessary.
- Improved company-wide Quality Assurance scores from 75% to 81% within a span of 6 months by regularly conducting coaching, calibration, and training sessions.

EDUCATION

Joint Terminal Attack Controller (J-TAC) | EWTPAC (Coronado, CA)
Naval Aviator, Advanced Helicopter (TH-57B/C) | Whiting Airfield (Pensacola, FL)
Primary Flight Training (T-6 Texan IIB) | Whiting Airfield (Pensacola, FL)
The Basic School - Officer Course | USMC (Quantico, VA)
USMC Officer Candidate School | USMC (Quantico, VA)
Bachelor of Science, Business Administration | University of Redlands (Redlands, CA)

CERTIFICATIONS

Data Security Sales Certification - 2021
Certified Scrum Master (CSM) -2020
Lean Six Sigma Yellow Belt Certificate - 2020
Leadership and Management Development Course

SPECIALIZED TRAINING

(Department of Defense/ United States Marine Corps)

Information Management System Course
Operations Course
Operational Risk Management Training
Information Security Course
Command Financial Specialist Certification

AWARDS

Navy and Marine Corps Commendation Medal (2x)
National Defense Medal
Global War on Terror Medal
Operation Inherent Resolve Medal (2x)
Sea Service Deployment Ribbon

TECHNICAL SKILLS

Software: Microsoft Office (Word, Excel, PowerPoint, OneNote), SharePoint, iOS, Salesforce, Oktopost, Seismic, LinkedIn Sales Navigator
Operating Systems: Mac / Microsoft Windows



MURRAY
CITY COUNCIL

Public Hearing



Community & Economic Development

Text Amendments to the G-O, General Office Zone

Council Action Request

Council Meeting

Meeting Date: April 19, 2022

Department Director Jared Hall Phone # 801-270-2427 Presenters Jared Hall Required Time for Presentation 10 Minutes Is This Time Sensitive No Mayor's Approval Brett A Hales <div>Digitally signed by Brett A Hales Date: 2022.03.24 09:53:20 -06'00'</div> Date March 22, 2022	Purpose of Proposal Amend the text of the G-O Zone regarding the allowance of various land uses in the personal services category. Action Requested City Council approval of proposed amendments to Sections 17.144.020 and 17.144.030 of the Land Use Ordinance. Attachments Presentation Slides Budget Impact None. Description of this Item BACKGROUND Planning staff is proposing changes to the permitted and conditional uses allowed in the G-O Zone. The majority of the uses impacted by these proposed amendments are found in the "personal services" category of the city's Standard Land Use Code. <u>The proposed amendments involve only additions and changes to the lists of permitted and conditional uses; no changes to other regulations such as parking, building height, or buffering are included.</u> The purpose of the G-O Zone is "To provide for a wide variety of general office uses in an attractive office environment." This zone is often used in buffer or transition areas separating commercial/industrial uses from residential areas.
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Continued from Page 1:

Staff believes that the scope of personal service business and office activities in the G-O Zone can be expanded without negative impacts to the purpose of the zone. Expanding the availability of basic personal services that are more popular and less of an impact than they may have been in previous years will allow property owners to attract tenants to aging developments, better maintain them, and even encourage re-investment where possible.

The G-O Zone allows most business and professional service uses as permitted uses. The G-O Zone currently allows only three activities from the personal services categories: Massage Therapy (6296) as a permitted use and Beauty and Barber Services (6230) and Portrait Photography (6221) as conditional uses. Staff proposes moving some personal services to the permitted use list, as well as adding others not currently allowed to both the permitted and conditional uses allowed. Redline/strikeout versions of the use tables in Sections 17.144.020 and 17.144.030 are available, but the proposed changes and their effects can be very simply summarized as shown below:

Move LU #6230 Beauty and Barber Services, and LU #6221 Portrait Photography from the list of Conditional Uses to the list of Permitted Uses.

Add LU #6222 Commercial Photography, LU #6254 Shoe Repair, LU #6255 Shoeshine Stands, LU #6297 Reiki, Spiritual Healing Art, LU #6299 Life coaching, consulting, LU #6316 Direct mail advertising (office only), LU #6319 Other advertising services NEC (office only), and LU #6493 Watch & Jewelry Repair & Engraving to the list of Permitted Uses.

Add LU #6213 Dry Cleaning, LU #6295 Body Art & Tattoo Studios, LU #6496 Locksmiths (office only), and LU #6499 Camera & Musical Instrument Repair.

CITY DEPARTMENT REVIEW

The proposed text amendments were provided for consideration by City Staff from various departments on January 31, 2022. No comments or concerns were submitted by any reviewers.

PUBLIC COMMENTS & PLANNING COMMISSION

Notices were sent to affected entities for this text amendment and no comments were received. The Planning Commission reviewed the amendments in a public hearing on February 17, 2022. The Commission voted 6-0 to forward a recommendation of approval to the City Council.

FINDINGS

1. The proposed text amendments have been carefully considered and provide additional opportunity and flexibility for the continued viability of properties and developments located within the G-O Zone.
2. The proposed text amendments support the goals and objectives of the General Plan by facilitating a mix of uses while maintaining appropriate transitions and buffers between commercial corridors and residential areas.
3. The proposed text amendments are consistent with the purpose of the G-O, General Office Zone as contained in Chapter 17.144 of the Murray City Land Use Ordinance.

RECOMMENDATION

Based on the review, background, and findings, Staff and the Planning Commission recommend that the City Council APPROVE the proposed amendments to Sections 17.144.020 and 17.144.030 of the Murray City Land Use Ordinance as presented.

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19th day of April, 2022, 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 17.144.020 and 17.144.030 of the Murray City Municipal Code, relating to permitted and conditional uses in the general office (G-O) zone.

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

DATED this 8th day of March 2022.

MURRAY CITY CORPORATION



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

Brooke Smith
City Recorder

DATE OF PUBLICATION: April 8, 2022
PH22-16

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 SECTIONS 17.144.020 AND 17.144.030
OF THE MURRAY CITY MUNICIPAL CODE RELATING TO PERMITTED
AND CONDITIONAL USES IN THE G-O ZONE

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

Section 1. Purpose. The purpose of this Ordinance is to amend sections 17.144.020 and 17.144.030 of the Murray City Municipal Code relating to permitted and accessory uses in the general office (G-O) zone.

Section 2. Amendment. Sections 17.144.020 and 17.144.030 of the Murray City Municipal Code relating to permitted and conditional uses in the G-O zone are amended to read as follows:

17.144.020: PERMITTED USES:

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

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

Use No.	Use Classification
1113	Single-family dwelling, attached to nonresidential.
4800	Utilities (lines and rights of way only) (except 4850).
5912	Prescriptions pharmacy (intended for the convenience of permitted, established uses and/or clients thereof, provided that no such business occupies more than 15 percent of the total floor area of the building in which it is located and has no separate street entrance).
5913	Medical cannabis pharmacy.
5996	Optical shops (intended for the convenience of permitted, established uses and/or clients thereof; provided, that no such business occupies more than 15 percent of the total floor area of the building in which it is located and has no separate street entrance).
6100	Finance, insurance, and real estate services (except 6112, 6123, 6124, 6141 - surety bail bonding only).
<u>6221</u>	<u>Portrait photography</u>

<u>6222</u>	<u>Commercial photography</u>
<u>6230</u>	<u>Beauty and barber services</u>
6296	Massage therapy (massage therapy only).
<u>6254</u>	<u>Shoe repair services</u>
<u>6255</u>	<u>Shoeshine Stands</u>
<u>6297</u>	<u>Reiki, spiritual healing art</u>
<u>6299</u>	<u>Life coaching, Consulting</u>
6311	Advertising services (office only).
<u>6316</u>	<u>Direct mail advertising (office only)</u>
<u>6319</u>	<u>Other advertising services NEC (office only)</u>
6320	Consumer credit services.
6330	Duplicating, stenographic, and office services (except 6332).
6340	Dwelling, janitorial and other building services (office only) (except 6344, 6345).
6350	News syndicate services (office only).
6360	Employment services.
6390	Business services (office only).
6500	Professional services (office only) (except 6513, 6516).
6600	General contract construction (office only).
6700	Governmental services (except 6714, 6740, 6750, 6770).
6814	Charter school.
6830	Special training and schooling (except 6833, 6836 - classroom only).
6900	Miscellaneous service organizations (office only).

...

17.144.030: CONDITIONAL USES:

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

Use No.	Use Classification
1210	Bed and breakfast homestay and inn, rooming and boarding houses (subject to meeting the area, height and yard requirements of the R-M-15 zone).
1241	Retirement homes, independent living or congregate care (subject to meeting the area, height and yard requirements of the R-M-15 zone).

4700	Communications.
4800	Utilities (except lines and rights of way).
4923	Travel arranging services (travel agencies).
5811	Restaurants.
<u>6213</u>	<u>Dry cleaning services</u>
6221	Portrait photography.
6230	Beauty and barber services.
<u>6295</u>	<u>Body art and tattoo studios</u>
<u>6495</u>	<u>Locksmiths (office only)</u>
<u>6499</u>	<u>Camera and musical instrument repair</u>
6516	Skilled nursing, convalescent and rest home facilities. (Does not include asylums.)
6516.1	Assisted living facilities.
6810	Nursery, primary, and secondary education.
6815	Commercial childcare center.
6820	University, college, junior college, and professional school education.

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 , 2022.

MURRAY CITY MUNICIPAL COUNCIL

Kat Martinez, Chair

ATTEST:

Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this ____ day of
_____, 2022.

MAYOR'S ACTION: Approved.

DATED this ____ day of _____, 2022.

Brett A. Hales, Mayor

ATTEST:

Brooke Smith, City Recorder

Seconded by Jake Pehrson.

Call vote recorded by Ms. Nixon.

 A Maren Patterson
 A Ned Hacker
 A Lisa Milkavich
 A Jeremy Lowry
 A Jake Pehrson
 A Michael Richards

Motion passed 6-0.

LAND USE TEXT AMENDMENTS TO 17.144.020 & 030: G-O, GENERAL OFFICE ZONE –
PROJECT # 22-015

Planning Division Staff proposes amendments to Sections 17.144.020 and 17.144.030 of the Land Use Ordinance related to the allowance of various land uses in the personal services category as permitted and conditional uses in the G-O Zone. Jared Hall presented the proposal. The General Office Zone is applied in several of the areas of the city. The majority of the uses impacted by the amendments proposed are found in the “personal services” category of the city’s Standard Land Use Code. The proposed amendments involve only additions and changes to the lists of permitted and conditional uses; no changes to other regulations such as parking, building height, buffering or others are included. The activities from the personal services category currently allowed in the G-O Zone include only three: Massage Therapy (6296) as a permitted use; Beauty and Barber Services (6230); and Portrait Photography (6221) as conditional uses. Staff is proposing to move a few of the conditional uses to the permitted use list. Most of which are in the service category. We propose moving Beauty and Barbering and Portrait Photography as permitted and add some additional permitted uses; LU #6222 Commercial Photography, LU #6254 Shoe Repair, LU #6255 Shoeshine Stands, LU #6297 Reiki, Spiritual Healing Art, LU #6299 Life coaching, consulting, LU #6316 Direct mail advertising (office only), LU #6319 Other advertising services NEC (office only), and LU #6493 Watch & Jewelry Repair & Engraving to the list of Permitted Uses. Additions to the Conditional Uses would be LU #6213 Dry Cleaning, LU #6295 Body Art & Tattoo Studios, LU #6496 Locksmiths (office only), and LU #6499 Camera & Musical Instrument Repair. The General Office Zone is often adjacent to residential areas and those conditional uses may need review of signage, hours of operation and intensity. There will be built in buffering requirements. Staff found that the General Plan supports these types of uses in the G-O Zone. The purpose of the General Office Zone is to provide a variety of office uses. Increasing the variety will help these tenants find places to operate and to help landlords find tenants for their properties and reinvest in their properties. Staff is recommending that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendments.

Ms. Milkavich asked about the added conditional uses and where they were before. Mr. Hall stated they were not conditional or permitted uses. Mr. Lowry asked would it be wise to specify bigger operations in regard to dry cleaning. Mr. Hall clarified it would be drop off and pick up and any bigger operation would be clarified in the conditional use review and most of these buildings would not be set up for a dry cleaning business and would allow the opportunity to review those types of concerns.

Mr. Hall stated notices were sent to affected entities there was one email from someone who is interested in the body art studios in the G-O Zone but his comments weren't in relation to the application they were just statements about his business.

Mr. Lowry opened the meeting for public comment.

Donell Benjamin, 565 East 4500 South

There is Body Art Studios and Tattoo Parlors, but Tattoo Parlors don't like Body Art Studios because I am trying to implement change. If you walk around outside this building you will see huge Tattoo Studio signs up and down State Street. I run a Body Art Studio with high end clients at 565 East 4500 South. I am asking to be allowed to run inside a professional office building with no brightly lit signage. Those signs invite youth and people who shouldn't be going into these buildings. I am proposing to Murray to move forward with Body Art Studios. Four years ago, I found out that Utah controls the Body Art Industry but it's not recognized. Bottles, after care, medical products are made here but sent out to other states and then sent back and charged to us. The artists here in Utah set the standard. We go outside of Utah to these big conventions they want to question us what artworks going out and what should be used or not. There is no one like me coming to things like this, where I want more stringent rules with restricted hours, with more private clients and appointments and a spa like environment.

No further comments were made. The public comment portion was closed.

Mr. Pehrson clarified that Body Art and Tattoo Studios encompasses all tattoo businesses. Mr. Hall verified it does, this is not proposing to make them different categories.

Ned Hacker made a motion the Planning Commission forward a recommendation of approval for the City Council for the proposed text amendment to sections 17.144.020 and 17.144.030. Seconded by Lisa Milkavich.

Call vote recorded by Mr. Hall.

 A Maren Patterson
 A Ned Hacker
 A Lisa Milkavich
 A Jeremy Lowry
 A Jake Pehrson
 A Michael Richards

Motion passed 6-0.

WATERSTONE SUBDIVISION – 6566, 6562 and 6556 South Jefferson Street - Project #22-011 & 22-012

Zachary Smallwood presented the request. The request is from Garbett Homes to obtain a Conditional Use Permit for a Planned Unit Development and preliminary subdivision approval for properties addressed 6566, 6562 and 6556 South Jefferson Street. Recently the City Council voted to re-zone the property to the R-1-6 Zone which allows for a minimum of 6,000 ft² lots. The property is approximately 2.68 acres and would allow up to 16 units in this project. The



AGENDA ITEM #7

Amendments to 17.144.020 & 030: G-O, General Office Zone

ITEM TYPE:	Text Amendments		
ADDRESS:	Citywide	MEETING DATE:	February 17, 2022
APPLICANT:	Murray City, Community & Economic Development Department	STAFF:	Jared Hall, Planning Division Manager
PARCEL ID:		PROJECT NUMBER:	22-015
CURRENT ZONE:		APPLICABLE ZONE:	G-O, General Office
SIZE:			
REQUEST:	Planning Division Staff proposes amendments to Sections 17.144.020 and 17.144.030 of the Land Use Ordinance related to the allowance of various land uses in the personal services category as permitted and conditional uses in the G-O Zone.		



STAFF REVIEW & ANALYSIS

Background

Planning staff is proposing changes to the permitted and conditional uses allowed in the G-O Zone. The majority of the uses impacted by the amendments proposed and reviewed here are found in the “personal services” category of the city’s Standard Land Use Code. The proposed amendments involve only additions and changes to the lists of permitted and conditional uses; no changes to other regulations such as parking, building height, buffering or others are included.

Purpose of the G-O Zone

The purpose of the G-O Zone is “To provide for a wide variety of general office uses in an attractive office environment. This zone is often used in buffer or transition areas separating commercial/industrial uses from residential areas. Increased emphasis is given to quality design, materials, landscaping, neighborhood compatibility, and off street parking facilities.”

Staff believes that the scope of personal service business and office activities in the G-O Zone can be expanded without negative impacts to the purpose of the zone. Expanding the availability of basic personal services that are now more popular and less impactful than they may have been in previous years can allow property owners to attract tenants to their developments that are aging, and thereby better maintain those aging properties and re-investing where possible.

Existing Allowed Uses

Staff review of the permitted and conditional uses allowed finds that the G-O Zone represents allowances for all types of office uses and most business and professional services use categories, largely as permitted uses. The activities from the personal services category currently allowed in the G-O Zone include only three: Massage Therapy (6296) as a permitted use and Beauty and Barber Services (6230) and Portrait Photography (6221) as conditional uses.

Proposed Amendments

Staff’s proposed amendments to the Permitted Uses (Section 17.144.020) and Conditional Uses (Section 17.144.030) are outlined below.

- **Move** LU #6230 Beauty and Barber Services, and LU #6221 Portrait Photography from the list of Conditional Uses to the list of Permitted Uses.
- **Add** LU #6222 Commercial Photography, LU #6254 Shoe Repair, LU #6255 Shoeshine Stands, LU #6297 Reiki, Spiritual Healing Art, LU #6299 Life coaching, consulting, LU #6316 Direct mail advertising (office only), LU #6319 Other advertising services NEC

(office only), and LU #6493 Watch & Jewelry Repair & Engraving to the list of Permitted Uses.

- **Add** LU #6213 Dry Cleaning, LU #6295 Body Art & Tattoo Studios, LU #6496 Locksmiths (office only), and LU #6499 Camera & Musical Instrument Repair.

A redlined version of the use table in Section 17.144.020, Permitted Uses, reflecting the proposed amendments described here is included below.

Use No.	Use Classification
1113	Single-family dwelling, attached to nonresidential.
4800	Utilities (lines and rights of way only) (except 4850).
5912	Prescription pharmacy (intended for the convenience of permitted, established uses and/or clients thereof, provided that no such business occupies more than 15 percent of the total floor area of the building in which it is located and has no separate street entrance).
5913	Medical cannabis pharmacy.
5996	Optical shops (intended for the convenience of permitted, established uses and/or clients thereof; provided, that no such business occupies more than 15 percent of the total floor area of the building in which it is located and has no separate street entrance).
6100	Finance, insurance, and real estate services (except 6112, 6123, 6124, 6141 - surety bail bonding only).
<u>6221</u>	<u>Portrait photography</u>
<u>6222</u>	<u>Commercial photography</u>
<u>6230</u>	<u>Beauty and barber services</u>
6296	Massage therapy (massage therapy only).
<u>6254</u>	<u>Shoe repair services</u>
<u>6255</u>	<u>Shoeshine Stands</u>
<u>6297</u>	<u>Reiki, spiritual healing art</u>
<u>6299</u>	<u>Life Coaching, Consulting</u>
6311	Advertising services (office only).
<u>6316</u>	<u>Direct mail advertising (office only).</u>
<u>6319</u>	<u>Other advertising services NEC (office only).</u>
6320	Consumer credit services.
6330	Duplicating, stenographic, and office services (except 6332).
6340	Dwelling, janitorial and other building services (office only) (except 6344, 6345).
6493	Watch and Jewelry Repair and Engraving
6350	News syndicate services (office only).

6360	Employment services.
6390	Business services (office only).
6500	Professional services (office only) (except 6513, 6516).
6600	General contract construction (office only).
6700	Governmental services (except 6714, 6740, 6750, 6770).
6814	Charter school.
6830	Special training and schooling (except 6833, 6836 - classroom only).
6900	Miscellaneous service organizations (office only).

A redlined version of the use table in Section 17.144.030, Conditional Uses, reflecting the proposed amendments described here is included below.

Use No.	Use Classification
1210	Bed and breakfast homestay and inn, rooming and boarding houses (subject to meeting the area, height and yard requirements of the R-M-15 zone).
1241	Retirement homes, independent living or congregate care (subject to meeting the area, height and yard requirements of the R-M-15 zone).
4700	Communications.
4800	Utilities (except lines and rights of way).
4923	Travel arranging services (travel agencies).
5811	Restaurants.
6213	Dry cleaning services
6221	Portrait photography.
6230	Beauty and barber services.
6295	Body art and tattoo studios
6495	Locksmiths (office only)
6499	Camera and musical instrument repair
6516	Skilled nursing, convalescent and rest home facilities. (Does not include asylums.)
6516.1	Assisted living facilities.
6810	Nursery, primary, and secondary education.
6815	Commercial childcare center.
6820	University, college, junior college, and professional school education.

II. CITY DEPARTMENT REVIEW

The proposed text amendments were included with notices and materials provided for Planning Review Meeting on January 31, 2022. The proposed amendments were considered by City Staff from various departments. No comments or concerns were submitted by any reviewers.

III. PUBLIC INPUT

Notices were sent to Affected Entities for this Text Amendment. As of the date of this report there has not been any comment regarding this application.

IV. FINDINGS

Based on the analysis of the proposed text amendments and review of the Murray City General Plan and Land Use Ordinance, staff concludes the following:

1. The proposed text amendments have been carefully considered and provide additional opportunity and flexibility for the continued viability of properties and developments located within the G-O Zone.
2. The proposed text amendments support the goals and objectives of the General Plan by facilitating a mix of uses while maintaining appropriate transitions and buffers between commercial corridors and residential areas.
3. The proposed text amendment is consistent with the purpose of the G-O, General Office Zone as contained in Chapter 17.144 of the Murray City Land Use Ordinance.

V. CONCLUSION/RECOMMENDATION

Based on the background, analysis, and the findings within this report, Staff recommends that the Planning Commission **forward a recommendation of APPROVAL to the City Council for the proposed text amendments to Sections 17.144.020 and 17.144.030 as reviewed in the Staff Report.**



NOTICE OF PUBLIC MEETING

February 17, 2022, 6:30 PM

The Murray City Planning Commission will hold a public hearing in the Murray City Municipal Council Chambers, located at 5025 S. State Street to receive public comment on the following application:

Murray City Community and Economic Development are requesting approval for a Text Amendment to the Land Use Ordinance for updates to the Permitted and Conditional Land Use Categories within the G-O, General Office Zoning District. The proposed changes include amendments to Land Use Code Sections 17.144.020 and 17.144.030.

The meeting is open and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

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

If you have questions or comments concerning this proposal, please contact Zachary Smallwood in the Murray City Planning Division at 801-270-2430, or email, zsmallwood@murray.utah.gov.

MURRAY CITY CORPORATION
NOTICE OF PUBLIC HEARING

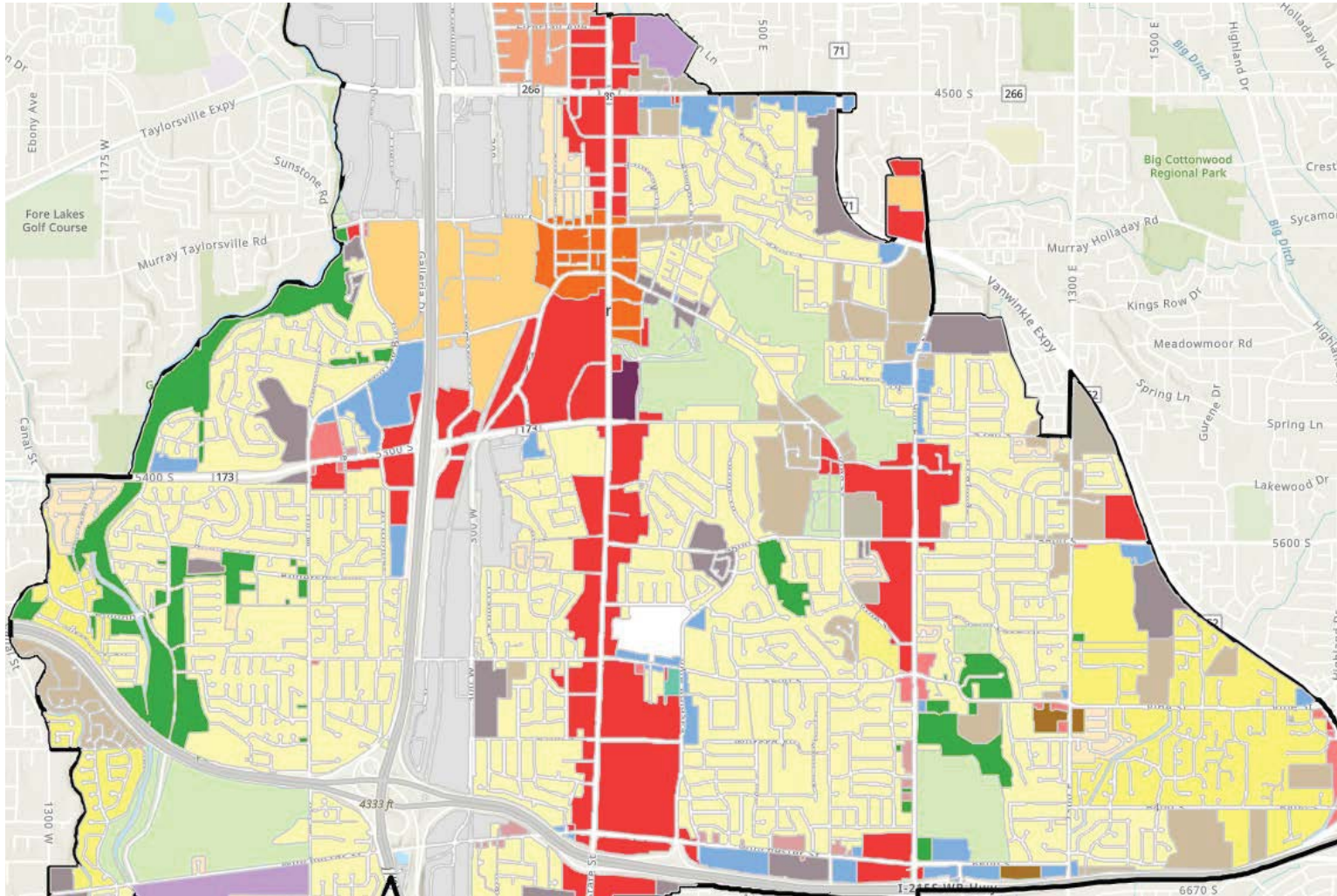
NOTICE IS HEREBY GIVEN that on the 17th day of February 2022, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City. The Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to a Text Amendment to the Land Use Ordinance for updates to the Permitted and Conditional Land Use Categories within the G-O, General Office Zoning District. The proposed changes include amendments to Land Use Code Sections 17.144.020 and 17.144.030. You may attend the meeting or submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting only you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

Jared Hall, Manager
Planning Division

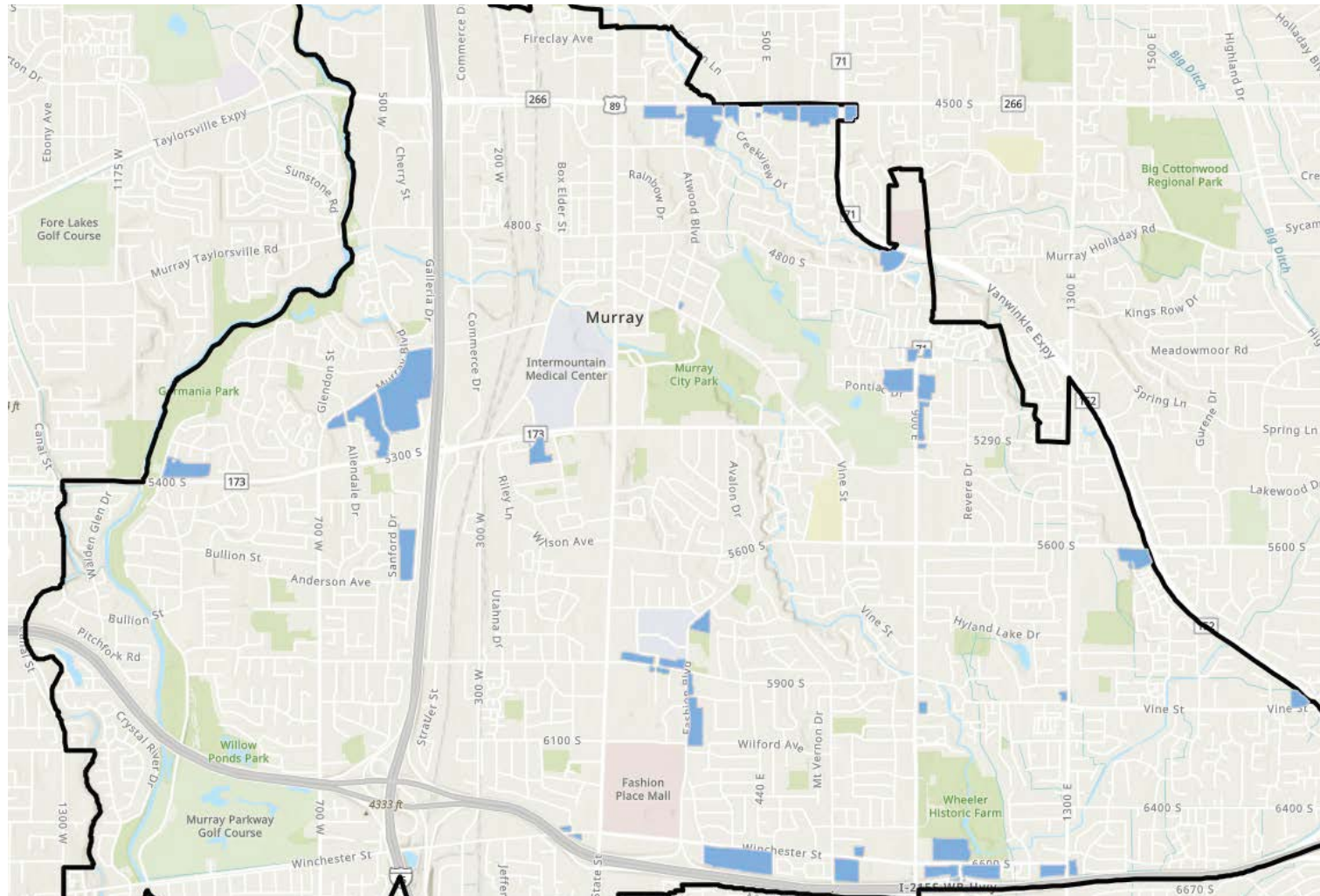
Applicant: Planning Division

Request: Amend Sections 17.144.020 and 17.144.030 to allow changes to the permitted and conditional uses allowed in the G-O, General Office Zone





Murray City Zoning Map.
The properties located in
the G-O Zone are shown
in blue.



Murray City Zoning Map, showing only the properties in the G-O Zone. The G-O Zone has mostly been implemented along transportation corridors, providing some buffering to residential areas.



Photographs of several office buildings and complexes in the G-O Zone.

Proposed Amendments Summary

1. MOVING from CONDITIONAL to PERMITTED USES:

Beauty & Barbering Services and Portrait
Photography

2. ADDING to PERMITTED USES:

Commercial Photography, Shoe Repair, Reiki, Life
Coaching & Consulting, Direct Mail & Other
Advertising Offices, and Watch & Jewelry Repair

3. ADDING to CONDITIONAL USES:

Dry Cleaning, Body Art & Tattoo Studios, Locksmiths,
and Camera & Musical Instrument Repair

Planning Commission

- A public hearing was held by the Planning Commission on February 17, 2022.
- Notices were sent to all affected entities, and to city departments for review.
- The Planning Commission voted 6-0 to forward a recommendation of approval to the City Council.

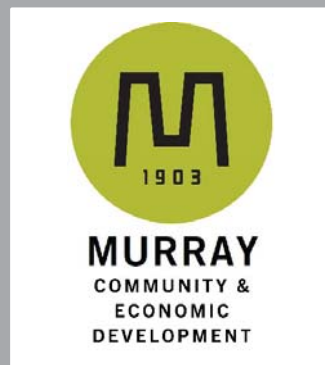
Findings

1. The proposed text amendments have been carefully considered and provide additional opportunity and flexibility for the continued viability of properties and developments located within the G-O Zone.
2. The proposed text amendments support the goals and objectives of the General Plan by facilitating a mix of uses while maintaining appropriate transitions and buffers between commercial corridors and residential areas.
3. The proposed text amendments are consistent with the purpose of the G-O, General Office Zone as contained in Chapter 17.144 of the Murray City Land Use Ordinance.
4. The Planning Commission voted 6-0 to forward a recommendation of approval to the City Council on February 17, 2022.

Recommendation

Based on the background, analysis, and the findings in this report, Staff and the Planning Commission recommend that the City Council **APPROVE** the proposed text amendments to Sections 17.144.020 and 17.144.030 of the Murray City Land Use Ordinance as reviewed in the Staff Report.

THANK YOU





MURRAY
CITY COUNCIL

Business Items



MURRAY
CITY COUNCIL

Business Item #1



MURRAY

Public Works - Wastewater Division

Central Valley Alternate board appointment

Council Action Request

Council Meeting

Meeting Date: March 19, 2022

Department Director Danny Astill Phone # 801-270-2404 Presenters Danny Astill Required Time for Presentation 3-5 Minutes Is This Time Sensitive No Mayor's Approval Brett A Hales <div>Digitally signed by Brett A Hales Date: 2022.04.05 16:19:16 -06'00'</div> Date January 31, 2018	Purpose of Proposal Appoint Ben Ford as the Alternate to the Central Valley Board Action Requested Approve a resolution appointing Ben Ford as the alternate to the Central Valley Board Attachments Resolution appointing Ben Ford Budget Impact No budget impacts Description of this Item With the retirement announcement of Danny Astill in July, we are recommending that Benjamin Ford, Murray City's current Wastewater Superintendent be appointed as the City's alternate board member. Ben as a great working knowledge of Central Valley and has built relationships with the Central Valley Staff and the participating member entities.
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RESOLUTION NO. R22-

A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF
BEN FORD AS THE ALTERNATE REPRESENTATIVE TO THE
CENTRAL VALLEY RECLAMATION FACILITY BOARD.

WHEREAS, earlier this year Danny Astill was approved to serve as the alternate representative to the Central Valley Reclamation Facility Board; and

WHEREAS, Danny Astill has announced his retirement from the City and will no longer serve as the City's alternate representative to the Central Valley Reclamation Facility Board; and

WHEREAS, the Mayor must make an appointment, subject to the City Council's approval, to replace Danny Astill as the City's alternate representative to the governing board the Central Valley Water Reclamation Facility; and

WHEREAS, the Mayor has appointed Ben Ford as the alternate representative to the governing board of the Central Valley Reclamation Facility; and

WHEREAS, the Mayor wants approval by the Murray City Municipal Council of the appointment.

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council that it hereby approves the following appointment:

1. Ben Ford as the City's alternate representative to the Central Valley Water Reclamation Facility Board.
2. This appointment shall take effect immediately.

DATED this day of , 2022.

MURRAY CITY MUNICIPAL COUNCIL

Kat Martinez, Council Chair

ATTEST:

Brooke Smith, City Recorder



MURRAY
CITY COUNCIL

Business Item #2



MURRAY

Murray Parks and Recreation Department

Murray Park Aquatic Center fees

Council Action Request

Council Meeting



Meeting Date: April 19, 2022

Department Director Kim Sorensen	Purpose of Proposal Aquatic Fee adjustment
Phone # 801-264-2614	Action Requested Increase fees charged at the Murray Park Aquatic Center
Presenters Kim Sorensen	Attachments Proposed ordinance
	Budget Impact Slight increase in revenue
Required Time for Presentation 10 Minutes	Description of this Item Increase fees charged at the Murray Park Aquatic Center. Fees are currently below average when compared to other pools.
Is This Time Sensitive No	
Mayor's Approval Brett A Hales <small>Digitally signed by Brett A Hales Date: 2022.04.05 13:42:24 -06'00'</small>	
Date March 9, 2022	

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 12.24.180 OF THE
MURRAY CITY MUNICIPAL CODE RELATED TO FEES FOR
USE OF THE MURRAY PARK OUTDOOR SWIMMING POOL

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this ordinance is to amend section 12.24.180 of the Murray City Municipal Code to amend the fees for use of the Murray Park Outdoor Swimming Pool.

Section 2. Amendment to section 12.24.180 of the Murray City Municipal Code. Sections 12.24.180 of the Murray City Municipal Code shall be amended to read as follows:

12.24.180: FEES FOR USE OF THE MURRAY PARK OUTDOOR SWIMMING POOL:

A. Purpose: The purpose of this section is to establish fees for use of the Murray Park outdoor swimming pool.

B. Fee Schedule: The following shall be the fee schedule for use of the Murray Park outdoor swimming pool:

Admission	Fee
Admission	Fee
Adults (18 - 59)	\$ 4.00 5.00
Youth (3 - 17)	3.00 4.00
Senior (60 years and older)	3.00
Children (ages 1 - 2)	1.00
Infant (under age 1)	Free
<u>Punch Card</u>	
Adult - 10 admissions	35.00 45.00
Youth - 10 admissions	25.00 35.00
Seniors - 10 admissions	25.00
<u>Pool Rental (After Hours)</u>	
50 people or less, per hour	150.00 450.00
Additional people (1 - 50), per hour	50.00 100.00

C. Park Center Membership: Persons will be admitted with a valid annual membership to the Park Center in Murray at no additional fee.

D. City Employee Discount: City employees, their spouses and dependent children may purchase daily admission at a fifty percent (50%) discount of daily admission prices. (Ord. 17-30)

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 _____, 2022.

MURRAY CITY MUNICIPAL COUNCIL

Kat Martinez, Chair

ATTEST,

Brooke Smith, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2022.

Brett A. Hales, Mayor

ATTEST:

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the
____ day of _____, 2022.

Brooke Smith, City Recorder



MURRAY
CITY COUNCIL

Business Item #3



MURRAY

Parks and Recreation Department/ Golf Course

Add to Golf Course Code applying to Trespassing on Golf Course

Council Action Request

Council Meeting



Meeting Date: April 19, 2022

Department Director Kim Sorensen	Purpose of Proposal Add Trespassing Prohibited to Murray City ordinance pertaining to the Golf Course
Phone # 801-264-2614	Action Requested Discussion only
Presenters Kim Sorensen	Attachments proposed ordinance
	Budget Impact No impact.
	Description of this Item Discuss adding Trespassing Prohibited to Murray City ordinance pertaining to the Golf Courts
Required Time for Presentation 10 Minutes	
Is This Time Sensitive No	
Mayor's Approval Brett A Hales <small>Digitally signed by Brett A Hales Date: 2022.03.22 16:55:48 -06'00'</small>	
Date March 8, 2022	Any additional space needed is available on second page.

ORDINANCE NO. _____

AN ORDINANCE ENACTING SECTION 12.24.135 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO TRESPASSING ON GOLF COURSE PROPERTY.

Section 1. Purpose. The purpose of this ordinance is to enact Section 12.24.135 of the Murray City Municipal Code relating to trespassing on golf course property.

Section 2. Enactment of Section 12.24.135 of the Murray City Municipal Code. Section 12.24.135 of the Murray City Municipal Code relating to trespassing on golf course property shall be enacted to read as follows:

12.24.135 TRESPASSING ON GOLF COURSE PROPERTY

A. Trespassing Prohibited. Entrance to or exit from any golf course is allowed only through designated access points. It shall be unlawful for any person to enter upon golf course property, whether the golf course is in operation or not, unless said person has paid the required fees for admittance or has express written permission to be on the golf course property by the person duly authorized by the City's Parks and Recreation Department Director or by the golf course Superintendent. This section shall not apply to employees of the golf course, City employees, or employees of any other governmental agency currently engaged in the performance of their duties who are required to enter into the golf course property to perform their duties.

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 _____, 2022.

MURRAY CITY MUNICIPAL COUNCIL

Kat Martinez, Chair

ATTEST:

Brooke Smith, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 20242.

Brett A. Hales, 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 _____, 2022.

Brooke Smith, City Recorder



MURRAY
CITY COUNCIL

Business Item #4



MURRAY

Department/Agency Finance & Administration

Renewal of the Contract for Auditing Services

Council Action Request

Council Meeting

Meeting Date: April 19, 2022

Department Director Brenda Moore Phone # 801-264-2513 Presenters Brenda Moore	Purpose of Proposal To renew the contract with HBME for auditing services for FY2022, and FY2023 Action Requested Consideration of an ordinance Attachments Draft of the resolution Draft of the contract Budget Impact Cost of the contract will be in the FY2023 budget. Description of this Item In April 2019, after selection by a committee consisting of city council members and city council staff a 3 year contract with HBME, LLC for audit services was approved by council resolution and signed. The Contract contained a 2 year renewal option. This proposal is to have the Council extend the contract for 2 more years. The costs are outlined in the contract. The fee increase proposed is \$2,100 the first year and \$900 the second year. The fee for statement prep, and federal single audits remain the same. The Federal single audit will be necessary until we spend the ARPA funds. The Statement prep is also optional and hopefully will stop soon as I become able to prepare the entire statement on my own.
Required Time for Presentation 5 Minutes Is This Time Sensitive No Mayor's Approval Brett A Hales <small>Digitally signed by Brett A Hales Date: 2022.04.05 13:45:21 -06'00'</small> Date	

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE EXECUTION OF A RENEWAL OF THE AGREEMENT FOR AUDITING SERVICES WITH HBME, LLC.

WHEREAS, the City entered into an agreement for auditing services with HBME, LLC on April 16, 2019 (the "Agreement"); and

WHEREAS, under the Agreement, HBME, LLC was to provide auditing services for the fiscal years 2019 through 2021; and

WHEREAS, the Agreement allows the City and HBME, LLC to agree to an extension and renewal of the Agreement for up to two additional one-year periods, subject to the concurrence of the City Council; and

WHEREAS, the City has negotiated pricing terms with HBME, LLC to provide auditing services for the fiscal years 2022 and 2023; and

WHEREAS, the Council finds it is in concurrence with the extension of the Agreement;

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

1. It does hereby approve Renewal of the Agreement for Auditing Services between Murray City Corporation and HBME, LLC, in a form substantially the same as that attached hereto; and
2. The Renewal is in the best interest of the City; and
3. Mayor Brett A. Hales is hereby authorized to execute the Renewal on behalf of the City and to act in accordance with its terms.

DATED this ____ day of _____, 2022.

MURRAY CITY MUNICIPAL COUNCIL

Kat Martinez, Chair

ATTEST:

Brooke Smith, City Recorder

Exhibit “A”

Form of HBME, LLC
Renewal Agreement

RENEWAL
of the Agreement Between Murray City Corporation
and HBME, LLC, Certified Public Accountants
for Auditing Services

In accordance with the terms and conditions of the original Agreement for Auditing Services (the “Agreement”) first entered into on April 16, 2019, this First Renewal is made and entered into this ____ day of _____, 2022 by and between Murray City Corporation (“City”) and HBME, LLC (Auditor).

RECITALS

- A. The parties entered into the Agreement for Auditing Services on April 16, 2019, a copy of which is attached as Exhibit “A”.
- B. The Agreement was to run until June 20, 2021, with the option at the City’s discretion, to extend the Agreement for up to two one-year periods subject to an annual review and the satisfactory negotiations of terms (including a price acceptable to both the City and Auditor) and the concurrence of the City Council.
- C. The initial term of the Agreement passed without a written renewal being signed by either party.
- D. The parties intended to exercise the renewal option and extend the Agreement for the first of the two allowed renewal periods.
- E. The parties now want to enter into this Renewal for the two renewal periods allowed under the Agreement.

NOW THEREFORE, based on the mutual promises and conditions in the Agreement and this Renewal, the parties hereby agree as follows:

- 1. In accordance with Section 2 of this Agreement, the parties hereby renew the Agreement for the two renewal periods and Auditor shall provide audit services for the fiscal years ending June 30, 2022 and June 30, 2023.
- 2. The City agrees to pay Auditor the following fees for to the auditing services provided over the renewal period:

Period	Financial Audit	Statement Prep*	Single	Total Fee Quote
			Audit *	with Extension
6/30/2022	\$ 30,900	\$ 10,000	\$ 8,000	\$ 48,900
6/30/2023	\$ 31,800	\$ 10,000	\$ 8,000	\$ 49,800

* if applicable, Single Audit threshold is \$750,000. Fee is dependent upon how many grants that

will need to be tested for compliance, as this varies based on your activities and Federal requirements.

3. All other terms of the Agreement shall govern this Renewal and shall be in full force and control.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement to be effective as of the day and year first written above.

MURRAY CITY CORPORATION

HBME, LLC

Brett A. Hales, Mayor

Signature

Printed Name and Title

ATTEST:

City Recorder

EXHIBIT A
AGREEMENT



MURRAY
CITY COUNCIL

Business Item #5



MURRAY

Department/Agency Finance & Administration

Spending Plan Framework ARPA Funds

Council Action Request

Committee of the Whole

Meeting Date: April 19, 2022

Department Director Brenda Moore Phone # 801-264-2513 Presenters Brenda Moore Required Time for Presentation 20 - 30 minutes Is This Time Sensitive No Mayor's Approval Brett A Hales <small>Digitally signed by Brett A Hales Date: 2022.04.05 13:44:18 -06'00'</small> Date	Purpose of Proposal Discussion on a proposed spending plan framework for the ARPA funds the City Received Action Requested Consideration of resolution Attachments Draft of the resolution Budget Impact The FY2023 budget will include the items necessary to implement the framework. The \$1 million to the Wastewater fund is in the Budget opening for April 5. Description of this Item The purpose of this resolution is to get direction from the City Council on how the City will spend the \$5.7 million in ARPA funds the City will receive. The Mayor's budget is being prepared and it will be helpful to know what should be included for these funds. I, with the Mayor's agreement am proposing we use the funds as explained below: 1. \$1,000,000 to the Wastewater fund, as previously talked about which helped lesson the fee increase necessary to meet the funds obligations. 2. \$1,000,000 to the Storm Water fund. Every property owner in
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Continued from Page 1:

Murray City pays storm water fees, therefore every property owner will benefit from these funds. Using some of the ARPA funds in this way will lesson the probability that at the end of the current rate increase cycle another one will need to be immediately implemented. Fiscal year 2023, is year 4 of a 5 year rate increase schedule. These funds will allow Storm Water to do move up the time-line for some projects the master plan identified and correct some areas that may flood in 10 year storms. \$1 million is approximately 37% of Storm waters annual fee revenue of \$2.8 million.

3. \$3,789,356 of the funds to be classified as lost revenue and will use the Treasury lost revenue exemption. Lost revenue may be used for any government service. Because these funds are "one time revenue" and not on going revenue best practice says we use them for "one time expenses", therefore I am suggesting we transfer the money to the Capital Projects fund to be used for facilities, equipment and maintenance.

RESOLUTION NO. _____

RESOLUTION OF THE MURRAY CITY MUNICIPAL COUNCIL
ESTABLISHING THE SPENDING PLAN FRAMEWORK FOR THE
CITY'S ALLOCATION OF AMERICAN RESCUE PLAN ACT ("ARPA")
FUNDS AND ELECTING THE STANDARD ALLOWANCE UNDER ARPA
FOR THE REDUCTION IN REVENUE DUE TO THE COVID-19 PUBLIC
HEALTH EMERGENCY.

I. SPENDING PLAN FRAMEWORK

WHEREAS, On March 11, 2021, the American Rescue Plan Act of 2021 ("ARPA") was signed into law by President Joe Biden. ARPA establishes the Coronavirus Local Fiscal Recovery Fund ("CSLFRF Fund") to provide resources to local governments to assist with recovery efforts related to the COVID-19 public health emergency; and

WHEREAS, ARPA is designed to deliver \$350 billion to state, local, territorial, and Tribal governments to bolster their response to the COVID-19 emergency and its economic impacts; and

WHEREAS, The U.S. Department of Treasury ("Treasury") is responsible for overseeing the program and has issued specific guidance defining the use categories for which grant funds may be used; and

WHEREAS, Section 603(c) of the ARPA generally authorizes the City to use the funds to cover costs incurred by the City after March 31, 2021 but before December 31, 2024 for the following eligible use categories:

1. PUBLIC HEALTH: to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
2. PREMIUM PAY: to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
3. WATER, SEWER, OR BROADBAND INFRASTRUCTURE: to make necessary investments in water, sewer, or broadband infrastructure; and
4. LOST REVENUE – GOVERNMENT SERVICES: for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; and

WHEREAS, Murray City (“City”) will receive in two payments a total of approximately \$5,789,356.00 in ARPA funds under this program; and

WHEREAS, the Council wants to establish a spending plan framework to guide decisions regarding ARPA expenditures; and

WHEREAS, the Council has identified projects from the following two eligible categories of ARPA expenditures, namely:

CATEGORY 3: WATER, SEWER, OR BROADBAND INFRASTRUCTURE

The City will allocate funds to assist in meeting the critical need for investments and improvements to existing infrastructure in sewer and stormwater funding necessary investments in projects that improve wastewater and stormwater infrastructure systems.

The City will specifically fund the following programs:

Approximately **\$1,000,000** for a wastewater systems infrastructure investment to keep pace with population growth, meet updated State of Utah water quality regulations, provide reliable services, and protect public health and the environment.

Approximately **\$1,000,000** for City stormwater improvements to areas that the Stormwater Master Plan has identified as needing storm water improvements to handle peak flow from 10 year storms. The \$1,000,000 will allow projects to be completed sooner than would otherwise occur advancing the goals of the Stormwater Master Plan.

CATEGORY 4: PROVIDE GOVERNMENT SERVICES TO THE EXTENT OF REVENUE REDUCTION

The City will allocate funds for the provision of government services to the extent of the reduction in revenue of the City due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the City prior to the emergency.

The City will allocate approximately **\$3,789,356** of the remaining overall allocation of \$5,789,356 to be used through the CIP Program Fund for City facilities and equipment (government services).

II. STANDARD ALLOWANCE FOR REVENUE REDUCTION (CATEGORY 4)

WHEREAS, Treasury considers the Government services category (Category 4, above) to be the most flexible eligible use category under the program. Reporting and compliance requirements are streamlined and simplified; and

WHEREAS, Treasury allows for optional methods to determine the reduction in revenue caused by the Covid-19 public health emergency, including a four-step process to determine actual losses or an election of a standard allowance; and

WHEREAS, with regard to the standard allowance, Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services” (the “standard allowance”); and

WHEREAS, the standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss. The standard allowance is intended to promote administrative efficiency and simplify revenue loss calculation; and

WHEREAS, recipients can use funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using a four-step process to determine actual revenue lost. Government services generally include any service traditionally provided by a government, unless Treasury has stated otherwise; and

WHEREAS, some common examples of “government services” are as follows:

- Road building and maintenance, and other infrastructure
- Health services
- General government administration, staff, and administrative facilities
- Environmental remediation
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)
- Maintenance or pay-go funded building infrastructure
- Parks and recreational facilities and programs
- Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; and

WHEREAS, funds utilized pursuant to the standard revenue loss allowance may not be used to offset reductions in net general revenue due to a recipients change in law, regulation of administrative interpretation ; or for a deposit into pension funds, satisfaction of settlements or judgments, or contributions to financial reserves or “rainy day” funds; and

WHEREAS, the City’s use of ARPA funds must comply with ARPA grant requirements.

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

1. The Council has identified projects which, in its judgment, qualify as permitted uses of the ARPA funds and the Council hereby establishes the following spending plan framework (“Framework”) for the expenditure of the ARPA funds from the categories listed below:

a. CATEGORY 3: WATER, SEWER, OR BROADBAND INFRASTRUCTURE

The City will allocate funds to assist in meeting the critical need for investments and improvements to existing infrastructure in sewer and stormwater funding necessary investments in projects that improve wastewater and stormwater infrastructure systems.

The City will specifically fund the following programs:

- (1) Approximately **\$1,000,000** for a Central Valley Reclamation Facility Infrastructure investment to keep pace with population growth, meet updated State of Utah water quality regulations, provide reliable services, and protect public health and the environment.
- (2) Approximately **\$1,000,000** for City stormwater improvements to areas that the Stormwater Master Plan has identified as needing storm water improvements to handle peak flow from 10 year storms. The \$1,000,000 will allow projects to be completed sooner than would otherwise occur advancing the goals of the Stormwater Master Plan.

b. CATEGORY 4: PROVIDE GOVERNMENT SERVICES TO THE EXTENT OF REVENUE REDUCTION

The City will allocate funds for the provision of government services to the extent of the reduction in revenue of the City due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the City prior to the emergency.

The City will allocate approximately \$3,789,356 of the remaining allocation to be used through the CIP Program Fund for City facilities and equipment.

2. The Framework is in the best interests of the City and is deemed a priority for the community.
3. The Council elects to use the standard allowance of \$10 million and its presumption of revenue loss due to the public health emergency and to use approximately \$3,789,356 to fund government services.
4. The Council acknowledges that the standard allowance is limited to the amount of ARPA Funds actually received by the City. The Council therefore declares that the reduction in its general revenue during the test period is equal to the lesser of

(a) \$10 million, or (b) the amount of ARPA Funds awarded to and/or received by the City.

5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.
6. The Council will appropriate the ARPA Funds by budget ordinance. The City will obligate the ARPA Funds for qualifying purposes, before December 31, 2024 and all funds will be spent by December 31, 2026.
7. The Mayor and Finance and Administration Director are hereby authorized and directed to provide such additional documentation, assurances, or certifications as may be required by the United States Government or the State of Utah in order to carry out the purposes of this resolution.
8. This Resolution shall take effect immediately upon passage.

DATED this ____ day of _____, 2022.

MURRAY CITY MUNICIPAL COUNCIL

Kat Martinez, Chair

ATTEST

Brooke Smith, City Recorder

Framework for City's Allocation of American Rescue Plan Act (ARPA) Funds Discussion.

COMMITTEE OF THE WHOLE

APRIL 5, 2022

Why we are here

The American Rescue Plan Act (ARPA) created the Coronavirus State and Local Fiscal Recovery Fund (CSLRF).

Murray will receive a total of \$5,789,356 from the CSLRF.

As I prepare the FY2023 budget I would like to include how these funds will be spent.

The Mayor and I have agreed on the following allocation and I am presenting it to Council for approval.

ELIGIBLE USE CATEGORIES

1

Public Sector Revenues

Providing government services up to the amount of revenue loss due to the pandemic. Allows up to \$10 million revenue loss standard allowance.

2

Public Health & Economic Response

Responding to COVID-19's public health impact, along with its economic harms.

3

Premium Pay for Essential Workers

Offering additional support to workers who bear the greatest health risks of their service in critical sectors.

4

Water, Sewer & Broadband Infrastructure

Providing funding to critical water, sewer, and stormwater projects, along with high-speed broadband infrastructure.

My Guiding Principals for ARPA Funds

- They are “one-time money” and should be used on “one-time expenditures”
- The funds should be used on long lasting projects.
- The use of the funds should be simple, easy to understand and track.
- The use of the funds should benefit as many citizens as possible.

PROPOSED USE OF FUNDS

- \$1,000,000 to the Wastewater Fund for system improvements.
- \$1,000,000 to the Storm Water Fund for system improvements. Every property owner in Murray City pay's storm water fees.
- \$3,789,356 of the funds to be classified as lost revenue and use the lost revenue exemption. The funds will be moved to the CIP fund to be used for facilities, equipment and maintenance.

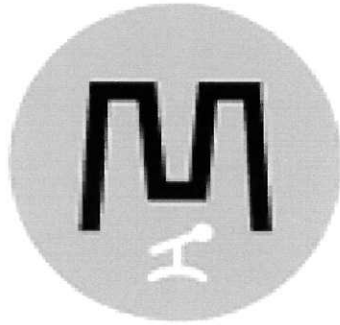
Storm Water Fund

Unassigned Fund Balance June 30,2021 \$765,186. It will be less at the end of FY2022.

Fiscal Year	Priority	Description	Justification	FY 2023 Department Requests	Year 2 FY 2024 Requests	Year 3 FY 2025 Requests	Year 4 FY 2026 Requests	Year 5 FY 2027 Requests
Storm Water Fund								
2023		Clover Meadows Dr to 5400 S along 5400 S to 1020 W ID# P3	Peak flow from the 10-year storm is greater than the capacity of the existing pipes.	925,000				
2024		Cherry St, Jensen Ln and 500 W to Jordan River	Peak flows greater than the capacity of existing pipes		252,000			
2025		Street Sweeper	Wear and maintenance			320,000		
2025		3/4 ton Pickup Truck	Replacement - Lynn Potter			50,000		
2026		5600 South Storm Drain Phase 1 - Woodoak Ln & 900 East from 820 East to 5600 South	Extend Storm Drain from Woodoak Ln to 5600 South in advance of full reconstrucion from 900 East to 1300 East				1,700,000	
2027		5600 South Storm Drain Phase 2 - 900 East to 1080 East and 5600 South to 5730 South	Extend Storm Drain east on 5600 South to 1080 East and south to 5730 South to provide drainage for 5600 South and to the neighborhoods south of 5600 South					900,000
2027		Labrum Ave to 725 E, 725 E to Little Cottonwood Creek	Peak flow from the 10-year storm is greater than the capacity of the existing pipes.					2,227,000
				925,000	252,000	370,000	1,700,000	3,127,000

QUESTIONS & DISCUSSION





MURRAY
CITY COUNCIL

Mayor's Report And Questions



MURRAY
CITY COUNCIL

Adjournment