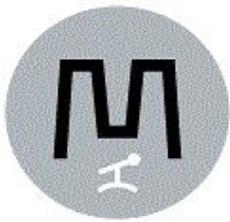




MURRAY
CITY COUNCIL

Committee of the Whole Meeting January 16, 2024



Murray City Municipal Council

Committee of the Whole

Meeting Notice

January 16, 2024

PUBLIC NOTICE IS HEREBY GIVEN that the Murray City Municipal Council will hold a Committee of the Whole meeting beginning at 3:30 p.m. on Tuesday, January 2, 2024 in the Poplar Meeting Room #151 located at Murray City Hall, 10 East 4800 South, Murray, Utah.

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

Meeting Agenda

3:30 p.m. **Committee of the Whole** – Poplar Meeting Room #151
Pam Cotter conducting.

Approval of Minutes

None scheduled.

Discussion Items

1. Intermountain Power Agency Legislative Update. Greg Bellon and Rob Hughes presenting. (30 minutes)
2. Community and Economic Development Department Report. Phil Markham presenting. (30 minutes)
3. Discussion on an ordinance amending the City's Fiscal Year 2023-2024 Budget. Brenda Moore presenting. (15 minutes)
4. Discussion on an ordinance amending Sections 17.152.020 and 17.152.030 (M-G Zoning District) to allow Land Use No. 6600 (Contract Construction Services) as a permitted use instead of a conditional use. Zachary Smallwood presenting. (15 minutes)

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 Poplar Meeting Room will be able to hear all discussions.

On Friday, January 12, 2024, at 9:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Hall, 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>.

Jennifer Kennedy
Council Executive Director
Murray City Municipal Council



MURRAY
CITY COUNCIL

Discussion Items



MURRAY
CITY COUNCIL

Discussion Item #1



MURRAY

Council Action Request

Power Department

Intermountain Power Agency (IPA) Legislative Update

Committee of the Whole

Meeting Date: January 16, 2024

Department Director Greg Bellon	Purpose of Proposal To give an update about IPA and the most recent legislative meeting.
Phone # 801-264-2730	Action Requested None
Presenters Greg Bellon Rob Hughes, IPA Rep	Attachments none
Required Time for Presentation 30 Minutes	Budget Impact N/A
Is This Time Sensitive No	Description of this Item To inform the council about the IPA Plant. Currently, the Utah State Legislature has hired a firm to investigate the feasibility of keeping the IPA plant running as a coal fired plant. IPA representatives will be covering the impact of the proposal to IPA cities, including Murray.
Mayor's Approval 	
Date December 28, 2023	



MURRAY
CITY COUNCIL

Discussion Item #2



MURRAY

Murray City Council

Community and Economic Development Department Report

Council Action Request

Committee of the Whole

Meeting Date: January 16, 2024

Department Director Jennifer Kennedy	Purpose of Proposal Monthly Department Report
Phone # 801-264-2622	Action Requested Information only.
Presenters Phil Markham	Attachments
Required Time for Presentation 30 Minutes	Budget Impact None
Is This Time Sensitive No	Description of this Item The Community and Economic Development Department will provide an update on their department.
Mayor's Approval	
Date January 2, 2024	



MURRAY
CITY COUNCIL

Discussion Item #3



MURRAY

Council Action Request

Department/Agency
Finance & Administration
FY 2023-2024 Budget Amendment

Committee of the Whole

Meeting Date: January 16, 2024

Department Director Brenda Moore	Purpose of Proposal Amend the FY 2023-2024 budget
Phone # 801-264-2513	Action Requested Discussion
Presenters Brenda Moore	Attachments Memo explaining changes Ordinance
Required Time for Presentation 15 Minutes	Budget Impact Budget Amendment
Is This Time Sensitive Yes	Description of this Item See Attached memo for details of the budget changes requested.
Mayor's Approval 	
Date January 2, 2024	



TO: Murray City Municipal Council

From: Brenda Moore, Finance & Administration Director

Date: January 2, 2024

Re: Fiscal Year 2024 Budget Opening – Committee of the Whole January 16

A budget opening public hearing has been scheduled for February 6. The opening will request funds and budget adjustments for the following purposes:

- Receive and allocate several grants and reimbursements.
- New project, needs, or increased cost for FY2024.

This budget opening will include language which will give me council authorization to increase the budgets for General Fund transfer to the CIP Fund, and the CIP Fund transfer from the General Fund. The transportation sales tax received in the General Fund is restricted to Street projects and is spent in the CIP fund. The amounts received more than budget will need to be transferred to CIP and the budget adjusted. This will also allow me, at year end, to transfer the remaining amount necessary to keep the General Fund reserves between 25% and 26% of revenue to the CIP fund, without going over budget, and getting an audit finding.

General Fund

1. The Police department received \$33,916 grant from the Justice Assistance Grant (JAG) Program to be used for Police equipment.
2. The Arts Division received a grant of \$110,410 from the ZAP tax. A budget adjustment of \$10,410 is necessary, the original budget was \$100,000. The proceeds will be used to extend the amphitheater season into September.
3. The Fire department received a \$15,000 Emergency Management Performance Grant (EMPG). This pays a portion of the emergency managers salary.
4. The City received \$15,945 more in state alcohol funds distribution than budgeted, total received was \$95,955. This must be used for police equipment.
5. Received a \$184,710 reimbursement for the Idaho & California wild land fire deployments. This covers Fire wages and travel. They also pay rent for using our equipment, this amount will go to purchase equipment for the fire department.
6. Interest revenue to being increased \$221,830. The increase in revenue budget will be allocated to the following new expenses:
 - a. \$50,000 in the Public Works Department Streets Division for homeless camp cleanup.
 - b. \$34,590 in Arts Contract services for deposits on additional concerts to be held in September. (The total for concert deposits with the ZAP grant is \$45,000), additional costs and the revenue associated with the concerts will be in the FY2025 budget.
 - c. \$73,600 to increase the budget for donations given to various Murray organizations, which were not in the original FY2024 budget.

- d. \$63,640 in the Community and Economic Development Building Division for new building permit and inspection software.

Library Fund

- 7. The Library received \$1,584 hot spot grant from the Utah department of Cultural and Community engagement. These funds will be used to pay the usage charges on the hot spots which are available for checkout.

Capital Improvement Projects Fund (CIP)

- 8. The Park Center received a \$4,432 refund check for a damaged piece of equipment. The budget for revenue will be increased and the budget for equipment be increased to purchase a new piece of equipment.
- 9. During the construction of the Parks storage building unanticipated ground excavation and stabilizing work had to be completed along with a more extensive storm drainage system improvement. An increase in the budget of \$85,000 is being requested to finish the project. The additional costs will be paid for by increasing the Interest revenue budget.
- 10. During the budget preparation for FY2024, the Street division's \$300,000 portion of the public works reconstruction was not budgeted. This budget opening requests the \$300,000 be added to the facilities budget for the public works project. This expense increase will be paid by increasing the transfer revenue budget from the RDA. No budget adjustment is necessary for the RDA because the RDA board previously authorized a budget increase to payoff the amount due to the City for building Cottonwood street.

Water Fund

- 11. UDOT is paying the Water Fund to bury the water line which crosses I215 at 300 W. The bid was higher than the original contract by \$304,361, total \$917,881. An increase to the intergovernmental revenue and infrastructure expense for the additional \$304,361 is requested.
- 12. The cost to mitigate a naturally occurring Iron level and pumping performance at McGhie Springs is greater than estimated. A budget increase of \$169,300 is requested which will be paid for by increasing the interest revenue budget.

Solid Waste Fund

- 13. One of the two Solid Waste employees has announced his intention to retire. His retirement payouts had not been anticipated in the FY2024 budget, and the fund is too small to absorb the extra cost without having to leave the position open for an extended period. Only having one employee would decrease the level of service to our citizens. A budget opening of \$19,377 is requested for salaries and benefits this will be paid for by increasing the interest revenue budget.

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 6th day of February 2024, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 10 East 4800 South, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing to receive public comment concerning amending the City's fiscal year 2023–2024 budget. A copy of the proposed budget amendments may be reviewed by interested persons by contacting the Murray City Department of Finance and Administration, Room 155, Murray City Hall, Murray, Utah, (801) 264-2662 during normal business hours beginning January 29, 2024.

DATED this 22nd day of December 2023.



MURRAY CITY CORPORATION


Brooke Smith
City Recorder

DATE OF PUBLICATION: January 29, 2024
PH24-03

1. Utah Public Notice Website.
2. City's Website.
3. At City Hall (public location reasonably likely to be seen by residents).

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY'S FISCAL YEAR 2023-2024 BUDGET

On August 22, 2023, the Murray City Municipal Council adopted the City's budget for Fiscal Year 2023-2024. It has been proposed that the Fiscal Year 2023-2024 budget be amended as follows:

1. In the General Fund receive \$221,830 interest revenue and appropriate the following items:
 - a. Increase the budget \$50,000 for homeless camp cleanup in the Public Works Street division, and;
 - b. Increase the budget \$34,590 in the Arts Division for additional amphitheater concerts, and;
 - c. Increase the budget \$73,600 for donations given to various Murray organizations, and;
 - d. Increase the budget \$63,640 in the Building Division for software purchase.
2. Receive and appropriate the following grants and/or reimbursements in the General Fund with no financial impact:
 - a. Increase the budget \$33,916 from the Federal Justice Department JAG grant for police equipment, and;
 - b. Increase the budget \$10,410 from the ZAP tax grant for additional amphitheater concerts, and;
 - c. Increase the budget \$15,000 from the Emergency Management Performance Grant for the emergency manager salary, and;
 - d. Increase the budget \$15,945 from the State alcohol funds distribution and use for Police equipment, and;
 - e. Receive \$184,710 reimbursement from the Idaho and California wild land fire deployment for Fire salaries, benefits, and equipment.
3. In the Library Fund receive and appropriate \$1,584 for the Hotspot grant.
4. In the Capital Improvements Projects Fund receive \$4,432 for damaged equipment and appropriate for Park Center equipment.

5. In the Capital Improvements Projects Fund receive \$85,000 investment revenue and appropriate to the Parks Storage building.
6. In the Capital Improvements Projects Fund receive \$300,000 reimbursement transfer from the Redevelopment Agency and appropriate to facilities buildings for the Public Works project.
7. In the Water Fund receive \$169,300 interest revenue and appropriate to the McGhie Springs infrastructure project.
8. In the Water Fund receive \$304,361 capital reimbursement from UDOT and appropriate to infrastructure for the 300 W water line move.
9. In the Solid Waste Fund receive \$19,377 and appropriate to salaries and benefits for an employee retirement.
10. Authorize the Director of Finance and Administration to transfer any amount the transportation sales tax revenue is above budget to the Capital Projects fund at the close of the fiscal year 2023-2024 and adjust the budget accordingly.
11. Authorize the Director of Finance and Administration to transfer any amount from the General Fund to the Capital Projects fund at the close of fiscal year 2023-2024 which exceeds a 25% fund balance as determined by Utah Code Ann section 10-6-116 and adjust the budget accordingly.

Section 10-6-128 of the Utah Code states that the budget for the City may be amended by the Murray City Municipal Council following a duly noticed public hearing. Pursuant to proper notice, the Murray City Municipal Council held a public hearing on February 6, 2024, to consider proposed amendments to the Fiscal Year 2023-2024 budget. After considering public comment, the Murray City Municipal Council wants to amend the Fiscal Year 2023-2024 budget.

Section 1. Enactment. The City's Fiscal Year 2023-2024 budget shall be amended as follows:

1. In the General Fund receive \$221,830 interest revenue and appropriate the following items:
 - a. Increase the budget \$50,000 for homeless camp cleanup in the Public Works Street division, and;
 - b. Increase the budget \$34,590 in the Arts Division for additional amphitheater concerts, and;
 - c. Increase the budget \$73,600 for donations given to various Murray organizations, and;

- d. Increase the budget \$63,640 in the Building Division for software purchase.
- 2. Receive and appropriate the following grants and/or reimbursements in the General Fund with no financial impact:
 - a. Increase the budget \$33,916 from the Federal Justice Department JAG grant for police equipment, and;
 - b. Increase the budget \$10,410 from the ZAP tax grant for additional amphitheater concerts, and;
 - c. Increase the budget \$15,000 from the Emergency Management Performance Grant for the emergency manager salary, and;
 - d. Increase the budget \$15,945 from the State alcohol funds distribution and use for Police equipment, and;
 - e. Receive \$184,710 reimbursement from the Idaho and California wild land fire deployment for Fire salaries, benefits, and equipment.
- 3. In the Library Fund receive and appropriate \$1,584 for the Hotspot grant.
- 4. In the Capital Improvements Projects Fund receive \$4,432 for damaged equipment and appropriate for Park Center equipment.
- 5. In the Capital Improvements Projects Fund receive \$85,000 investment revenue and appropriate to the Parks Storage building.
- 6. In the Capital Improvements Projects Fund receive \$300,000 reimbursement transfer from the Redevelopment Agency and appropriate to facilities buildings for the Public Works project.
- 7. In the Water Fund receive \$169,300 interest revenue and appropriate to the McGhie Springs infrastructure project.
- 8. In the Water Fund receive \$304,361 capital reimbursement from UDOT and appropriate to infrastructure for the 300 W water line move.
- 9. In the Solid Waste Fund receive \$19,377 and appropriate to salaries and benefits for an employee retirement.
- 10. Authorize the Director of Finance and Administration to transfer any amount the transportation sales tax revenue is above budget to the Capital Projects fund at the close of the fiscal year 2023-2024 and adjust the budget accordingly.

11. Authorize the Director of Finance and Administration to transfer any amount from the General Fund to the Capital Projects fund at the close of fiscal year 2023-2024 which exceeds a 25% fund balance as determined by Utah Code Ann section 10-6-116 and adjust the budget accordingly.

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

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this ____ day of _____, 2024.

MURRAY CITY MUNICIPAL COUNCIL

TBD, Chair

ATTEST:

Brooke Smith, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2024.

Brett 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 _____, 2024.

Brooke Smith, City Recorder



MURRAY
CITY COUNCIL

Discussion Item #4



MURRAY

Council Action Request

Community and Economic Development

LU 6600, Construction Contractor Conditional to Permitted - TA

Committee of the Whole

Meeting Date: January 16, 2024

Department Director Phil Markham	Purpose of Proposal CED requests amending the M-G, Manufacturing Zone to allow Construction Contractors as Permitted instead of Conditional
Phone # 801-270-2427	Action Requested Text Amendment Adoption
Presenters Zachary Smallwood Phil Markham	Attachments Proposed amendment to 17.152
Required Time for Presentation 15 Minutes	Budget Impact None Anticipated
Is This Time Sensitive Yes	Description of this Item Land Use Code #6600 Contract Construction Services is listed as a conditional use, staff is requesting to move this land use code from conditional to permitted in Chapter 17.152, M-G, Manufacturing General of the Murray City Land Use Ordinance. The proposed amendment involves relocating the specific land use code; no changes to other regulations such as parking, building height, buffering or others are requested.
Mayor's Approval	City Departments Review: The proposed text amendment materials were provided for Planning Review Meeting on October 17, 2023. The proposed amendments were considered by City Staff from various departments. No comments or concerns were submitted by any reviewers.
Date January 1, 2024	

MURRAY CITY CORPORATION

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 6th day of February, 2024, at the hour of 6:30 p.m., in the City Council Chambers of the Murray City Hall, 10 East 4800 South, Murray, Utah, the Murray City Municipal Council will hold and conduct a Public Hearing on and pertaining to text amendments to sections 17.152.020 and 17.152.030 of the Murray City Municipal Code relating to the M-G Zoning District to allow Land Use No. 6600 (Contract Construction Services) as a permitted use instead of a conditional use.

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

DATED this 22nd day of December 2023.



MURRAY CITY CORPORATION


Brooke Smith
City Recorder

DATES OF POSTING: JANUARY 26, 2024
PH24-01

LOCATIONS OF POSTINGS – AT LEAST 10 CALENDAR DAYS BEFORE THE PUBLIC HEARING:

1. Utah Public Notice Website
2. Murray City Website
3. Posted at Murray City Hall
4. Mailed to Affected Entities

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 17.152.020 AND 17.152.030 (M-G ZONING DISTRICT) TO ALLOW LAND USE NO. 6600 (CONTRACT CONSTRUCTION SERVICES) AS A PERMITTED USE INSTEAD OF A CONDITIONAL USE.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this ordinance is to amend Sections 17.152.020 and 17.152.030 of the Murray City Municipal Code relating to the M-G Zoning District to allow Land Use No. 6600 (Contract Construction Services) as a permitted use instead of a conditional use.

Section 2. Amend sections 17.152.020 and 17.152.030 of the Murray City Municipal Code Sections 17.152.020 and 17.152.030 of the Murray City Municipal Code shall be amended to read as follows:

17.152.020: 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 M-G zone:

Use No.	Use Classification
---------	--------------------

....

6400	Repair services.
6500	Professional services (except 6513, 6516).
<u>6600</u>	<u>Contract construction services</u>
6700	Governmental services (except 6740, 6750, 6770).
6800	Educational services.

....

17.152.030: CONDITIONAL USES:

The following uses and structures are permitted in the M-G 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
---------	--------------------

6297	Reiki business (or other similar business/establishment).
6518.1	Detoxification center.
6600	Contract construction services.
7310	Fairgrounds and amusement parks.
7390	Amusements.

....

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 _____, 2024.

MURRAY CITY MUNICIPAL COUNCIL

_____, Chair

ATTEST:

 Brooke Smith, City Recorder

MAYOR'S ACTION:

DATED this _____ day of _____, 2024.

 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 _____, 2024.

Brooke Smith, City Recorder

~DRAFT~

Minutes of the Planning Commission meeting held on Thursday, November 16, 2023, at 6:30 p.m. in the Murray City Council Chambers, 10 East 4800 South, Council Chambers, Murray, Utah.

The public was able to view the meeting via the live stream at <http://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: Jake Pehrson, Chair
Lisa Milkavich, Vice Chair
Ned Hacker
Travis Nay
Michael Henrie
Maren Patterson
Zachary Smallwood, Senior Planner
Mustafa Al Janabi, Planner I
Zach French, applicant
Cheryl Edvalson, applicant
Members of the public per sign-in sheet

Excused: Jeremy Lowry

LAND USE TEXT ORDINANCE AMENDMENT(S)

Land Use Text Amendment - Project #23-103

Amend Sections 17.152.020 and 17.152.030: (M-G Zoning District) to allow Land Use #6600: Contract Construction Services as a Permitted Use instead of Conditional Use

Mr. Smallwood presented the agenda item to amend sections 17.152.020 and 17.152.030 of the Land Use Ordinance. He started by saying that over the past several years, contractor businesses had been brought before the Planning Commission for approval as conditional use permits. Previous Planning Commissioners, as well as current ones, have said these are usually straight forward and that there's not a lot that goes into these into contractor uses. He noted that contractors are permitted in nearly every other zone, including the C-D, Commercial Development district. Staff feel that this is a less impactful use than some other uses that are currently permitted in the M-G zone. Mr. Smallwood provided an example, stating that if a cabinet shop came to the city and wanted to operate, they could because it is a permitted use, meaning they don't need to come before Planning Commission. They simply apply for a business license and open their business. However, if they wanted to install the cabinets that they manufacture, they would then need to come before the Planning Commission. Staff doesn't feel that there is a greater impact when a business takes their product off site to install it, than the impact of manufacturing that product. Staff finds that the proposed text amendment supports the goals and objectives of the general plan by facilitating a mix of uses and appropriate transitions and buffers. The proposed text amendment is consistent with the purpose of the M-G Zone. It's been carefully considered to provide additional opportunity and a more streamlined process for people that may be moving businesses into Murray City. Staff is recommending that the Planning Commission forward a recommendation of approval to the City Council for the proposed text amendments to Section 17.152.020 and 17.152.030 of the Land Use Ordinance.

Commissioner Henrie ask Mr. Smallwood to relate this request back to the application presented earlier in the meeting.

Mr. Smallwood said the applicant would not have had to come before the commission tonight for approval of a conditional use permit to install the railings that he manufactures. That could be done as a permit through staff.

Vice Chair Milkavich said this proposal sounds straightforward, but wanted to know why was this originally made a conditional use.

Mr. Smallwood said the code was written in about 1982. During this time, the commission had more leeway in what they could ask applicants to do, and sometimes that meant asking applicants to adhere to unnecessarily stricter guidelines. Conditional Uses were sometimes used as inappropriate means of control. It was a different time, with a different mentality regarding the ordinances. These days, it's a simple administrative action. If it meets the code, the commission will approve it.

Commissioner Henrie asked Mr. Smallwood if he is requesting for all business not to be required to get conditional use approval.

Mr. Smallwood clarified that is not what he's asking for. There should be conditional uses for certain things like metal fabrication. Staff feel that contractors in a manufacturing zone don't need to be a conditional use. Contractors are allowed in residential zones, as a major home occupation, that do not have to come before the Commission if they get signatures from their neighbors. Some contractors have come before the Commission because they can't get those signatures. Note that they're allowed in residential zones, and they don't have to do anything or pay an application fee. When their business is a major home occupation, they come before the Commission and explain that they couldn't get signatures. They are required to provide the Commission with a site plan, a floor plan and narrative of their business operations. Then the public hearing process begins. It really delays contractors from starting or moving their business to Murray, Mr. Smallwood said staff have been told numerous times that this process is a deterrent to doing business in Murray.

Chair Pehrson commented regarding other permitted uses, stating that manufacturing is more of an impact to the surrounding area than a contractor would be. Therefore, he doesn't have any issue with adding it. He asked when a conditional use comes before the Commission, like the applicant in this meeting, which included metal fabrication, if that would qualify for multiple conditional uses because they would have had to apply for the contractor or subcontractor.

Mr. Smallwood said, yes, the application presented this evening did include both.

Chair Pehrson asked when there are multiple conditional uses, does the Planning Commission do those as one approval.

Mr. Smallwood said that's correct.

Commissioner Henrie asked about how the process would work for a construction contractor.

Mr. Smallwood stated there's a different land use code for construction, that's manufacturing. Those are permitted uses.

Chair Pehrson opened and then closed the public comment period with no comments being made.

Commissioner Hacker made a motion that the Planning Commission forward a recommendation of approval City Council for the proposed text amendments to sections 17.152.020 and 17.152.030

Seconded by Commissioner Nay. Roll Call Vote:

A Pehrson
A Milkavich
A Nay
A Hacker
A Henrie
A Patterson

ANNOUNCEMENTS AND QUESTIONS

ADJOURNMENT

The next scheduled meeting will be held on Thursday, December 7, 2023, at 6:30 p.m. in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

Commissioner XXX made a motion to adjourn the meeting at 6:56 pm. Seconded by Commissioner Hacker. A voice vote was taken, with all in favor of adjournment.


Philip J. Markham, Director
Community & Economic Development Department



AGENDA ITEM # 06

Amendment to Chapter 17.152 M-G, Manufacturing General Zone

ITEM TYPE:	Text Amendment		
ADDRESS:	Citywide	MEETING DATE:	November 16, 2023
APPLICANT:	Planning Division Staff	STAFF:	Zachary Smallwood, Senior Planner
PARCEL ID:	N/A	PROJECT NUMBER:	23-103
APPLICABLE ZONE:	M-G, Manufacturing General		
REQUEST:	Planning Division Staff proposes an amendment to the M-G Zoning District Chapter 17.152 of the Land Use Ordinance to move land use code #6600, Contract Construction Services, from a conditional use to a permitted use.		

I. STAFF REVIEW & ANALYSIS

Background

Planning Division staff is proposing a change to the M-G Zoning District, Chapter 17.152 of the Land Use Ordinance. Currently Land Use Code #6600 Contract Construction Services is listed as a conditional use, staff is requesting to move this land use code from conditional to permitted. The proposed amendment involves only relocating the specific land use code; no changes to other regulations such as parking, building height, buffering or others are included.

Existing Allowed Uses

Staff review of the permitted and conditional uses allowed finds that the M-G Zone represents allowances for all types of manufacturing, office, professional uses, largely as permitted uses. These activities include things such as food production, cabinet and furniture making, glass blowing, auto repair, veterinarian services, and various agricultural activities.

A common example staff comes across from potential business owners is that they produce a product (for this example we'll use wood cabinet making). The business owner is allowed to cut wood, fabricate the cabinet, paint, and stain the product as permitted uses. The issue arises when they indicate they would like to install the cabinets in people's homes and businesses. That requires the business owner to apply for a Conditional Use Permit and come before the Planning Commission. The business owner is not allowed to operate, or modify the site until this is complete. The CED department has seen a number of businesses decide not to relocate to Murray because of the extra burden that this causes.

Purpose of the M-G Zone

The purpose of the M-G Zone is "To provide for areas in appropriate locations where light industrial processes necessary to the economy may be conducted. The regulations of this district are designed to impose only so much regulation as necessary to ensure purity of air and water and to protect environmental quality of the district and adjacent areas."

With the stated purpose, staff believes that the contract construction services category is more appropriate as a permitted use. Utah State Code defines a conditional use as "...a land use that, because of the unique characteristics or potential impact of the land use on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts". When reviewed against other uses in the Manufacturing General zoning district, staff is of the opinion that allowing contractors as a permitted use is less of an impact than a number of other uses that are considered permitted in this district.

Proposed Amendments

Staff's proposed amendment to the Permitted Uses (Section 17.152.020) and Conditional Uses

(Section 17.152.030) are outlined below.

- **Move** LU #6600 Contract Construction Services from the list of Conditional Uses to the list of Permitted Uses.

A redlined version of the use table for Chapter 17.152, Permitted and Conditional Uses, reflecting the proposed amendments described here is included as an attachment to the staff report.

II. CITY DEPARTMENT REVIEW

The proposed text amendments were included with notices and materials provided for Planning Review Meeting on October 17, 2023. 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 amendment 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 M-G 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 M-G, Manufacturing General Zone as contained in Chapter 17.152 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 HEARING

November 16, 2023, 6:30 PM

The Murray City Planning Commission will hold a public hearing in the Murray City Municipal Council Chambers, located at 10 East 4800 South, Murray, UT to receive public comment on the following application:

A request to amend Murray City Code Sections 17.144.020 (G-O Zone), 17.152.020 (M-G Zone), 17.156.020 (C-N Zone), and 17.160.020 (C-D Zone) of the Zoning Ordinance to remove Land Use #1113: Single-family dwelling, attached to nonresidential.

Amend Sections 17.152.020 and 17.152.030; (M-G Zoning District) to allow Land Use #6600: Contract Construction Services as a Permitted Use instead of Conditional Use.

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 the Murray City Planning Division at 801-270-2430, or e-mail planning@murray.utah.gov.

17.152.020: 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 M-G zone:

Use No.	Use Classification
1113	Single-family dwelling, attached to nonresidential.
2130	Canned and preservative fruits and vegetables (except 2131, 2138).
2143	Cereal preparation.
2145	Blending and preparing flour.
2146	Corn oil, starch and syrup.
2150	Bakery products.
2170	Confectionery and related products.
2185	Bottling and canning soft drinks and carbonated waters.
2186	Fountain flavors.
2189	Flavor extracts and syrups.
2190	Food preparations (except 2194).
2200	Textile mill products (except 2296).
2300	Apparel and other finished products made from fabrics, leather, etc. (except 2361).
2500	Furniture and fixtures.
2700	Printing, publishing, and allied industries.
3210	Flat glass.
3220	Glass and glassware.
3250	Pottery and related products (except 3255).
3424	Metal working machinery and equipment.
3427	Office machines, small.
3428	Service industry machines.
3430	Miscellaneous machinery.
3500	Professional, scientific, and controlling instruments: photographic and optical goods, watches and clocks.
3900	Miscellaneous manufacturing (except 3993).
4100	Railroads, rapid rail transit (except 4113, 4114, 4115, 4116, 4123).
4200	Motor vehicle transportation (except 4214, 4222).
4600	Automobile parking.

- 4700 Communications.
- 4800 Utilities (except 4812, 4813, 4822, 4823, 4850).
- 4900 Miscellaneous transportation, communications, and utilities (except 4910).
- 5100 Wholesale trade (except 5123, 5129, 5156, 5157, 5191, 5192, 5193).
- 5200 Building materials, hardware, farm equipment, and supplies.
- 5300 General merchandise.
- 5400 Food sales.
- 5520 Tires, batteries, and accessories.
- 5599 Automotive, marine accessories.
- 5600 Apparel and accessories.
- 5700 Furniture, home furnishings, and equipment.
- 5810 Eating places.
- 5900 Miscellaneous retail trade (except 5920, 5935, 5938, 5981).
- 5913 Medical cannabis pharmacy.
- 6100 Finance, insurance, and real estate services (except 6112, 6123, 6124, 6141 - surety bail bonding only).
- 6200 Personal services (except 6256, 6294, 6295).
- 6300 Business services (except 6372).
- 6400 Repair services.
- 6500 Professional services (except 6513, 6516).
- 6600 [Contract construction services.](#)
- 6700 Governmental services (except 6740, 6750, 6770).
- 6800 Educational services.
- 6900 Miscellaneous service organizations.
- 8100 Resource production - agricultural (except 8140, 8150, 8160).
- 8122 Cannabis production establishments.
- 8215 Egg processing (does not include egg production).
- 8221 Veterinarian services.
- 8222 Animal hospital services.
- 8224 Pet grooming.
- 8229 Other animal husbandry services.
- 8290 Other agricultural related amenities.

C. Accessory buildings which are customarily used in conjunction with and are incidental to the principal uses and structures allowed in the M-G Zone.

(Ord. 19-37 § 4: Ord. 07-40 § 3: Ord. 07-30 § 2)

17.152.030: CONDITIONAL USES:

The following uses and structures are permitted in the M-G 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
1210.1	Supervised youth group home.
1240	Retirement homes.
1511	Hotels.
1512	Motels.
2111	Meatpacking (slaughtering done at another site).
2112	Sausages and other prepared meat products.
2113	Poultry and small game packing.
2120	Dairy products.
2141	Flour and other grain mill products.
2142	Preparation of feed for animals and fowl.
2144	Rice milling.
2160	Sugar, beet and cane.
2181	Malt liquors and extracts (including beer and near beer).
2182	Malt, barley, rye, wheat, and corn byproducts. (Includes whiskey, bourbon, rye, scotch and corn liquors.)
2183	Wine, brandy, and brandy spirits.
2184	Distilling, rectifying, and blending liquors, except brandy.
2361	Leather tanning and finishing.
2430	Millwork, veneer, plywood products, prefabricated wood products.
2440	Wooden containers.
2490	Other lumber and wood products.
2640	Converted paper and paperboard products.
2650	Paperboard containers and boxes.
2800	Chemical products excluding use no. 2834, radiopharmaceutical manufacturing.
3110	Tires and inner tubes.
3120	Rubber footwear.
3140	Miscellaneous plastic products.
3190	Other fabricated rubber products.

- 3230 Cement, hydraulic.
- 3240 Structural clay products.
- 3255 Statuary and factory made art goods of clay.
- 3260 Concrete, gypsum, and plaster products.
- 3270 Cut stone and stone products.
- 3360 Nonferrous foundries (small items only).
- 3415.1 Small arms (parts only. No manufacturing of finished firearms on site).
- 3444 Aircraft parts other than engines.
- 3445 Motor vehicle parts and accessories.
- 3448 Motorcycles, bicycles and parts.
- 3490 Fabricated metal products.
- 4113 Railroad terminals (passenger).
- 4114 Railroad terminals (freight).
- 4115 Railroad terminals (passenger and freight) (includes ticket office at terminal).
- 4116 Railroad equipment and maintenance yards.
- 4123 Rapid transit maintenance yards.
- 4214 Bus garaging and equipment maintenance.
- 4222 Motor freight garaging and maintenance.
- 4392 Heliport (pad only).
- 4812 Electric generation plants - conventional.
- 4813 Electric generation plants - nuclear energy.
- 4852 Central garbage grinding and composting plants.
- 4853 Solid waste disposal company office.
- 4858 Solid waste transfer station.
- 4859 Other solid waste disposal, NEC. Limited to recycling and recycling sorting (including breaking up, sorting, wholesale distribution of scrap and waste such as metal, paper, etc. Excludes dismantling of objects for purposes of selling secondhand parts).
- 4910 Pipeline right-of-way.
- 5123 Industrial chemicals.
- 5129 Other drugs, chemicals and allied products.
- 5191 Metals and minerals.
- 5192 Petroleum bulk stations.
- 5510 Motor vehicles.
- 5530 Gasoline service stations.
- 5591 Marine craft and accessories.
- 5592 Aircraft and accessories.

5593 New and used house trailers, campers, and recreational vehicles.

5594 Motorcycles, motor scooters.

5820 Drinking places - alcoholic beverages.

5920 Liquor, package (State store).

5981 Fuel wood, coal.

6112 Check cashing.

6123 Pawnbrokers.

6124 Bail bonds.

6256 Locker clubs.

6294 Escort services.

6295 Tattooing.

6297 Reiki business (or other similar business/establishment).

6518.1 Detoxification center.

6600 Contract construction services.

7310 Fairgrounds and amusement parks.

7390 Amusements.

7410 Sport activities.

7425 Gyms, athletic clubs, body building studios.

7451 Archery range (indoor only).

7452 Pistol and rifle range (indoor only).

7490 Recreation.

8121 Indoor farming. Includes crops grown wholly indoors for commercial distribution to other locations and/or retail sale on site.

8212 Grist milling services.

8224 Animal kennels.

(Ord. 21-31: Ord. 19-20: Ord. 12-09: Ord. 12-03: Ord. 11-02: Ord. 10-12: Ord. 07-40 § 3: Ord. 07-30 § 2)



MURRAY
CITY COUNCIL

Adjournment