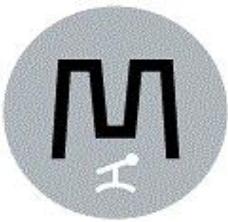




**MURRAY**  
CITY COUNCIL

# Committee of the Whole Meeting October 1, 2024



# Murray City Municipal Council

## Committee of the Whole

### Meeting Notice

**October 1, 2024**

**PUBLIC NOTICE IS HEREBY GIVEN** that the Murray City Municipal Council will hold a Committee of the Whole meeting beginning at 5:00 p.m. on Tuesday, October 1, 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](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>.

#### **Meeting Agenda**

**5:00 p.m.**      **Committee of the Whole** – Poplar Meeting Room #151  
Pam Cotter conducting.

#### **Approval of Minutes**

Short Term Rental Workshop – July 27, 2024  
Committee of the Whole – September 10, 2024

#### **Discussion Items**

1. Update and discussion on the drafting of the Form Based Code. Zachary Smallwood and Mark Morris, VODA Landscape and Planning presenting. (45 minutes)
2. Power Department Quarterly Report. Greg Bellon presenting. (20 minutes)
3. Discuss an ordinance relating to land use; amends the Zoning Map from R-1-8 (Single Family Low Density) to R-N-B (Residential Neighborhood Business) for the property located at 323 E Winchester Street, Murray City. David Rodgers presenting. (10 minutes)
4. Discuss an ordinance relating to land use; amends the Zoning Map from R-1-6 (Single Family Medium Density Residential) to R-M-15 (Multiple Family Medium-Density Residential) for the property located at 4734 South Hanauer Street, Murray City. Zachary Smallwood presenting (10 minutes)

#### **Adjournment**

#### **NOTICE**

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

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

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

On Friday, September 27, 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](http://www.murray.utah.gov), and the state noticing website at <http://pmn.utah.gov>.



Jennifer Kennedy  
Council Executive Director  
Murray City Municipal Council



MURRAY  
CITY COUNCIL

# Committee of the Whole Minutes

**MURRAY CITY MUNICIPAL COUNCIL**

**Short Term Rentals – WORKSHOP**

Minutes of Tuesday, August 27, 2024

Murray City Hall, 10 East 4800 South, Poplar Meeting Room, Murray, Utah 84107

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**Attendance:**

Councilmembers:

Paul Pickett	District #1
Pam Cotter	District #2 – Council Chair
Rosalba Dominguez	District #3 -
Diane Turner	District #4
Adam Hock	District #5 – Council Vice-Chair

**Others:**

Brett Hales	Mayor – Via Telecom	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Crystal Brown	Council Administration
G.L. Critchfield	City Attorney	Brenda Moore	Finance Director
Phil Markham	CED Director	David Rodgers	CED Senior Planner
Elvon Farrell	CED Specialist	Zac Smallwood	CED Planning Manager
Joey Mittelman	Fire Chief	Dave Carr - Citizen	

Council Chair Pam Cotter began the workshop at 3:00 p.m.

City Council Director Jennifer Kennedy gave an overview of the short-term rental situation in the city. She explained the current moratorium on short-term rentals and that the Council has until January 20, 2025 to implement a short-term rental ordinance. She explained the purpose of the workshop was to give city staff direction on what the council would like to see in a short-term rental ordinance.

Councilmember Paul Pickett stated he has heard concerns related to allowing short-term rentals in residential neighborhoods. His constituents are worried that allowing short-term rentals in neighborhoods could lead to problems with parking and noise.

Councilmember Diane Turner said she hasn't heard much on the subject of short-term rentals, however when she asks her residents about them, they are concerned about the impact they have on housing.

Councilmembers Adam Hock and Rosalba Dominguez said they have heard from constituents on both sides of the issue, some people want them and some do not.

A discussion about how short-term rentals tend to drive up the cost of housing took place between the councilmembers. Councilmember Turner stated she does not see how short-term rentals benefit the city and saw no reason to allow them.

Councilmember Cotter stated that several homes in her district have been purchased by corporations and are being rented out as long-term rentals. She does not have a problem with long-term rentals but she has concerns about short-term rentals. She reminded the other councilmembers that a survey of Murray

residents in 2022 showed that a majority of the respondents do not want short-term rentals in their neighborhoods.

Councilmembers analyzed a draft short-term rental ordinance that was presented to them in 2021 (Attachment #1). They asked clarifying questions about the proposed ordinance and discussed what zones they would like to allow short-term rentals operate in within the city.

Councilmember Hock suggested prohibiting short-term rentals from operating in any residential zone in the city but allowing them to operate in the Residential Neighborhood Business zone. After discussion amongst the Council, it was decided to not allow any short-term rentals that were unhosted (a unit where the owner vacates the property while it is rented to short-term guests) in the city.

Councilmembers discussed allowing hosted short-term rentals where the owner remains on-site while the property is rented to short-term guests. There was consensus to allow hosted short-term rentals in the city. The Council directed the staff to create an ordinance allowing short-term rentals in residential and mixed-use zones throughout the city.

Staff was also asked to research and incorporate how to regulate short-term rentals and penalties for noncompliance into the ordinance.

The meeting was adjourned at 5:15 p.m.

**Jennifer Kennedy**  
**Council Executive Director**

# **ATTACHMENT #1**

## **CHAPTER 17.XX: RESIDENTIAL SHORT-TERM RENTAL (STR):**

### **SECTION:**

- 17.XX.010: PURPOSE
- 17.XX.020: APPLICABILITY
- 17.XX.030: DEFINITIONS
- 17.XX.040: STANDARDS AND REQUIREMENTS
- 17.XX.050: VIOLATIONS
- 17.XX.060: ENFORCEMENT
- 17.XX.070: FINES

### **17.67.010: PURPOSE:**

This chapter is established to provide regulations for residential short-term rentals (STRs) related to single family and multi-family neighborhoods. These standards seek to allow for STRs while also protecting the safety and general welfare of residents and preserving the residential character of neighborhoods. Allowing STRs, is intended to provide economic relief to existing property owners who might otherwise be forced to leave a neighborhood, thus promoting, and preserving stable and affordable housing in the city. This chapter also intends to stabilize neighborhoods by promoting home ownership and preserving long term rental housing in the market.

### **17.XX.020: DEFINITIONS:**

The following words and phrases when used in this chapter shall be construed as defined in this section:

- A) DEDICATED VACATION RENTAL: Renting an entire dwelling where there are no owner occupants.
- B) HOSTED SHARING: Renting a portion of the dwelling while the owner occupants of a residence remain on-site with guests.
- C) INCIDENT: A violation or series of violations that have occurred in a time period of 24 hours.
- D) RENTER: a single person or group of people who provide compensation, in any form, in exchange for occupancy of a dwelling unit, or portion thereof, under one lease or rental agreement.
- E) STR LAND USE PERMIT: An administrative permit issued to the property owner seeking to use property as an STR after Community and Economic Development staff have determined that the owner's property qualifies under the requirements of this chapter.
- F) SHORT-TERM RENTAL (STR): Any dwelling or portion thereof that is available for use or is used for accommodations or lodging of guests paying a fee or other compensation for a period of less than 30 consecutive days.
- G) UNHOSTED SHARING: Renting an entire dwelling unit where the owner occupants of a residence vacate the unit while it is rented to short-term guests.

### **17.XX.030: APPLICABILITY:**

- A) An STR is allowed in all primarily residential districts after obtaining both an STR land use permit and a business license.
- B) The following are exempt and shall not be subject to the provisions of this chapter:
  - 1) A residential lease of thirty (30) or more consecutive days.

**CHAPTER 17.XX:  
RESIDENTIAL SHORT-TERM RENTAL (STR):**

2) RV parks, campgrounds, hotels, and motels, as described and regulated in Title 17.

**17.XX.040: STANDARDS AND REQUIREMENTS:**

An STR may be allowed within any existing legal conforming residential dwelling by obtaining an STR land use permit from the Community and Economic Development Department, wherein the applicant demonstrates compliance with requirements found in Title 17 and all of the following standards and requirements:

- A) Application: A completed application form and payment of all fees. -Application form provided by the City.
- B) Property Information:
  - 1) A detailed written description of the proposed use.
  - 2) A basic site plan of the property including locations of accessory structures, setbacks, parking, and entrances to the dwelling and STR.
  - 3) A floorplan drawing of the dwelling that identifies the portions of the dwelling to be used for the STR.
  - 4) Only one designated STR or STR area is allowed per dwelling.
- C) Parking Plan: A detailed drawing of an off-street parking plan must be provided to ensure that all occupants of the primary dwelling and STR can be accommodated on-site at all times.
  - 1) Parking may not include any on-street parking, and shall be limited to the existing garage, driveway, and dedicated parking spots of the residential unit.
  - 2) Shared guest parking as part of a multi-family dwelling shall only be permitted upon express written approval of the HOA or property management, as applicable.
  - 3) Any proposed parking improvements shall also be included in the off-street parking plan and must be completed prior to issuance of a business license.
  - 4) All elements of the parking plan must comply with all other requirements of this chapter.
  - 5) The applicant shall provide the maximum renter occupancy proposed and demonstrate that sufficient parking has been provided off street at a rate of one-half ( $\frac{1}{2}$ ) space per bedroom or sleeping area and in no case shall the parking be less than one (1) space.
- D) Owner Occupancy: The owner shall live in the dwelling in which an STR is desired and must reside as their primary residence.
  - 1) The owner shall prove ownership of the property as evidenced by a copy of a transfer deed listing the applicant as the fee title owner.
    - a) Fee title owner may be an individual or trustor of a family trust that possesses fifty percent (50%) or more ownership of the proposed STR.
    - b) Fee title owner may not be a corporation, partnership, limited liability company, or similar entity.
  - 2) To establish that the property is the owner's primary residence, the owner shall:
    - a) Present a government issued identification document listing the address of the property as the address of the owner; and
    - b) A signed affidavit sworn before a notary public shall be provided by the owner stating that the proposed property is the primary residence of the owner, wherein they reside at least one hundred eighty-three (183) days per calendar year.
- E) Occupancy During Rental Period: The owner shall comply with the following occupancy restrictions:

**CHAPTER 17.XX:**  
**RESIDENTIAL SHORT-TERM RENTAL (STR):**

- 1) The property shall not be rented to more than one party at any given time, and the owner shall not divide and rent out portions of the dwelling to multiple parties at the same time.
- 2) Hosted sharing is allowed 365 days a year.
- 3) Unhosted sharing shall not be conducted for more than one hundred eighty-two (182) nights per year.
  - a) The property shall only be rented for a minimum duration of one night and a maximum of thirty (30) nights.
- 4) Dedicated Vacation Rentals are not allowed.

F) No Conflict with Private Restrictions: The property owner shall sign an affidavit sworn before a notary public that certifies to the City that the subject property has no existing private covenants, conditions, or restrictions prohibiting STRs.

G) Urgent Response: The owner, or a designated representative, shall be available to immediately respond twenty-four (24) hours a day, three hundred sixty-five (365) days a year by telephone.

- 1) When necessary, the owner, or a designated representative be able to physically respond within one hour of an inquiry or request by the City.
- 2) If the owner or designated representative is unreachable after three (3) attempted contacts by Murray City within one hour, a citation may be issued.
- 3) If the owner or designated representative is not able to respond within an hour a citation may be issued.

H) Nameplate Sign: One nameplate sign shall be permanently attached to the building in a conspicuous location near the front entrance of the STR. The nameplate sign shall:

- 1) Provide the name and telephone number of the owner or designated representative that can be contacted twenty-four (24) hours a day;
- 2) Contain the occupant load of the building as allowed by the International Building Code;
- 3) Be made of durable, weather resistant material;
- 4) Not exceed three inches by five inches in dimension; and
- 5) Contain no advertising.

I) Noticing and Posting Requirements: A guest informational packet must be maintained in a clearly visible location within the STR area, and must include all of the following:

- 1) STR permit and business license.
- 2) 24/7 contact information for owner or a designated representative.
- 3) Parking requirements, including site map of approved designated parking areas.
- 4) Maximum occupancy.
- 5) Sign indicating no excessive or undue noise between 10 p.m. and 7:00 a.m.
- 6) Garbage pick-up dates, and a written description of where garbage receptacles must be placed for pick-up and retrieval All garbage must be retrieved and disposed of on a regular basis and in a timely and appropriate manner.
- 7) Numbers for 911 and Non-emergency dispatch.
- 8) Other contact information or information related to other regulations or conditions of an approval through the land use permit process, as required by the Community and Economic Development Department.

J) Property Maintenance Requirements: All STRs shall adhere to all City ordinances relating to the maintenance and management of property.

**CHAPTER 17.XX:**  
**RESIDENTIAL SHORT-TERM RENTAL (STR):**

K) Noise and Nuisance Control: The owner shall ensure that the guests adhere to the noise control in section 8.16 of the Murray City Code, as amended. Should a renter violate the noise control chapter more than once in any given 48-hour period they shall be immediately evicted from the property by the owner.

17.XX.050: VIOLATIONS AND PENALTIES:

- A. Failure to comply with this chapter shall constitute a violation for which the City may issue a citation and impose penalties. ~~-Each day that a violation occurs or continues is a separate violation.~~
- B. Operation of a property in the city for short-term rental purposes without an STR Land Use Permit or a business license shall be a violation of this code for which the City may issue a citation and impose penalties, with each day of unpermitted or unlicensed operation constituting a separate offense.
- C. It shall be a violation for any person to operate an STR in violation of any federal, state or local law, rule or regulation.
- D. For noncompliance with this chapter, the issuing officer shall issue a written citation to the owner or operator, specifying the violation. ~~-Except as otherwise provided in this chapter, the penalty for violation of this chapter shall be as follows:~~
  - 1. The first violation within any 12-month period is an infraction, the penalty of which shall be no less than \$500;
  - 2. The second violation within any 12-month period is an infraction, the penalty of which shall be no less than \$750; and
  - 3. The third violation within any 12 month period is an infraction, the penalty of which shall be no less than \$750 and revocation of the STR Land Use Permit and the business license for the short-term rental for the subject property; provided, however, that the operator may not re-apply for any available STR Land Use Permit or short-term rental business license for such property for two years from the date of such revocation.
  - 4. Any violation following the third violation within 12 months is a class B misdemeanor, the penalty of which shall include a fine of no less than \$1,000, and the owner shall be ineligible for an STR Land Use Permit or business license related to an STR for any property within the City.

**MURRAY CITY MUNICIPAL COUNCIL  
COMMITTEE OF THE WHOLE**

Work Session Minutes of Tuesday, September 10, 2024  
Murray City Hall, 10 East 4800 South, Poplar Meeting Room, Murray, Utah 84107

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**Attendance:**

Council Members:

Paul Pickett	District #1
Pam Cotter	District #2 – Council Chair
Rosalba Dominguez	District #3
Diane Turner	District #4
Adam Hock	District #5 – Council Vice-Chair

**Others:**

Brett Hales	Mayor	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
G.L. Critchfield	City Attorney	Rob White	IT Director
Brenda Moore	Finance Director	Greg Bellon	Power Manager
Craig Burnette	Police Chief	Joey Mittelman	Fire Chief
Camron Kollman	IT	Phil Markham	Community and Economic Dev. Director
Citizens			

**Conducting:** Council Chair Cotter called the meeting to order at 5:00 p.m.

**Approval of Minutes:** Committee of the Whole, August 6, 2024 and Committee of the Whole, August 13, 2024. Mr. Pickett moved to approve, and Ms. Turner seconded the motion. All in favor 5-0.

**Discussion Items:**

1. Discuss an ordinance amending the City's Fiscal Year 2024-2025 budget. Finance Director Ms. Moore discussed why money is rolled forward from one FY (fiscal year) to the next FY, stating that the proposed budget amendment involves transfers between various funds and budgets and CIP (Capital Improvements Project) Fund transfers related to projects in progress. It receives and allocates various grant funding, reconciles changes in the Benefits budgets due to health insurance updates made during open enrollment and rolls forward funds from Class B&C Alcohol revenue. Any CIP savings would also roll forward and there was one allocation for a new CIP project from CIP reserves.

Ms. Moore reviewed FY 2024 financials for the Murray Theater renovation project noting that \$2 million was already rolled forward to the FY 2025 Budget for the ongoing project.

Ms. Moore said the FY 2025 proposed ordinance allocates \$1.3 million from CIP reserves to cover construction costs and an allocation of \$1.3 million in TRCC (Travel, Recreation, Culture and Convention) grant funding to offset those expenses. TRCC grant money would also be used for the ongoing Murray Mansion renovation project.

Ms. Turner pointed out the \$1 million allocation from CIP reserves to purchase property on Vine

Street. Ms. Moore confirmed property located at 150 East Vine Street that is currently occupied by a real estate firm would be purchased by the City. The purchase is intended for Murray Theater parking and would be paid for with interest earned in FY 2024.

2. **Discuss a resolution declaring the City's intention to reimburse itself for expenditures incurred in connection with financing all or a portion of capital improvements to the electrical systems of the City, and related improvements, with proceeds of bonds that the City intends to issue, and related matters.** Ms. Moore explained that the Murray Power Department may need to bond to pay for future projects due to a reduction in Power Fund reserves. The reduction came when energy prices were soaring and \$12 million was spent on purchasing energy instead of equipment purchases and projects. Because of this she believed there was a 75% chance that the Power Department would eventually need to bond, which was the reason for the proposed resolution. She noted that bonding may not be necessary, but after a bond is purchased, there is a 60-day look back period to reevaluate hard costs of a project and determine uses for the intended funding.

Ms. Moore said there was now an immediate expense of \$1.5 million for the first downpayment on two new substation transformers, and she would like the option to reimburse the City for that cost with bond proceeds. In addition other projects like the existing substation rebuild, the possible construction of a smaller substation in 10 years and the construction of a shelter to store and secure large expensive vehicles, supplies and valuable equipment would also require significant financing.

She said the proposed resolution allows the City to bond up to \$25 million, but the City is not committed to anything. The resolution implies that if the City chooses to bond, some power department projects in progress and some purchases could be reimbursed with bond funding that would include the \$1.5 million downpayment for two transformers. Ms. Moore noted that the transformers were ordered but would not arrive for another four years.

Ms. Turner asked about a power department CIP request of \$20 million. Ms. Moore said the project request and \$20 million amount was intended to build a new power department office building. They would not be constructing a new building now so the \$20 million request would be considered for other needed projects.

Ms. Dominguez said the bond would pay for all the other needed projects. Ms. Moore agreed \$20 million would help pay for all other needed projects in the power department.

Mr. Hock asked about the current balance of the Power Fund reserves. Ms. Moore said reserves that were once in the \$30 million range were reduced to approximately \$14 million.

Ms. Moore said the Power Department is able to pay cash for projects and purchases, but without bonding the City cannot be reimbursed. The same process was used for the Murray Theater renovation project before construction began, and it was ultimately determined that bonding was not necessary for that project.

Ms. Turner asked why then was bonding needed and would bonding save the City money. Ms. Moore did not think bonding would save the City money and explained that as hard costs for projects are paid for with reserves, bonding as a funding resource that might be considered. In addition she wanted the choice to replenish Power Fund reserves after making the transformer downpayment of \$1.5 million.

Mayor Hales said if the City did not bond now, the City cannot reimburse itself for costs incurred on current projects in progress. Ms. Moore said bond spending would occur over a five-year required period and would ensure 60-days to look back at covering expenses. Projects are in the planning phase and the cost for the substation rebuild has not been determined yet.

Ms. Turner verified that the proposed resolution was not a commitment to bond. Mr. Hock noted that any bond proposal would come before the Council at a later time. Ms. Moore acknowledged that the resolution was a legal loophole that would enable her to cover expenses from 60 days ago, but she was undecided about whether she will proceed with bonding.

3. **Discuss a resolution amending the Murray City Council Policies and Procedures.** Council Member Pickett explained that there was a feeling or assumption that Council Members are obligated to read aloud during a council meeting any email comments that are sent to them. He expressed concern about having to read some of the comments aloud and proposed that email comments be added textually into the minutes record only. He said Council Members are still allowed to read email comments if desired and if content was related to agenda items being considered. City Council Executive Director Ms. Kennedy confirmed that the proposed changes were made to page 28 of the current Council Policies and Procedures manual and noted red line detail. She said emails are still welcome at the City Council email address and that a timely response would be given. Mr. Pickett reiterated that email comments are always welcome.

Mr. Hock suggested keeping the existing text related to comments being forwarded to Council Members before a Council meeting. There was consensus to keep the existing text.

4. **American Public Power Association Conference Report.** Council Member Dominguez shared about the various sessions she attended and all that she learned at the conference.
5. **Utah Associated Municipal Power Systems Conference Reports.** Council Members Pickett, Cotter, and Turner shared information and personal insight from everything they heard and learned at the annual conference.

**Adjournment: 5:43 p.m.**

**Pattie Johnson  
Council Office Administrator III**



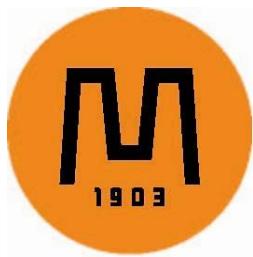
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# Discussion Items



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# Discussion Item #1



# MURRAY

## Council Action Request

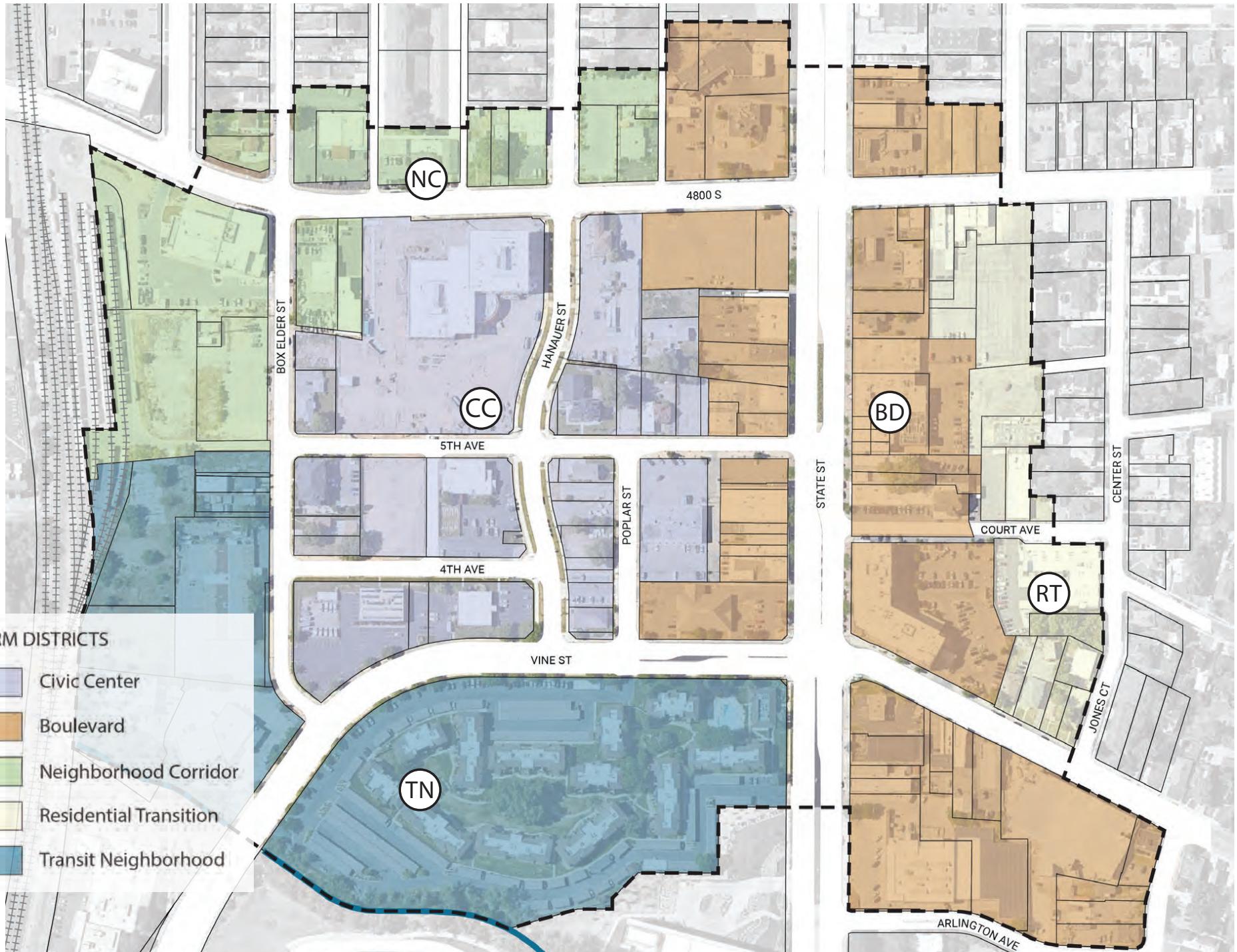
Meeting Date:

Department Director	Purpose of Proposal
Phone #	Action Requested
Presenters	Attachments
	Budget Impact
	Description of this Item
Required Time for Presentation	
Is This Time Sensitive	
Mayor's Approval	
Date	<i>Doug Hill</i>

# **Murray City Center Form Based Code**

[City Council Update, October 2024](#)





**MURRAY CITY**

**FORM BASED CODE**

## 1. NEIGHBORHOOD CORRIDOR FORM DISTRICT (NC)

The Neighborhood Corridor form district is similar to the Boulevard Form District along State Street but the requirements are calibrated for the smaller scale of development along 4800 South. It acts as a transition between the more intensely developed Boulevard Form District and the adjacent neighborhood, while still being appropriate along one of Murray's important streets.

### Characteristics:

1. Neighborhood supportive businesses
2. Residential focus
3. Horizontal mixed use

Minimum Height: 2 stories

Maximum Height: 3 stories

Uses: Office, retail, restaurant, housing,



Figure XX -Neighborhood Corridor Form District map (first draft)



## 2. CIVIC CENTER FORM DISTRICT (CC)

This form district is applied to the geographic and civic heart of the City Center area. The smaller blocks and irregular grid promote a walkable district. Uses are heavily mixed. Civic, gathering, and entertainment spaces are conveniently located for workers, residents, and visitors.

### Characteristics:

1. Community gathering spaces
2. Civic uses
3. Entertainment, Recreation

Minimum Height: 3 stories

Maximum Height: 6 stories

Uses: Open space, civic, restaurant, retail, entertainment, office, housing, structured parking



Figure XX - City Center form district map (first draft)



### **3. BOULEVARD FORM DISTRICT (BD)**

This form district addresses the conditions and goals along the State Street corridor. It is designed to continue, or fill in, the street wall with buildings that are of a scale and form that enhance the historic character of this portion of State Street. This form district recognizes that the spatial character of State Street is different than that of 4800 South or Vine Street.

## Characteristics:

1. Historic State Street character
2. Vertical mixed use
3. Active streetscape

Minimum Height: 2 stories

Maximum Height: 3 stories (5 stories if stepped back)

Uses: Retail, entertainment, restaurant, office, housing



Figure **XX** - Boulevard Form District map (first draft)



## 4. NEIGHBORHOOD CORRIDOR FORM DISTRICT (NC)

The Neighborhood Corridor form district is similar to the Boulevard Form District along State Street but the requirements are calibrated for the smaller scale of development along 4800 South. It acts as a transition between the more intensely developed Boulevard Form District and the adjacent neighborhood, while still being appropriate along one of Murray's important streets.

### Characteristics:

1. Neighborhood supportive businesses
2. Residential focus
3. Horizontal mixed use

Minimum Height: 2 stories

Maximum Height: 3 stories

Uses: Office, retail, restaurant, housing,



Figure XX -Neighborhood Corridor Form District map (first draft)



## 5. RESIDENTIAL TRANSITION (RT) FORM DISTRICT

This form district provides a transition between the existing single family neighborhood to the east and the State Street scale developments to the west. It is primarily residential with a variety of housing types.

### Characteristics:

1. Step down in density from State Street corridor
2. Residential focus
3. Horizontal mixed densities

Minimum Height: 2 stories

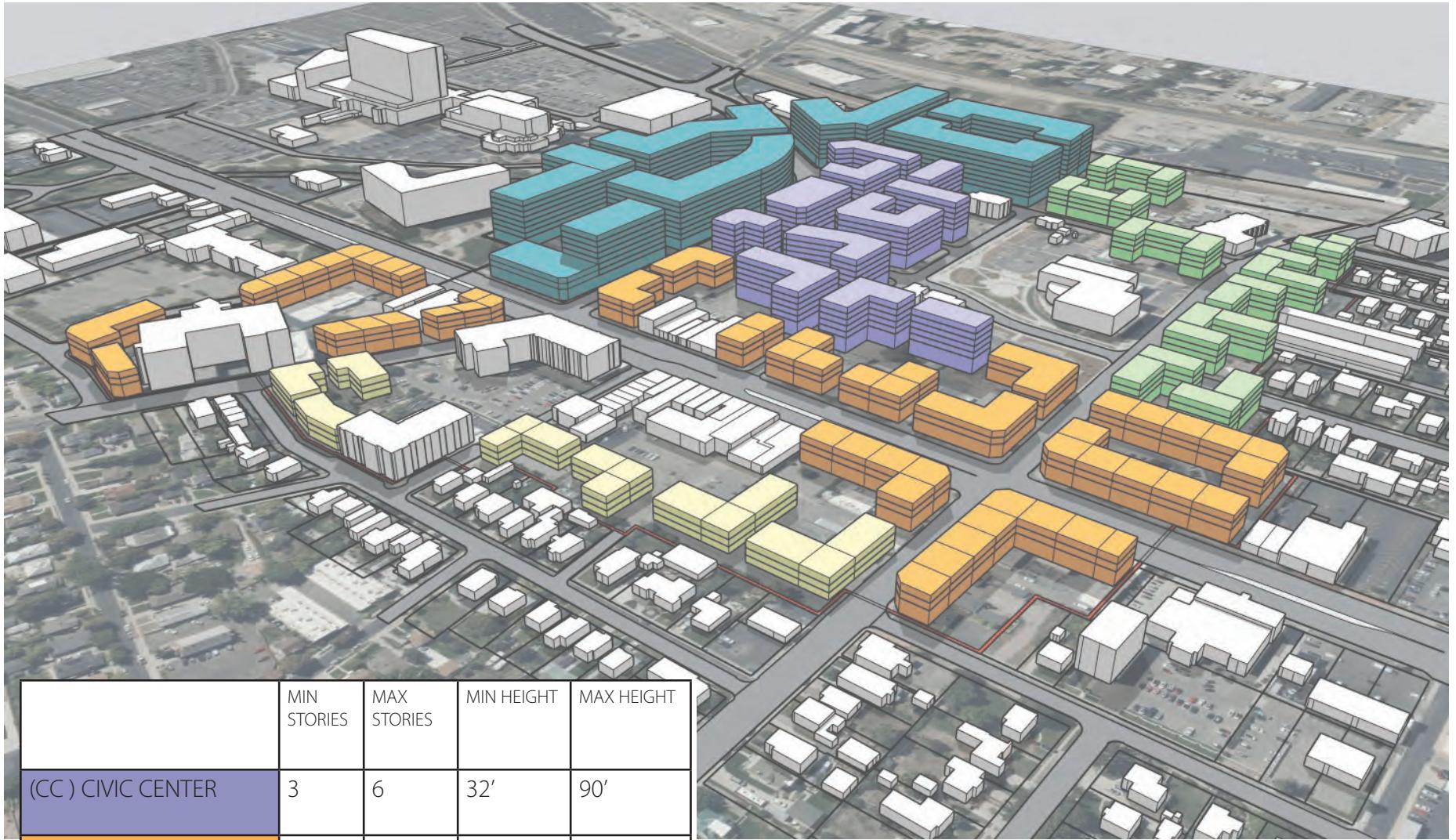
Maximum Height: 3 stories

Uses: Housing, office



Figure [XX](#) - Form district 4 map (first draft)

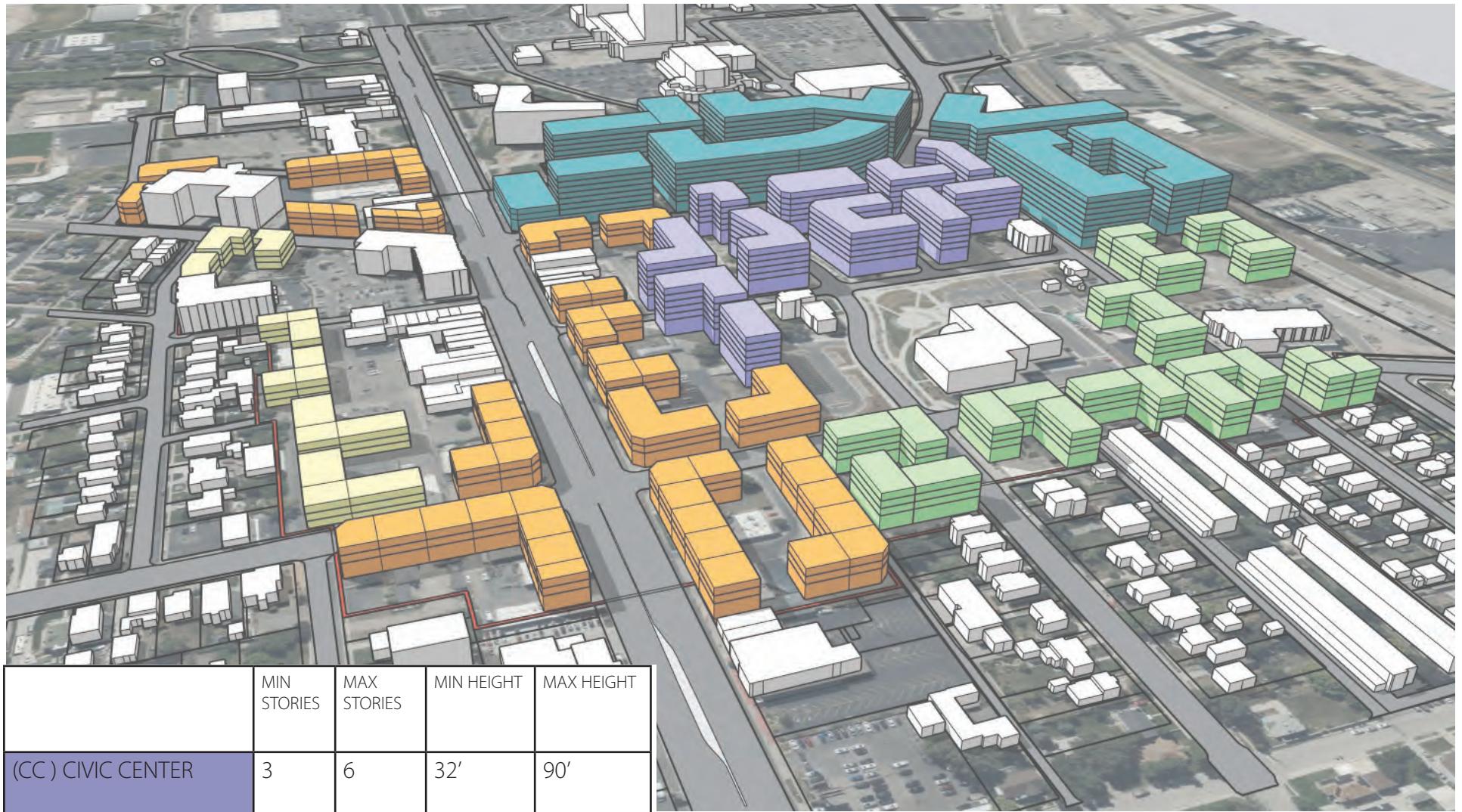




	MIN STORIES	MAX STORIES	MIN HEIGHT	MAX HEIGHT
(CC) CIVIC CENTER	3	6	32'	90'
(BD) BOULEVARD	2	3	21'	48'
(NC) NEIGHBORHOOD CORRIDOR	2	4	21'	60'
(TN) TRANSIT NEIGHBORHOOD	3	8	30'	108'
(RT) RESIDENTIAL TRANSITION	2	3	19'	38'

**MURRAY CITY**

**FORM BASED CODE**



	MIN STORIES	MAX STORIES	MIN HEIGHT	MAX HEIGHT
(CC) CIVIC CENTER	3	6	32'	90'
(BD) BOULEVARD	2	3	21'	48'
(NC) NEIGHBORHOOD CORRIDOR	2	4	21'	60'
(TN) TRANSIT NEIGHBORHOOD	3	8	30'	108'
(RT) RESIDENTIAL TRANSITION	2	3	19'	38'

**MURRAY CITY**

**FORM BASED CODE**

# MURRAY CITY CENTER FORM BASED CODE

## SITE PROTOTYPE EXAMPLE

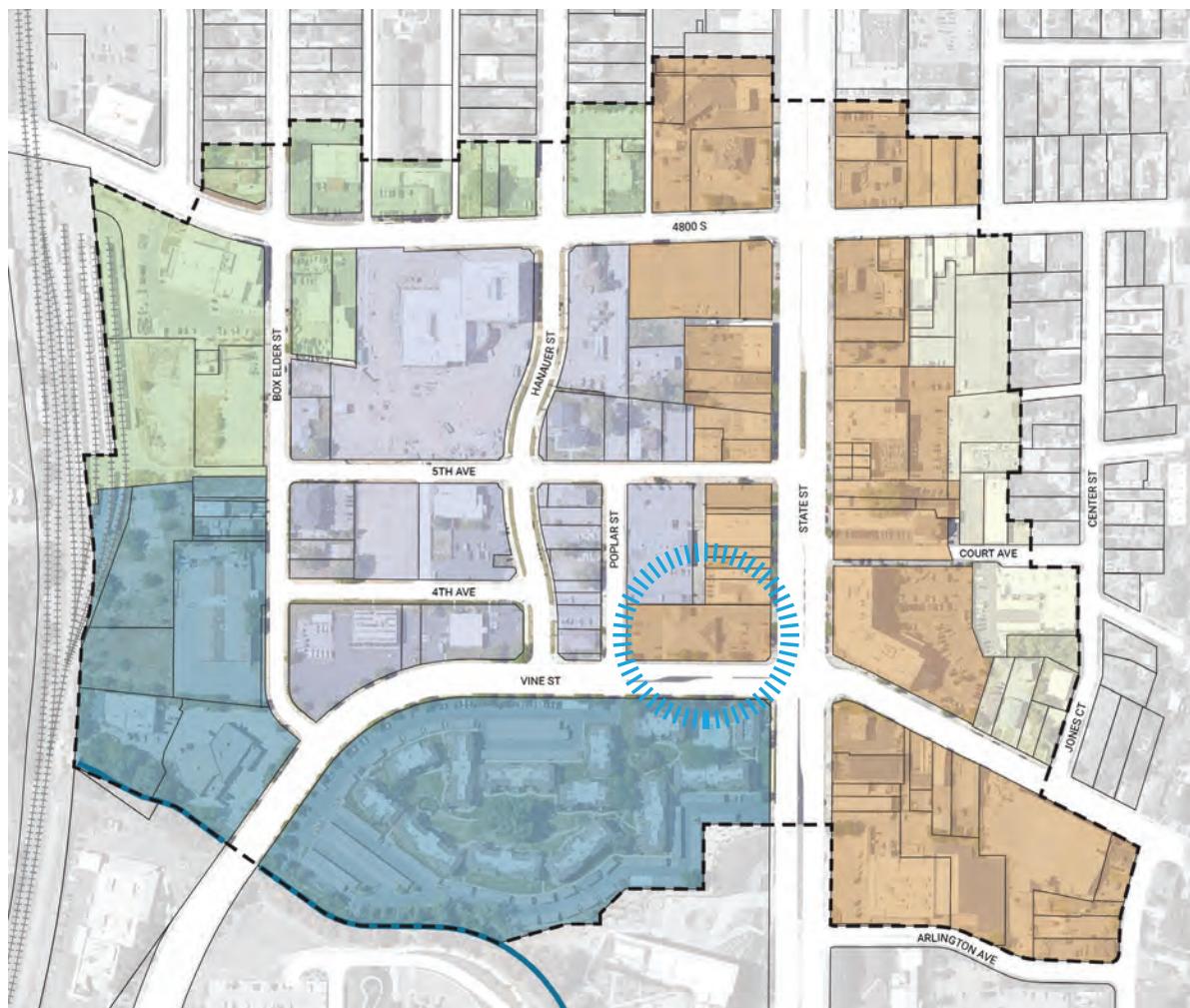


Figure 1.0 Prototype site at the northwest corner of State Street and Vine Street

The form-based code focuses design choices for property owners and city officials alike. Priority is given to site planning choices and architectural form, while giving property owners a great deal of flexibility around architectural style and building use.

This prototype document is intended to illustrate how a single parcel and its redevelopment might play out. Options are illustrated to show how building placement, building setback, architectural transparency and articulation come together to create a development that will add to the broader vision of development of the Murray City Center.

In no way is this prototype intended as an actual development proposal, but will show property owners across the city which elements of an application are of

Not all of the requirements of the prototype are illustrated in this prototype, but the primary considerations are outlined. Applicants must refer to the full form-based code ordinance as adopted by Murray City.

The graphics in this prototype are intended to illustrate the basics of the form-based code, but specific requirements for each form district are located in the tables and requirements of the full document.

The intention of the form-based code is to develop a more uniform pattern of development in the City Center area of Murray, and more broadly create a more desirable and walkable community space. Pulling development up to the street, investing in high quality pedestrian spaces, and focusing engaging uses on the ground floors of new development will all work together to accomplish this.



Figure 2.0 Prototype site at the southwest corner of Main Street and 2300 North.

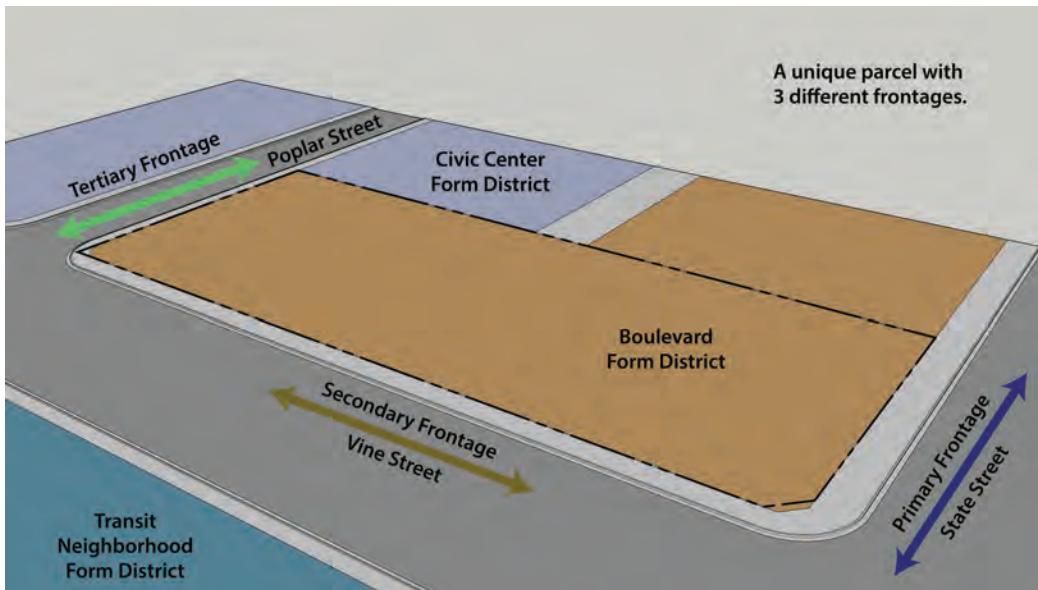
interest to the city during a planning process. The prototype illustrates a parcel at the corner of Vine Street and State Street in order to illustrate how a corner parcel will be required to meet certain requirements of the code.



Figure 3.0 Prototype site illustrating a General Building type on the corner of the parcel.

Any questions or clarifications with the prototype or the form-based code should be directed to Murray City staff.

# SITE SPECIFIC PARAMETERS



These parameters are determined by the site's location and are used throughout the FBC process.

The FBC provides a neighborhood map for three of these parameters. Refer to the maps to find the value of each parameter for any given site.

Lot type is also a site specific parameter but does not have its own set of maps.

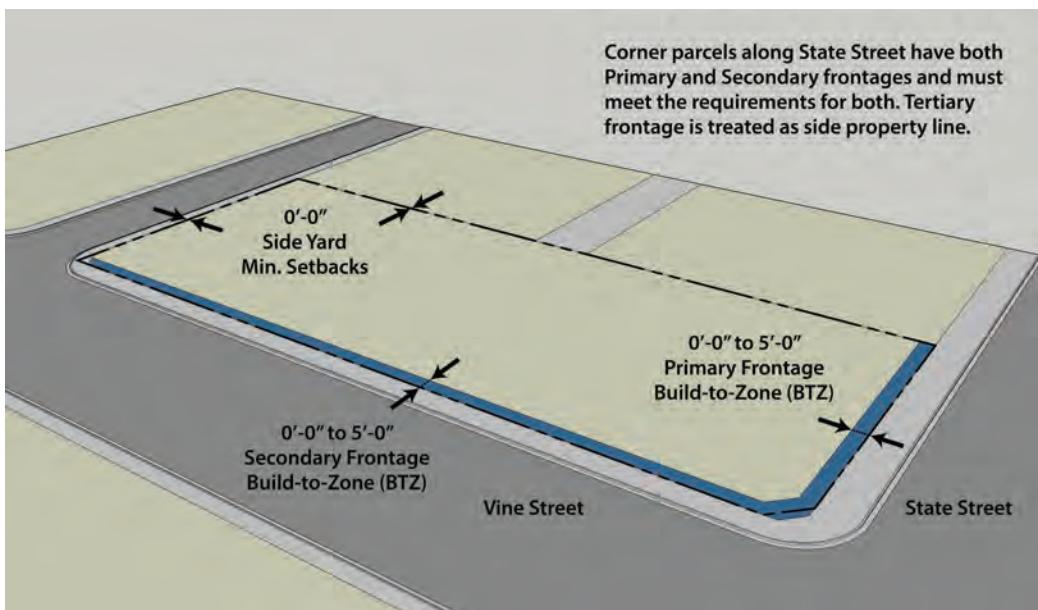
## Prototype Site

Form District: Boulevard

Street Types: Boulevard/neighborhood

Frontage Types: primary/secondary/tertiary

Lot Type: corner (three frontages, two side property lines)



# BUILDING LOCATION

The buildable area within the site is determined by setback and build to zone (BTZ) parameters. These define the potential maximum size of a building footprint (e.g. a building with integrated parking structure).

Setbacks are used along front, side, and rear property lines. The setback value is the minimum distance that the building must be set back from these property lines. There is no maximum.

The BTZ, or build to zone, is used along street facing property lines. BTZ is expressed as a range of distances. The front of the building facade must be located somewhere within that range.

## Prototype Site

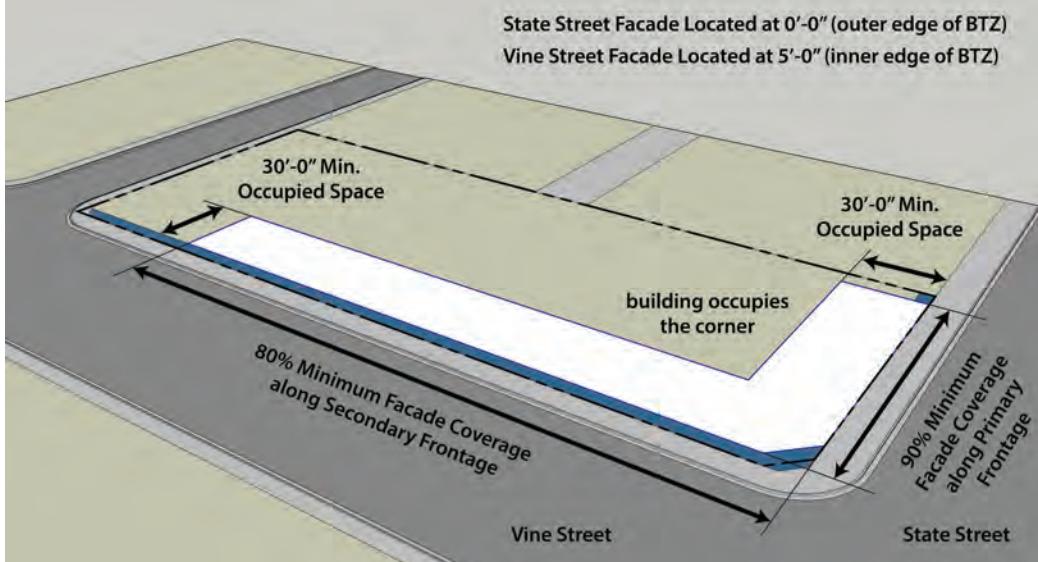
Side Yard Setback: 5'-0" min.

Rear Yard Setback: 5'-0" min.

Primary Frontage Setback: 5'-0"

Primary Frontage BTZ (corner lot): 5'-0" to 15'-0"

Secondary Frontage BTZ (corner lot): 0'-0" to 5'-0"



# INITIAL MINIMUM BUILDING FOOTPRINT

The minimum size of the building footprint is determined by two parameters. This initial footprint may need to be adjusted later.

The length of the building along each street frontage is determined by the frontage coverage parameter. It is expressed as a percentage of the length of the property line along the right of way.

The depth of the building is determined by the required occupied space parameter. It is expressed as a minimum distance, measured along a line perpendicular to the facade.

Buildings on a corner lot must occupy the corner.

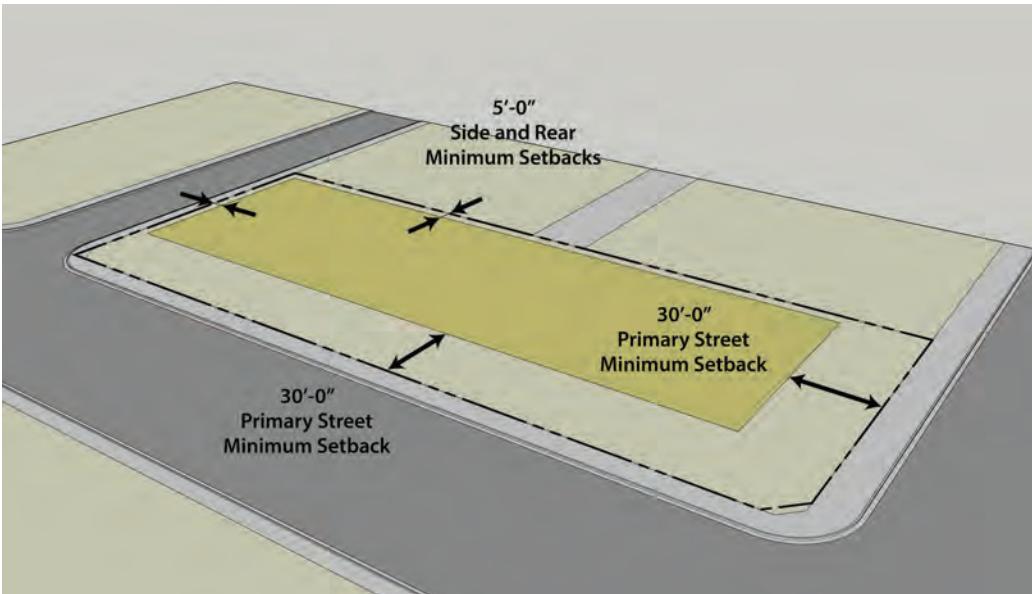
## Prototype Site

Primary Frontage Coverage: 70%

Secondary Frontage Coverage: 60%

Required Occupied Space: 30'-0" min.

## PARKING LOT LOCATION



The parking lot location and size is determined by four parameters. These describe the potential maximum size of the parking lot, which may need to be adjusted later.

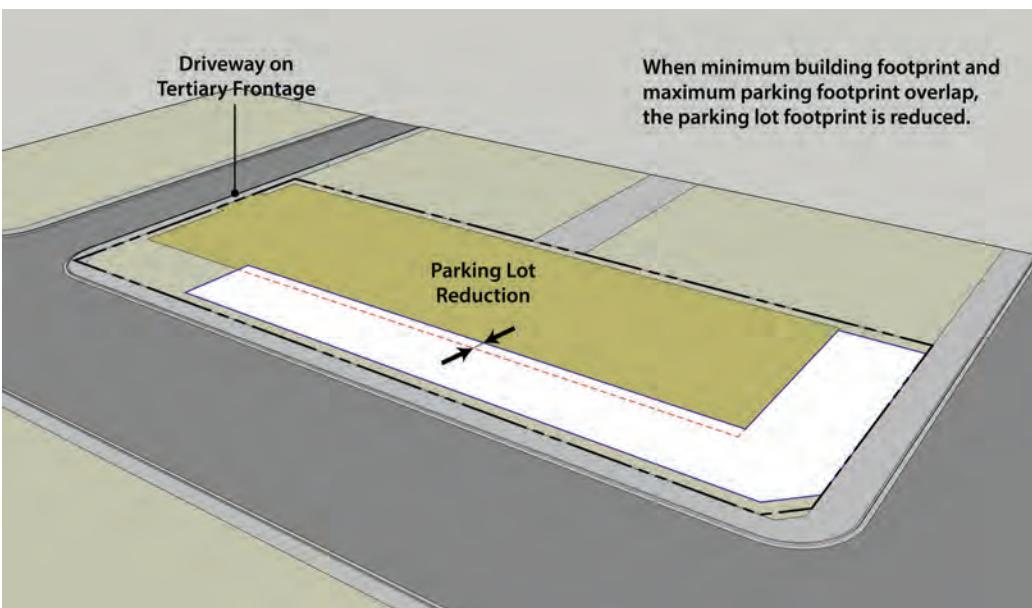
The four parameters are all setbacks, expressed as a distance from the property line. Lot type determines which of these parameters are applied to any given site.

### Prototype Site

Primary Frontage Setback: 30'-0" min.

Secondary Frontage Setback: 30'-0" min.

Side Yard Setback: 5'-0" min.



## BUILDING & PARKING LOT CONFLICTS

Adjustments need to be made when conflicts between different parameters and requirements occur. These can involve site specific parameters and/or requirements for building and parking lot size and location, driveway requirements, etc.

Any conflicts will be unique to each project so all adjustments are made on a per-project basis.

On a corner lot, the driveway is located along the secondary or tertiary frontage.

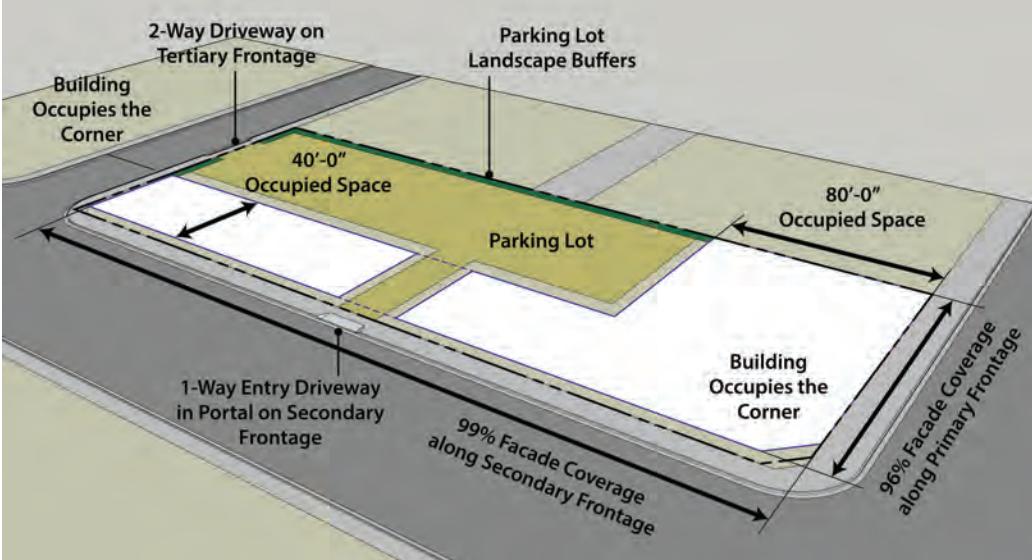
### Prototype Site

Conflict 1: parking lot primary frontage min. setback / required min. occupied space

Adjustment 1: parking lot reduction to allow for the minimum required occupied space of the building

Conflict 2: parking lot secondary frontage min. setback / required min. occupied space

Adjustment 2: parking lot reduction to allow for the minimum required occupied space of the building



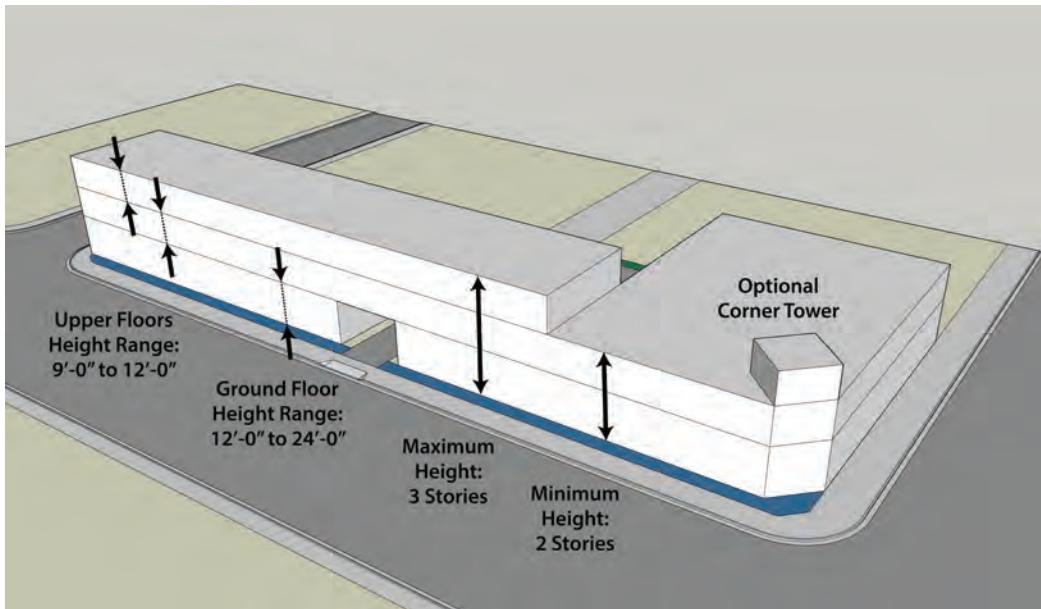
## ADJUSTED BUILDING & PARKING LOT LAYOUT

### Prototype Site

In the adjusted layout the building facade is located along the inner limit of the BTZ. Building depth meets the 30'-0" required occupied space minimum.

The frontage coverage and occupied space along the primary frontage have been increased beyond the minimum values.

Parking lot landscape buffers are provided along both of the side property lines and the driveway.



## BUILDING HEIGHT

Building height is determined by two parameters.

The number of floors is expressed as a range between a minimum and maximum.

Floor height is expressed as a range between a minimum and maximum distance as measured from finished floor to finished floor. One floor height range is used for the ground floor and a second height range is used for all floors above the ground floor.

Buildings on a corner lot have the option to include a tower.

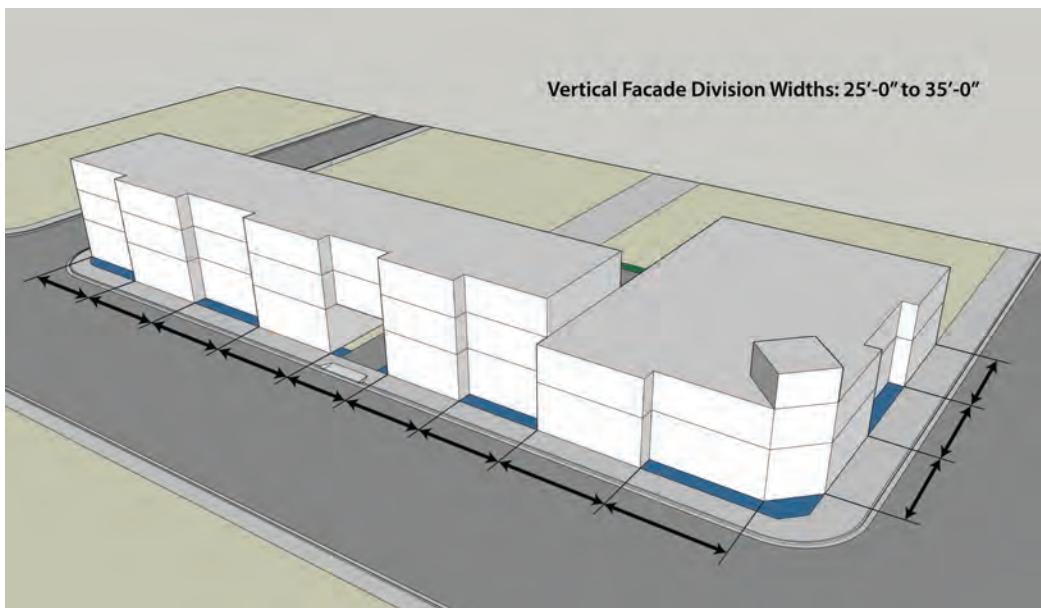
### Prototype Site

Minimum Building Height: 2 stories

Maximum Building Height: 3 stories

Ground Floor Height: 12'-0" min. to 24'-0" max.

Upper Floor(s) Height: 9'-0" min. to 12'-0" max.



## FACADE ARTICULATION

Facade articulations divide large facades into smaller sections so that large buildings are less visually imposing, mimicking a group of smaller buildings that are more compatible with the neighborhood character.

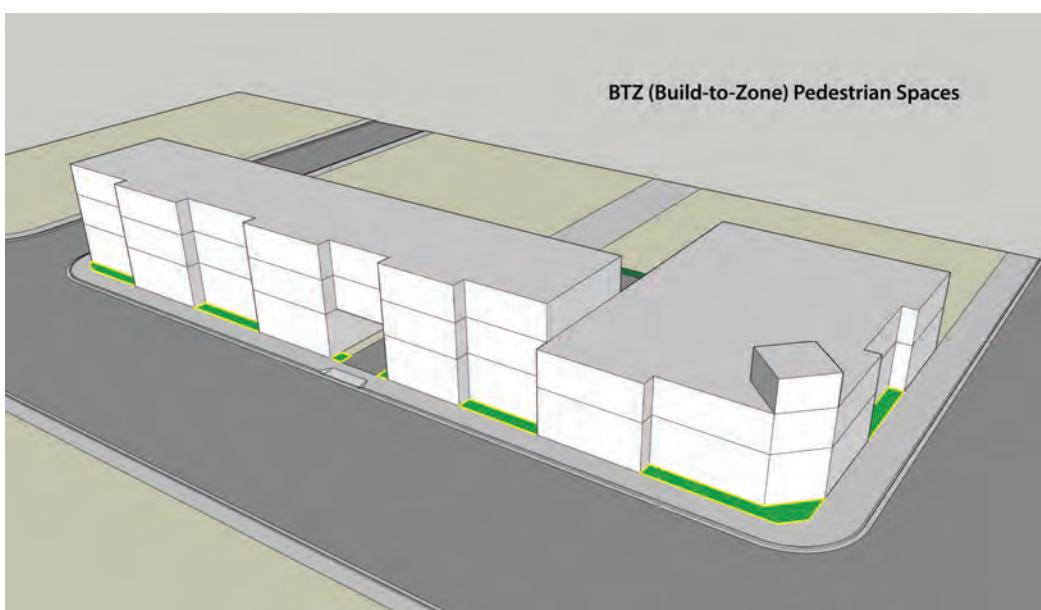
Vertical facade divisions break the facade up into sections that run the entire height of the building. Some building requirements are applied to each section of a vertical facade division.

Horizontal facade divisions break the facade up into sections that run the entire length of the building.

### Prototype Site

Vertical Facade Divisions: 1 for every 30'-0" of facade

The divisions are made by extending or receding the facade in divisions that are a maximum of 30'-0" wide.



## BTZ PEDESTRIAN SPACE

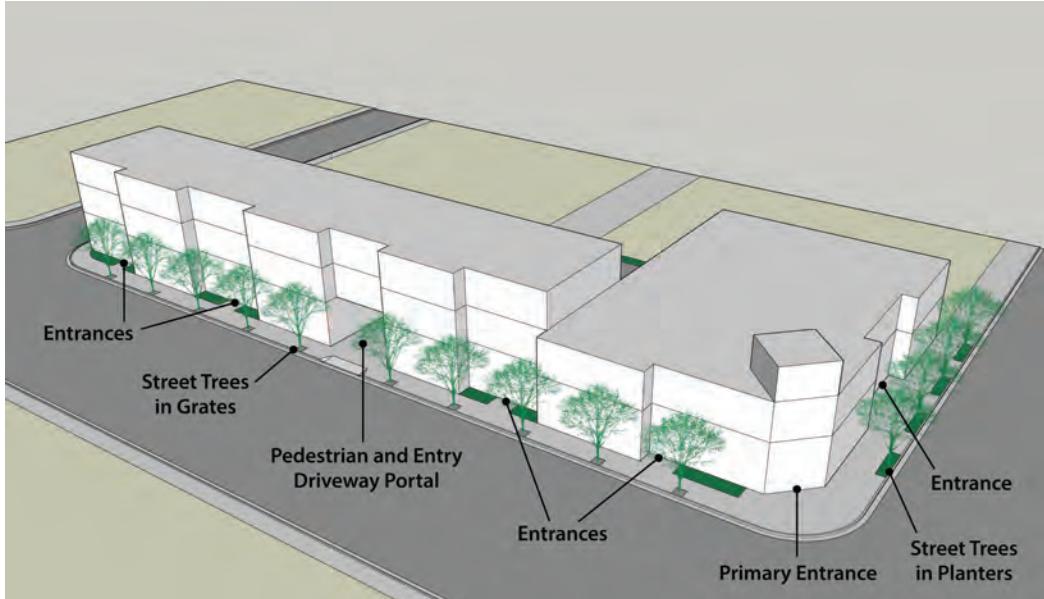
Areas within the BTZ (build to zone) that are not occupied by the building are pedestrian spaces. These spaces help the building facade interface with the streetscape.

BTZ pedestrian spaces increase the size of publicly accessible space along the streetscape. They can be used for entrance plazas, gathering spaces, outdoor dining, art installation, ornamental landscaping, etc.

### Prototype Site

BTZ pedestrian spaces are created by the vertical facade articulations and front setback.

## PEDESTRIAN AREA IMPROVEMENTS



Pedestrian area improvements include the ground level pedestrian spaces in both the project site and public right of way. These are the most visible areas of a development project and should enhance the character and usefulness of the building, street, and neighborhood.

### Prototype Site

Primary entrance at corner with paved BTZ for an enlarged sidewalk/entrance plaza and small ornamental planters.

Secondary entrances, one with an entry plaza.

Pedestrian pathway to connect parking lot and street, can also be used for bike parking, screened trash enclosure, etc.

Trees in grates along both State Street and Vine Street.

## GENERAL BUILDING EXAMPLE

Some of the building parameters control basic elements of the building's street facing facade(s). These parameters begin to affect the architectural style of the building.

### General Building

Building Height: 3 stories (2 stories min. / 3 stories max.)



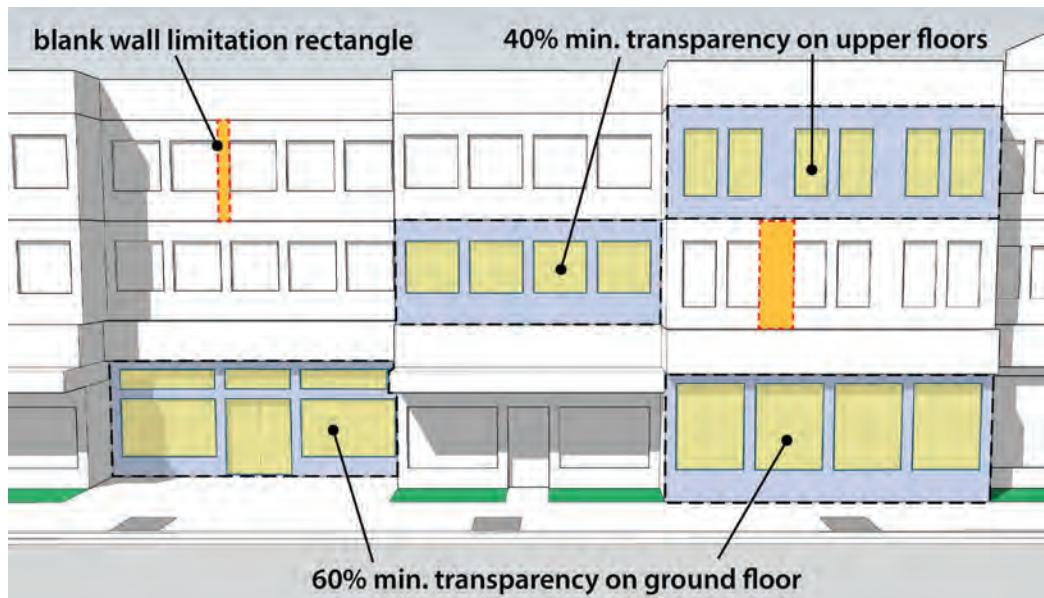
## ROW BUILDING EXAMPLE

The form based code parameters are designed to produce a variety of building sizes and styles.

### Row Building

Building Height: 2 and 3 stories (2 stories min. / 3 stories max.)





## FACADE TRANSPARENCY

The facade transparency parameter controls how much of a building's facade is transparent. It is expressed as a percentage of the given facade area and is used as a minimum value.

The facade transparency calculation is made per floor and per unit or per facade division (building bay). The total area of windows and glass doors, shown in yellow, is divided by the total area of the floor/unit, shown in blue.

The ground floor and upper floor transparency requirements may be different and can vary by building type.

**General Building Example (shown)**

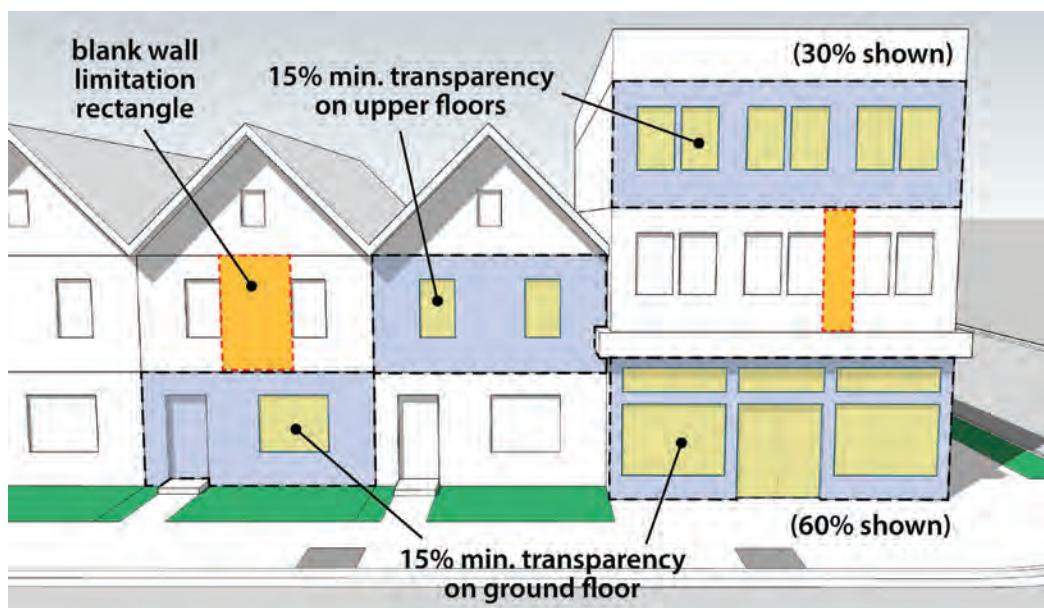
Ground Floor Transparency: 60% min.

Upper Floor Transparency: 40% min.

**Row Building Example (next image)**

Ground Floor Transparency: 15% min.

Upper Floor Transparency: 15% min.



## BLANK WALL LIMITATION

The blank wall limitation requirement is designed to limit the size of contiguous windowless areas on a street facing facade. The limitation uses two parameters. Both parameters use a rectangle measured vertically from floor to floor and horizontally from window to window, shown in orange.

The first parameter is expressed as a percentage of the total area of the floor/unit and is used as the maximum area that may be windowless.

The second parameter is expressed as a horizontal distance and is used as the maximum width of any windowless area.

The parameters are used together and vary by building type.

**General Building Example (previous image)**

Windowless Rectangle Area: 30% max.

Windowless Rectangle Width: 15'-0" max.

**Row Building Example (shown)**

Windowless Rectangle Area: 30% max.

Windowless Rectangle Width: 15'-0" max.



## USE

Permitted uses are separated into ground floor and upper floor categories. This allows for a diverse mix of uses that can change as needed over the lifespan of the building.

**Prototype Site**

Ground Floor Uses: retail, office, service

Upper Floor(s) Uses: residential, lodging, retail, office, service

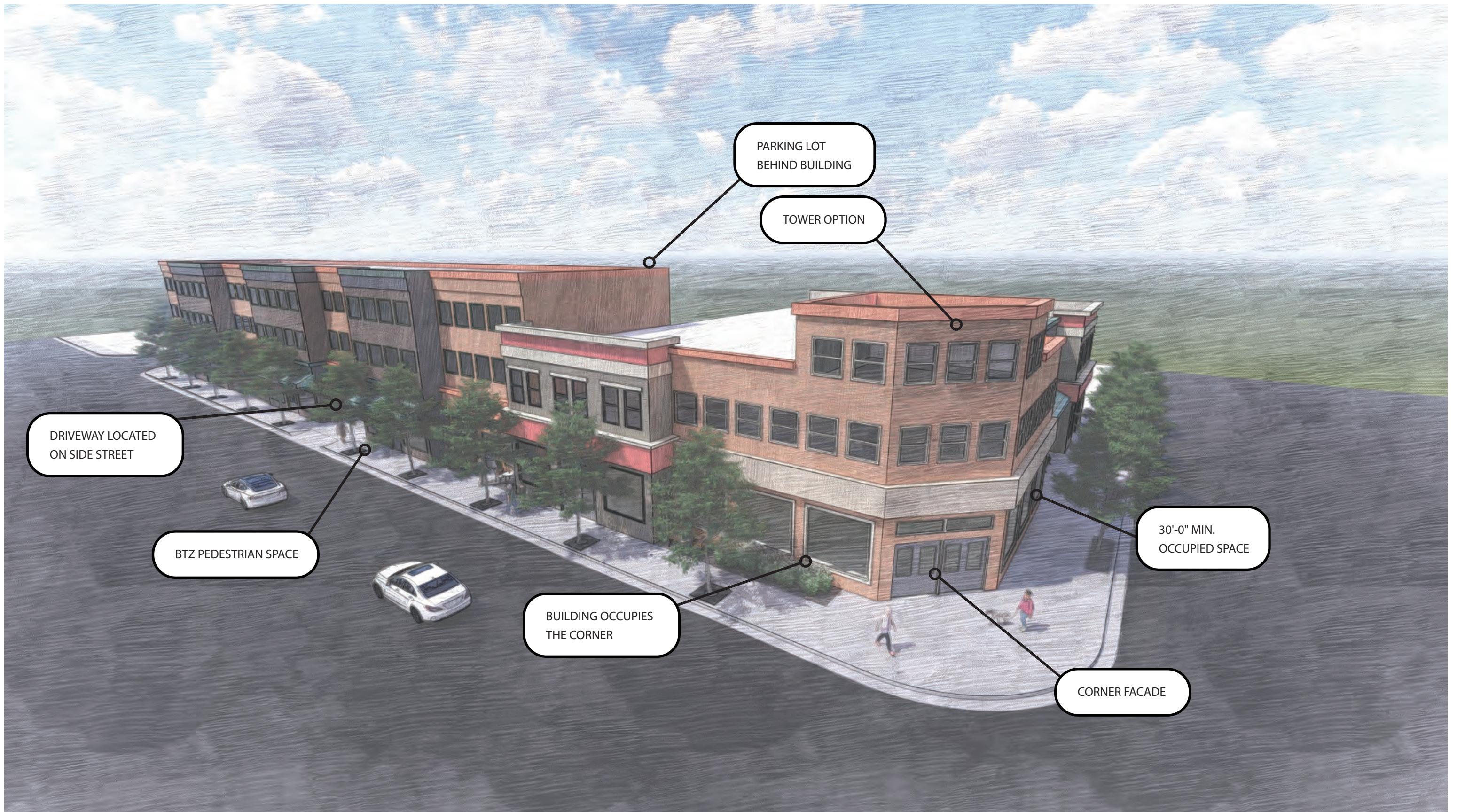


Figure 4.0 General Building type example on the site.

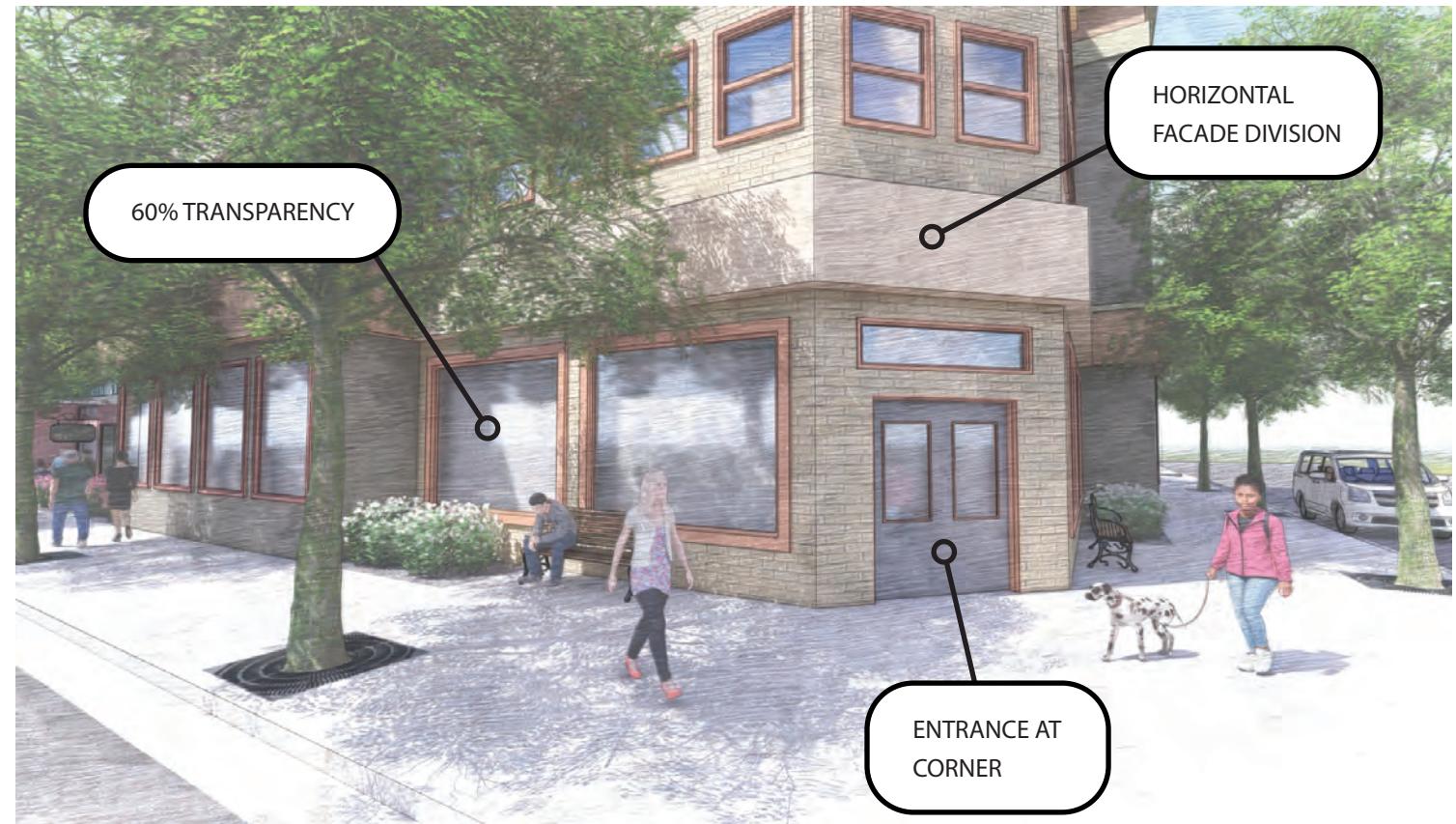
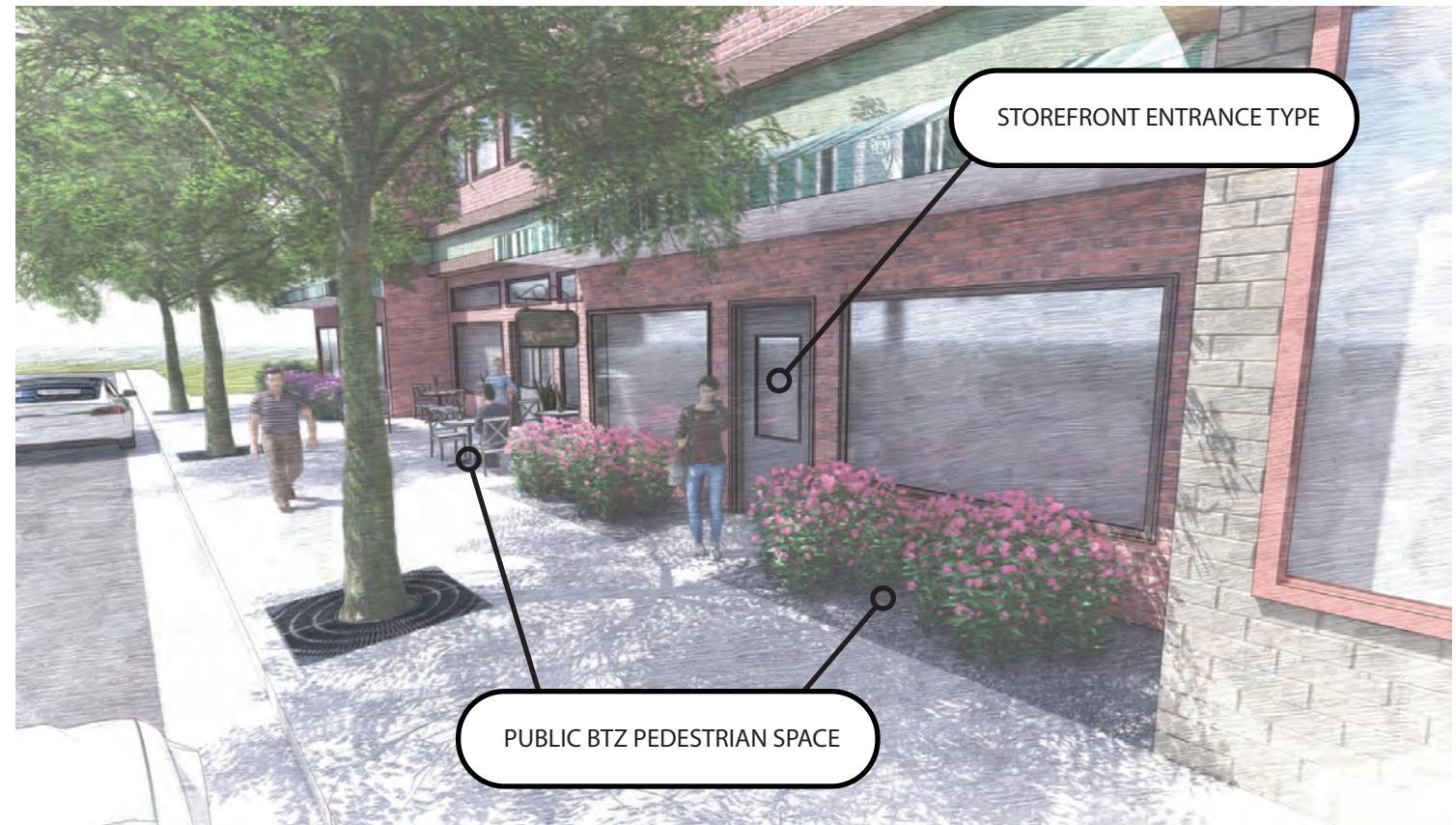
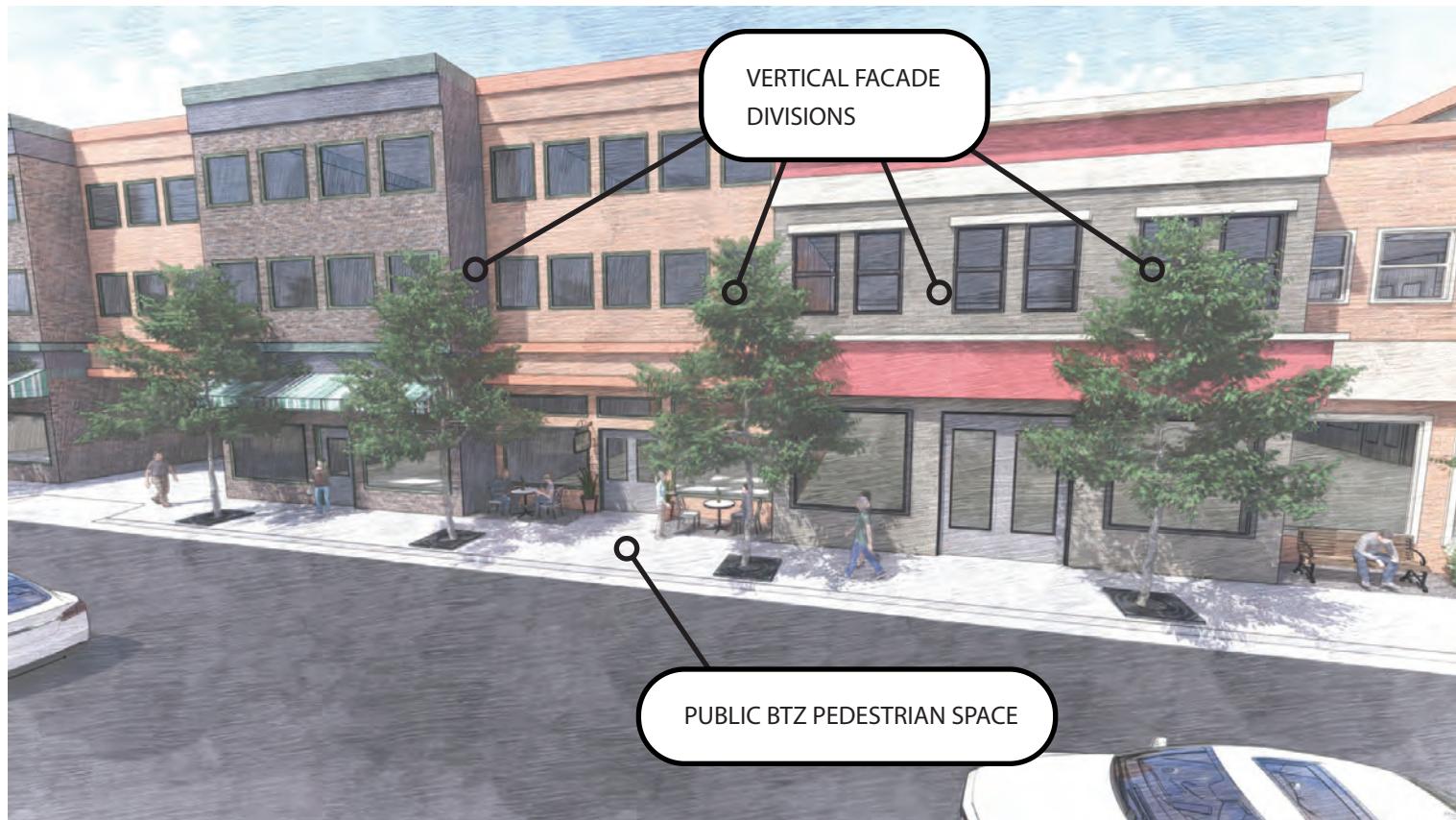
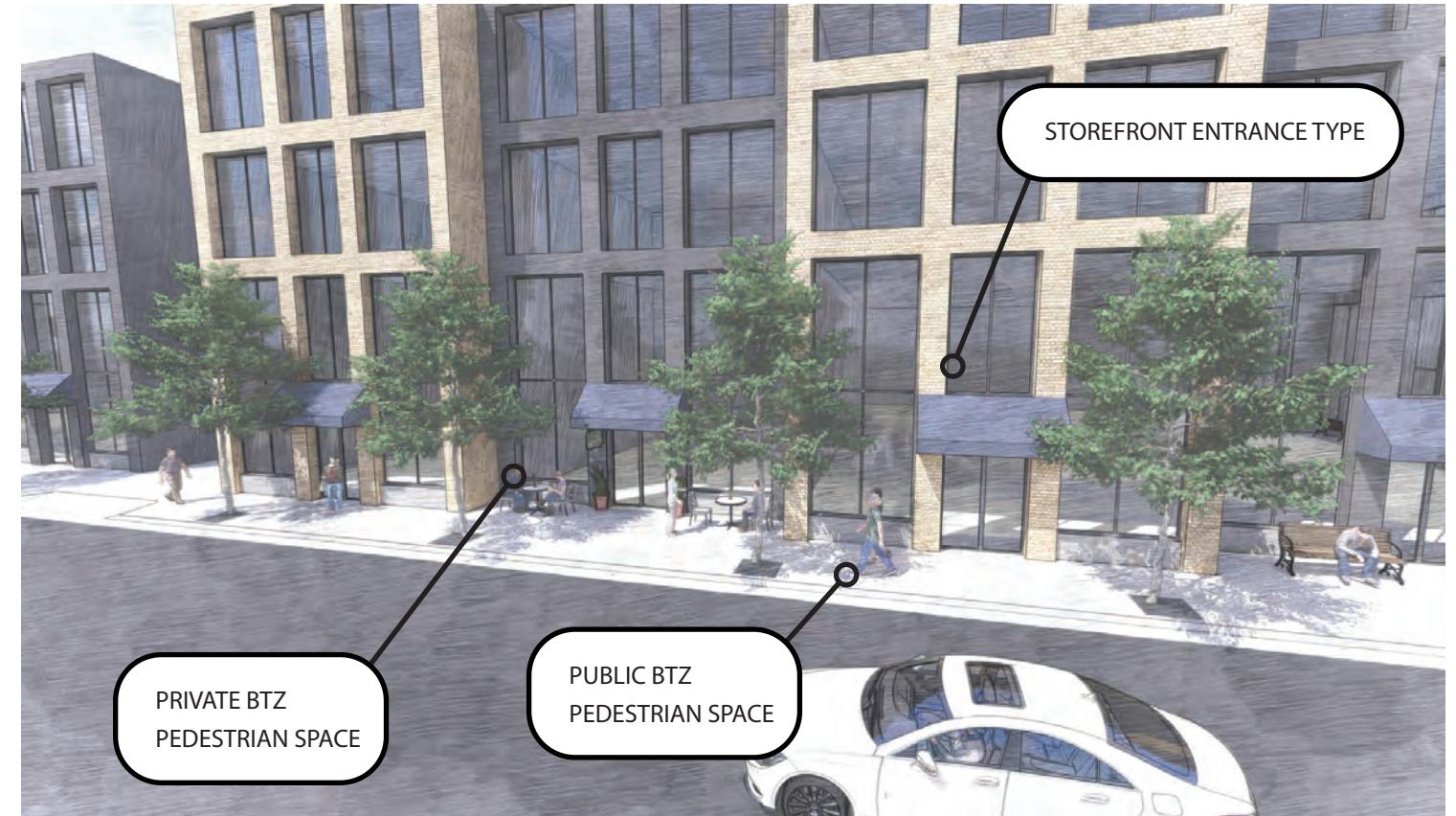




Figure 5.0 Row Building type example on the site.



Thank you

MURRAY CITY

**VODA** landscape + planning  
FORM BASED CODE



MURRAY  
CITY COUNCIL

# Discussion Item #2



**MURRAY**

# Power Department

## Power Department Quarterly Report

### Council Action Request

Committee of the Whole

Meeting Date: October 1, 2024

<b>Department Director</b> Greg Bellon	<b>Purpose of Proposal</b> Quarterly Report
<b>Phone #</b> 801-264-2730	<b>Action Requested</b> None
<b>Presenters</b> Greg Bellon	<b>Attachments</b> None
	<b>Budget Impact</b> None
	<b>Description of this Item</b>
<b>Required Time for Presentation</b> 20 Minutes	
<b>Is This Time Sensitive</b> No	
<b>Mayor's Approval</b> 	
<b>Date</b> September 17, 2024	



MURRAY  
CITY COUNCIL

# Discussion Item #3



**MURRAY**

## **Council Action Request**

# **Community and Economic Development**

**Andrew Allman**  
**323 E. Winchester Street**

**Committee of the Whole**

Meeting Date: October 1, 2024

<b>Department Director</b> Phil Markham	<b>Purpose of Proposal</b> Amend Zone Map. Zoning: R-1-8 to R-N-B
<b>Phone #</b> 801-270-2427	<b>Action Requested</b> Zone Map Amendment
<b>Presenters</b> David Rodgers	<b>Attachments</b> Slides
<b>Required Time for Presentation</b> 10 minutes	<b>Budget Impact</b> None Anticipated
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b> Andrew Allman is requesting a zone map amendment of a parcel with a single-family home from the R-1-8 Zone to the R-N-B Zone. This zone change is to facilitate future development at the site that allows for land uses that are comparable to several other adjacent parcels in the surrounding area. The reason for the zone change is to bring the parcel's zoning in line with several surrounding properties and to match the future land use map from the 2017 Murray City General Plan.
<b>Mayor's Approval</b>	The Planning Commission conducted a public hearing on July 18th, 2024 and voted 4-0 recommending that City Council approve the requested changes.
<b>Date</b> September 18, 2024	

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 15<sup>th</sup> day of October, 2024, at the hour of 6:30 p.m. in the Council Chambers of the Murray City Hall, 10 East 4800 South, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to amending the Zoning Map from the R-1-8 (Single Family Low-Density) zoning district to the R-N-B (Residential Neighborhood Business) zoning district for the property located at 323 East Winchester Street, Murray, Utah.

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

DATED this 12<sup>th</sup> day of September 2024.



MURRAY CITY CORPORATION

A handwritten signature in blue ink that reads "Brooke Smith".

Brooke Smith  
City Recorder

DATE OF PUBLICATION: October 4, 2024  
PH24-35

UCA §10-9a-205(2)

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

1. Mailed to Each Affected Entity
2. Utah Public Notice Website
3. City's Official Website
4. City Hall - Public Location Reasonably Likely to be Seen By Residents
5. Mailed to each property owner within 300 feet (*Murray City Code 17-04-140*)

ORDINANCE NO. 24-\_\_\_\_\_

AN ORDINANCE RELATING TO LAND USE; AMENDS THE ZONING MAP FROM R-1-8 (SINGLE FAMILY LOW-DENSITY) TO R-N-B (RESIDENTIAL NEIGHBORHOOD BUSINESS) FOR THE PROPERTY LOCATED AT 323 EAST WINCHESTER STREET, MURRAY CITY

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

WHEREAS, the owner of the real property located at 323 East Winchester Street, Murray, Utah, has requested a proposed amendment to the Zoning Map to designate the property in a R-N-B (Residential Neighborhood Business) zone district; and

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

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

NOW, THEREFORE, BE IT ENACTED:

*Section 1.* That the Zoning Map and the zone district designation for the described property located at 323 East Winchester Street, Murray, Utah be amended from the R-1-8 (Single Family Low-Density) zone district to the R-N-B (Residential Neighborhood Business) zone district:

**Legal Description**

*Commencing at a point which is 29.3 rods North and South 84°45'00" East 158.31 feet from the center of Section 19, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 84°45'00" East 64.25 feet; thence North 258.49 feet; thence West 55.72; thence South 01°58'00" West 252.75 to the point of Beginning.*

*Section 2.* This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 15<sup>TH</sup> day of October, 2024.

MURRAY CITY MUNICIPAL COUNCIL

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Pam Cotter, Chair

ATTEST:

---

Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2024.

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

---

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 \_\_\_\_\_, 2024.

---

Brooke Smith, City Recorder

~DRAFT~

Minutes of the Planning Commission meeting held on Thursday, July 18, 2024, at 6:30 p.m. in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

A recording of this meeting is available for viewing at <http://www.murray.utah.gov> or in the Community and Economic Development office located at 10 East 4800 South, Suite 260.

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 was able to submit comments via email at [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov).

Present: Ned Hacker, Vice Chair  
Lisa Milkavich  
Jake Pehrson  
Michael Henrie  
Zachary Smallwood, Planning Division Manager  
David Rodgers, Senior Planner  
Mustafa Al Janabi, Planner I  
Mark Richardson, Deputy Attorney  
Members of the Public (per sign-in sheet)

Excused: Maren Patterson, Chair  
Michael Richards  
Pete Hristou

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.

**CALL MEETING TO ORDER**

Vice Chair Hacker called the meeting to order at 6:34 p.m.

**BUSINESS ITEMS**

**APPROVAL OF MINUTES**

Commissioner Milkavich made a motion to approve the minutes for June 6<sup>th</sup>, 2024.

Seconded by Commissioner Henrie. A voice vote was made with all in favor.

**CONFLICT(S) OF INTEREST**

There were no conflicts of interest for this meeting.

**FINDINGS OF FACT**

Commissioner Pehrson made a motion that Planning Commission approve the findings of fact and conclusions for RC Automotive and Erekson State Farm.

Seconded by Commissioner Henrie. A voice vote was taken, with all in favor.

#### CONDITIONAL USE PERMIT(S) - ADMINISTRATIVE ACTION

##### NA Auto - 4195 South 500 West #18 - Auto Sales Business - Project # 24-074

Hala Abdulhadi was present to represent this request. Mustafa Al Janabi presented the application for a conditional use permit for an automotive sales business in the M-G zone. He showed the site plan with pictures of the lot. He provided details regarding the lot size. He discussed the layout of the shop. He said that the parking provided by the application exceeds the requirements. Staff recommends approval of this application.

Hala Abdulhadi approached the podium. Vice Chair Hacker asked if she had read and could comply with the conditions. She said yes.

Commissioner Milkavich asked for clarification on which unit was included in the business. The applicant said it's units 17 and 18.

Staff and commissioners had a discussion regarding the ADA parking space. There is currently no ADA parking space designated. A condition will be added stating that the property owner will need to work with staff to locate a dedicated ADA space for the building.

Vice Chair Hacker opened the public comment period for this agenda item. Seeing none, the public comment period was closed.

Commissioner Pehrson made a motion that the Planning Commission approve a conditional use permit to allow an auto sales business at the property addressed 4195 South 500 West Unit #18, subject to the following conditions, with an additional condition that the applicant and property owner will work with staff to determine and appropriate location for an ADA space:

1. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
2. The project shall comply with all applicable building and fire code standards.
3. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
4. The applicant shall maintain clear, appropriate vehicular access to the overhead doors on the building at all times. The applicant shall maintain a Utah Motor Vehicle

Seconded by Commissioner Henrie. Roll call vote:

A Hacker  
A Milkavich  
A Henrie  
A Pehrson

Motion passes: 4-0

Secured Auto - 4285 South State Street - Auto Services Building and Use - Project # 24-051

Eli and Joe Watson, and Barr Carlisle were present to represent the request. Mustafa Al Janabi presented the application for site plan review and a conditional use permit to construct a building for an auto service business in the C-D zone. He presented the site plan showing the floor plan of the shop. He described the size and layout of the business, including the location of bays and restrooms. He showed the access areas on a map, as well as the location of parking spaces. He indicated that the business exceeds the requirement for parking spaces. He said that the applicant has exceeded the landscaping requirements. He described the details of the floor plan and shared access with other tenants. Staff recommends the approval of this application.

Commissioner Milkavich asked for clarification on the number of bays. Mr. Al Janabi said there are eight.

Joe Watson approached the podium. He asked for clarification on the condition related to the dumpsters. Mr. Smallwood said, if there are going to be shared dumpsters, they need to make sure that they provide the details of that arrangement they have with other business and that they'll comply, as part of the conditions.

Mr. Watson asked about the fence. He said they've been collaborating with an adjacent neighbor about the fence. Mr. Watson would like to request a six-foot concrete retaining wall, with a six-foot chain link fence on top of that, due to the slope on that side of the property.

Mr. Watson and the commissioners had a discussion regarding his fencing request. The commissioners expressed concerns that the chain link fence would not provide enough privacy for the neighbors below. Mr. Watson said the fence would have privacy panels.

Mr. Smallwood said that the Planning Commission does not have the authority to alter the fence requirements. The code requires a six-foot solid masonry wall. The commission could grant two additional feet as an exception. The applicant would need to request a variance to do what they've suggested. He said he can address this with Mr. Watson outside of this meeting.

Mr. Smallwood and the commissioners discussed the fence in more detail. The condition for the allowance of an eight-foot masonry fence can still be included for approval, because it is not a requirement but if the applicant wants to add the additional height they may do so.

Vice Chair Hacker asked Mr. Watson if he's read and can comply with the condition. He said he has read them and he can comply.

Vice Chair Hacker opened the public comment period for this agenda item. Seeing none, the public comment period was closed.

Commissioner Henrie made a motion that the planning commission approve the site plan and conditional use permit to allow the construction and operation of an automobile repair and service business at the property addressed 4339 South State Street, subject to the following conditions:

1. The applicant shall meet all requirements of the Engineering Department including:

- a) Meet City storm drainage and LID requirements, on-site detention / retention is required – City Code Chapter 13.52.050. Provide a site drainage and LID report.
- b) Maintain all drainage on site.
- c) Provide water quality treatment and cleanout for stormwater discharge to the retention system – City Code 13.52.050.
- d) Obtain a City building permit for the proposed retaining wall along the east property line to address the 10-foot grade difference between properties – City Code 17.04.080. Coordinate any fence and tree removals along the property line with adjacent property owners.
- e) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work - City Code Chapter 13.52.030.
- f) Obtain a City Excavation Permit for work in the City right-of-way City - Code Chapter 12.16.020.

2. The applicant shall meet all requirements of the Murray City Power Department.
3. The applicant shall meet all Murray City Fire Department requirements.
4. The applicant shall meet all Murray City Water requirements.
5. The applicant shall obtain approval from Cottonwood Improvement District as stated in Murray wastewater review.
6. The applicant shall meet all requirements of the C-D Commercial Development, Section 17.160.
7. The applicant shall meet all landscaping requirements in Section 17.68.
8. At building permit submittal, the applicant shall provide details on the dumpster enclosure, ensuring it meets the standards in Section 17.76.170.
9. The applicant shall construct a minimum of six foot (6') and up to a maximum of eight foot (8') high solid masonry fence along the east property line.
10. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
11. The applicant shall apply for applicable building permits for the building and any proposed signage.

Seconded by Commissioner Pehrson. Roll call vote:

A Hacker  
A Milkavich  
A Henrie  
A Pehrson

Motion passes: 4-0

#### GENERAL PLAN / ZONE MAP AMENDMENT

Andrew Allman Rezone - Zone Map Amendment from R-1-8, Low Density Single Family to R-N-B, Residential Neighborhood Business - Project # 24-064

Andrew Allman was present to represent the request. David Rodgers presented this application. The applicant is requesting a zone map amendment of a parcel that currently has a single-family home from the R-1-8 low-density residential zone to the R-N-B residential neighborhood business zone. This zone change is to facilitate future development at the site that allows for land uses that are comparable to several other adjacent parcels in the area. Along with that, this zone change will bring

the parcel zoning in line with the Future Land Use map from the Murray City General Plan. He showed a map of the current zoning, as well as the Future Land Use map. He outlined the differences and similarities between the two zones. He said that notices were sent out to residents and afflicted entities within 300 feet of the property. Staff received two phone calls and an email. One of the calls was to ask clarifying questions about the zone change, and the other was to voice opposition to this change. He stated the staff findings and ways to manage the impacts of the zone change. Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the requested zone map amendment.

Vice Chair Hacker opened the public comment period for this agenda item.

Karen Thorne approached the podium and asked for clarification on what was being proposed. Vice Chair Hacker said staff would do so after public comments.

Mr. Rodgers read the email that Ms. Thorne sent. She said she doesn't want a parking lot at the entrance to our neighborhood. She's upset that they already have a power plant within view and a parking lot would further reduce the aesthetic. She doesn't not want to see the old growth trees removed to put this parking lot in and doesn't feel this is in keeping with the Murray motto of "Tree City." She wants to know where the green space will be and what is the landscaping plan.

Vice Chair Hacker closed the public comment period. He asked planning staff to address the land uses for this zone.

Mr. Rodgers discussed what was being proposed and provided details on the difference between the zones. He showed the two zones on the map. He discussed the General Plan and the Future Land Use map. He said the proposed change would bring the zone into harmony with the city's General Plan. He discussed the permitted and conditional uses each zone. He discussed features such as aesthetics, setbacks, buffering and the types of businesses that would be permitted.

The commissioners and Mr. Smallwood had a discussion regarding tree buffers. Mr. Smallwood said that a requirement for this property to have a tree buffer can be decided at a later date. He said this request is only to address the zoning and not for a specific application.

Ms. Thorne asked what the space will be used for. Vice Chair Hacker said this request is for a zone change and does not address a specific use at this point.

Commissioner Pehrson made a motion that the Planning Commission forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map designation of the property located at 323 East Winchester from R-1-8, Single Family Low Density to R-N-B, Residential Neighborhood Business as described in the Staff Report.

Seconded by Commissioner Milkavich. Roll call vote:

A Hacker  
A Milkavich  
A Henrie  
A Pehrson

Motion passes: 4-0

### LAND USE TEXT ORDINANCE AMENDMENT(S)

#### Chapter 17.78 Accessory Dwelling Units Amendments 1 of 2 - Staff Sponsored Text Amendment Regarding Detached ADUs - Project # 24-076

Zachary Smallwood presented this agenda item. Planning Division Staff propose amendments to the language in the ADU ordinance, chapter 17.78 Accessory Dwelling Units(ADUs). The request addresses changes to the detached accessory dwelling unit standards. He outlined the portions of the ordinance that are proposed for changes.

The commissioners and Mr. Smallwood had a discussion about the proposed changes to language regarding the setbacks and lot sizes. They decided that, if the Planning Commission moves forward with a recommendation to the City Council, staff will add the language for a requirement to meet the corner side setback of 20 feet.

The commissioners and Mr. Smallwood discussed the requirement of ADU's to match the architectural style, materials, and colors. They felt that requirement was prohibitive. They agreed the language could be changed to require the materials to be compatible, but that don't need to match. The commissioners expressed concerns regarding the type of structure that would be built. They wanted to make sure that the language ensures a viable structure is built. Mr. Smallwood said that the ADU still has to meet city building codes.

Vice Chair Hacker and Mr. Smallwood had a discussion about the language regarding short-term rentals. Mr. Smallwood said that the issue of short-term rentals is up for a vote with the City Council in the near future. They agreed to keep the language regarding 30-day rentals for the time being.

Commissioner Henrie made a motion to table this agenda item until the language was revised. Seeing no second, the motion failed.

Vice Chair Hacker opened up the agenda item for public comment period. Seeing none, the public comment period was closed.

The commissioners had a discussion on whether to make the changes at the meeting or have staff bring back the item with their direction. It was discussed that it would be a good opportunity for the remaining commissioners to have input on the item as well.

Commissioner Henrie made a motion to table the agenda item until staff modifies the language in the ordinance for side yard setbacks and short-term rentals.

Seconded by Commissioner Milkavich. Roll call vote:

A    Hacker  
A    Milkavich  
A    Henrie  
N    Pehrson

Motion passes: 3-1

### DISCUSSION ITEM(S)

#### Form Based Code Discussion

Zachary Smallwood presented this agenda item. He introduced Mark Morris from VODA Landscape and Design, the firm who will be consulting on the form-based code.

Mr. Morris said he's been working with planning staff and a small committee in the process of developing a form-based code for the city center area. He described his previous experience with developing form-based codes for other cities. He said he'd introduce the project and address some frequently asked questions. He described the differences between form-base code and traditional land use code. He discussed the benefits of form-based code for property owners. He provided a brief history of form-based code. He addressed the focus and intent of form-based code. He described in detail what a form-based code is, and isn't, as well as how it's applied. He showed illustrations of form-based codes that had been implemented in other cities. He discussed how the form-based code applied to Murray's city center and how the code supports the goals of the strategic plan.

Commissioner Henrie and Mr. Smallwood discussed that form-based code does not inform architectural style. Commissioner Henrie expressed concern for the aesthetic of the city center.

Mr. Morris explained that a function of form-based code is to create cohesiveness through the use of consistent features.

Mr. Pehrson asked if the form-based code is meant to replace most of the existing MCCD zone. Mr. Morris said that's correct. Mr. Smallwood said there would be small boundary adjustments. They will look at the key initiatives of the General Plan and make sure that the code supports those. Mr. Morris showed a map of the proposed city center district boundaries. He defined zone districts and said that the city center district will have subdistricts. The code will include new development that complements the existing historic structures. He discussed the use of prototypes to demonstrate how the code would be implemented. He defined various terminology that applies to form-based code. He discussed appropriate land use for form-based code.

Commissioner Henrie and Mr. Smallwood had discussion about how form-based code would affect the concept of permitted, conditional and prohibited uses. The form-based code aims to streamline those concepts.

Commissioner Pehrson asked why the Arlington is not included in the form-based code. Mr. Rodgers said that the development agreement was already in place before these discussions began and that it would be prohibitive to require them to adhere to it at this point. The Arlington may end up remaining in the MCCD until it's entitled and then change it to a different zone. A recommendation will be presented to the Planning Commission at a later date.

Mr. Smallwood said he picked commissioners and board members randomly to participate in the form-based code steering committee. Commissioner Richards and Council Members Hock and Turner from The City Council have been selected to be a part of that process.

**ANNOUNCEMENTS AND QUESTIONS**

The next scheduled meeting will be held on Thursday, August 1<sup>st</sup>, 2024, at 6:30 p.m. MST in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

**ADJOURNMENT**

Commissioner Pehrson made a motion to adjourn the meeting at 8:48 p.m. Seconded by Commissioner Henrie.



A handwritten signature in black ink that reads "Philip J. Markham".

---

Philip J. Markham, Director  
Community & Economic Development Department



A large, semi-transparent watermark in a bold, sans-serif font that reads "DRAFT". The text is oriented diagonally, sloping upwards from the bottom-left towards the top-right.



## AGENDA ITEMS # 06 - Allman Zone Amendment

ITEM TYPE:	Zone Map Amendment		
ADDRESS:	323 E. Winchester	MEETING DATE:	July 18 <sup>th</sup> , 2024
APPLICANT:	Andrew Allman	STAFF:	David Rodgers, Senior Planner
PARCEL ID:	22-19-254-013	PROJECT NUMBER:	24-064
CURRENT ZONE:	R-1-8, Single Family Low Density	PROPOSED ZONES:	R-N-B, Residential Neighborhood Business
LAND USE DESIGNATION	Residential Business	PROPOSED DESIGNATION	N/A
SIZE:	.34 acres		
REQUEST:	The applicant would like to amend the zoning of the subject property to fit in with the general plan and several surrounding properties.		

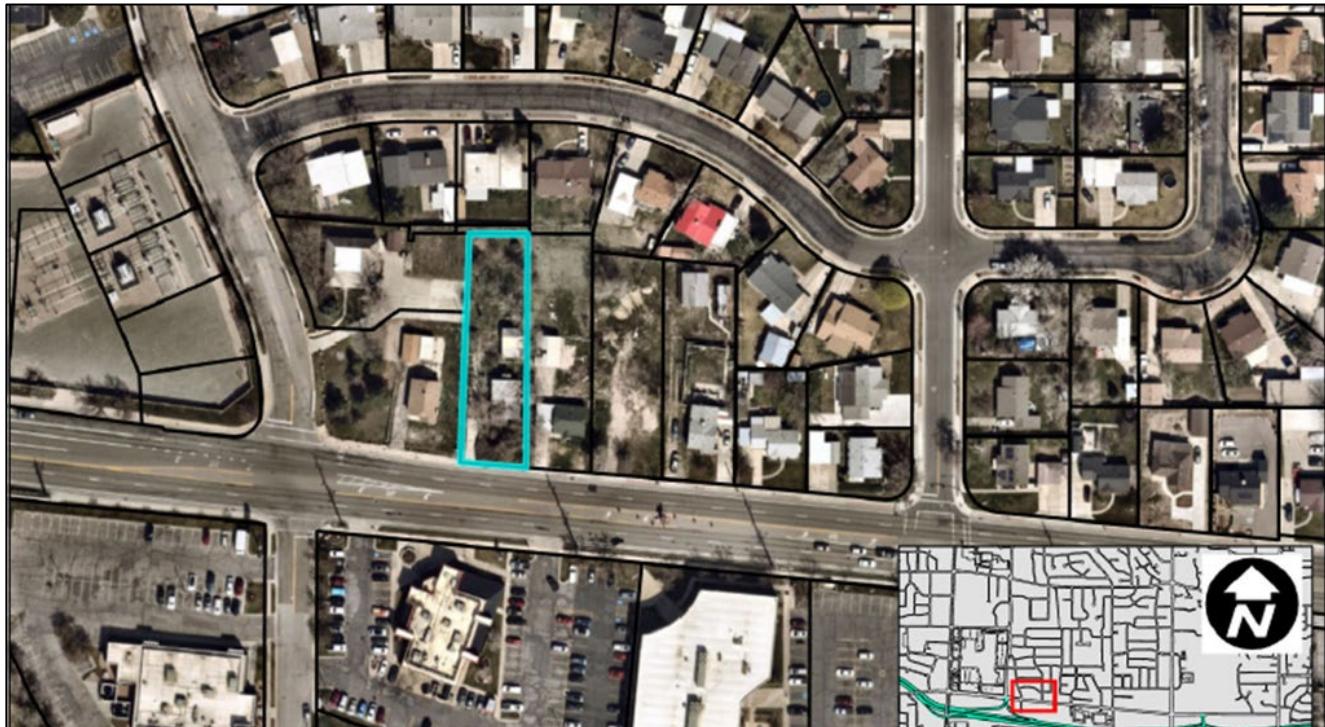


Figure 1: Ariel View of Parcel

## I. BACKGROUND

Andrew Allman is requesting a zone map amendment of a parcel with a single-family home from the R-1-8 Zone to the R-N-B Zone. This zone change is to facilitate future development at the site that allows for land uses that are comparable to several other adjacent parcels in the surrounding area. The reason for the zone change is to bring the parcel's zoning in line with several surrounding properties and to match the Future Land Use Map from the 2017 Murray City General Plan.

The subject property consists of one parcel that is .34 acres in the R-1-8, Low Density Single-Family Residential Zone east of 300 East and on the north side of Winchester Street. Surrounding properties on the North and East are located within the R-1-8 Zone, while the property to the West is in the R-N-B Zone. The property across Winchester Street is the Red Robin restaurant located in the G-O Zone.

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Single Family Residential	R-1-8
South	Office	G-O
East	Single Family Residential	R-1-8
West	Residential Business	R-N-B

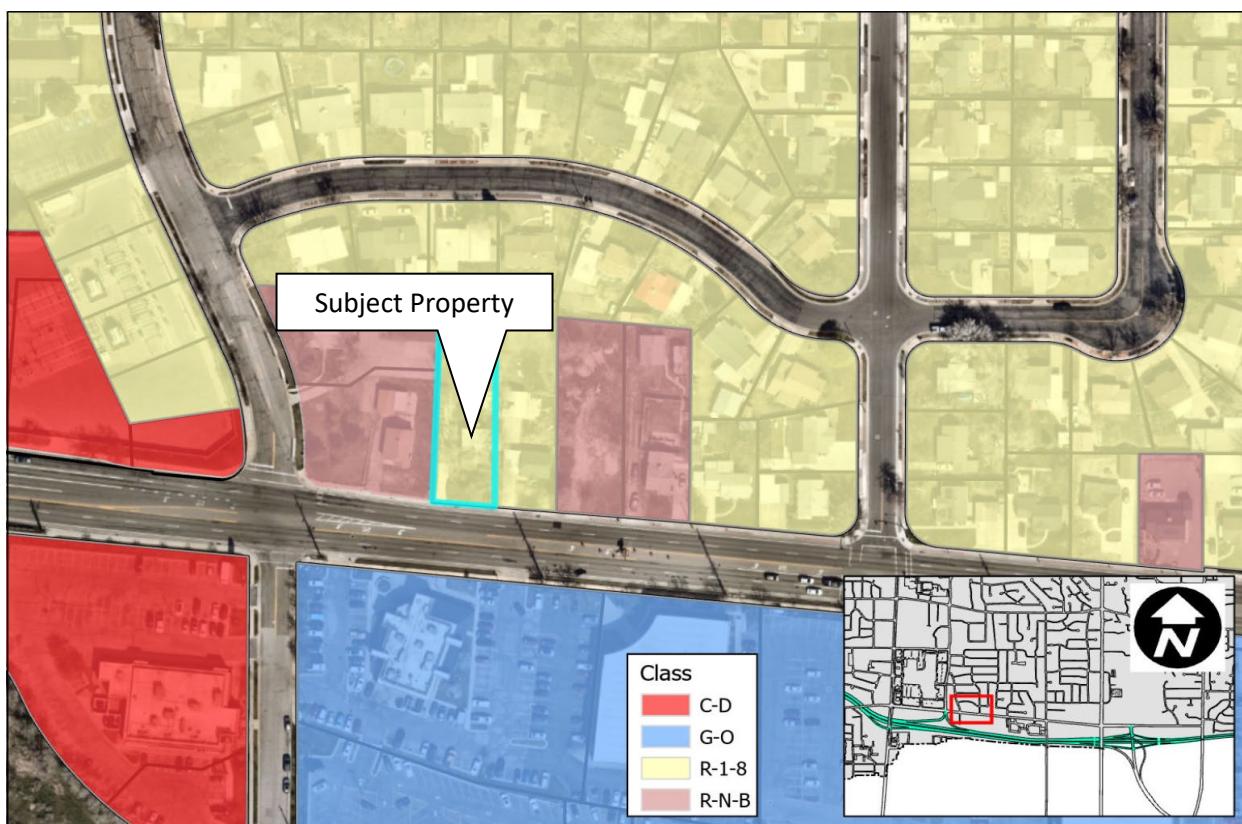


Figure 2: Zoning Map segment

## II. ANALYSIS

### Zoning Considerations

The subject property is in the R-1-8, Single-Family Low-Density Zoning District. The surroundings properties are either in the R-N-B or the R-1-8 zones, except for the property located across Winchester, which is zoned G-O. This area is developing into a buffer between the businesses on Winchester and the single-family neighborhood to the north. Staff supports rezoning the property to R-N-B as this matches the city's long-term goals, as stated in the General Plan, for the area and allows the property owner to redevelop in a way that matches several surrounding uses.

### Allowed Land Uses

Changing the zone from R-1-8 to R-N-B changes the land use from Low-Density Residential to Residential Neighborhood Business. This will allow the parcel to be used as a buffer between single-family housing and heavier commercial uses on Winchester. Several of the nearby parcels are already in this zone and are being redeveloped into office uses.

- **Existing R-1-8, Single Family Low Density Residential Zone:**  
Permitted Uses in the proposed R-1-8 include single-family detached dwellings on 8,000 ft<sup>2</sup> lots, utilities, charter schools, and residential childcare facilities.

Conditional Uses in the proposed R-1-8 include attached single-family dwellings (in Planned Unit Developments, or PUDs) telephone stations and relay towers, radio and television transmitting stations, parks, schools and churches, utilities, cemeteries, libraries, and group instruction in single-family dwellings.

- **Proposed R-N-B, Residential Neighborhood Business Zone:**  
Permitted Uses in the proposed R-N-B zone include single-family detached dwellings that must meet the requirements of the R-M-10 zone, twin homes, two-family dwellings (duplex) that must meet the requirements of the R-M-10 zone, residential disability care facilities, residential elderly care facilities, utilities, travel agencies, florists, optical goods, insurance offices, real estate offices, portrait photography, beauty and barber services, physician's offices, dental offices, other medical services, legal services, engineering firms, accounting and tax services, art and design studios, business consulting services, art, drama, and music schools, and dancing schools.

Conditional Uses in the proposed R-N-B include bed and breakfasts, delicatessen and lunch facilities without drive-throughs, health food facilities without drive-throughs, antiques, books and hobby supplies, gift shops and boutiques, banking and credit union services, tanning/sauna/message salon, dental laboratory services, protective functions, K-12 Schools, residential childcare facilities, denominational and sectarian

schools, churches, business associations, professional membership organizations, political and civic organizations and non-profit organizations.

### Zoning Regulations

The more directly comparable regulations for setbacks, height, and parking between the existing A-1 and proposed R-1-8 zones are summarized in the table below.

	<b>R-1-8 (existing)</b>	<b>R-N-B</b>
Height	35'	20' (30' with CUP)
Front yard setback	25'	20'
Rear Yard setback	25'	20'
Side Yard setbacks	8' minimum, total of 20'	8'
Corner Yard setback	20'	20'
Parking Required	2 spaces per dwelling	Based on Use

*Figure 3: Compared Regulations in existing and proposed zones.*

### General Plan Considerations

The purpose of the General Plan is to provide overall goal and policy guidance related to growth and planning issues in the community. The General Plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for all properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These “Future Land Use Designations” are intended to help guide decisions about the zoning designation of properties.

The subject property is designated as Residential Business on the Future Land Use Map. This designation states that it is intended for areas where urban public services are available or planned. Areas within this designation are generally small nodes or individual buildings along corridors rather than large centers or complexes. Non-residential or multi-dwelling development will follow a similar development pattern of front setback/yard/landscaping as the surrounding residential context. Staff finds that the request is in harmony with the General Plan.

### General Plan Objectives

There are several goals and objectives taken from various chapters of the General Plan that would be supported by development of the subject property under the R-N-B Zone. The overall goal of Chapter 5, Land Use & Urban Design element is to “provide and promote a mix

of land uses and development patterns that support a healthy community comprised of livable neighborhoods, vibrant economic districts, and appealing open spaces”.

Objective 10 of the Land Use & Urban Design element is shown below (from pg. 5-20 of the General Plan)

**OBJECTIVE 10: PROMOTE A TRANSITION OF DEVELOPMENT PATTERNS BETWEEN COMMERCIAL AREAS AND STABLE RESIDENTIAL NEIGHBORHOODS.**

**Strategy:** Support transitions with form-based development and design guidelines.

**Strategy:** Review zoning to ensure that parcels have the appropriate designation to allow for a transition of uses.

**Strategy:** Adopt more detailed and specific landscape and tree requirements for buffers between commercial and residential areas. Trees must be used as a buffering mechanism; walls alone are not an accepted buffering mechanism.

The applicant’s proposed zone amendment, which is supported by the current land use designation, will allow for future development that provides for a transition between established residential neighborhoods and the commercial area located on Winchester. The overall density will be consistent with the surrounding area and will not have unmanageable impacts.

### **III. CITY DEPARTMENT REVIEW**

The applications have been made available for review and comment by City Staff from various departments including the Engineering, Water, Wastewater, and Building Divisions and the Fire, Police, and Power Departments. All departments indicated that there are no concerns with the proposed request to change the Zoning Map, with comments provided by the Power and Wastewater Departments shown below:

**Power:**

- Proper safety clearance to remain for future transformer placement.
- Access to the transformer for maintenance, by truck, shall remain in place at all times.
- There is only single phase 120/240V readily available to the site.
- Request to change zoning is not an issue for the Power Department.

**Wastewater:**

- Approve of the zone amendment from R-1-8 to R-N-B
- Include all applicable sewer details directly from the Murray Wastewater Specification book.

- <https://www.murray.utah.gov/DocumentCenter/View/14929/Revised-Wastewater-Spec-Book-2023>
- Include note on Utility sheet C-400 all sewer work must meet Murray City Standards.

These comments are provided as information to the applicant and not conditions of approval. As this is a Zone Map Amendment, there are no conditions required for approval.

#### **IV. PUBLIC COMMENTS**

Twenty-Four (24) notices of the public hearing for the requested amendment to the Zoning Map were sent to all property owners within 300' of the subject property and to affected entities. As of the time of writing this report, staff has received two phone calls and an email for this project. One call was asking clarifying questions about the rezone process and the other voiced opposition to the zoning change. The email has been included in this packet.

#### **V. FINDINGS**

1. The General Plan provides for flexibility in the implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from R-1-8 to R-N-B has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change can be managed within the densities and uses allowed by the proposed R-N-B Zone.
3. The proposed Zone Map Amendment from R-1-8 to R-N-B conforms to important goals and objectives of the 2017 Murray City General Plan and will permit the appropriate use of the subject property.

#### **VI. STAFF RECOMMENDATION**

Based on the background, analysis, and findings within this report, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation of the property located at 323 East Winchester from R-1-8, Single Family Low Density to R-N-B, Residential Neighborhood Business as described in the Staff Report.



# MURRAY CITY COUNCIL

October 1<sup>st</sup>, 2024



# Andrew Allman

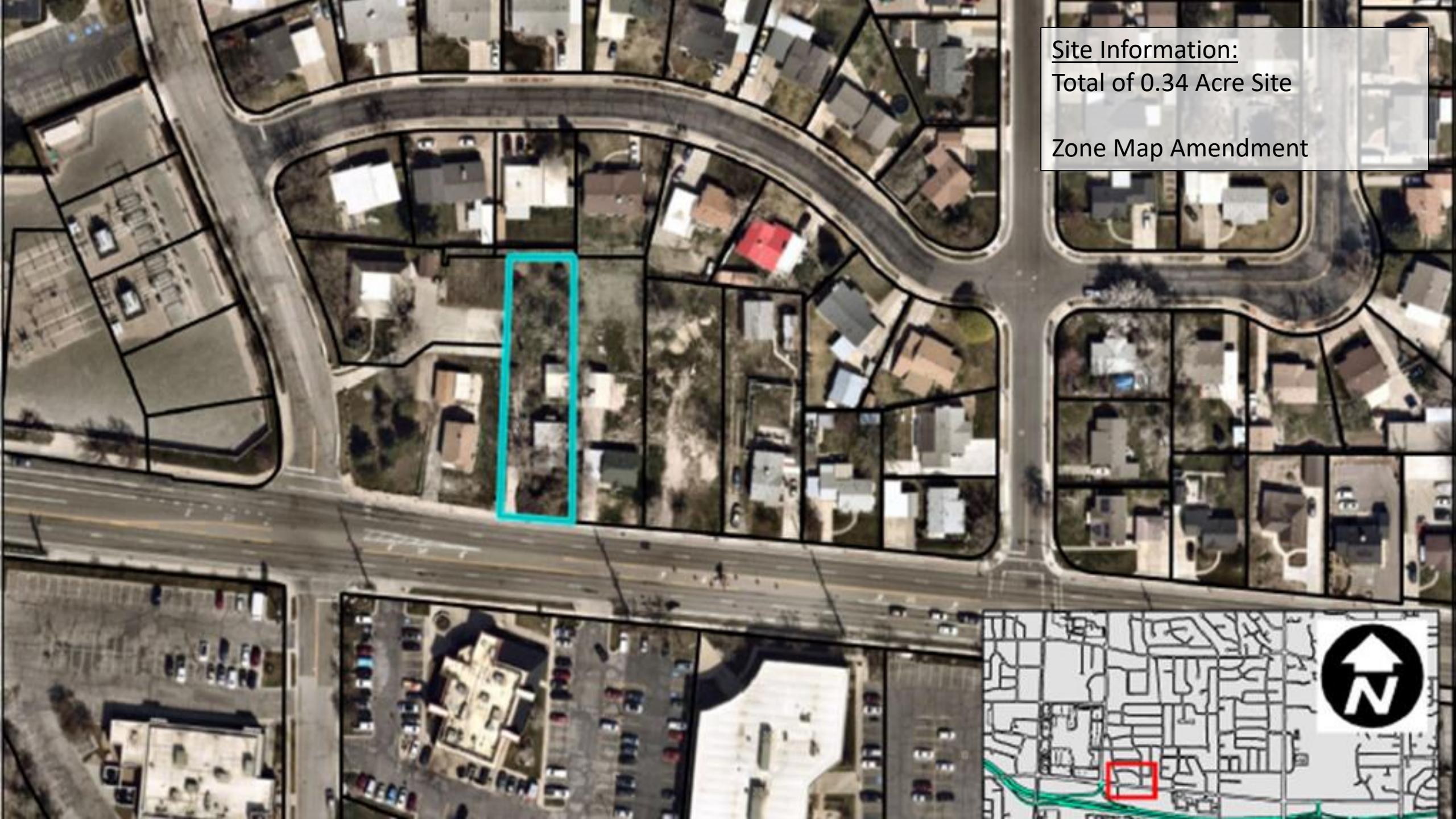
Zone Map Amendment from R-1-8 to R-N-B  
at 323 East Winchester Street



Site Information:

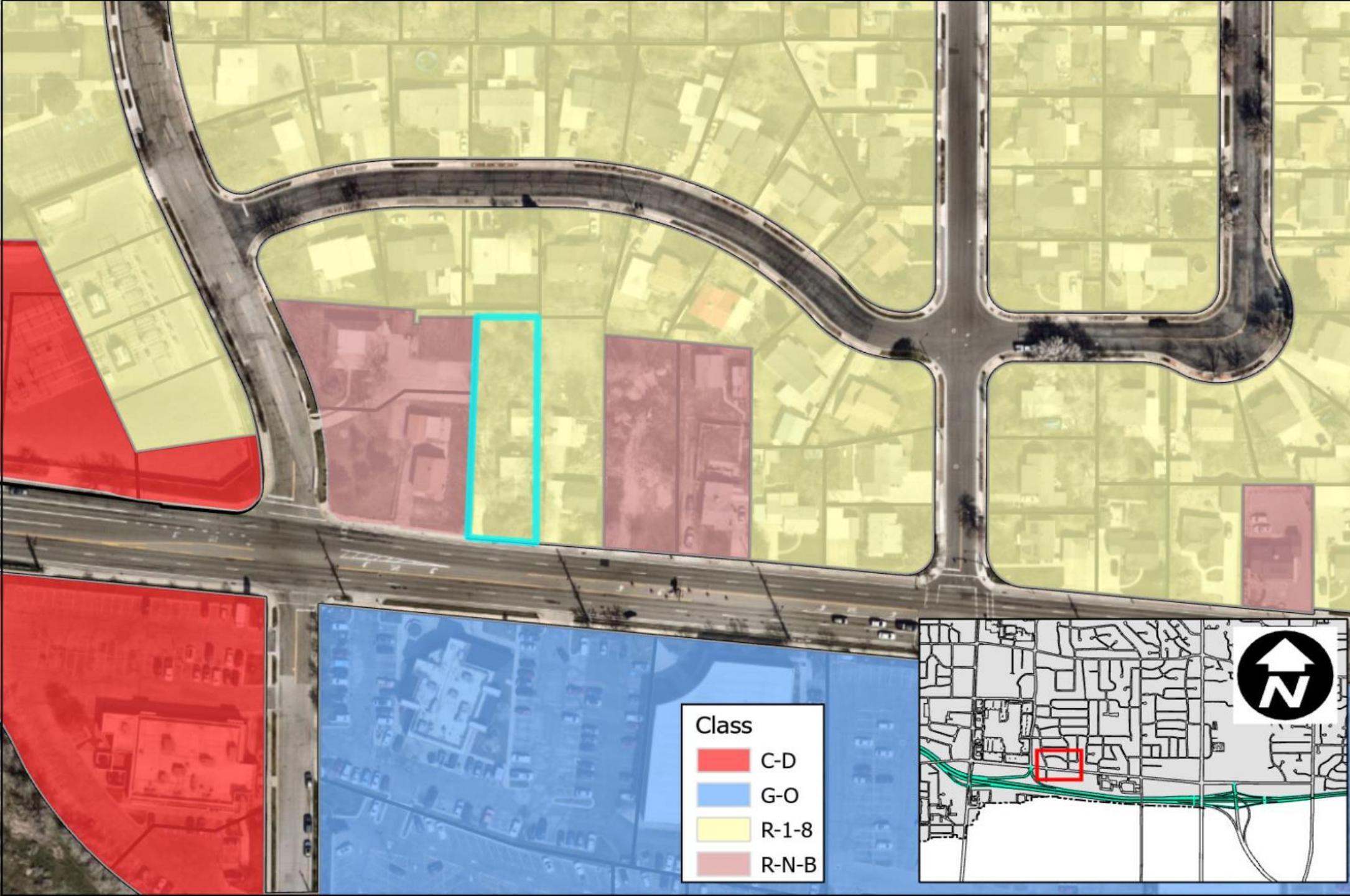
Total of 0.34 Acre Site

Zone Map Amendment



Site Information:  
Total of 0.34  
Acre Site

Zone Map  
Amendment



# General Plan Future Land Use Map



	<b>R-1-8</b>	<b>R-N-B</b>
Residential Density	8,000 sq ft min lot size	8,000 sq ft min lot size for single family/10,000 sq ft min lot size for duplex
Height	35' and 2.5 Stories	20' (30' with PC approval)
Front yard setback	25'	20'
Rear Yard setback	25'	20'
Side Yard setbacks	Minimum 8' total of 20'	8'
Corner Yard setback	20'	20'
Parking Required	2 parking spaces for each single-family dwelling unit	2 parking spaces for each single-family dwelling unit/ 4 stalls per 1,000 sq. ft. of net usable building area for commercial

# Findings

1. The General Plan provides for flexibility in the implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from R-1-8 to R-N-B has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change can be managed within the densities and uses allowed by the proposed R-N-B Zone.
3. The proposed Zone Map Amendment from R-1-8 to R-N-B conforms to important goals and objectives of the 2017 Murray City General Plan and will permit the appropriate use of the subject property.
4. The Planning Commission held a public hearing on July 18<sup>th</sup>, 2024, and voted 4-0 to forward a positive recommendation to the City Council.

# Staff Recommendation

Staff and the Planning Commission recommend that the City Council **APPROVE** the requested amendment to the Zoning Map designation of the property located at 323 East Winchester from R-1-8, Single Family Low Density Residential to R-N-B, Residential Neighborhood Business.



# THANK YOU!





MURRAY  
CITY COUNCIL

# Discussion Item #4



**MURRAY**

**Council Action Request**

# **Community and Economic Development**

**Diamond Ridge - Mark Hardy  
4734 South Hanauer Street**

**Committee of the Whole**

Meeting Date: October 1, 2024

<b>Department Director</b> Phil Markham	<b>Purpose of Proposal</b> Amend Zone Map. R-1-6 to R-M-15, Multiple Family Medium Density.
<b>Phone #</b> 801-270-2427	<b>Action Requested</b> Zone Map Amendment
<b>Presenters</b> Zachary Smallwood	<b>Attachments</b> Slides
<b>Required Time for Presentation</b> 10 Minutes	<b>Budget Impact</b> None Anticipated
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b> Diamond Ridge Development Group is requesting a zone map amendment of a parcel with a single-family home from the R-1-6, Single Family Medium Density Zone, to the R-M-15, Multiple Family Medium Density Zone. This zone change is to facilitate future development at the site that would allow for additional housing in the surrounding area.  The subject property consists of one parcel that is .27 acres in the R-1-6, Medium Density Single-Family Residential Zone west of State Street and on the south side of Regal Street. In addition to single-family homes, there are two multi-family developments to the north east and west of the property.  The Planning Commission voted 6-0 to recommend approval of the plan on August 1st, 2024.
<b>Mayor's Approval</b>	
<b>Date</b>	

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 15<sup>th</sup> day of October, 2024, at the hour of 6:30 p.m. in the Council Chambers of the Murray City Hall, 10 East 4800 South, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to amending the Zoning Map from the R-1-6 (Single Family Medium-Density Residential) zoning district to the R-M-15 (Multiple Family Medium-Density Residential) zoning district for the property located at 4734 South Hanauer Street, Murray, Utah.

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

DATED this 12<sup>th</sup> day of September 2024.



MURRAY CITY CORPORATION

A handwritten signature in black ink.

Brooke Smith  
City Recorder

DATE OF PUBLICATION: October 4, 2024  
PH24-36

UCA §10-9a-205(2)

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

1. Mailed to Each Affected Entity
2. Utah Public Notice Website
3. City's Official Website
4. City Hall - Public Location Reasonably Likely to be Seen By Residents
5. Mailed to each property owner within 300 feet (*Murray City Code 17-04-140*)

ORDINANCE NO. 24-\_\_\_\_\_

AN ORDINANCE RELATING TO LAND USE; AMENDS THE ZONING MAP FROM R-1-6 (SINGLE FAMILY MEDIUM-DENSITY RESIDENTIAL) TO R-M-15 (MULTIPLE FAMILY MEDIUM-DENSITY RESIDENTIAL) FOR THE PROPERTY LOCATED AT 4734 SOUTH HANAUER STREET, MURRAY CITY

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

WHEREAS, the owner of the real property located at 4734 South Hanauer Street, Murray, Utah, has requested a proposed amendment to the Zoning Map to designate the property in a R-M-15 (Multiple Family Medium-Density Residential) zone district; and

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

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

NOW, THEREFORE, BE IT ENACTED:

*Section 1.* That the Zoning Map and the zone district designation for the described property located at 4734 South Hanauer Street, Murray, Utah be amended from the R-1-6 (Single Family Medium-Density) zone district to the R-M-15 (Multiple Family Medium-Density Residential) zone district:

**Legal Description**

A PARCEL OF LAND SITUATE IN THE BAMBERGER ADDITION SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED SEPTEMBER 08, 1891 AS ENTRY NO. 43060 IN BOOK C ON PAGE 127, IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER, ALSO LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, IN MURRAY CITY, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 3, BLOCK 2, OF SAID BAMBERGER ADDITION SUBDIVISION, WHICH CORNER IS NORTH 07°02'15" EAST 314.32 FEET TO THE CALCULATED SOUTHWEST CORNER OF SAID SECTION 6 AND NORTH 17°51'53" EAST 384.28 FEET FROM THE WITNESS CORNER MONUMENT OF THE SOUTHWEST CORNER OF SAID SECTION 6, SAID WITNESS CORNER MONUMENT IS ALSO LOCATED SOUTH 87°53'15" WEST 873.23 FEET ALONG THE MONUMENT LINE FROM THE FOUND SALT LAKE COUNTY BRASS CAP AT THE INTERSECTION OF

*4800 SOUTH STREET AND STATE STREET, AND RUNNING; THENCE NORTH 00°02'15" EAST 75.35 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF REGAL STREET; THENCE NORTH 89°51'54" EAST 160.75 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE WESTERLY RIGHT OF WAY LINE OF HANAUER STREET; THENCE SOUTH 00°21'15" WEST 75.83 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE NORTH 89°57'45" WEST 160.75 FEET ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT TO THE POINT OF BEGINNING. PARCEL CONTAINS 11,950 SQUARE FEET OR 0.27 ACRES.*

**Section 2.** This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 15<sup>TH</sup> day of October, 2024.

MURRAY CITY MUNICIPAL COUNCIL

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Pam Cotter, Chair

ATTEST:

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Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Brett A. Hales, Mayor

ATTEST:

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Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the \_\_\_\_\_  
day of \_\_\_\_\_, 2024.

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Brooke Smith, City Recorder

Motion passes: 6-0

### GENERAL PLAN / ZONE MAP AMENDMENT

#### Diamond Ridge Development - 4734 South Hanaper Street - Zone Map Amendment from R-1-6, - Medium Density Single Family to R-M-15, Medium Density Multiple Family - Project # 24-081

Mark Hardy, of Diamond Ridge Development Group, was present to represent this request. Zachary Smallwood presented the request to amend the zoning of the subject property to facilitate redevelopment of the property. Mr. Smallwood pointed out the property location on the map. He discussed the characteristics of the property, such as size and density. He reviewed the differences between the R-1-6 and R-M-15 zones. He said that, in the current zone, the applicant could have a maximum of three units, due to height restrictions. The Planning Commission could approve a height increase in the R-M-15 zone. He discussed the setbacks and that they could be increased in the R-M-15 zone. He said the parking requirements would also be increased in the R-M-15 zone. Staff sent out notices to property owners within 300 feet. No comments were received from the public. Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the requested zoning and map amendment.

Commissioner Pehrson and Mr. Smallwood discussed what could be built on this property with current zoning. Mr. Smallwood they could only build one single-family home. The applicant intends to build three homes.

The commissioners and Mr. Smallwood discussed the zoning requirements. He stated that there is a property currently that is a nonconforming fourplex that was legal when it was built but would not meet current zone requirements.

Mark Hardy approached the podium. Chair Patterson asked why he is requesting the zone change. He said that it would increase the property value. He feels that the request matches the area.

The commissioners discussed this being a request for a zoning change, not for a specific project. Mr. Henrie asked if the applicant made the right kind of request for this type of zone. Mr. Smallwood said that he did. He said he can talk with the applicant about the number of units he wishes to put on the property to ensure that it fits with the acreage available. He said that the current request is for zone change, not the number of units.

The commissioners and Mr. Smallwood had a discussion regarding the buffering in the zone. Commissioner Milkavich wondered if the buffering provided by the property was sufficient for this zone.

Chair Patterson opened the agenda item up for public comment. Seeing none, the public comment period was closed.

Commissioner Pehrson made a motion that the Planning Commission forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map designation of the property located at 4734 South Hanauer Street from R-1-6, Single Family Medium Density, to R-M-15, Multiple Family Medium Density Residential, as described in the Staff Report.

Seconded by Commissioner Richards. Roll call vote:

- A Patterson
- A Milkovich
- A Henrie
- A Pehrson
- A Hristou
- A Richards

Motion passes: 6-0

#### ANNOUNCEMENTS AND QUESTIONS

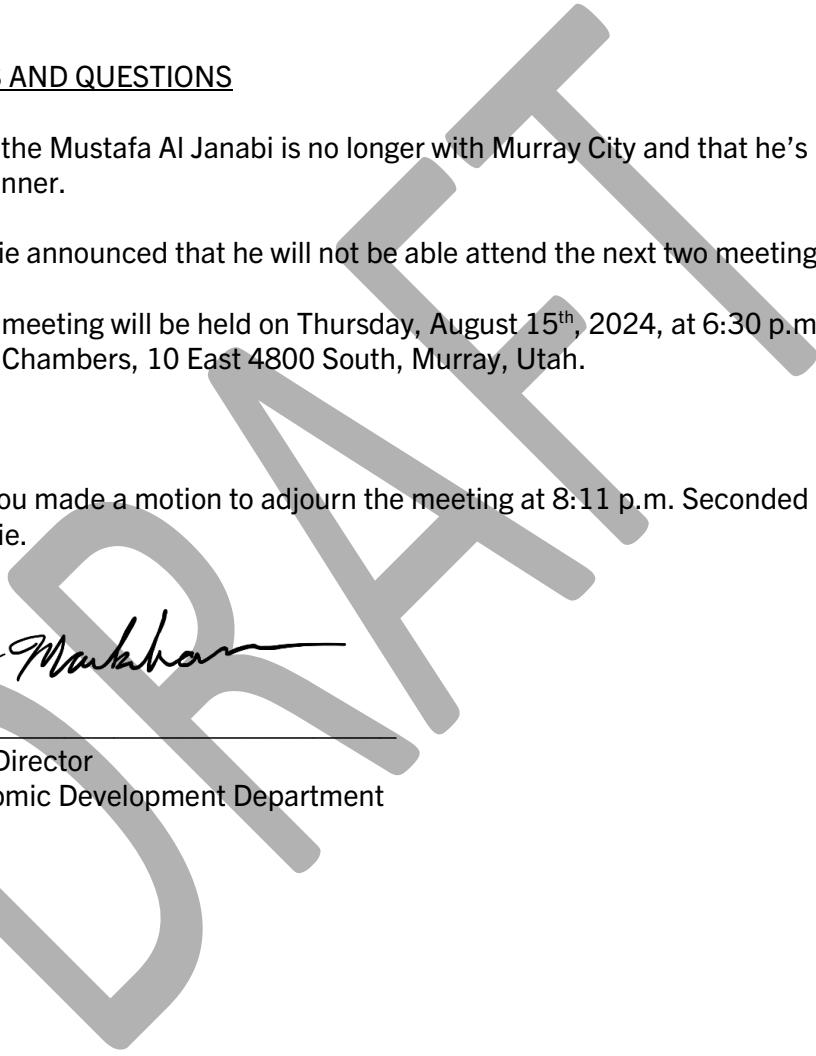
Mr. Smallwood said the Mustafa Al Janabi is no longer with Murray City and that he's in the process of hiring another planner.

Commissioner Henrie announced that he will not be able attend the next two meetings.

The next scheduled meeting will be held on Thursday, August 15<sup>th</sup>, 2024, at 6:30 p.m. MST in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

#### ADJOURNMENT

Commissioner Hristou made a motion to adjourn the meeting at 8:11 p.m. Seconded by Commissioner Henrie.

  
Philip J. Markham

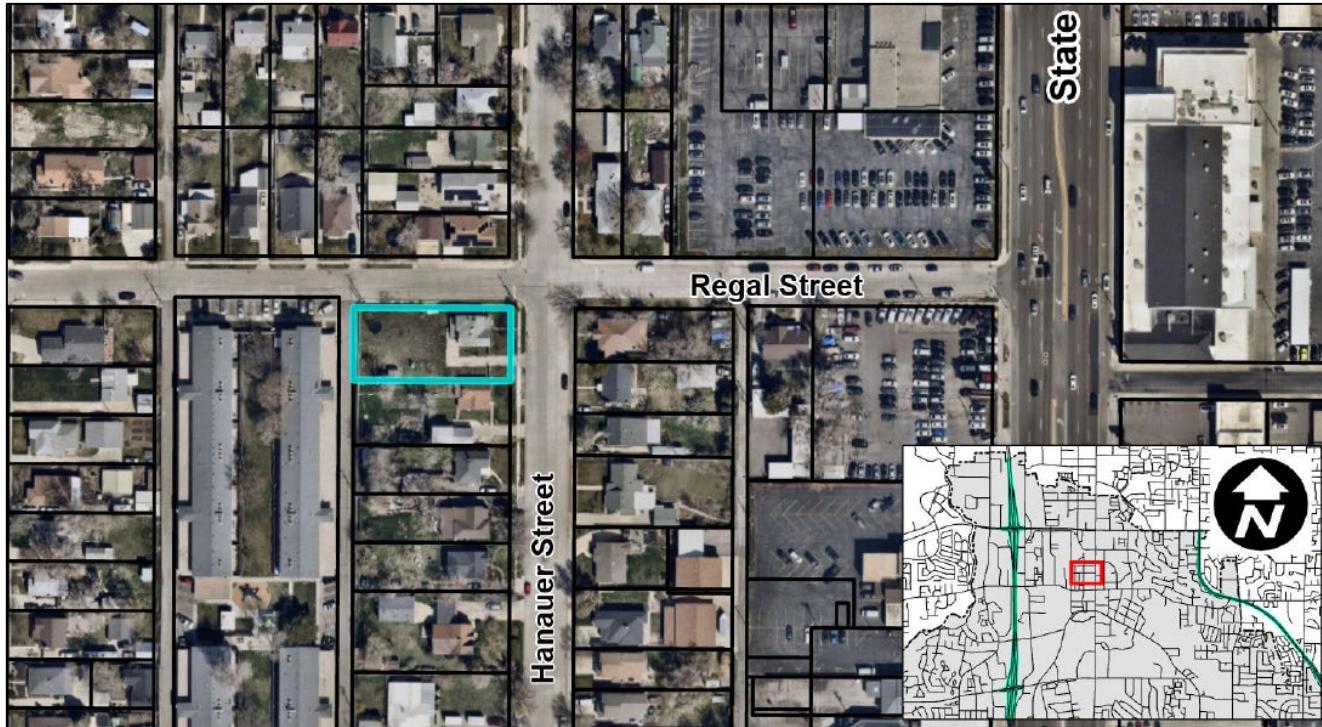
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Philip J. Markham, Director  
Community & Economic Development Department



## AGENDA ITEM # 05 - Diamond Ridge Development Group

ITEM TYPE:	Zone Map Amendment		
ADDRESS:	4734 South Hanauer Street	MEETING DATE:	August 1, 2024
APPLICANT:	Mark Hardy, Diamond Ridge Development Group	STAFF:	Zachary Smallwood, Planning Manager
PARCEL ID:	22-06-357-010	PROJECT NUMBER:	24-081
CURRENT ZONE:	R-1-6, Single Family Medium Density Residential	PROPOSED ZONES:	R-M-15, Multiple Family Medium Density Residential
LAND USE DESIGNATION	Medium Density Residential	PROPOSED DESIGNATION	No Change
SIZE:	0.27 acres   11,761 ft <sup>2</sup>		
REQUEST:	The applicant would like to amend the zoning of the subject property to facilitate redevelopment of the property.		



## I. BACKGROUND

Diamond Ridge Development Group is requesting a zone map amendment of a parcel with a single-family home from the R-1-6, Single Family Medium Density Zone, to the R-M-15, Multiple Family Medium Density Zone. This zone change is to facilitate future development at the site that would allow for additional housing in the surrounding area. Staff supports the requested change in zoning because of neighboring non-conforming uses in the area and that the potential developable area does not significantly impact the neighborhood as a whole.

The subject property consists of one parcel that is .27 acres in the R-1-6, Medium Density Single-Family Residential Zone west of State Street and on the south side of Regal Street. In addition to single-family homes, there are two multi-family developments to the north east and west of the property.

### Surrounding Land Uses & Zoning

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Single Family Residential	R-1-6
South	Single Family Residential	R-1-6
East	Single Family Residential	R-1-6
West	Multi-Family Residential	R-1-6

## II. ANALYSIS

### Zoning Considerations

The subject property is in the R-1-6, Medium Density Single-Family Zoning District. The surrounding properties are also located in the R-1-6 zoning district. This area is a mix of single-family dwellings and non-conforming multifamily dwellings. Immediately to the west of the subject property is an apartment complex with sixty-four (64) units on 2.28 acres (~28 units per acre). There is also a small four (4) unit apartment complex across the street from this property to the northeast on .17 acres (~24 units per acre). Staff supports rezoning the property to R-M-15 as this matches the city's long-term goals, as stated in the General Plan, for the area and allows the property owner to redevelop in a way that matches several surrounding uses.

### Allowed Land Uses

Changing the zone from R-1-6 to R-M-15 does very little to impact the surrounding neighborhood and allows one of the larger properties in the area to redevelop into a housing product that more closely aligns with the currently built environment. Below is a review of the current and proposed permitted and conditional uses.

- **Existing R-1-6, Medium Density Single Family Residential Zone:**

Permitted Uses in the existing R-1-6 zone include single-family detached dwellings on 6,000 ft<sup>2</sup> lots, utilities, charter schools, and residential childcare facilities.

Conditional Uses in the existing R-1-6 zone include attached single-family dwellings (in Planned Unit Developments, or PUDs), telephone stations and relay towers, radio and television transmitting stations, parks, schools and churches, utilities, cemeteries, libraries, and group instruction in single-family dwellings.

- **Proposed R-M-15**, Multiple-Family Medium Density Residential Zone:  
Permitted uses in the proposed R-M-15 include single-family detached dwellings on 8,000 ft<sup>2</sup> lots, two-family dwellings on 10,000 ft<sup>2</sup> lots, utilities, charter schools, and residential childcare as permitted uses.

Conditional uses in the R-M-15 Zone include attached single-family dwellings, multi-family dwellings (12 units per acre), bed and breakfasts, retirement homes, cemeteries, radio and television transmitting stations, parks, schools and churches, utilities, cemeteries, libraries, and retirement homes.

### Zoning Regulations

The more directly comparable regulations for setbacks, height, and parking between the existing R-1-6 and proposed R-M-15 zones are summarized in the table below.

	<b>R-1-6 (existing)</b>	<b>R-M-15</b>
Single Family Lot Size and/or Multi-family Density	6,000 ft <sup>2</sup> per lot	8,000 ft <sup>2</sup> min per lot 12 units per acre
Height	30'	Up to 40' as approved by the Planning Commission
Front yard setback	20'	25'
Rear Yard setback	25'	25'
Side Yard setbacks	5'	8' (total of 20')
Corner Yard setback	20'	20'
Parking Required	2 spaces per dwelling	2.5 spaces per unit

*Figure 3: Compared Regulations in existing and proposed zones.*

### General Plan Considerations

The purpose of the General Plan is to provide overall goal and policy guidance related to growth and planning issues in the community. The General Plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for all properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These “Future Land Use Designations” are intended to help guide decisions about the zoning designation of properties.

The subject property is designated as Medium Density Residential on the Future Land Use Map. The Medium Density Residential categories assumes that areas within this designation “generally have few or very minor development constraints (such as infrastructure or sensitive lands).” Staff finds that the impacts of the change to the R-M-15 zone can be adequately overcome through conditional use permit review combined with stabilizing the existing single-family development around the subject property. The illustration below is from pg. 5-13 of the 2017 General Plan.

#### MEDIUM DENSITY RESIDENTIAL

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

Density range is between 6 and 15 DU/AC.

Corresponding zone(s):

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



#### General Plan Objectives

There are several goals and objectives taken from elements of the General Plan that would be supported by development of the subject property under the R-M-15 Zone. The primary goal of the Land Use & Urban Design element is to “provide and promote a mix of land uses and development patterns that support a healthy community comprised of livable neighborhoods, vibrant economic districts, and appealing open spaces”.

Objective 1 states “Preserve and protect the quality of life for a range of viable residential neighborhoods.” Staff finds that in changing the zone of this property the city would allow for context sensitive redevelopment that would not have a significant impact to the surrounding area. This change would further stabilize the neighborhood from the more intense developments of the Fireclay area to the north and the City Center to the south. The neighborhood that this parcel is a part of has become isolated from other residential neighborhoods by development along State Street, 4500 South and 4800 South as these areas continue to redevelop it is

important to preserve the character of the area and allowing a small infill product would further solidify this mixed housing neighborhood.

Objective 9 states “Provide a mix of housing options and residential zones to meet a diverse range of needs related to lifestyle and demographics, including age, household size, and income. Staff finds that the application is consistent with this objective by allowing for smaller scale multifamily projects in districts that already include multi-family directly adjacent to this property.

The overall goal of Chapter 8 Neighborhoods & Housing is to “provide a diversity of housing through a range of types and development patterns to expand the options available to existing and future residents.

Objective 1: Preserve and Stabilize Current Neighborhoods has the strategy to implement transition housing types that would integrate well with surrounding single-family dwellings and create a physical and visual transition from commercial developments. Staff finds that this strategy is furthered because of the transition along Regal and Hanauer moving towards the heavier uses on State Street. Staff also finds that because of the neighboring multi-family developments that this would fit within its specific context.

The applicant’s proposed zone amendment, which is supported by the current land use designation, will allow for future development that provides for a transition between established residential neighborhoods and the commercial area located on State Street. The overall density will be consistent with the surrounding area and will not have unmanageable impacts.

### **III. CITY DEPARTMENT REVIEW**

The application was made available for review and comment by City Staff from various departments and provided their comments below:

- Murray City Engineering:
- Power Department:
  - The developer will need to meet with The Power Department to plan out their permanent power for the proposed building.
  - The developer must meet all Murray City Power Department requirements and the current NESC/NEC code and provide the required easement/ safety clearance(s) for equipment and Power lines.
- Building Division:
  - Obtain proper building permits for all construction.
- Fire Department:
  - Refer to International Fire Code (IFC) 2021 for code referencing standards.

Other reviewing departments did not provide any comments on the proposed rezone application. These comments are provided as information to the applicant and not conditions of approval. As this is a Zone Map Amendment, there are no conditions required for approval.

#### **IV. PUBLIC COMMENTS**

Seventy (70) notices of the public hearing for the requested amendment to the Zoning Map were sent to all property owners within 300' of the subject property and to affected entities. As of the time of writing this report, staff has not received any comments regarding this application.

#### **V. FINDINGS**

1. The General Plan provides for flexibility in the implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from R-1-6 to R-M-15 has been considered based on the characteristics of the site and surrounding area. Any potential impacts of the change can be managed within the densities and uses allowed by the proposed R-M-15 Zone.
3. The proposed Zone Map Amendment from R-1-6 to R-M-15 conforms to important goals and objectives of the 2017 Murray City General Plan and will permit the appropriate use of the subject property.

#### **VI. STAFF RECOMMENDATION**

Based on the background, analysis, and findings within this report, staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation of the property located at 4734 South Hanauer Street from R-1-6, Single Family Medium Density, to R-M-15, Multiple Family Medium Density Residential, as described in the Staff Report.

# ZONING AMENDMENT APPLICATION

Type of Application(check one): Text Amendment: \_\_\_\_\_ Map Amendment:

## Applicant Information

Name: Diamond Ridge Development Group LLC

Mailing Address: 635 west 5300 south City: Murray State: UT ZIP: 84123

Phone #: 801-891-5927 Fax #: \_\_\_\_\_ Email Address: mark@diamondridgedg.com

## Property Owner's Information (If different)

Name: Red Rock Residential LLC

Mailing Address: 2970 South Main St City: South Salt Lake State: UT ZIP: 84115

Phone #: 801-664-8154 Fax #: \_\_\_\_\_ Email Address: \_\_\_\_\_

## Application Information

For Map Amendments:

Property Address: 4734 S Hanauer St, Murray, UT 84107

Parcel Identification (Sidwell) Number: 22063570100000

Parcel Area(acres): 0.27 Existing Zone: R-1-6 Proposed: R-M-1S

Request Complies with General Plan: Yes: ✓ No: \_\_\_\_\_

For Text Amendments:

Describe the request in detail (use additional pages, or attach narrative if necessary):

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Authorized Signature: Mr. T Date: 4-3-24

## **For Office Use Only**

Project Number: PZ-24-081 Date Accepted: 6/26/24

Planner Assigned: \_\_\_\_\_

### Property Owners Affidavit

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



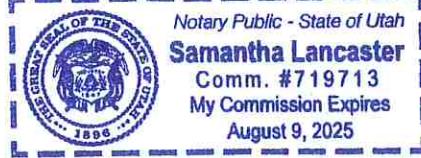
Owner's Signature

State of Utah

§

County of Salt Lake

Owner's Signature (co-owner if any)



Subscribed and sworn to before me this 16 day of April, 20 24.



Notary Public

Residing in Salt Lake City

My commission expires: 8-9-25

### Agent Authorization

I (we), Red Rock Residential LLC, the owner(s) of the real property located at 4734 South Hanauer St, Murray, UT 84104, in Murray City, Utah, do hereby appoint **Diamond Ridge Development Group LLC**, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize **Joseph Kingston or Mark Hardy** to appear on my (our) behalf before any City board or commission considering this application.



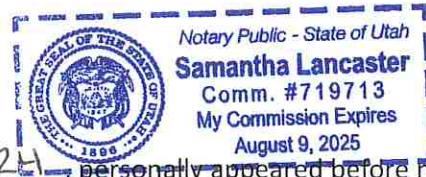
Owner's Signature

Owner's Signature (co-owner if any)

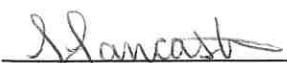
State of Utah

§

County of Salt Lake



On the 16 day of April, 20 24, personally appeared before me Michael Kingston the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.



Notary public

Residing in Salt Lake City

My commission expires: 8-9-25



## NOTICE OF PUBLIC HEARING

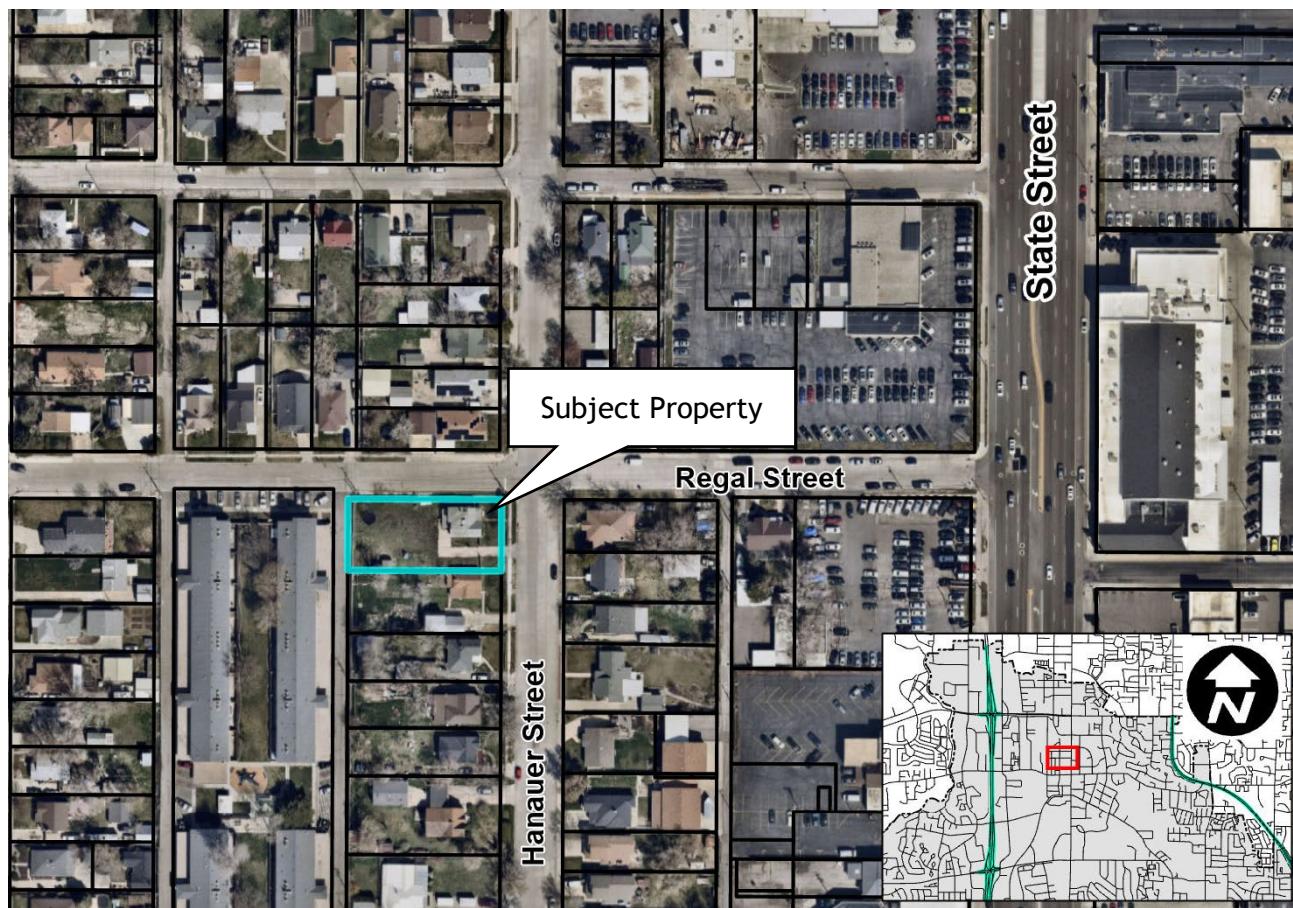
August 1<sup>st</sup>, 2024, 6:30 PM

The Murray City Planning Commission will hold a public hearing on Thursday, August 1<sup>st</sup>, 2024, at 6:30 p.m. in the Murray City Council Chambers, located at 10 East 4800 South to receive comment on an application submitted by **Representatives of Diamond Ridge Development Group** for the property located at **4734 South Hanauer Street**.

The applicant is requesting a Zone Map Amendment from R-1-6, Medium Density Single Family to R-M-15, Medium Density Multiple Family. The request conforms with the Future Land Use Map of the General Plan.

The meeting will also be streamed online, at [www.murraycitylive.com](http://www.murraycitylive.com) or [www.facebook.com/MurrayCityUtah/](http://www.facebook.com/MurrayCityUtah/).

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



This notice is being sent to you because you own property within 300 feet of the subject property. Comments concerning this proposal, will be accepted by calling the Murray City Planning Division at 801-270-2430, e-mail to [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov) or in person at the meeting.

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

Public Notice Dated | July 18th, 2024

Murray City Hall | 10 East 4800 South | Murray | Utah | 84107

## Zachary Smallwood

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**From:** Mark Hardy <mark@diamondridgedg.com>  
**Sent:** Thursday, June 20, 2024 10:10 AM  
**To:** Zachary Smallwood  
**Subject:** [EXTERNAL]Re: Application for Rezone at 4734 S Hanauer  
**Attachments:** N-2 DEDO 6 Hanauer St ALTA.pdf

A PARCEL OF LAND SITUATE IN THE BAMBERGER ADDITION SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED SEPTEMBER 08, 1891 AS ENTRY NO. 43060 IN BOOK C ON PAGE 127, IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER, ALSO LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, IN MURRAY CITY, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 3, BLOCK 2, OF SAID BAMBERGER ADDITION SUBDIVISION, WHICH CORNER IS NORTH 07°02'15" EAST 314.32 FEET TO THE CALCULATED SOUTHWEST CORNER OF SAID SECTION 6 AND NORTH 17°51'53" EAST 384.28 FEET FROM THE WITNESS CORNER MONUMENT OF THE SOUTHWEST CORNER OF SAID SECTION 6, SAID WITNESS CORNER MONUMENT IS ALSO LOCATED SOUTH 87°53'15" WEST 873.23 FEET ALONG THE MONUMENT LINE FROM THE FOUND SALT LAKE COUNTY BRASS CAP AT THE INTERSECTION OF 4800 SOUTH STREET AND STATE STREET, AND RUNNING; THENCE NORTH 00°02'15" EAST 75.35 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF REGAL STREET; THENCE NORTH 89°51'54" EAST 160.75 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE WESTERLY RIGHT OF WAY LINE OF HANAUER STREET; THENCE SOUTH 00°21'15" WEST 75.83 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE NORTH 89°57'45" WEST 160.75 FEET ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT TO THE POINT OF BEGINNING. PARCEL CONTAINS 11,950 SQUARE FEET OR 0.27 ACRES.

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**From:** Zachary Smallwood <zsmallwood@murray.utah.gov>  
**Sent:** Wednesday, June 19, 2024 1:19 PM  
**To:** Mark Hardy <mark@diamondridgedg.com>  
**Cc:** David Rodgers <drodgers@murray.utah.gov>; Mustafa Al Janabi <maljanabi@murray.utah.gov>  
**Subject:** Application for Rezone at 4734 S Hanauer

Hello,

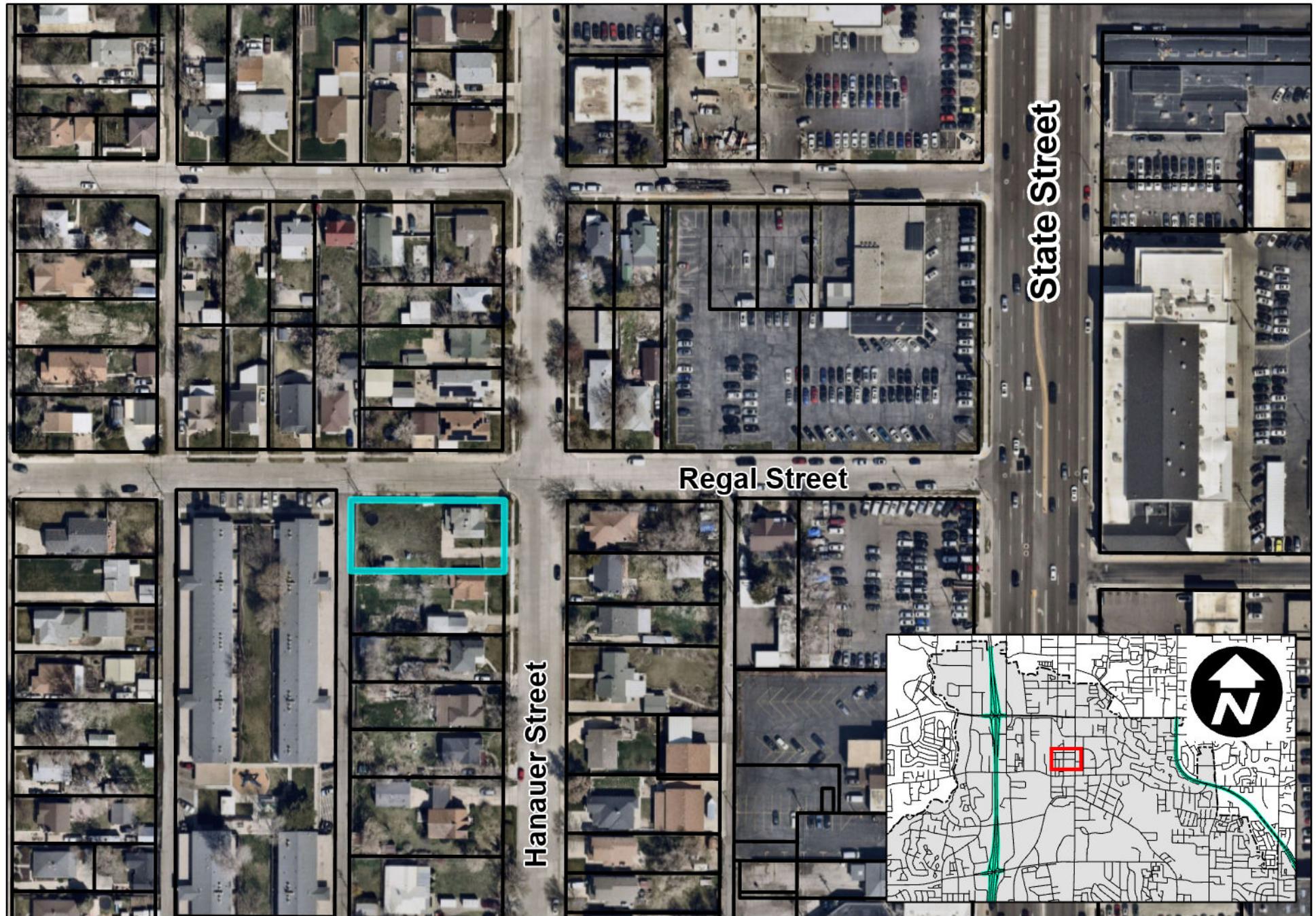
I'm reaching out to let you know that we are still awaiting a legal description of the property to move forward with your application. We have had this application since April 3<sup>rd</sup>, if we do not receive the legal description by 5pm on Tuesday June 25<sup>th</sup>, 2024. We will be returning your application materials to you. If you have any questions please feel free to reach out.

Thanks,

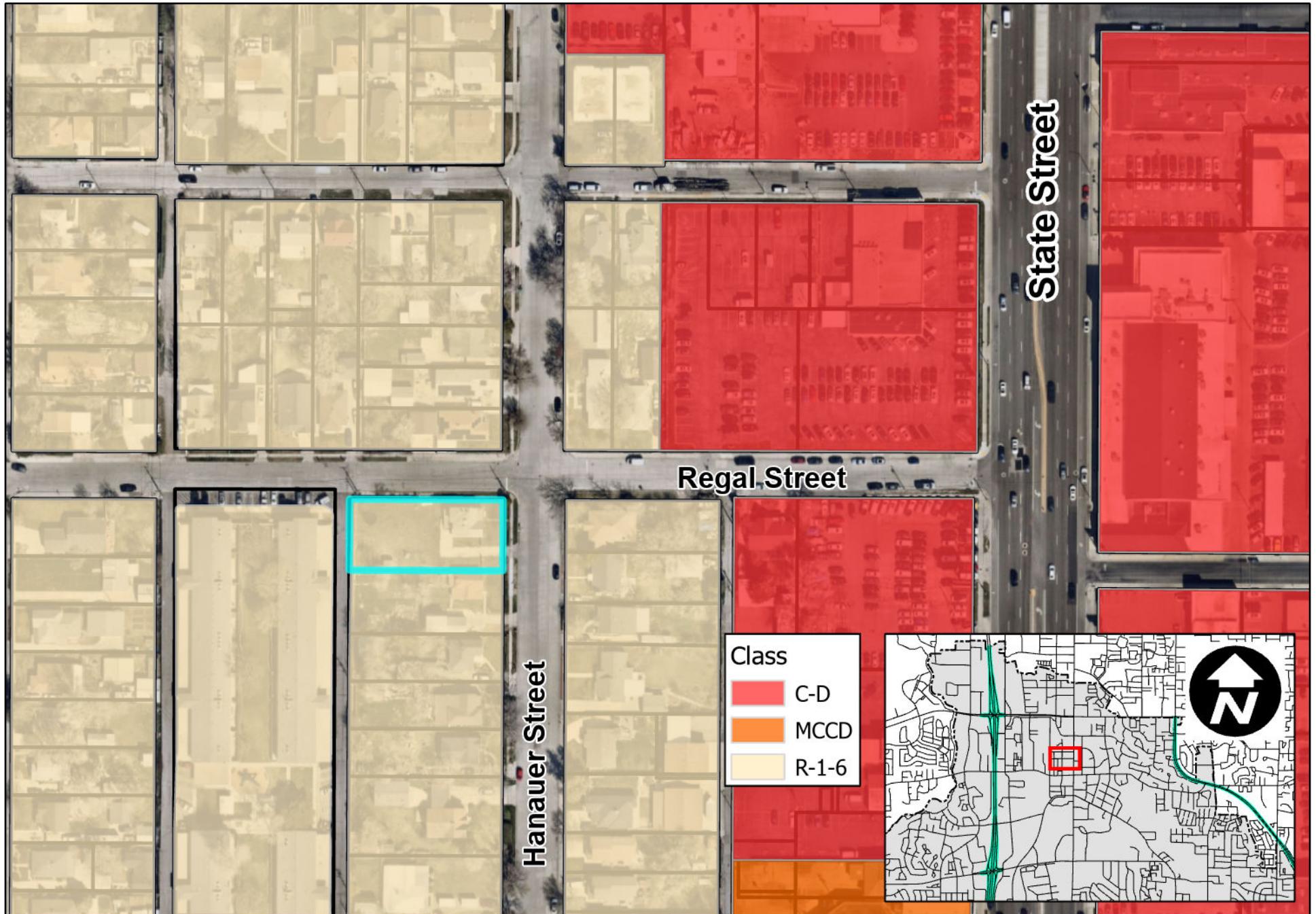
### Zachary Smallwood

Planning Division Manager | Murray City Planning Division  
10 East 4800 South, Suite 260 | Murray UT 84107  
Phone: (801) 270-2430 | Direct: (801) 270-2407  
[zsmallwood@murray.utah.gov](mailto:zsmallwood@murray.utah.gov)

# 4734 South Hanauer Street



# 4734 South Hanauer Street





# MURRAY CITY PLANNING COMMISSION

August 1st, 2024



# Agenda Item # 5

## Diamond Ridge Development

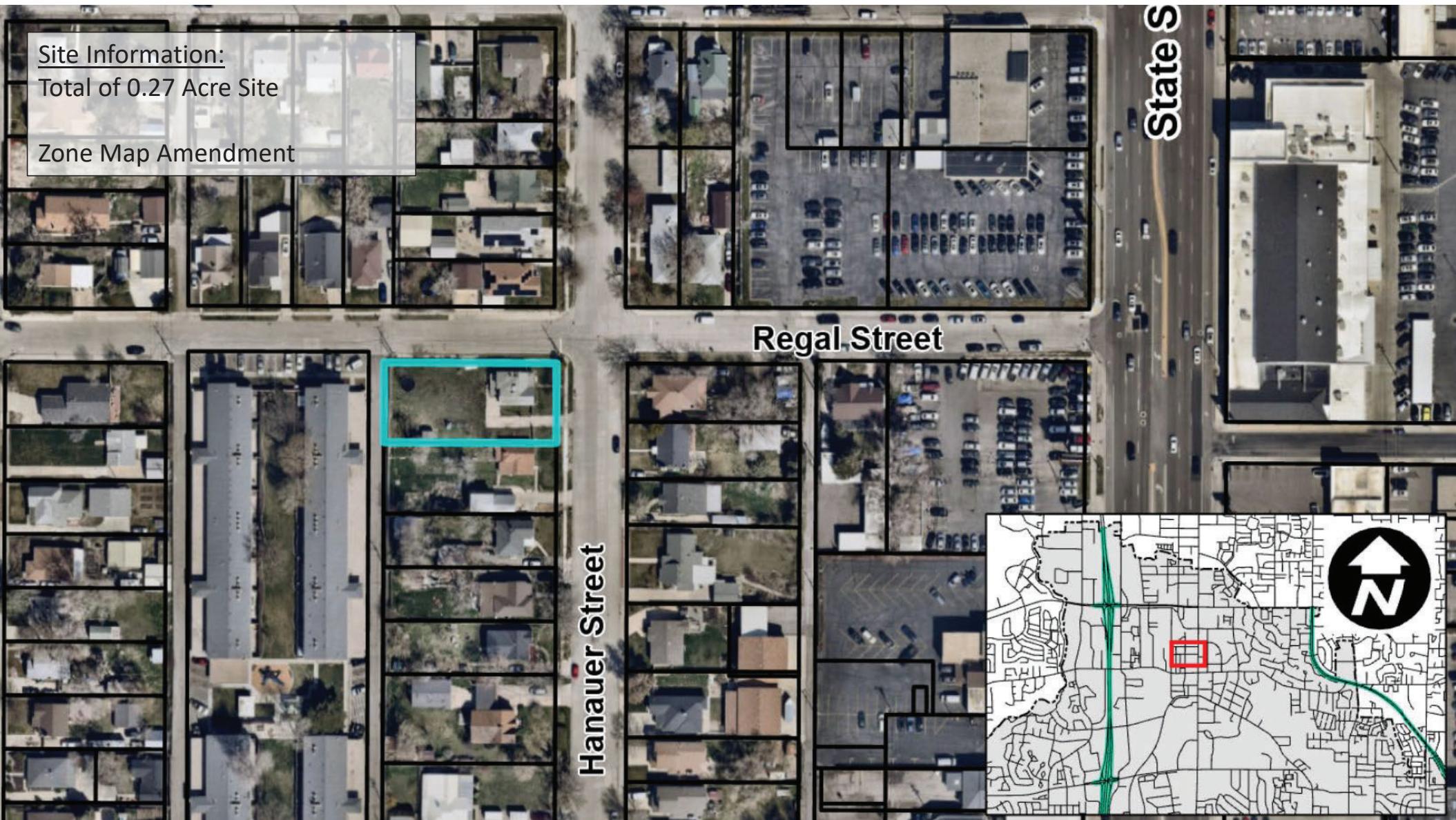
4734 South Hanauer Street  
Zone Map Amendment from  
R-1-6, Medium Density Single Family to  
R-M-15, Medium Density Multiple Family



Site Information:

Total of 0.27 Acre Site

Zone Map Amendment



Site Information:

Total of 0.27 Acre Site

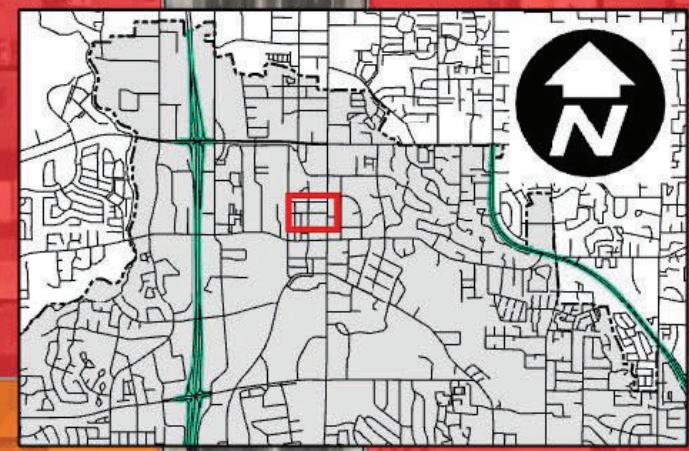
Zone Map Amendment

State S

Regal Street

Hanauer Street

Class  
C-D  
MCCD  
R-1-6



# General Plan Future Land Use Map



	<b>R-1-6 (existing)</b>	<b>R-M-15</b>
Residential Density	6,000 ft <sup>2</sup> min per lot	8,000 sq ft min per lot 12 dwelling units per acre
Height	30'	Up to 40' max as approved by the Planning Commission
Front yard setback	20'	25'
Rear Yard setback	25'	25'
Side Yard setbacks	5'	Minimum 8' total of 20'
Corner Yard setback	20'	20'
Parking Required	2 spaces per dwelling	2.5 off-street spaces per unit

## Notice

Seventy (70) notices of the public hearing for the requested amendment to the Zoning Map were sent to all property owners within 300' of the subject property and to affected entities.

Staff has not received any inquiries or comments regarding this application.

## Findings

1. The General Plan provides for flexibility in the implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from R-1-6 to R-M-15 has been considered based on the characteristics of the site and surrounding area. Any potential impacts of the change can be managed within the densities and uses allowed by the proposed R-M-15 Zone.
3. The proposed Zone Map Amendment from R-1-6 to R-M-15 conforms to important goals and objectives of the 2017 Murray City General Plan and will permit the appropriate use of the subject property.
4. The Planning Commission held a Public Hearing on August 1<sup>st</sup>, 2024 and voted 6-0 to forward a recommendation of approval to the city council.

## Staff Recommendation

The Murray City Planning Commission and staff recommends that the City Council **APPROVE** the requested amendment to the Zoning Map designation of the property located at 4734 South Hanauer Street from R-1-6, Single Family Medium Density, to R-M-15, Multiple Family Medium Density Residential.



THANK YOU!





**MURRAY**  
CITY COUNCIL

# Adjournment