



**MURRAY**  
CITY COUNCIL

# Council Meeting November 19, 2024



# **Murray City Municipal Council**

## **City Council Meeting Notice**

**November 19, 2024**

**PUBLIC NOTICE IS HEREBY GIVEN** that the Murray City Municipal Council will hold a City Council meeting beginning at 6:30 p.m. on Tuesday, November 19, 2024 in the Murray City Council Chambers located at Murray City Hall, 10 East 4800 South, Murray, Utah.

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

### **Meeting Agenda**

**6:30 p.m.**      **Council Meeting** – Council Chambers  
Diane Turner conducting.

#### **Opening Ceremonies**

Call to Order  
Pledge of Allegiance

#### **Approval of Minutes**

None scheduled.

#### **Special Recognition**

1. Murray City Employee of the Month, Eric Fonger, Power Department Operations Division; Line Crew Supervisor. Diane Turner, Mayor Hales and Greg Bellon presenting.

#### **Citizen Comments**

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

#### **Consent Agenda**

Mayor Hales presenting.

1. Consider confirmation of the Mayor's appointment of Stephanie Swift to the Arts Advisory Board for a term beginning January 2025 through January 2028.
2. Consider confirmation of the Mayor's appointment of David Knoell to the Arts Advisory Board for a term beginning January 2025 through January 2027.

#### **Public Hearings**

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

1. Consider an ordinance amending Sections 17.78.040, 17.78.050, and 17.78.090 of the Murray City Municipal Code relating to Standards for Detached Accessory Dwelling Units. Zachary Smallwood

presenting.

2. Consider an ordinance amending Sections 17.48.040 and 17.48.200 of the Murray City Municipal Code relating to Screen Signs in Commercial and Manufacturing Zones. Zachary Smallwood presenting.
3. Consider an ordinance amending Section 17.170.120 of the Murray City Municipal Code relating to Height Regulations in the Murray City Center District (MCCD). David Rodgers presenting.

#### **Business Items**

1. Consider an ordinance amending Sections 2.10.030 and 2.23.010 of the Murray City Municipal Code relating to duties of the Risk Management Division and the Human Resources Department. G.L. Critchfield and Robyn Colton presenting.
2. Consider a resolution to acknowledge completion and receipt of the independent audit for Fiscal Year 2023-2024 and direct that notice be published pursuant to Section 10-6-152 of the Utah Code. Brenda Moore presenting.

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

#### **Adjournment**

#### **NOTICE**

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

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

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

On Friday, November 15, 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 Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website [www.murray.utah.gov](http://www.murray.utah.gov) and the state noticing website at <http://pmn.utah.gov>.



Jennifer Kennedy  
Council Executive Director  
Murray City Municipal Council



**MURRAY**  
CITY COUNCIL

# Call to Order

# Pledge of Allegiance





**MURRAY**  
CITY COUNCIL

# Special Recognition



**MURRAY**

# City Council/Mayor

## Employee of the Month - Eric Fonger

### Council Action Request

#### Council Meeting

Meeting Date: October 15, 2024

<b>Department Director</b> Jennifer Kennedy  <b>Phone #</b> 801-264-2622  <b>Presenters</b> Diane Turner Brett Hales Greg Bellon          <b>Required Time for Presentation</b>          <b>Is This Time Sensitive</b> No  <b>Mayor's Approval</b>          <b>Date</b> October 1, 2024	<b>Purpose of Proposal</b> Employee of the Month recognition  <b>Action Requested</b> Informational only  <b>Attachments</b> Recognition Form  <b>Budget Impact</b> None     <b>Description of this Item</b> See Employee of the Month Recognition Form
--	---

## EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

Power

DATE:

November 19, 2024

NAME of person to be recognized:

Eric Fonger

Submitted by:

Eric Bracewell

DIVISION AND JOB TITLE:

Operations Division; Line Crew Supervisor

YEARS OF SERVICE:

25

REASON FOR RECOGNITION:

Eric began working for the city in 1995 as a maintenance worker. He started working as an Apprentice Lineworker in 1999 and became a Journeyman Lineworker in 2004. He was promoted to Line Crew Supervisor in 2023.

Eric's can-do attitude and dependability has been a true asset at the Power Department. His calm demeanor and knowledge are very much appreciated as he leads his crew on challenging jobs and emergencies. He is a great teacher and mentor, liked and respected by Power Department employees and throughout the city.

Eric spends much of his time away from work Mountain biking with his wife, Tracy and their four children. They run a mountain bike development team and can be found most weekends at bike races where their kids compete at the national level.

Whenever you see Eric, he is friendly and willing to help. We appreciate his many years of service at the Power Department and are proud to recommend him as Murray City's Employee of the Month.

COUNCIL USE:

MONTH/YEAR HONORED





**MURRAY**  
CITY COUNCIL

# Citizen Comments

Limited to three minutes, unless otherwise approved by Council



**MURRAY**  
CITY COUNCIL

# Consent Agenda



**MURRAY**


# Mayor's Office

## Appointment - Stephanie Swift to the Arts Advisory Board.

### Council Action Request

### Council Meeting

Meeting Date: November 19, 2024

<b>Department Director</b> Kim Sorenson	<b>Purpose of Proposal</b> Appointment of Arts Advisory Board member.
<b>Phone #</b> 801-264-2619	<b>Action Requested</b> Consider confirmation of the Mayor's appointment of Stephanie Swift to the Arts Advisory Board.
<b>Presenters</b> Mayor Hales	<b>Attachments</b> Resume
	<b>Budget Impact</b> None
<b>Required Time for Presentation</b>	<b>Description of this Item</b> Stephanie Swift will be appointed to the Arts Advisory Board from January 15, 2025 - January 15, 2028. Stephanie will be filling Christy Anderson's position on the board.
<b>Is This Time Sensitive</b> Yes	
<b>Mayor's Approval</b> 	
<b>Date</b> November 5, 2024	



# STEPHANIE SWIFT

## PRETTYLITTLEPIXEL

### GRAPHIC DESIGN • FINE ART

[www.PrettyLittlePixel.com](http://www.PrettyLittlePixel.com)

---

#### DESIGN SKILLS

Highly creative & broad minded, strong conceptual skills  
Effectively render unique designs from concept to finish  
Excellent computer software skills  
Execute clean & attractive design layouts  
Strong print production skills

#### SOFTWARE

Proficient with: Adobe Creative Suite, including  
Photoshop, Illustrator, InDesign, Acrobat and  
Microsoft Office, PowerPoint  
Pretty much all graphic applications

---

#### CONTRACT EXPERIENCE

2016 - Present

Logos, branding and business package design, illustration, signage, brochures, email templates, social media campaigns, online training websites, marketing materials, t-shirt and collateral design, billboards, and pretty much anything you can think of...

---

#### AGENCY EXPERIENCE

Primary designer on a variety of projects including: logo and brand design, brochures, signage, print advertisements, fliers, direct mailers, web sites, t-shirt design, collateral design, trade show booths, email templates, social media campaigns, billboards, car wraps, stationery, on-line training websites, etc

I designed packaging and promotional materials for men's leather accessories - such as wallets, belts, gift packages, hang tags, etc. i also designed a line of wallets and belts for Harley Davidson

I have also executed production design responsibilities: making sure all projects are print ready, working with printers, getting bids, press checks, etc - insuring all designs to be completed correctly

---

#### JOB EXPERIENCE

**ALLEN COMM COMMUNICATIONS**  
ART DIRECTOR  
2016 – PRESENT

**FUEL MARKETING**  
ART DIRECTOR  
2006 – 2010

**TANDY BRANDS**  
ART DIRECTOR  
2002 – 2004

**FREESTYLE MARKETING**  
ART DIRECTOR  
2014 – 2016

**MCCANN ERICKSON**  
ART DIRECTOR  
2005 – 2006

**RAZOR**  
PRODUCTION DESIGNER  
2000 – 2001

**MINDSHARE**  
ART DIRECTOR  
2011 – 2014

**MARRIOTT**  
ART DIRECTOR  
2004 – 2005

**EURO RSCG DSW PARTNERS**  
PRODUCTION DESIGNER  
1999 – 2001

---

#### MORE

In addition, I also participate in art festivals here and there, Utah Arts festival, Kimbal Arts in Park City, Omaha Summer Arts Festival, Cherry Creek Arts Festival in Denver, Fort Worth Arts Festival and others. I have also shown at various galleries in Salt Lake.

References available on request

If you have any questions, would like me to more specific...just let me know



**MURRAY**


# Mayor's Office

## Appointment - David Knoell to the Arts Advisory Board.

### Council Action Request

### Council Meeting

Meeting Date: November 19, 2024

<b>Department Director</b> Kim Sorenson  <b>Phone #</b> 801-264-2619  <b>Presenters</b> Mayor Hales     <b>Required Time for Presentation</b>    <b>Is This Time Sensitive</b> Yes  <b>Mayor's Approval</b>  <b>Date</b> November 5, 2024	<b>Purpose of Proposal</b> Appointment of Arts Advisory Board member.  <b>Action Requested</b> Consider confirmation of the Mayor's appointment of David Knoell to the Arts Advisory Board.  <b>Attachments</b> Resume  <b>Budget Impact</b> None  <b>Description of this Item</b> David Knoell will be appointed to the Arts Advisory Board from January 2025 - January 15, 2027. David will be filling Matt Jacobson's position on the board.
--	--



# David Knoell

Theatre Artist and Educator  
*Actor's Equity Association, IATSE Local 99*

## EDUCATION AND TRAINING

**University of Central Florida**                      **Master of Fine Arts – Performance (2006)**  
Orlando, Florida Thesis information available upon request.

**University of Nebraska**                      **Bachelor of Arts – Theatre / English (2002)**  
Lincoln, Nebraska Capstone information available upon request.

**Second City Training Center**                      **Directing Program (2012)**  
Chicago, Illinois                      **Musical Improv Conservatory (2011)**  
   **Conservatory Training and Performance (2010)**

## Certifications

**Electronic Theater Controls**                      **EOS Systems Certification (2019)**  
Orlando, FL

## COLLEGE and UNIVERSITY (UTAH)

**Salt Lake Community College, Salt Lake City, UT**                      **Aug 2024 - present**  
*Assistant Professor. Theatre Production – Div. of Arts and Communication*  
Courses Taught: Stagecraft for Theatre and Film  
Duties: Manage technical elements of productions including scenic, lighting, audio, and properties. Coordinate and mentor students in design positions and train student stage managers. Serve as production manager for the department and assist with technical direction of film and television studios.

**University of Utah, Salt Lake City, UT**                      **April 2023 – April 2024**  
*Production Manager, Department of Theatre*  
Duties: Work with Directors, Designers, Stage Managers, and Producers to manage budgets and schedules as they relate to theatre production needs. Writing and approving contracts for guest artists. Coordinating interdepartmental meetings. Securing production rights and serving on Season Selection Committee. Create and manage forms, websites, and handbooks for students and staff.

**Westminster College – Salt Lake City, UT**                      **Aug 2021 – March 2023**  
*Assistant Technical Director – Performing Arts: Theater, Music, Dance*  
Courses Taught: Stagecraft  
Duties: Assist the Technical Director of Theater with scenic, lighting, audio, projection and stage management elements related to performances from the Departments of Theater, Music and Dance. Train and mentor students in best practices of technical theater. Livestream events.  
Skills: Carpentry, Welding, CNC Fabrication, Lighting console programming, Audio programming and editing, Projection programming, Stage and Production Management, livestreaming of theatre, music and dance events.

## Teaching Positions

### Utah Valley University, Orem, UT

Aug 2023 - present

Courses Taught: Introduction to Acting, Improvisation.

Duties: Improv Team, Coach

### Weber State University, Ogden UT

Aug 2021 - present

Courses Taught: Introduction to Acting, Introduction to Theatre, Improvisation.

Workshop: Larval Mask.

## COLLEGE and UNIVERSITY (ILLINOIS)

### Lake Forest College - Lake Forest, IL

March 2012 – Aug 2021

*Technical Director / Lecturer / Show Director*

Oversee all technical elements of department and student-run theatrical productions. Maintain the scenic shop, theatre space, tech booth, catwalks, and lobby. Mentor and train students in technical theatre safety, building techniques, and design elements. Perform regular maintenance on lighting, audio, and shop equipment and tools. Manage work-study students and budgets. Manage budgets and credit cards for department productions. Create and uphold department production calendar. Schedule and run production meetings. Hire and train student stage managers, technicians, and backstage crew. Work directly with guest artists (designers and directors). Additionally, I direct one production per academic year, and, when applicable, choreograph stage combat and/or physical stunt work for productions.

Courses Taught: Stagecraft. Directing. Voice and Movement, Improv (basic & adv.), Comedy Writing, Acting I, Creative Projects, Independent Studies (Playwrighting, Stand-up Comedy).

Department and College Service: Advise Senior Capstone Projects. Private acting and voice coaching. Weekly free improv workshops open to all. Improvisation/Comedy group coaching and directing. Work with Admissions Dept. on recruitment and meeting with potential new students, offering tours of the building and discussing the program with parents and students. Serve on the Safety Committee, Senior Speaker Selection Committee. Coach Senior Speaker prior to commencement address. Mentor students post-graduation and foster alumni relationships and networks.

### Concordia University Chicago- Chicago, IL

Aug 2013 – July 2019

*Artist in Residence: Improvisational Theatre*

Courses Taught: Improvisation, Public Speaking 101, Introduction to Theatre

Responsible for coordinating the implementation of improvisation into the theater curriculum, and designing improvisation classes for all academic disciplines.

Director: Decapolis, Theater Ministry at Concordia University Chicago (Performance at the National Youth Gathering in the New Orleans Superdome).

### Harold Washington College - Chicago, IL

Jan 2013 – June 2017

*Lecturer:*

Courses Taught: Public Speaking 101, Introduction to Theatre, Training of the Human Voice, Improvisation Workshop. Private acting and speech coaching. Technical Director of Theatre.

## **RELATED THEATER EXPERIENCE (Selected).**

**Great Salt Lake Fringe Festival**  
Artist Coordinator

**April 2023 - Present**

The Great Salt Lake Fringe Festival celebrates the work of local artists of theatre, dance, music, storytelling, improvisation, magic and more. As Artist Coordinator it is my duty to communicate with the artists regarding their festival applications, technical rehearsals, and show schedules. During the festival I respond personally to the various arising needs of the artists.

**Performing Arts Educators (various locations)**  
Executive Stage Manager

**January 2013 - Present**

Performing Arts Educators offers students and teachers opportunities to perform in world-class venues. As stage manager, I am responsible for managing around 30 dance and choral groups for performances at Lincoln Center and Carnegie Hall (NYC), Dolby Theatre (LA), Auditorium Theatre (Chicago) as well as the upcoming 2016 Summer Olympic games.

**Jam Sandwich Chicago, IL**  
Co-Producer / Music Director

**Jan 2011 – July 2021**

Jam Sandwich is the longest-running, independently-produced show associated with the Second City Training Center. Under the direction of John Hildreth, Jam Sandwich teams up faculty, alumni, and students of the SCTC for an all-improvised show every Thursday night.

**College Improv Night Chicago, IL**  
Producer

**Jan 2015 – July 2019**

College Improv Night brings together teams from various colleges in and around the Chicago-area (and sometimes beyond) for weekly performances at The Playground Theatre. Student-teams get to hone their craft through the value of stage-time at one of the city's popular improv venues. Special events promote teams mixing players to learn from each other. Most teams compete each year in the College Improv Tournament.

**Second City's Coached Ensembles Chicago, IL**  
Show Director

**June 2014 – June 2021**

Graduated and current students of the Second City Improvisation Training program form short-term improv groups which are given featured performances at the Second City Training Center. My responsibilities include casting, creating a new format for each show, and coaching the actors.

## **STAGE MANAGEMENT / PRODUCTION MANAGEMENT (Selected)**

BITTER LEMON

BALTHAZAR

WILL IT GO ROUND

MESTIZA, OR MIXED

BEAUTIFUL AUTISTIC

JAM SANDWICH

SCRIBBLE BIBBLE

Plan-B Theatre Company

Plan-B Theatre Company

Pioneer Theatre Company

Plan-B Theatre Company

Chicago Dramatists

Second City Training Center

Stage 773 - Chicago

### **Performing Arts Educators**

Stage Manager/Production Manager

### **2014 – Present**

Carnegie Hall, Lincoln Center, Grand Ol' Opry, Rome

## **TECHNICAL DIRECTION / ASSISTANT TECHNICAL DIRECTOR**

AMELIE

EURYDICE

FIRST DATE

GOD OF CARNAGE

CARTOON

FRANKENSTEIN

AS YOU LIKE IT

DEFYING GRAVITY

THE THANKSGIVING PLAY

THE BIRTHDAY PARTY

LITTLE SHOP OF HORRORS

MACHINAL

FRANKENSTEIN

25<sup>TH</sup> ANNUAL PUTNAM COUNTY SPELLING BEE

“4” Original Student Work

“Trio” Three Original Student One-Acts

“Alight Here” Original Student Play

BEAUTIFUL AUTISTIC

SANTOS V. SANTOS

THE WOOLGATHERER

9 CIRCLES

A VIEW FROM THE BRIDGE

AFTER

Salt Lake Comm. College

Salt Lake Comm. College

Westminster College

Westminster College

Westminster College

Westminster College

Westminster College

Westminster College

Westminster College

Westminster College

Lake Forest College

Lake Forest College

Lake Forest College

Lake Forest College

Lake Forest College

Lake Forest College

Lake Forest College

Chicago Dramatists Playhouse

Harold Washington College

Harold Washington College

Harold Washington College

Harold Washington College

Harold Washington College

## **DIRECTING EXPERIENCE (Selected Experience)**

BLACK COMEDY

TOTALLY TOLERABLE (devised)

FORESTER FRIDAYS LIVE (21 episodes/streaming)

LITTLE SHOP OF HORRORS

FRANKENSTEIN

25<sup>TH</sup> ANNUAL PUTNAM COUNTY SPELLING BEE

Salt Lake Comm. College.

Lake Forest College

Lake Forest College

Lake Forest College

Lake Forest College

Lake Forest College

## REFERENCES

<b>Davis Schneiderman</b>	Dean of Faculty, Lake Forest College 847 814 0725 (personal)
<b>Meghan Wall</b>	Chair, Dept. of Dance, Westminster College 215 435 8786
<b>Christopher Duvall</b>	Chair, Dept. of Theatre, University of Utah 801 581 6448
<b>Chloe Johnston</b>	Professor of Theatre, Lake Forest College 773 203 0807
<b>Richard Pettengill</b>	Chair of Theatre, Lake Forest College 847 892 6025
<b>Jason Narvy</b>	Fmr. Chair of Dept. of Theater, Concordia University 805 729 7552
<b>John Hildreth</b>	Director, et al. Second City Chicago 773 294 5321
<b>Dr. Julia Listengarten</b>	Theatre Professor, University of Central Florida 407 761 9703
<b>Andre Minkins</b>	Theatre Professor, Winston-Salem State University 336 558 1510



**MURRAY**  
CITY COUNCIL

# Public Hearings



**MURRAY**  
CITY COUNCIL

# Public Hearing #1



**MURRAY**

# Community and Economic Development

## Chapter 17.78, Detached Accessory Dwelling Units

### Council Action Request

### Council Meeting

Meeting Date: November 19, 2024

<b>Department Director</b> Phil Markham  <b>Phone #</b> 801-270-2427  <b>Presenters</b> Zachary Smallwood	<b>Purpose of Proposal</b>  Amend Chapter 17.78 Accessory Dwelling Units to allow greater flexibility in developing detached ADUs  <b>Action Requested</b>  Land Use Ordinance Text Amendment  <b>Attachments</b>  Updated Text, Slides, and review of ADU standards for cities in Salt Lake County.  <b>Budget Impact</b>  None Anticipated  <b>Description of this Item</b>  Planning Division is requesting a text amendment to allow for property owners to more easily develop detached accessory dwelling units in single-family areas. Staff has made a number of suggestions that were reviewed by the Planning Commission.  Largely these are for setbacks and allowable size of a detached ADU.  The Planning Commission voted 5-0 to recommend approval of the plan on August 15th, 2024.  The City Council reviewed the initial text changes on October 15, 2024. Staff has amended the code based on the suggested edits and are prepared to discuss with the Council.
<b>Required Time for Presentation</b> 15 Minutes  <b>Is This Time Sensitive</b> No  <b>Mayor's Approval</b>     <b>Date</b>	



# MURRAY CITY CORPORATION

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19<sup>TH</sup> day of November, 2024, at the hour of 6:30 p.m., in the City Council Chambers of the Murray City Hall, 10 East 4800 South, Murray, Utah, the Murray City Municipal Council will hold and conduct a Public Hearing on and pertaining to text amendments to Sections 17.78.040, 17.78.050, and 17.78.090 of the Murray City Municipal Code relating to standards for detached accessory dwelling units.

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

DATED this 16<sup>th</sup> day of October 2024.



MURRAY CITY CORPORATION

A handwritten signature in blue ink, appearing to read "Brooke Smith", written over a horizontal line.

Brooke Smith  
City Recorder

DATE OF POSTING: November 8, 2024  
PH24-37

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

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

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

AN ORDINANCE AMENDING SECTIONS 17.78.040, 17.78.050, AND 17.78.090 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO STANDARDS FOR DETACHED ACCESSORY DWELLING UNITS.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this ordinance is to amend Sections 17.78.040, 17.78.050, and 17.78.090 of the Murray City Municipal Code relating to standards for detached accessory dwelling units.

*Section 2. Amend Sections 17.78.040, 17.78.050, and 17.78.090 of the Murray City Municipal Code.* Sections 17.78.040, 17.78.050, and 17.78.090 of the Murray City Municipal Code shall be amended to read as follows:

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

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

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

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

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

E. Installing separate utility meters for the ADU is prohibited.

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

G. In addition to the parking required for the primary unit, one (1) additional off street parking space shall be provided. ~~A total of In no case shall fewer than~~ three (3) ~~total~~ off street parking spaces shall be provided. Any additional occupant vehicles shall be parked on site. On street parking shall be reserved for visitors only.

H. Any additions to an existing building shall not exceed the allowable lot coverage standard for the underlying zone or encroach into the required setbacks. (Ord. 21-25)

....

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

A. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit or the ADU, ~~but not both~~, as their permanent residence and at no time

receive rent for the unit occupied by the owner-occupied unit. Application for an ADU shall include evidence of owner occupancy as provided in section 17.78.020 of this chapter.

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

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

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

E. Installing separate utility meters for the ADU is prohibited.

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

G. The total area of the ADU shall be less than forty-fifty percent (4050%) of the square footage of the primary residence and in no case shall exceed one thousand (1,000) square feet.

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

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

J. The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be ten thousand (10,000) square feet.

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

1. Shall not located in the front yard area as defined in Chapter 17.08

2. Must adhere to the following setbacks:

a. Rear Yard: Ten feet (10') from property line.

b. Side Yard: Ten feet (10') from property line.

c. Corner Side Yard: Twenty feet (20') from property line

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

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

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

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

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

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

(Ord. 23-03: Ord. 21-25)

....

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

A. By applying for an ADU, the property owner shall agree that the main dwelling and the proposed ADU will not be used as a short-term rental.

B. Short-term rental ~~means the same as defined in chapter 17.23 and~~ is defined here as renting all or a portion of a property for less than thirty (30) days at a time.

~~C. Any violation of this section shall fall under chapter 17.23: Short Term Rentals.~~  
(Ord. 21-25)

....

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

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

MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_  
Pam Cotter, Chair

ATTEST:

\_\_\_\_\_  
Brooke Smith, City Recorder

MAYOR'S ACTION:

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

\_\_\_\_\_  
Brett A. Hales, Mayor

ATTEST:

\_\_\_\_\_  
Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

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

\_\_\_\_\_  
Brooke Smith, City Recorder

Minutes of the Planning Commission meeting held on Thursday, August 15, 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: Maren Patterson, Chair  
Lisa Milkavich  
Jake Pehrson  
Michael Richards  
Pete Hristou  
Zachary Smallwood, Planning Division Manager  
Mark Richardson, Deputy Attorney  
Members of the Public (per sign-in sheet)

Excused: Ned Hacker, Vice Chair  
Michael Henrie

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

Chair Patterson called the meeting to order at 6:31 p.m.

#### BUSINESS ITEMS

#### APPROVAL OF MINUTES

There were no minutes to approve for this meeting.

#### CONFLICT(S) OF INTEREST

There were no conflicts of interest for this meeting.

#### FINDINGS OF FACT

Commissioner Pehrson made a motion to approve the findings of facts and conclusions for Cottonwood Galleria Design Review. Seconded by Commissioner Milkavich. A voice vote was made with all in favor.

## LAND USE ORDINANCE TEXT AMENDMENT – PUBLIC HEARING

### Chapter 17.78 Accessory Dwelling - Project # 24-076 - Amending Standards for Detached Accessory Dwelling Units and general text clean-up.

This is a continuation of the agenda item for the amendment presented on July 18, 2024. Staff made corrections to the text based on comments made by the Planning Commission. Zachary Smallwood presented this request to make amendments to Chapter 17.78 Accessory Dwelling Units (ADUs). The request addresses changes to the detached accessory dwelling unit standards. He said that this text amendment was a result of the moderate-income housing plan that was adopted by the City Council as required by the Utah State Legislature. They expect to see progress each year in reduced regulations for internal or detached accessory dwelling units in residential zones. He summarized the changes that staff made to the language, which included removing the language prohibiting the door on corner side yards, increasing the allowable square footage, reducing the parking requirements, reduction of rear and side setbacks, and removing the language relating to matching materials with the existing home. Mr. Smallwood said that language was added regarding corner yard setbacks. Staff recommends that the Planning Commission forward a recommendation of approval for the changes.

Commissioner Pehrson and Mr. Smallwood had a discussion regarding receiving rental income for the owner-occupied unit. The language states that the property owner cannot receive rental income for the unit they are occupying.

The commissioners and Mr. Smallwood had a discussion regarding utility meters and that the units must not be metered separately, or it could be considered a duplex. The units may have separate heating systems and be on the same meter.

Commissioner Milkavich asked if a roll-up door would be allowed. Mr. Smallwood wasn't sure but believed that building code would not permit it.

Chair Patterson asked Mr. Smallwood if he believes the changes to the code will result in an increase in the amount of ADU's. Mr. Smallwood said he feels that it will. He said he anticipates coming forward with changes each year after a review of the currently proposed changes. He speculated that having ADU's above attached garages will be the next issue to be addressed.

The Commissioners and Mr. Smallwood had a discussion regarding the report to the state each year on the moderate-income housing requirements. They agreed that it may slow down overall progress because they may hold off on projects so that they have something to report on for a given year.

Chair Patterson opened the agenda item for public comment.

Robert, a resident of Salt Lake City and Master's of City Planning student at the University of Utah spoke in support of the proposed ADU amendments. He said he's following the development of ADU's as a project for his master's degree. He said he's seen a lot of great advancements in ADU's including prefabricated units. He feels it's an effective way to provide more housing. He lives in a neighborhood in Salt Lake City that has several ADU's and has seen it as a successful scenario.

Chair Patterson closed the public comment period.

Commissioner Richards made a motion the Planning Commission forward a recommendation of approval to the City Council for the proposed amendments to Chapter 17.78 Accessory Dwelling Units as reviewed in the Staff Report.

Seconded by Commissioner Milkavich. Roll call vote:

A Patterson  
A Milkavich  
A Pehrson  
A Hristou  
A Richards

Motion passes: 5-0

Chapter 17.48 Sign Code Sections 17.48.040 & 17.48.200 - Project # 24-086  
Adding Definition and Regulations Regarding Screen Signs

Zachary Smallwood presented the request from planning division staff to propose amendments to Sections 17.48.040 & 17.48.200 of the Sign Code. The request defines and allows screen signs in commercial and manufacturing zones. He provided a definition and local examples of screen signs. He cited benefits of screen signage to residents and business, including reduced impact on the community and increased aesthetics. He discussed the code for screen sign installation. He said that this request is within Objective Five of the Economic Development Element of the General Plan.

Chair Patterson opened the agenda item 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 proposed amendments to Sections 17.48.040 and 17.48.200 within the Sign Code as reviewed in the Staff Report.

Seconded by Commissioner Hirstou. Roll Call Vote:

A Patterson  
A Milkavich  
A Pehrson  
A Hristou  
A Richards

Motion passes: 5-0

Chapter 17.64 Fence Regulations Sections 17.64.020 & 17.64.090 - Project #24-087 - Reducing setbacks, allowing additional height when next to nonresidential and general clean up.

Zachary Smallwood presented this request by planning division staff to propose amendments to Sections 17.64.020 & 17.64.090 of the Fence Regulations. The request clarifies residential fencing, reduces side yard fencing setbacks, and allows additional height for fencing between residential and



non-residential zoning districts. He described fencing limitations that exist with corner lots when a neighbor has an adjacent driveway that is within twelve feet of a property, the homeowners may not install fencing. He said that planning and engineering staff with the city attorney's office drafted an amendment to reduce that distance to ten feet. Another proposal includes having a sight triangle to accommodate fencing. He showed illustrations of both scenarios. Either option would still provide sight visibility. Findings are the proposed text amendment promotes individual property rights and does not conflict with the General Plan. The proposed text amendment has been thoroughly reviewed to ensure the health, safety and general welfare of the community are maintained, and staff finds that continuing to support single-family neighborhoods by allowing additional privacy provides owners with greater use of their property. Staff recommends forwarding a recommendation of approval to the City Council for the proposed amendment.

Commissioner Pehrson asked for clarification on the proposal. He and Mr. Smallwood discussed the details of the proposals, as well as fence heights based upon materials used, specifically for the sight triangle for fencing. Mr. Smallwood emphasized that the requirements have to do with site visibility.

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

Commissioner Milkavich made a motion that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendments to Sections 17.64.020 and 17.64.090 within the Fence Regulation Code as reviewed in the Staff Report

Seconded by Commissioner Richards. Roll call vote:

A Patterson  
A Milkavich  
A Pehrson  
A Hristou  
A Richards

Motion passes: 5-0

#### ANNOUNCEMENTS AND QUESTIONS

The next scheduled meeting will be held on Thursday, September 5<sup>th</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 7:14 p.m.



---

Philip J. Markham, Director  
Community & Economic Development Department

### Salt Lake County ADU Review

City	Min Lot Size	Max ADU Size	Setback from Dwelling	Rear	Side	Height	Attached	Detached	Parking	Matching Aesthetics
Cottonwood Heights			6'	20'	5-10'	20'	Yes	Yes	2	
Draper	12,000	50%		20'	8-10'	35'	Yes	Yes	1	1
Midvale	6,000	900	6'	2'	2'	16'	Yes	Yes	1	
Millcreek	I/A - 6,000 D - 8,000	50%	5'	5'	5'	24'	Yes	Yes	1	
Murray	10,000	40% up to 1,000	6'	15-25'	5-8'	20'	Yes	Yes	I - 1 D - 2	1
Riverton	N/A	10% of Lot	10'	1'-15'	5'	20'	Yes	Yes	1	
Salt Lake City	N/A	1,000		3'	3'	17-24'	Yes	Yes	1	
Sandy	20,000	400	6'	10'	10'					
South Salt Lake	6,000	50% up to 1,000	10'	5'	5'	20'	Yes	Yes	1	
South Jordan	I/A - 6,000 D - 14,250	35% up to 1,500		10'	10'		Yes	Yes	1	1
Taylorsville	15,000	75% of dwelling	6'	10'	10'	1 level	Yes	Yes	1	1
West Jordan	10,000	Less than primary	6'	15'	8'		Yes	Yes	1	
West Valley City	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No	1	
Bluffdale	N/A	N/A		10'	10'	18'	Yes	Yes	2	
Herriman	6,000	N/A	N/A	N/A	N/A	N/A	Yes	No	1	
Holladay	14,600 or Less	800-850		4-5'	4-5'	20'	Yes	Yes	1	
Kearns	5,000	None	6'	5'	5'	20'	Yes	Yes	2	1
Magna	5,000	None	6'	5'	5'	20'	Yes	Yes	2	1
White City	6,000	N/A	N/A	N/A	N/A	N/A	Yes	No	1	
Copperton	None	None	6'	3'	3'	20'	Yes	Yes	1	
Emmigration Canyon	6,000	N/A	N/A	N/A	N/A	N/A	Yes	No	1	



## AGENDA ITEM # 04

### Chapter 17.78 Accessory Dwelling Units Text Amendment

<b>ITEM TYPE:</b>	Text Amendment		
<b>ADDRESS:</b>	Citywide	<b>MEETING DATE:</b>	August 15, 2024
<b>APPLICANT:</b>	Community & Economic Development Department	<b>STAFF:</b>	Zachary Smallwood, Planning Division Manager
<b>PARCEL ID:</b>	N/A	<b>PROJECT NUMBER:</b>	24-076
<b>REQUEST:</b>	Planning Division Staff proposes amendments to Chapter 17.78 Accessory Dwelling Units(ADUs). The request mainly addresses changes to the detached accessory dwelling unit standards.		

## I. STAFF REVIEW & ANALYSIS

### History & Background

The Utah State Legislature passed House Bill 462 (HB 462) in March of 2022, requiring that municipalities take additional steps to ensure that each jurisdiction is planning for and reducing barriers to moderate income housing. Moderate income is defined as those persons/families with household incomes less than eighty percent (80%) of the area median income (AMI).

HB 462 requires that municipalities include certain strategies in the Moderate Income Housing (MIH) elements of their general plans and provides a list of twenty-four “menu” items to select them from. HB 462 also requires that cities develop actionable implementation plans for each of those strategies and provide the state a yearly report on steps the city has made to make affordable housing more attainable.

In subsequent years since its passage the legislature has made additional modifications to the language. Some of these include additional menu items, penalties for noncompliance, and incentives for going above and beyond.

One of the menu items that was selected by Murray City states the following:

**STRATEGY: CREATE OR ALLOW FOR, AND REDUCE REGULATIONS RELATED TO, INTERNAL OR DETACHED ACCESSORY DWELLING UNITS (ADU) IN RESIDENTIAL ZONES.**

**Action Plan:** The Community and Economic Development Department by December 31<sup>st</sup>, 2023 will review regulations to facilitate the construction of additional detached accessory dwelling units, including a review of the following items:

- Determine whether the city should allow a second ADU to be located on residential properties.
- Conduct a review of the setback requirements for detached ADUs and propose changes.
- Consider allowing a second level for appropriately located accessory structures when the second story would be used as an ADU.

Within the action plan shown above, it states that the Community and Economic Development Department will review the setback requirements for detached ADUs and propose changes. As we continue towards implementation of the Moderate-Income Housing Plan, staff has conducted a review of the standards for detached accessory dwelling units.

The Planning Commission heard the proposed changes to the ADU ordinance on July 18, 2024. There was discussion about some amendments to the code and that the commission would like to see those incorporated before making a decision.

#### Review of Research

Staff conducted public policy research and benchmarked against multiple cities across Utah. Below is a summarization of the information found.

City	Detached ADU Setback	Distance from Main Dwelling	Max Square footage	Minimum Lot Area
Millcreek	5 feet	6 feet	50% up to 850 square feet	8,000
Midvale	2 feet	6 feet	900 sq ft	None
Taylorsville	10 feet	6 feet	75% no max	15,000
Draper	Same as Main Dwelling	6 feet	50% max	None
Holladay	Same as Main Dwelling	6 feet	None	Double underlying zone
South Salt Lake	5 feet	10 feet	50% up to 1,000 sq ft	

Both the American Planning Association and AARP's Public Policy Institute recommends detached setbacks at four feet (4'). Both also recommend no limit on size except that it be smaller than the primary dwelling on the property.

### Review of Proposed Changes

In February of 2023 the City Council with the recommendation of the Planning Commission amended the Detached ADU standards for a minimum lot size of 12,000 square feet to a minimum of 10,000 square feet. This was the first step in loosening restrictions on Detached ADUs. Since that was code was approved, we have had approximately four (4) applications for Detached ADUs among the total of twenty-four (24) ADU applications.

Planning staff has conducted thorough research into neighboring city regulations regarding detached ADUs as well as industry standards. Based on our observations we have suggested the following modifications:

1. Reduce the requirement of entrances to ADUs on the Corner Side Yard area.
  - a. Staff finds that often times residents are allowed accessory uses such as sheds, and garages that have doors that face the corner side yard area. This requirement allows for greater flexibility in someone to design an appropriate ADU.
2. Allowed square footage.
  - a. Staff is proposing to keep the limit on a maximum of 1,000 square feet in all instances. The proposed change is the allowable area percentage being increased from forty percent (40%) to fifty percent (50%). Many single family homes in Murray City are post-war bungalows with 1,000 square feet or less that could utilized their large lots to provide additional housing. As an example staff found a home on the County Assessor's Website that is 852 square feet. It is located on a .33 acre (14,375 sq foot) piece of property. The current code would allow a 340 square foot detached ADU. The proposed code would allow 426, which though still small, would be more beneficial and allows homeowners to better plan for a usable ADU.
3. Detached ADU Setbacks
  - a. Currently the ADU code states that a detached ADU must meet the same setbacks as a dwelling in the zone. This has proven to be exceptionally limiting to most homeowners. In most instances a detached ADU is required to have a twenty-five foot (25') setback from the rear property line and a minimum of eight feet (8') from the side. There is an additional section of the code that states any detached accessory structure be a minimum of six feet (6') away from the dwelling.
  - b. Staff is proposing to reduce the rear yard setback to ten feet (10') and increase the side yard to ten feet (10'). This is largely consistent with neighboring cities and industry standards. Staff is not recommending a change to the distance to the main dwelling because it is for fire safety.
4. Removal of design criteria
  - a. Staff is proposing removing the requirement that the ADU be compatible with exterior color and materials of the principal dwelling. This has been used in the past to disallow for changes in architectural style and personal expression on one's property.

#### Clean Up Items

Staff has made a few housekeeping modifications to the code to clear up some ambiguity. Specifically, under Section 17.78.090: Short Term Rentals Not Allowed. At the time of drafting the previous changes to the ADU code, staff was also drafting a short term rental ordinance. The City Council decided to table the code at that time until a future date. Because it has never been adopted Chapter 17.23 does not exist and should not be cited in the code.

The remaining changes are grammatical in nature and have no effect on the ordinance.

#### July 18, 2024, Planning Commission Items

During the review of the application at the July 18<sup>th</sup> Planning Commission meeting Staff was informed that there was not a setback for the corner side yard. Staff updated the code to reflect a twenty foot (20') side yard setback. This is consistent with other accessory uses in the ordinance currently. There was a discussion about the removal of the definition for short-term rentals. Staff agreed that it should remain in the code and have re-added it in the draft form.

An additional point was discussed regarding compatibility with exterior colors and materials as the principal dwelling. Doing further research into other cities there did not seem to be a provision that brought this forward and staff feels that it was not clear at the Planning Commission one way or another whether it should be included. Staff is recommending to omit this section at this time.

## **II. DEPARTMENT REVIEWS**

The draft changes were provided to each department for their reviews the week of July 2<sup>nd</sup>. The Power Department stated that property owners will still need to comply with Public Utility Easements and not being located underneath power lines. Other departments did not have any additional information to add or change.

## **III. PUBLIC INPUT**

Notices were sent to Affected Entities for this amendment. As of the date of this report, there have been no comments or questions.

## **IV. FINDINGS**

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

1. The proposed text amendment furthers objective 9 of the Land Use and Urban Design Element of the General Plan to “provide a mix of housing options and residential zones to meet a diverse range of needs related to lifestyle and demographics, including age, household size, and income” by making the process to construct and operate an ADU easier.
2. The proposed changes are in harmony with objective 11 of the Land Use and Urban Design Element to “stimulate reinvestment in deteriorating areas of the city to

support growth and enhance the image of the community” by reducing the minimum setbacks for detached ADUs.

3. Staff finds that objective 3 of the Neighborhoods & Housing Element that states “encourage housing options for a variety of age, family size and financial levels” supports the proposed changes. This allows additional residents that own a home that may be struggling to pay their mortgage or have a family member, friend or caretaker to reside on the same property.
4. Staff finds that reviewing and updating the setback requirements and other adjustments will further the City’s priority of providing Moderate Income Housing options for residents of the city.

## V. CONCLUSION/RECOMMENDATION

Based on the background, analysis, and the findings within this report, Staff recommends that the Planning Commission **forward a recommendation of APPROVAL to the City Council for the proposed amendments to Chapter 17.78 Accessory Dwelling Units as reviewed in the Staff Report.**



---

## NOTICE OF PUBLIC HEARING

August 15th, 2024, 6:30 PM

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

**Amendments to Chapter 17.78 Accessory Dwelling Units.** This request by Murray City Planning Staff to amend the ADU Code for Detached Accessory Dwelling Units and general text clean-up was tabled at the July 18<sup>th</sup>, 2024, Meeting. The Planning Commission will review suggested edits to the code to allow for reduced regulations on detached accessory dwelling units.

**Amendments to Chapter 17.48 Sign Code.** The request by Murray City Planning Staff to amend the Sign Ordinance to allow for screen signs in Commercial and Manufacturing Zones.

**Amendments to Chapter 17.64 Fence Regulations.** The request by Murray City Planning Staff to amend the residential fencing regulations for clarity and to allow for a reduction in setbacks when located next to a driveway.

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

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

If you have questions or comments concerning any of these items, please contact the Murray City Planning Division at 801-270-2430, or e-mail [planning@murray.utah.gov](mailto:planning@murray.utah.gov).

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



CHAPTER 17.78  
ACCESSORY DWELLING UNITS

SECTION:

17.78.010: Purpose

17.78.020: Definitions

17.78.030: Accessory Dwelling Unit Permit Required

17.78.040: Attached Accessory Dwelling Development Standards

17.78.050: Detached Accessory Dwelling Development Standards

17.78.060: Affidavit

17.78.070: Inspection

17.78.080: Enforcement And Termination

17.78.090: Short Term Rentals Not Allowed

17.78.100: Business License Required

17.78.010: PURPOSE:

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

- A. Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable;
- B. Provide for affordable housing opportunities;
- C. Make housing units available to moderate income people who might otherwise have difficulty finding homes within the city;
- D. Provide opportunities for additional income to offset rising housing costs;
- E. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in their life cycle; and
- F. Preserve the character of single-family neighborhoods by providing standards governing development of ADUs. (Ord. 21-25: Ord. 09-23 § 2)

17.78.020: DEFINITIONS:

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

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

**OWNER OCCUPANCY:** When a property owner, as reflected in title records, makes his or her legal residence at the site as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means. (Ord. 21-25: Ord. 09-23 § 2)

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

An ADU meeting the development standards, as specified within this chapter, may be allowed in any zone that allows for single-family housing as a permitted use after approval of an accessory dwelling unit permit by the Community and Economic Development Director or their designee. (Ord. 21-25: Ord. 09-23 § 2)

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

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

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

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

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

E. Installing separate utility meters for the ADU is prohibited.

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

G. In addition to the parking required for the primary unit, one (1) additional off street parking space shall be provided. In no case shall fewer than three (3) total off street

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

H. Any additions to an existing building shall not exceed the allowable lot coverage standard for the underlying zone or encroach into the required setbacks. (Ord. 21-25)

17.78.050: DETACHED ACCESSORY DWELLING DEVELOPMENT STANDARDS:

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

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

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

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

E. Installing separate utility meters for the ADU is prohibited.

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

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

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

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

J. The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be ten thousand (10,000) square feet.

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

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

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

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

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

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

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

(Ord. 23-03: Ord. 21-25)

#### 17.78.060: AFFIDAVIT:

Applicants for all ADUs shall complete an affidavit stating that the owner of the property has obtained a permit for the ADU and will live in either the primary or accessory dwelling unit as their permanent residence. Upon approval of the ADU by the Community and Economic Development Department, the affidavit shall be recorded against the property (in the event the property owner decides to sell the home) to alert the future owner of the regulations for the ADU. (Ord. 21-25)

#### 17.78.070: INSPECTION:

Following the issuance of an accessory dwelling unit permit, the community and economic development department may approve an application for a building permit upon compliance of construction plans meeting such conditions and requirements as established by the community and economic development department. Representatives of the code enforcement/community and economic development department shall inspect the project to ensure that all required improvements meet the conditions of the permit and this chapter before a certificate of occupancy is issued. (Ord. 21-25: Ord. 09-23 § 2)

#### 17.78.080: ENFORCEMENT AND TERMINATION:

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

B. Property Lien:

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

a. The owner violates any of the provisions of this chapter or section 10-9a-530 of the Utah Code;

b. The City provides a written notice of violation as required under this section;

c. The City holds a hearing and determines that the violation has occurred if the owner files a written objection to the notice of violation;

d. The owner fails to cure the violation within the time period described in this section;

e. The City provides a written notice of lien; and

f. The City records a copy of the written notice of lien with the Salt Lake county recorder.

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

a. Describe the specific violation;

b. Provide the owner with a reasonable opportunity to cure the violation that is:

(1) No less than fourteen (14) days after the day on which the City sends the written notice of violation if the violation results from the owner renting or offering to rent the AADU for a period of less than thirty (30) consecutive days; or

(2) No less than thirty (30) days after the day on which the City sends the written notice of violation for any other violation;

c. State that if the owner fails to cure the violation with the required time period, the City may hold a lien against the property in an amount of up to one hundred dollars (\$100.00) for each day of violation after the day on which the opportunity to cure the violation expires;

d. Notify the owner:

(1) That the owner may file a written objection to the notice of violation within fourteen (14) days after the day on which the written notice of violation is post-marked or posted on the property; and

(2) The name and address of the Community and Economic Development Director, with whom the written objection may be filed;

e. Be mailed to:

(1) The property owner of record; and

(2) Any other individual designated to receive notice in the owner's license or permit records; and

f. Be posted on the property.

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

a. Comply with the requirements of title 38 chapter 12 of the Utah Code, Notice of Lien Filing;

b. State that the property is subject to a lien;

c. Specify the lien amount, in an amount up to one hundred dollars (\$100.00) for each day of violation after the day on which the opportunity to cure the violation expires;

d. Be mailed to:

(1) The property owner of record; and

(2) Any other individual designated to receive notice in the owner's license or permit records; and

e. Be posted on the property.

4. Written Objection And Hearing.

a. If an owner files a written objection to the notice of violation, the City shall:

(1) Within ten (10) business days after the written objection is received, hold a hearing in accordance with title 52, chapter 4, Open and Public Meetings Act, before the Community and Economic Development Director (Director) to conduct a review and determine whether the specific violation described in the written notice of violation has occurred; and

(2) Notify the owner in writing of the date, time and location of the hearing described above, no less than fourteen (14) days before the day on which the hearing is held.

b. If an owner files a written objection to the notice of violation, the City may not record a lien until the City holds a hearing and the Director makes a determination that the specific violation has occurred.

c. In order for the Director to determine that a specific violation has occurred, a violation must be proved by clear and convincing evidence.

d. If the Director determines at the hearing that the specific violation has occurred, the City may impose a lien in an amount of up to one hundred dollars (\$100.00) for each day of violation after the day on which the opportunity to cure the violation expires, regardless of whether the hearing is held after the day on which the opportunity to cure the violation has expired.

e. If the Director determines at the hearing that the specific violation has not occurred, the City may not hold a lien against the property or impose any penalty or fee on the owner in relation to the specific violation described in the written notice of violation.

5. Curing A Violation: If an owner cures a violation within the time period prescribed in the written notice of violation, the City may not hold a lien against the property or impose any penalty or fee on the owner in relation to the specific violation described in the written notice of violation. (Ord. 21-25: Ord. 09-23 § 2)

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

A. By applying for an ADU, the property owner shall agree that the main dwelling and the proposed ADU will not be used as a short-term rental.

B. Short-term rental means the same as defined in chapter 17.23 and is defined here as renting all or a portion of a property for less than thirty (30) days at a time.

C. Any violation of this section shall fall under chapter 17.23: Short Term Rentals. (Ord. 21-25)

#### 17.78.100: BUSINESS LICENSE REQUIRED:

A residential rental business license is required to rent out either the main or accessory dwelling unit. (Ord. 21-25)

CHAPTER 17.78  
ACCESSORY DWELLING UNITS

SECTION:

17.78.010: Purpose

17.78.020: Definitions

17.78.030: Accessory Dwelling Unit Permit Required

17.78.040: Attached Accessory Dwelling Development Standards

17.78.050: Detached Accessory Dwelling Development Standards

17.78.060: Affidavit

17.78.070: Inspection

17.78.080: Enforcement And Termination

17.78.090: Short Term Rentals Not Allowed

17.78.100: Business License Required

17.78.010: PURPOSE:

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

- A. Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable;
- B. Provide for affordable housing opportunities;
- C. Make housing units available to moderate income people who might otherwise have difficulty finding homes within the city;
- D. Provide opportunities for additional income to offset rising housing costs;
- E. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in their life cycle; and
- F. Preserve the character of single-family neighborhoods by providing standards governing development of ADUs. (Ord. 21-25: Ord. 09-23 § 2)

17.78.020: DEFINITIONS:

ATTACHED ACCESSORY DWELLING UNIT (AADU): A self-contained dwelling unit within an owner occupied single-family residence or located on an owner occupied property that is incorporated within the single-family residence which maintains complete independent living facilities for one or



## REDLINE CHANGES

more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation including a separate kitchen and/or laundry facilities.

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

**OWNER OCCUPANCY:** When a property owner, as reflected in title records, makes his or her legal residence at the site as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means. (Ord. 21-25: Ord. 09-23 § 2)

### 17.78.030: ACCESSORY DWELLING UNIT PERMIT REQUIRED:

An ADU meeting the development standards, as specified within this chapter, may be allowed in any zone that allows for single-family housing as a permitted use after approval of an accessory dwelling unit permit by the Community and Economic Development Director or their designee. (Ord. 21-25: Ord. 09-23 § 2)

### 17.78.040: ATTACHED ACCESSORY DWELLING DEVELOPMENT STANDARDS:

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

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

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

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

E. Installing separate utility meters for the ADU is prohibited.

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

G. In addition to the parking required for the primary unit, one (1) additional off street parking space shall be provided. ~~A total of~~ ~~In no case shall fewer than~~ three (3) ~~total~~ off street parking spaces ~~shall~~ be provided. Any additional occupant vehicles shall be parked on site. On street parking shall be reserved for visitors only.

H. Any additions to an existing building shall not exceed the allowable lot coverage standard for the underlying zone or encroach into the required setbacks. (Ord. 21-25)

### 17.78.050: DETACHED ACCESSORY DWELLING DEVELOPMENT STANDARDS:

## REDLINE CHANGES

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

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

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

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

E. Installing separate utility meters for the ADU is prohibited.

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

G. The total area of the ADU shall be less than ~~forty-fifty~~ percent (50%) of the square footage of the primary residence and in no case shall exceed one thousand (1,000) square feet.

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

I. In addition to the parking required for the primary unit, ~~onetwo (21)~~ additional off street parking spaces shall be provided. ~~A total of In no case shall fewer than fourthree (3) total~~ off street parking spaces shall be provided. Any additional occupant vehicles shall be parked on site. On street parking shall be reserved for visitors only.

J. The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be ten thousand (10,000) square feet.

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

1. Not located in the front yard area as defined in Chapter 17.08

2. Must adhere to the following setbacks:

a. Rear Yard: Ten feet (10') from property line.

b. Side Yard: Ten feet (10') from property line.

a.c. Corner Side Yard: Twenty-feet (20') from property line.

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

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

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

## REDLINE CHANGES

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

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

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

(Ord. 23-03: Ord. 21-25)

### 17.78.060: AFFIDAVIT:

Applicants for all ADUs shall complete an affidavit stating that the owner of the property has obtained a permit for the ADU and will live in either the primary or accessory dwelling unit as their permanent residence. Upon approval of the ADU by the Community and Economic Development Department, the affidavit shall be recorded against the property (in the event the property owner decides to sell the home) to alert the future owner of the regulations for the ADU. (Ord. 21-25)

### 17.78.070: INSPECTION:

Following the issuance of an accessory dwelling unit permit, the community and economic development department may approve an application for a building permit upon compliance of construction plans meeting such conditions and requirements as established by the community and economic development department. Representatives of the code enforcement/community and economic development department shall inspect the project to ensure that all required improvements meet the conditions of the permit and this chapter before a certificate of occupancy is issued. (Ord. 21-25: Ord. 09-23 § 2)

### 17.78.080: ENFORCEMENT AND TERMINATION:

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

#### B. Property Lien:

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

a. The owner violates any of the provisions of this chapter or section 10-9a-530 of the Utah Code;

## REDLINE CHANGES

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

### 2. Notice Of Violation: The written notice of violation shall:

- a. Describe the specific violation;
- b. Provide the owner with a reasonable opportunity to cure the violation that is:
  - (1) No less than fourteen (14) days after the day on which the City sends the written notice of violation if the violation results from the owner renting or offering to rent the AADU for a period of less than thirty (30) consecutive days; or
  - (2) No less than thirty (30) days after the day on which the City sends the written notice of violation for any other violation;
- c. State that if the owner fails to cure the violation with the required time period, the City may hold a lien against the property in an amount of up to one hundred dollars (\$100.00) for each day of violation after the day on which the opportunity to cure the violation expires;
- d. Notify the owner:
  - (1) That the owner may file a written objection to the notice of violation within fourteen (14) days after the day on which the written notice of violation is post-marked or posted on the property; and
  - (2) The name and address of the Community and Economic Development Director, with whom the written objection may be filed;
- e. Be mailed to:
  - (1) The property owner of record; and
  - (2) Any other individual designated to receive notice in the owner's license or permit records; and
- f. Be posted on the property.

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

- a. Comply with the requirements of title 38 chapter 12 of the Utah Code, Notice of Lien Filing;
- b. State that the property is subject to a lien;
- c. Specify the lien amount, in an amount up to one hundred dollars (\$100.00) for each day of violation after the day on which the opportunity to cure the violation expires;
- d. Be mailed to:

## REDLINE CHANGES

- (1) The property owner of record; and
- (2) Any other individual designated to receive notice in the owner's license or permit records; and
- e. Be posted on the property.
4. Written Objection And Hearing.
  - a. If an owner files a written objection to the notice of violation, the City shall:
    - (1) Within ten (10) business days after the written objection is received, hold a hearing in accordance with title 52, chapter 4, Open and Public Meetings Act, before the Community and Economic Development Director (Director) to conduct a review and determine whether the specific violation described in the written notice of violation has occurred; and
    - (2) Notify the owner in writing of the date, time and location of the hearing described above, no less than fourteen (14) days before the day on which the hearing is held.
  - b. If an owner files a written objection to the notice of violation, the City may not record a lien until the City holds a hearing and the Director makes a determination that the specific violation has occurred.
  - c. In order for the Director to determine that a specific violation has occurred, a violation must be proved by clear and convincing evidence.
  - d. If the Director determines at the hearing that the specific violation has occurred, the City may impose a lien in an amount of up to one hundred dollars (\$100.00) for each day of violation after the day on which the opportunity to cure the violation expires, regardless of whether the hearing is held after the day on which the opportunity to cure the violation has expired.
  - e. If the Director determines at the hearing that the specific violation has not occurred, the City may not hold a lien against the property or impose any penalty or fee on the owner in relation to the specific violation described in the written notice of violation.
5. Curing A Violation: If an owner cures a violation within the time period prescribed in the written notice of violation, the City may not hold a lien against the property or impose any penalty or fee on the owner in relation to the specific violation described in the written notice of violation. (Ord. 21-25: Ord. 09-23 § 2)

### 17.78.090: SHORT TERM RENTALS NOT ALLOWED:

- A. By applying for an ADU, the property owner shall agree that the main dwelling and the proposed ADU will not be used as a short-term rental.
- B. Short-term rental ~~means the same as defined in chapter 17.23 and~~ is defined here as renting all or a portion of a property for less than thirty (30) days at a time.
- ~~C. Any violation of this section shall fall under chapter 17.23: Short Term Rentals. (Ord. 21-25)~~

### 17.78.100: BUSINESS LICENSE REQUIRED:

## REDLINE CHANGES

A residential rental business license is required to rent out either the main or accessory dwelling unit. (Ord. 21-25)

CHAPTER 17.78  
ACCESSORY DWELLING UNITS

SECTION:

17.78.010: Purpose

17.78.020: Definitions

17.78.030: Accessory Dwelling Unit Permit Required

17.78.040: Attached Accessory Dwelling Development Standards

17.78.050: Detached Accessory Dwelling Development Standards

17.78.060: Affidavit

17.78.070: Inspection

17.78.080: Enforcement And Termination

17.78.090: Short Term Rentals Not Allowed

17.78.100: Business License Required

17.78.010: PURPOSE:

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

- A. Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable;
- B. Provide for affordable housing opportunities;
- C. Make housing units available to moderate income people who might otherwise have difficulty finding homes within the city;
- D. Provide opportunities for additional income to offset rising housing costs;
- E. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in their life cycle; and
- F. Preserve the character of single-family neighborhoods by providing standards governing development of ADUs. (Ord. 21-25: Ord. 09-23 § 2)

17.78.020: DEFINITIONS:

ATTACHED ACCESSORY DWELLING UNIT (AADU): A self-contained dwelling unit within an owner occupied single-family residence or located on an owner occupied property that is incorporated within the single-family residence which maintains complete independent living facilities for one or

more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation including a separate kitchen and/or laundry facilities.

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

**OWNER OCCUPANCY:** When a property owner, as reflected in title records, makes his or her legal residence at the site as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means. (Ord. 21-25: Ord. 09-23 § 2)

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

An ADU meeting the development standards, as specified within this chapter, may be allowed in any zone that allows for single-family housing as a permitted use after approval of an accessory dwelling unit permit by the Community and Economic Development Director or their designee. (Ord. 21-25: Ord. 09-23 § 2)

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

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

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

C. ADUs are allowed on properties that allow single-family dwellings as a permitted use.

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

E. Installing separate utility meters for the ADU is prohibited.

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

G. In addition to the parking required for the primary unit, one (1) additional off street parking space shall be provided. A total of three (3) off street parking spaces shall be provided. Any additional occupant vehicles shall be parked on site. On street parking shall be reserved for visitors only.

H. Any additions to an existing building shall not exceed the allowable lot coverage standard for the underlying zone or encroach into the required setbacks. (Ord. 21-25)

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



A. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit or the ADU, as their permanent residence and at no time receive rent for the unit occupied by the owner. Application for an ADU shall include evidence of owner occupancy as provided in section 17.78.020 of this chapter.

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

C. ADUs are allowed on properties that allow single-family dwellings as a permitted use.

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

E. Installing separate utility meters for the ADU is prohibited.

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

G. The total area of the ADU shall be less than fifty percent (50%) of the square footage of the primary residence and in no case shall exceed one thousand (1,000) square feet.

I. In addition to the parking required for the primary unit, one (1) additional off street parking spaces shall be provided. A total of three (3) off street parking spaces shall be provided. Any additional occupant vehicles shall be parked on site. On street parking shall be reserved for visitors only.

J. The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be ten thousand (10,000) square feet.

K. Detached ADUs shall meet the following standards:

1. Not located in the front yard area as defined in Chapter 17.08

2. Must adhere to the following setbacks:

- a. Rear Yard: Ten feet (10') from property line.

- b. Side Yard: Ten feet (10') from property line.

- c. Corner Side Yard: Twenty-feet (20') from property line.

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

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

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

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

Q. Conversion of existing accessory buildings (such as detached garages) may only occur where the existing accessory building meets the setback requirements set forth herein.

(Ord. 23-03: Ord. 21-25)

17.78.060: AFFIDAVIT:

Applicants for all ADUs shall complete an affidavit stating that the owner of the property has obtained a permit for the ADU and will live in either the primary or accessory dwelling unit as their permanent residence. Upon approval of the ADU by the Community and Economic Development Department, the affidavit shall be recorded against the property (in the event the property owner decides to sell the home) to alert the future owner of the regulations for the ADU. (Ord. 21-25)

17.78.070: INSPECTION:

Following the issuance of an accessory dwelling unit permit, the community and economic development department may approve an application for a building permit upon compliance of construction plans meeting such conditions and requirements as established by the community and economic development department. Representatives of the code enforcement/community and economic development department shall inspect the project to ensure that all required improvements meet the conditions of the permit and this chapter before a certificate of occupancy is issued. (Ord. 21-25: Ord. 09-23 § 2)

17.78.080: ENFORCEMENT AND TERMINATION:

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

B. Property Lien:

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

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

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

a. Describe the specific violation;

b. Provide the owner with a reasonable opportunity to cure the violation that is:

(1) No less than fourteen (14) days after the day on which the City sends the written notice of violation if the violation results from the owner renting or offering to rent the AADU for a period of less than thirty (30) consecutive days; or

(2) No less than thirty (30) days after the day on which the City sends the written notice of violation for any other violation;

c. State that if the owner fails to cure the violation with the required time period, the City may hold a lien against the property in an amount of up to one hundred dollars (\$100.00) for each day of violation after the day on which the opportunity to cure the violation expires;

d. Notify the owner:

(1) That the owner may file a written objection to the notice of violation within fourteen (14) days after the day on which the written notice of violation is post-marked or posted on the property; and

(2) The name and address of the Community and Economic Development Director, with whom the written objection may be filed;

e. Be mailed to:

(1) The property owner of record; and

(2) Any other individual designated to receive notice in the owner's license or permit records; and

f. Be posted on the property.

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

a. Comply with the requirements of title 38 chapter 12 of the Utah Code, Notice of Lien Filing;

b. State that the property is subject to a lien;

c. Specify the lien amount, in an amount up to one hundred dollars (\$100.00) for each day of violation after the day on which the opportunity to cure the violation expires;

d. Be mailed to:

(1) The property owner of record; and

(2) Any other individual designated to receive notice in the owner's license or permit records; and

e. Be posted on the property.

4. Written Objection And Hearing.

a. If an owner files a written objection to the notice of violation, the City shall:

(1) Within ten (10) business days after the written objection is received, hold a hearing in accordance with title 52, chapter 4, Open and Public Meetings Act, before the Community and Economic Development Director (Director) to conduct a review and determine whether the specific violation described in the written notice of violation has occurred; and

(2) Notify the owner in writing of the date, time and location of the hearing described above, no less than fourteen (14) days before the day on which the hearing is held.

b. If an owner files a written objection to the notice of violation, the City may not record a lien until the City holds a hearing and the Director makes a determination that the specific violation has occurred.

c. In order for the Director to determine that a specific violation has occurred, a violation must be proved by clear and convincing evidence.

d. If the Director determines at the hearing that the specific violation has occurred, the City may impose a lien in an amount of up to one hundred dollars (\$100.00) for each day of violation after the day on which the opportunity to cure the violation expires, regardless of whether the hearing is held after the day on which the opportunity to cure the violation has expired.

e. If the Director determines at the hearing that the specific violation has not occurred, the City may not hold a lien against the property or impose any penalty or fee on the owner in relation to the specific violation described in the written notice of violation.

5. Curing A Violation: If an owner cures a violation within the time period prescribed in the written notice of violation, the City may not hold a lien against the property or impose any penalty or fee on the owner in relation to the specific violation described in the written notice of violation. (Ord. 21-25: Ord. 09-23 § 2)

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

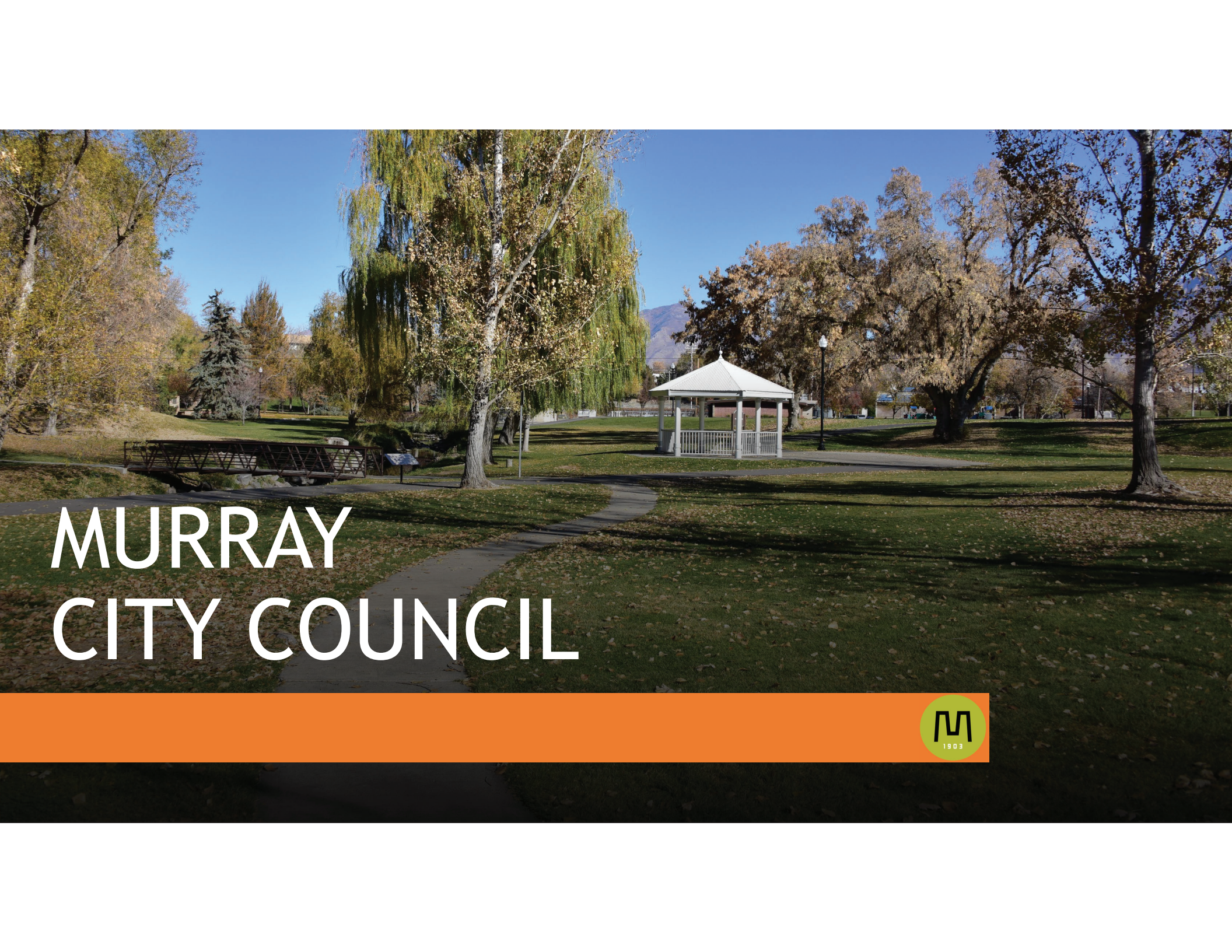
A. By applying for an ADU, the property owner shall agree that the main dwelling and the proposed ADU will not be used as a short-term rental.

B. Short-term rental is defined here as renting all or a portion of a property for less than thirty (30) days at a time.

#### 17.78.100: BUSINESS LICENSE REQUIRED:

A residential rental business license is required to rent out either the main or accessory dwelling unit. (Ord. 21-25)





# MURRAY CITY COUNCIL





# Land Use Text Amendment Chapter 17.78 ADU

Staff proposed modifications to the  
Detached ADU standards.





## General Plan

***STRATEGY: CREATE OR ALLOW FOR, AND REDUCE REGULATIONS RELATED TO, INTERNAL OR DETACHED ACCESSORY DWELLING UNITS (ADU) IN RESIDENTIAL ZONES.***

**Action Plan:** The Community and Economic Development Department by December 31<sup>st</sup>, 2023 will review regulations to facilitate the construction of additional detached accessory dwelling units, including a review of the following items:

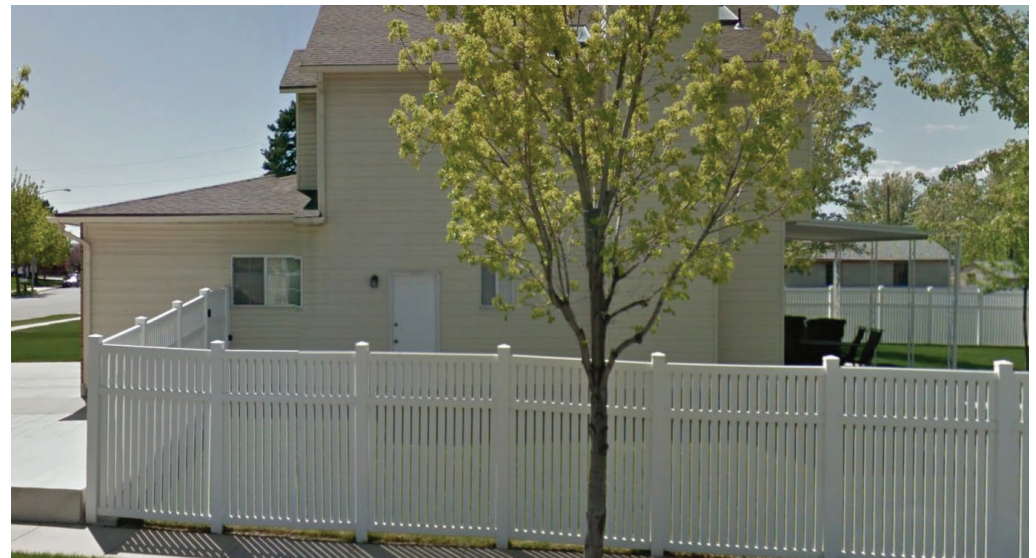
- Determine whether the city should allow a second ADU to be located on residential properties.
- Conduct a review of the setback requirements for detached ADUs and propose changes.
- Consider allowing a second level for appropriately located accessory structures when the second story would be used as an ADU.



## Proposed Changes

Attached and Detached

Removed language prohibiting door on the corner side yard area.





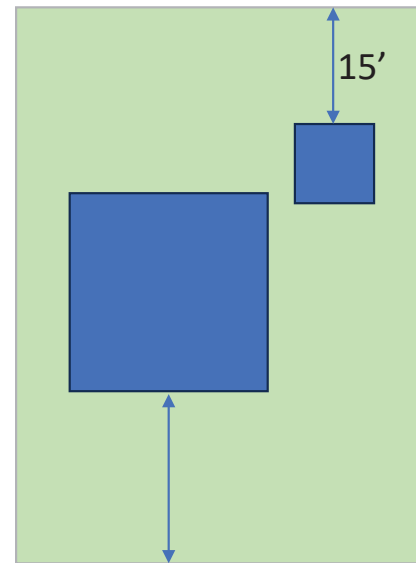


## Proposed Changes

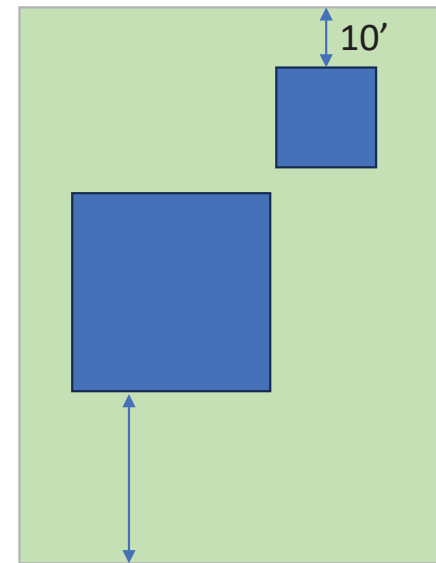
### Detached

- Increased allowable area up to 50% from 40% to a max of 1,000 sq ft.
- Reduced the parking requirement to match the attached ADU standards of one (1) additional space.
- Reduced the setbacks from 15-25' to 10' on the rear. Increased setbacks from 8' to 10' on the side.
- Removed requirement for the ADU to match the existing dwelling.

### Pre-1987 Home



Current



Proposed

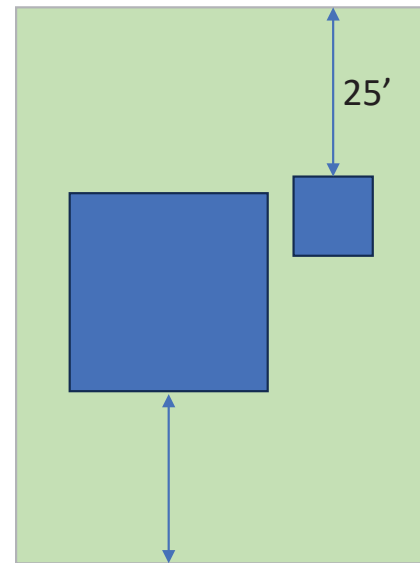


## Proposed Changes

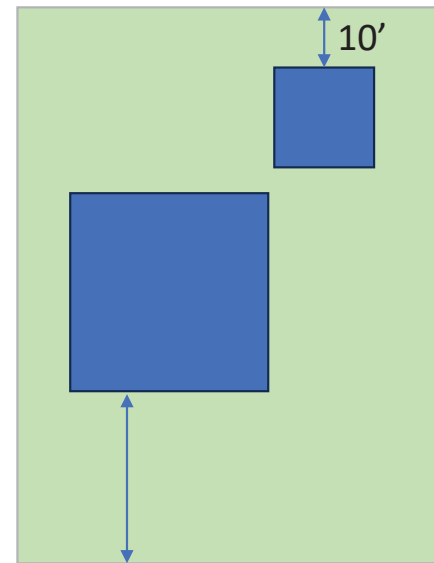
### Detached

- Increased allowable area up to 50% from 40% to a max of 1,000 sq ft.
- Reduced the parking requirement to match the attached ADU standards of one (1) additional space.
- Reduced the setbacks from 15-25' to 10' on the rear. Increased setbacks from 8' to 10' on the side.
- Removed requirement for the ADU to match the existing dwelling.

### Post-1987 Home



Current



Proposed



## July 18, Planning Commission Meeting

### Requests from the Planning Commission

- The Setback from the Corner Yard was not in place.
- Re-added the Short-Term Rental Definition.



## Findings

1. The proposed text amendment furthers objective 9 of the Land Use and Urban Design Element of the General Plan to “provide a mix of housing options and residential zones to meet a diverse range of needs related to lifestyle and demographics, including age, household size, and income” by making the process to construct and operate an ADU easier.
2. The proposed changes are in harmony with objective 11 of the Land Use and Urban Design Element to “stimulate reinvestment in deteriorating areas of the city to support growth and enhance the image of the community” by reducing the minimum setbacks for detached ADUs.
3. Staff finds that objective 3 of the Neighborhoods & Housing Element that states “encourage housing options for a variety of age, family size and financial levels” supports the proposed changes. This allows additional residents that own a home that may be struggling to pay their mortgage or have a family member, friend or caretaker to reside on the same property.
4. Staff finds that reviewing and updating the setback requirements and other adjustments will further the City’s priority of providing Moderate Income Housing options for residents of the city.
5. The Planning Commission held a Public Hearing on August 15<sup>th</sup> 2024 and voted 5-0 to recommend approval.



## Staff Recommendation

Staff and the Planning Commission recommend that the City Council **APPROVE** the proposed amendments to Chapter 17.78 Accessory Dwelling Units as reviewed in the Staff Report.



**MURRAY**  
CITY COUNCIL

# Public Hearing #2



## Chapter 17.48, Sign Code Amendment

Meeting Date: November 19, 2024

## Council Action Request

<b>Department Director</b>	<b>Purpose of Proposal</b>
Phil Markham	Amendments to Sections 17.48.040 & 17.48.200 of the Sign Code defining and regulates screen signs.
<b>Phone #</b>	<b>Action Requested</b>
801-270-2427	Land Use Ordinance Text Amendment
<b>Presenters</b>	<b>Attachments</b>
Zachary Smallwood	Slides
	<b>Budget Impact</b>
	None Anticipated
<b>Required Time for Presentation</b>	<b>Description of this Item</b>
10 Minutes	The Planning Division has been working with Security National regarding their digital screen that was installed during the construction of the building located at 433 West Ascension Way and was originally approved as an art installation. In 2023, representatives of Security National approached the city about allowing on-premise signage for the tenants in their building. Security National cited other screen signage allowed in places like University Place in Orem.
<b>Is This Time Sensitive</b>	Upon careful review and study of potential impacts, staff has drafted language that allows properties to install this kind of signage with limited impact to the city.
<b>Mayor's Approval</b>	
<b>Date</b>	The Planning Commission voted 5-0 to recommend approval of the plan on August 15th, 2024.

# MURRAY CITY CORPORATION

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19<sup>TH</sup> day of November, 2024, at the hour of 6:30 p.m., in the City Council Chambers of the Murray City Hall, 10 East 4800 South, Murray, Utah, the Murray City Municipal Council will hold and conduct a Public Hearing on and pertaining to text amendments to Sections 17.48.040 and 17.48.200 of the Murray City Municipal Code relating to screen signs in commercial and manufacturing zones.

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

DATED this 23<sup>rd</sup> day of September 2024.



MURRAY CITY CORPORATION

A handwritten signature in blue ink, appearing to read "B. Smith", written over a horizontal line.

Brooke Smith  
City Recorder

DATES OF POSTING: November 8, 2024  
PH24-39

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

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



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

AN ORDINANCE AMENDING SECTIONS 17.48.040 AND 17.48.200 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO SCREEN SIGNS IN COMMERCIAL AND MANUFACTURING ZONES.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this ordinance is to amend Sections 17.48.040 and 17.48.200 of the Murray City Municipal Code relating to screen signs in the Commercial and Manufacturing Zones.

*Section 2. Amend Sections 17.48.040 and 17.48.200 of the Murray City Municipal Code.* Sections 17.48.040 and 17.40.200 of the Murray City Municipal Code shall be amended to read as follows:

**17.48.040: DEFINITIONS:**

....

ROOF SIGN: A sign erected upon a roof or parapet of a building or structure.

ROTATING SIGN: Any sign or portion thereof which physically revolves about an axis.

SCREEN SIGN: A screen sign is a sign that consists of a screen-like material that is attached to a wall or parking deck and is capable of displaying electronic messages. Screen signs must conform to the architectural and aesthetic quality of the building they are attached to.

SIGN: Any writing, pictorial representation, symbol, banner or any other figure of similar character of whatever material which is used to identify, announce, direct attention to or advertise, which is placed on the ground, on any bush, tree, rock, wall, post, fence, building, structure, vehicle, or any place whatsoever and which is visible from outside a building. The term "placed" shall include constructing, erecting, posting, painting, printing, tacking, nailing, gluing, sticking, carving, stringing, or otherwise fastening, affixing or making visible in any manner whatsoever.

....

**17.48.200: COMMERCIAL AND MANUFACTURING ZONE SIGNS:**

....

D. Pylon Signs: Are permitted within the C-D Zone (not permitted within the M-G Zone) and shall comply with the regulations found in section [17.48.140](#) of this chapter. (Ord. 19-14)

E. Screen Signs: Are allowed subject to the following standards:

1. Property must have a minimum of three (3) acres.

2. Shall be located within 150 feet of the I-15 freeway right-of-way.
3. Shall be oriented towards the I-15 freeway.
4. Must be incorporated as an architectural element of the building.
5. Only one (1) screen sign is permitted per property.
6. May not exceed five (5) square feet per linear foot of building frontage.
7. Must be located a minimum of fifty feet (50') above the finished grade.

....

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

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

MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_  
Pam Cotter, Chair

ATTEST:

\_\_\_\_\_  
Brooke Smith, City Recorder

MAYOR'S ACTION:

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

\_\_\_\_\_  
Brett A. Hales, Mayor

ATTEST:

---

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

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

---

Brooke Smith, City Recorder

Commissioner Richards made a motion the Planning Commission forward a recommendation of approval to the City Council for the proposed amendments to Chapter 17.78 Accessory Dwelling Units as reviewed in the Staff Report.

Seconded by Commissioner Milkavich. Roll call vote:

A Patterson  
A Milkavich  
A Pehrson  
A Hristou  
A Richards

Motion passes: 5-0

Chapter 17.48 Sign Code Sections 17.48.040 & 17.48.200 - Project # 24-086  
Adding Definition and Regulations Regarding Screen Signs

Zachary Smallwood presented the request from planning division staff to propose amendments to Sections 17.48.040 & 17.48.200 of the Sign Code. The request defines and allows screen signs in commercial and manufacturing zones. He provided a definition and local examples of screen signs. He cited benefits of screen signage to residents and business, including reduced impact on the community and increased aesthetics. He discussed the code for screen sign installation. He said that this request is within Objective Five of the Economic Development Element of the General Plan.

Chair Patterson opened the agenda item 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 proposed amendments to Sections 17.48.040 and 17.48.200 within the Sign Code as reviewed in the Staff Report.

Seconded by Commissioner Hirstou. Roll Call Vote:

A Patterson  
A Milkavich  
A Pehrson  
A Hristou  
A Richards

Motion passes: 5-0

Chapter 17.64 Fence Regulations Sections 17.64.020 & 17.64.090 - Project #24-087 - Reducing setbacks, allowing additional height when next to nonresidential and general clean up.

Zachary Smallwood presented this request by planning division staff to propose amendments to Sections 17.64.020 & 17.64.090 of the Fence Regulations. The request clarifies residential fencing, reduces side yard fencing setbacks, and allows additional height for fencing between residential and



## AGENDA ITEM # 05 Chapter 17.48 Sign Code Text Amendment

<b>ITEM TYPE:</b>	Text Amendment		
<b>ADDRESS:</b>	Citywide	<b>MEETING DATE:</b>	August 15, 2024
<b>APPLICANT:</b>	Community & Economic Development Department	<b>STAFF:</b>	Zachary Smallwood, Planning Division Manager
<b>PARCEL ID:</b>	N/A	<b>PROJECT NUMBER:</b>	24-086
<b>REQUEST:</b>	Planning Division Staff proposes amendments to Sections 17.48.040 & 17.48.200 of the Sign Code. The request defines and allows screen signs in commercial and manufacturing zones.		

### I. STAFF REVIEW & ANALYSIS

#### History & Background

The Planning Division has been working with Security National regarding their digital screen that was installed during the construction of the building located at 433 West Ascension Way and was originally approved as an art installation. In 2023, representatives of Security National approached the city about allowing on-premise signage for the tenants in their building. Security National cited other screen signage allowed in places like University Place in Orem.

Upon careful review and study of potential impacts, staff has drafted language that allows properties to install this kind of signage with limited impact to the city.

#### Review of Research

Staff conducted research to find similar types of signage. There were only two examples that staff could find, one in Sandy and another in Orem. In both cases these types of signs were allowed during a development agreement with the city. Staff wanted to streamline the process and allow other property owners to have the same opportunity if the requirements are met.

### Review of Proposed Changes

The proposed code adds a subsection within the Commercial and Manufacturing section of the Sign Code. The basis for this is that staff felt this would only need to be applied to the C-D and M-G zoning districts.

Staff also proposed that this be implemented and limited to the I-15 Corridor. I-215, except for small sections, is largely along residential uses and is below grade. Allowing this sign type along 215 does not make sense. Along the I-215 corridor there is no digital signage and staff does not feel comfortable introducing new digital signage along this corridor. The standards for these types of signage require that the screen sign be oriented towards the freeway and to a height that is clearly meant to be seen from the freeway.

One of the main elements included in the definition of the screen signage is that it is architecturally connected to the building. This type of signage should be complimentary to the building in which it is a part of and be considered during the building's design and development.

## **II. DEPARTMENT REVIEWS**

The draft changes were provided to each department for their reviews the week of July 30th. All departments recommended approval with no comments or concerns.

## **III. PUBLIC INPUT**

Notices were sent to Affected Entities for this amendment. As of the date of this report, one sign company inquired about the changes.

## **IV. FINDINGS**

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

1. The proposed text amendment is in harmony with objective 5 of the Economic Development Element of the General Plan to “increase the sustainability of the city’s tax base through increased office property values and by creating additional employment centers” by allowing unique features that are not found in many areas in the valley.
2. The proposed change is in harmony with Initiative 2 of the General Plan which states “create office/employment centers” by allowing innovative elements that attracts businesses to office developments.
3. Staff finds that continuing to review and update development standards furthers the City’s mission of “[guiding] growth to promote prosperity and sustain a high quality of life for those who live, work, shop, and recreate in Murray.

## V. CONCLUSION/RECOMMENDATION

Based on the background, analysis, and the findings within this report, Staff recommends that the Planning Commission **forward a recommendation of APPROVAL to the City Council for the proposed amendments to Sections 17.48.040 and 17.48.200 within the Sign Code as reviewed in the Staff Report.**



---

## NOTICE OF PUBLIC HEARING

August 15th, 2024, 6:30 PM

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

**Amendments to Chapter 17.78 Accessory Dwelling Units.** This request by Murray City Planning Staff to amend the ADU Code for Detached Accessory Dwelling Units and general text clean-up was tabled at the July 18<sup>th</sup>, 2024, Meeting. The Planning Commission will review suggested edits to the code to allow for reduced regulations on detached accessory dwelling units.

**Amendments to Chapter 17.48 Sign Code.** The request by Murray City Planning Staff to amend the Sign Ordinance to allow for screen signs in Commercial and Manufacturing Zones.

**Amendments to Chapter 17.64 Fence Regulations.** The request by Murray City Planning Staff to amend the residential fencing regulations for clarity and to allow for a reduction in setbacks when located next to a driveway.

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

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

If you have questions or comments concerning any of these items, please contact the Murray City Planning Division at 801-270-2430, or e-mail [planning@murray.utah.gov](mailto:planning@murray.utah.gov).

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



#### 17.48.040: DEFINITIONS:

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

**A-FRAME SIGN:** Any sign, structure, or configuration composed of one or two (2) sign faces mounted or attached back-to-back in such a manner as to form a basically triangular vertical cross- section.

**ABANDONED SIGN:** A sign which no longer correctly directs or influences any person, advertises a current business, lessor, owner, product or activity conducted or available on the premises where such sign is displayed.

**ADVERTISING SIGN:** A sign which directs attention to a use, product, commodity or service either related or not related to the premises on which the sign is located.

**ANIMATED SIGN:** A sign which involves motion or rotation of any part by mechanical or other means.

**AREA OF A SIGN:** The entire area within a single continuous perimeter composed of squares or rectangles which enclose the extreme limits of the advertising message, announcement, declaration, demonstration, display illustration, insignia, surface or space of a similar nature, together with any frame or other material, color, or condition which forms an integral part of the display and is used to differentiate such sign from the wall or background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. If a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that only one face of a double faced sign shall be considered in determining the sign area, provided both faces are parallel and the distance between faces does not exceed two feet (2'). Further, where a sign consists only of individual letters, numbers, symbols or other similar components and is painted on or attached flat against the wall of a building, and where such individual components are without integrated background definition and are not within a circumscribed frame area, the total area of the sign shall be the sum of the areas of the squares or rectangles surrounding each individual sign component.

**ATTACHED SIGN:** Any sign which is fastened, attached, connected or supported in whole or in part by a building or structure other than a sign structure wholly by the ground.

**AWNING SIGN:** A sign which includes lettering or graphics placed on the vertical valance of an awning and supported by a rigid framework attached to a building.

**BANNER SIGN:** A sign made of fabric, plastic or a similar lightweight material and hung from a building or framework attached to a building or placed in the ground.

**BENCH SIGN:** A sign which is affixed or painted to a bench and is placed outside of the main structure on the property. Benches owned and maintained by a public transit authority are exempt from these regulations.

**BILLBOARD SIGN:** A detached or attached sign designed or intended to direct attention to a business, product, service, event or attraction that is not sold, offered, or existing on the property where the sign is located.

**BLADE BANNER SIGN:** A vertical banner supported by a durable pole.

**BLADE SIGN:** A building mounted sign with sign faces projecting from and perpendicular to the building fascia.

**BUSINESS SIGN:** A sign which directs attention to a use conducted, product or commodity sold, or service performed upon the premises.

**CANOPY SIGN:** A sign attached to a canopy.

**CHANGEABLE COPY SIGN:** A sign or portion of a sign with characters, letters, graphics, or other copy that can be changed or modified by mechanical, electrical, or manual means, not including digital, electronic messaging or electronic message signs.

**COMMUNITY SIGN:** A temporary on or off-premises sign generally made of a woven material or durable synthetic material which is primarily attached to or hung in a vertical fashion from light poles or buildings, of a solely decorative, festive, and/or informative nature announcing activities, promotions, events, seasonal or traditional themes which are sponsored or supported by Murray City.

**DETACHED SIGN:** Any sign not supported in whole or in part by a building, or structure other than by a sign structure which is supported wholly by the ground.

**DIRECTIONAL SIGN:** A permanent sign located on private property at or near the public right-of-way, directing or guiding vehicular traffic onto the property and/or toward parking or other identified locations on the property.

**DIRECTLY ILLUMINATED SIGN:** Any sign designed to provide artificial light directly or through transparent material from a source of light within or on such sign, including, but not limited to, neon and incandescent lamp signs.

**DOUBLE-FACED SIGN:** A sign with two (2) parallel identical faces, or two (2) identical sign faces that are not parallel but diverge from a common edge at an angle no greater than fifteen degrees (15°).

**ELECTRIC AWNING SIGN:** A fireproof space frame structure with translucent flexible reinforced vinyl covering designed in awning form, but whose principal purpose and use is as a sign. These signs are internally illuminated by fluorescent or other light sources in fixtures approved under the Electrical Code.

**ELECTRONIC MESSAGE CENTER SIGN:** A sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include displays using incandescent lamps, LEDs, LCDs or a flipper matrix.

**FLAG SIGN, COMMERCIAL:** A sign which is made of cloth or similar lightweight material that expresses messages which are primarily commercial in nature.

**FLAG SIGN, NON-COMMERCIAL:** A sign which is made of cloth or similar lightweight material that expresses messages which are not primarily commercial. Such flags may include flags of governmental entities, flags identifying the person, institution, organization or corporation occupying a property.

**FLASHING SIGN:** An illuminated sign which exhibits changing light or color effect by blinking or any similar means to provide a non-constant illumination. Any display must remain lighted for a minimum of two (2) seconds.

**FLAT SIGN:** A sign erected or attached parallel to the outside of a wall of a building with messages or graphics on the face side only.

**FLOODLIGHTED SIGN:** A sign made legible in the absence of daylight by devices which reflect or project light upon it.

**FREEWAY:** A highway, in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands, or in respect to which such owners have only limited or restricted right or easement of access, the precise route for which has been determined and designed as a freeway by an authorized agency of the state or a political subdivision thereof. This term includes the main traveled portion of the trafficway, all land situated within the right of way, and all ramps and appurtenant land and structures.

**GRAFFITI:** Any form of unauthorized printing, writing, spraying, scratching, affixing, etching, or inscribing on the property of another regardless of the content or nature of the material used in the commission of the act.

**GROUND SIGN:** A sign that has its own supporting structure and is not attached to or supported by a building. Types of ground signs include pedestal, pylon, monument, and shared monument signs.

**GROUP IDENTIFICATION SIGN:** A sign allowing for two (2) or more properties or uses that may share common frontage, access points, off-street parking, or loading areas.

**HANGING SIGN:** A building mounted sign suspended from the underside of a roof, overhang or recessed area or other similar architectural features of a building.

**HEIGHT OF SIGN:** The vertical distance measured from the adjacent street grade or upper surface of the nearest curb of a street other than an elevated roadway, whichever permits the greatest height, to the highest point of the sign.

**HOME OCCUPATION SIGN:** A sign associated with a valid home business existing on the premises.

**ILLEGAL OFF PREMISES ADVERTISING SIGN:** An off premises advertising sign that does not conform or comply with the requirements, including, without limitation, height restrictions, of the version of this Sign Code in effect when the sign was originally erected.

**INDIRECTLY ILLUMINATED SIGN:** A sign the illumination of which is derived entirely from an external artificial source which is arranged so that no direct rays of light are projected from such artificial source into residences or streets.

**INFLATED SIGNS:** A sign that is supported by heated or forced air or lighter than air gases.

**INTERSTATE:** For the purposes of sections 17.48.260, 17.48.270 and 17.48.280, interstate means Interstate 15 (I-15) or Interstate 215 (I-215).

**INTERSTATE ORIENTED SIGN:** For the purposes of sections 17.48.260, 17.48.270 and 17.48.280, means any sign within 660 feet of an interstate right-of-way, and oriented toward the interstate or otherwise designed to be viewed from the freeway.

**LEGAL NONCONFORMING OFF PREMISES SIGN:** An off premises advertising sign that conformed and complied with the requirements of the version of this Sign Code in effect when the sign was originally erected but no longer conforms or complies with an amended version of this Sign Code.

**MARQUEE SIGN:** A sign designed to have changeable copy, either manually or electronically. Marquee signs may be a principal identification sign, freestanding sign, a wall sign, or attached to a canopy.

**MENU BOARD SIGN:** A sign located at a drive-in or drive-up window restaurant.

**MONUMENT SIGN:** A freestanding on site sign that is attached to the ground or a foundation in the ground and does not include poles, braces, or other visible means of support.

**MONUMENT SIGN, SHARED:** A freestanding on site sign for two (2) or more uses that is attached to the ground or a foundation in the ground and does not include poles, braces, or other visible means of support.

**MOVING SIGN:** Any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement of any description, or other apparent visible movement achieved by electrical, electronic or kinetic means, including intermittent electrical pulsations, or by actions of wind currents.

**NAMEPLATE SIGN:** A sign which designates the name and address of a person or persons occupying the premises upon which it is located. A nameplate is not an identification sign.

**NEIGHBORHOOD IDENTIFICATION SIGN:** A permanent sign located at the entrance of a neighborhood, tract, or subdivision.

**NONCONFORMING SIGN:** A sign legally existing at the time of the effective date hereof which does not currently conform to the provisions of this chapter.

**NONILLUMINATED SIGN:** A sign not illuminated either directly or indirectly.

**NON-INTERSTATE STREET OR HIGHWAY:** A state, county or municipal road within the City, excluding I-15 or I-215.

**NON-INTERSTATE ORIENTED SIGN:** Any sign located on a parcel of land adjacent to a street or highway that is not an interstate, and oriented toward the street or highway or otherwise designed to be viewed from the non-interstate street or highway.

**OFF-PREMISES ADVERTISING SIGN:** A commercial sign that directs attention of the public to a business activity conducted or product sold or offered at a location not on the same premises where the commercial sign is located. For purposes of this section, easements and other appurtenances and noncontiguous parcels under the same ownership are considered off the premises of the parcel of land on which the business or activity is located or conducted. The definition of off premises advertising sign includes, without limitation, billboards, poster panels, marquees, painted bulletins and other similar advertising displays. Signs that are no more than twelve (12) square feet in area and no more than five feet (5') above uniform ground surface grade and which provide only directions to a business or establishment are excluded from the definition of off premises advertising sign. The definition of off premises advertising sign does not include mass transit bus stop bench and shelter and light and commuter rail station advertising displays.

**OFF-PREMISES SIGN:** An advertising sign which directs attention to a use, product, commodity, or service not related to the premises on which it is erected.

**ON-PREMISES SIGN:** An advertising sign which directs attention to a use, product, commodity, or service which is sold, offered or conducted on the premises upon which the sign is located.

**PAINTED WINDOW SIGN:** A sign painted on windows or doors with markers, paints, or any other type of substance used to display messages.

**PARK OR TRAIL SIGN:** A sign at a park, trail, or other open space.

**PEDESTAL SIGN:** A freestanding one- or two-sided ground sign that includes two (2) or more vertical structural supports extending from the sign face to the ground.

**PLANNED CENTER:** An area of minimum contiguous size, as specified by ordinance, to be planned, developed, operated, and maintained containing one or more structures to accommodate commercial, manufacturing, or business park areas and other uses incidental to the primary uses. Planned centers are designed as an integrated complex or leasable or individually owned spaces in a single building, group of buildings, or parcels.

**PLANNED CENTER ON-PREMISES PYLON SIGN:** A pylon sign which advertises or directs attention to a use, establishment, product, or service that is located in a planned center.

**POLE SIGN:** A freestanding sign supported by a single pole mounted permanently in the ground.

**PORTABLE SIGN:** Any sign not permanently affixed to the ground or a structure on the premises it is intended to occupy.

**PROJECTING SIGN:** A building mounted sign with the sign faces projecting from and perpendicular to the building fascia.

**PROPERTY DEVELOPMENT:** Residential property being developed for the sale or lease of multiple lots or structures within a subdivision, and may have one temporary sign as outlined in this chapter.

**PROPERTY SIGN:** A sign related to the property upon which it is located.

**PUBLIC NECESSITY SIGN:** A sign informing the public of any danger or hazard existing on or adjacent to the premises.

**PYLON SIGN:** A freestanding ground sign that includes only one vertical structural support connecting the face of the sign to the ground.

**RESIDENTIAL ENTRY FEATURE SIGN:** A permanent sign located at a primary residential development entrance intended to facilitate public safety and community identity.

**RESIDENTIAL PROPERTY FOR SALE:** Residential property, including individual lots or parcels, actively listed for sale or lease.

**RESIDENTIAL SIGN:** A temporary, non-commercial sign posted on residential property by the property owner. Residential signs included in other sign categories as defined in this chapter shall be governed by the provisions pertaining to those sign categories.

**ROOF SIGN:** A sign erected upon a roof or parapet of a building or structure.

**ROTATING SIGN:** Any sign or portion thereof which physically revolves about an axis.

**SIGN:** Any writing, pictorial representation, symbol, banner or any other figure of similar character of whatever material which is used to identify, announce, direct attention to or advertise, which is placed on the ground, on any bush, tree, rock, wall, post, fence, building, structure, vehicle, or any place whatsoever and which is visible from outside a building. The term "placed" shall include constructing, erecting, posting, painting, printing, tacking, nailing, gluing, sticking, carving, stringing, or otherwise fastening, affixing or making visible in any manner whatsoever.

**SIGNAGE PLAN:** A signage plan consists of one or more scaled drawings showing the location, type, size and design of all existing and proposed signs on site.

**SNIPED SIGN:** A sign for which a permit is required and has not been obtained and which is tacked, nailed, posted, pasted, glued or otherwise attached to the ground, trees, poles, stakes, fences, or other objects with the message appearing thereon.

**SPECIAL EVENTS:** A specific time period during which there are "special events", including but not limited to community events, presentations, sales, and so forth.

**TEMPORARY SIGNS:** Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials with or without frame installed for a limited period of time.

**TENANT LISTING SIGN:** A wall sign on a building containing multiple tenants or uses, located near the entrance and designed in such a manner as to accommodate multiple sign plates.

**TRAFFIC CONTROL SIGN:** Standard regulatory signs installed by public agencies, including stop and yield signs, speed limit signs, etc.

**TRAILER SIGN:** Any sign affixed to, applied, set upon, or printed on a trailer.

**TRESPASSING SIGN:** Any sign which warns against the trespassing onto a parcel of property or structure.

**VEHICLE SIGN:** Any sign that is mounted upon, painted upon, or otherwise erected on trucks, cars, boats, trailers, or other motorized vehicles or equipment.

**WALL SIGN:** A sign erected or attached parallel to the outside of a wall of a building with messages or graphics on the face side only.

**WAYFINDING SIGN:** A directional sign that guides the traveling public to key civic, visitor, or recreational destinations within a specific region.

**WIND SIGN:** Any sign or portion thereof or series of signs, banners, flags or other objects designed and fastened in such a manner as to move freely upon being subjected to pressure by wind or breeze.

**WINDOW SIGN:** A sign that is attached to, or suspended directly behind or in front of a window.

(Ord. 19-42 § 2: Ord. 19-14)

**17.48.040: DEFINITIONS:**

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

**A-FRAME SIGN:** Any sign, structure, or configuration composed of one or two (2) sign faces mounted or attached back-to-back in such a manner as to form a basically triangular vertical cross- section.

**ABANDONED SIGN:** A sign which no longer correctly directs or influences any person, advertises a current business, lessor, owner, product or activity conducted or available on the premises where such sign is displayed.

**ADVERTISING SIGN:** A sign which directs attention to a use, product, commodity or service either related or not related to the premises on which the sign is located.

**ANIMATED SIGN:** A sign which involves motion or rotation of any part by mechanical or other means.

**AREA OF A SIGN:** The entire area within a single continuous perimeter composed of squares or rectangles which enclose the extreme limits of the advertising message, announcement, declaration, demonstration, display illustration, insignia, surface or space of a similar nature, together with any frame or other material, color, or condition which forms an integral part of the display and is used to differentiate such sign from the wall or background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. If a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that only one face of a double faced sign shall be considered in determining the sign area, provided both faces are parallel and the distance between faces does not exceed two feet (2'). Further, where a sign consists only of individual letters, numbers, symbols or other similar components and is painted on or attached flat against the wall of a building, and where such individual components are without integrated background definition and are not within a circumscribed frame area, the total area of the sign shall be the sum of the areas of the squares or rectangles surrounding each individual sign component.

**ATTACHED SIGN:** Any sign which is fastened, attached, connected or supported in whole or in part by a building or structure other than a sign structure wholly by the ground.

**AWNING SIGN:** A sign which includes lettering or graphics placed on the vertical valance of an awning and supported by a rigid framework attached to a building.

**BANNER SIGN:** A sign made of fabric, plastic or a similar lightweight material and hung from a building or framework attached to a building or placed in the ground.

**BENCH SIGN:** A sign which is affixed or painted to a bench and is placed outside of the main structure on the property. Benches owned and maintained by a public transit authority are exempt from these regulations.



**BILLBOARD SIGN:** A detached or attached sign designed or intended to direct attention to a business, product, service, event or attraction that is not sold, offered, or existing on the property where the sign is located.

**BLADE BANNER SIGN:** A vertical banner supported by a durable pole.

**BLADE SIGN:** A building mounted sign with sign faces projecting from and perpendicular to the building fascia.

**BUSINESS SIGN:** A sign which directs attention to a use conducted, product or commodity sold, or service performed upon the premises.

**CANOPY SIGN:** A sign attached to a canopy.

**CHANGEABLE COPY SIGN:** A sign or portion of a sign with characters, letters, graphics, or other copy that can be changed or modified by mechanical, electrical, or manual means, not including digital, electronic messaging or electronic message signs.

**COMMUNITY SIGN:** A temporary on or off-premises sign generally made of a woven material or durable synthetic material which is primarily attached to or hung in a vertical fashion from light poles or buildings, of a solely decorative, festive, and/or informative nature announcing activities, promotions, events, seasonal or traditional themes which are sponsored or supported by Murray City.

**DETACHED SIGN:** Any sign not supported in whole or in part by a building, or structure other than by a sign structure which is supported wholly by the ground.

**DIRECTIONAL SIGN:** A permanent sign located on private property at or near the public right-of-way, directing or guiding vehicular traffic onto the property and/or toward parking or other identified locations on the property.

**DIRECTLY ILLUMINATED SIGN:** Any sign designed to provide artificial light directly or through transparent material from a source of light within or on such sign, including, but not limited to, neon and incandescent lamp signs.

**DOUBLE-FACED SIGN:** A sign with two (2) parallel identical faces, or two (2) identical sign faces that are not parallel but diverge from a common edge at an angle no greater than fifteen degrees (15°).

**ELECTRIC AWNING SIGN:** A fireproof space frame structure with translucent flexible reinforced vinyl covering designed in awning form, but whose principal purpose and use is as a sign. These signs are internally illuminated by fluorescent or other light sources in fixtures approved under the Electrical Code.

**ELECTRONIC MESSAGE CENTER SIGN:** A sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include displays using incandescent lamps, LEDs, LCDs or a flipper matrix.

**FLAG SIGN, COMMERCIAL:** A sign which is made of cloth or similar lightweight material that expresses messages which are primarily commercial in nature.

**FLAG SIGN, NON-COMMERCIAL:** A sign which is made of cloth or similar lightweight material that expresses messages which are not primarily commercial. Such flags may include flags of governmental entities, flags identifying the person, institution, organization or corporation occupying a property.

**FLASHING SIGN:** An illuminated sign which exhibits changing light or color effect by blinking or any similar means to provide a non-constant illumination. Any display must remain lighted for a minimum of two (2) seconds.

**FLAT SIGN:** A sign erected or attached parallel to the outside of a wall of a building with messages or graphics on the face side only.

**FLOODLIGHTED SIGN:** A sign made legible in the absence of daylight by devices which reflect or project light upon it.

**FREEWAY:** A highway, in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands, or in respect to which such owners have only limited or restricted right or easement of access, the precise route for which has been determined and designed as a freeway by an authorized agency of the state or a political subdivision thereof. This term includes the main traveled portion of the trafficway, all land situated within the right of way, and all ramps and appurtenant land and structures.

**GRAFFITI:** Any form of unauthorized printing, writing, spraying, scratching, affixing, etching, or inscribing on the property of another regardless of the content or nature of the material used in the commission of the act.

**GROUND SIGN:** A sign that has its own supporting structure and is not attached to or supported by a building. Types of ground signs include pedestal, pylon, monument, and shared monument signs.

**GROUP IDENTIFICATION SIGN:** A sign allowing for two (2) or more properties or uses that may share common frontage, access points, off-street parking, or loading areas.

**HANGING SIGN:** A building mounted sign suspended from the underside of a roof, overhang or recessed area or other similar architectural features of a building.

**HEIGHT OF SIGN:** The vertical distance measured from the adjacent street grade or upper surface of the nearest curb of a street other than an elevated roadway, whichever permits the greatest height, to the highest point of the sign.

**HOME OCCUPATION SIGN:** A sign associated with a valid home business existing on the premises.

**ILLEGAL OFF PREMISES ADVERTISING SIGN:** An off premises advertising sign that does not conform or comply with the requirements, including, without limitation, height restrictions, of the version of this Sign Code in effect when the sign was originally erected.

**INDIRECTLY ILLUMINATED SIGN:** A sign the illumination of which is derived entirely from an external artificial source which is arranged so that no direct rays of light are projected from such artificial source into residences or streets.

**INFLATED SIGNS:** A sign that is supported by heated or forced air or lighter than air gases.

**INTERSTATE:** For the purposes of sections 17.48.260, 17.48.270 and 17.48.280, interstate means Interstate 15 (I-15) or Interstate 215 (I-215).

**INTERSTATE ORIENTED SIGN:** For the purposes of sections 17.48.260, 17.48.270 and 17.48.280, means any sign within 660 feet of an interstate right-of-way, and oriented toward the interstate or otherwise designed to be viewed from the freeway.

**LEGAL NONCONFORMING OFF PREMISES SIGN:** An off premises advertising sign that conformed and complied with the requirements of the version of this Sign Code in effect when the sign was originally erected but no longer conforms or complies with an amended version of this Sign Code.

**MARQUEE SIGN:** A sign designed to have changeable copy, either manually or electronically. Marquee signs may be a principal identification sign, freestanding sign, a wall sign, or attached to a canopy.

**MENU BOARD SIGN:** A sign located at a drive-in or drive-up window restaurant.

**MONUMENT SIGN:** A freestanding on site sign that is attached to the ground or a foundation in the ground and does not include poles, braces, or other visible means of support.

**MONUMENT SIGN, SHARED:** A freestanding on site sign for two (2) or more uses that is attached to the ground or a foundation in the ground and does not include poles, braces, or other visible means of support.

**MOVING SIGN:** Any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement of any description, or other apparent visible movement achieved by electrical, electronic or kinetic means, including intermittent electrical pulsations, or by actions of wind currents.

**NAMEPLATE SIGN:** A sign which designates the name and address of a person or persons occupying the premises upon which it is located. A nameplate is not an identification sign.

**NEIGHBORHOOD IDENTIFICATION SIGN:** A permanent sign located at the entrance of a neighborhood, tract, or subdivision.

**NONCONFORMING SIGN:** A sign legally existing at the time of the effective date hereof which does not currently conform to the provisions of this chapter.

**NONILLUMINATED SIGN:** A sign not illuminated either directly or indirectly.

**NON-INTERSTATE STREET OR HIGHWAY:** A state, county or municipal road within the City, excluding I-15 or I-215.

**NON-INTERSTATE ORIENTED SIGN:** Any sign located on a parcel of land adjacent to a street or highway that is not an interstate, and oriented toward the street or highway or otherwise designed to be viewed from the non-interstate street or highway.

**OFF-PREMISES ADVERTISING SIGN:** A commercial sign that directs attention of the public to a business activity conducted or product sold or offered at a location not on the same premises where the commercial sign is located. For purposes of this section, easements and other appurtenances and noncontiguous parcels under the same ownership are considered off the premises of the parcel of land on which the business or activity is located or conducted. The definition of off premises advertising sign includes, without limitation, billboards, poster panels, marquees, painted bulletins and other similar advertising displays. Signs that are no more than twelve (12) square feet in area and no more than five feet (5') above uniform ground surface grade and which provide only directions to a business or establishment are excluded from the definition of off premises advertising sign. The definition of off premises advertising sign does not include mass transit bus stop bench and shelter and light and commuter rail station advertising displays.

**OFF-PREMISES SIGN:** An advertising sign which directs attention to a use, product, commodity, or service not related to the premises on which it is erected.

**ON-PREMISES SIGN:** An advertising sign which directs attention to a use, product, commodity, or service which is sold, offered or conducted on the premises upon which the sign is located.

**PAINTED WINDOW SIGN:** A sign painted on windows or doors with markers, paints, or any other type of substance used to display messages.

**PARK OR TRAIL SIGN:** A sign at a park, trail, or other open space.

**PEDESTAL SIGN:** A freestanding one- or two-sided ground sign that includes two (2) or more vertical structural supports extending from the sign face to the ground.

**PLANNED CENTER:** An area of minimum contiguous size, as specified by ordinance, to be planned, developed, operated, and maintained containing one or more structures to accommodate commercial, manufacturing, or business park areas and other uses incidental to the primary uses. Planned centers are designed as an integrated complex or leasable or individually owned spaces in a single building, group of buildings, or parcels.

**PLANNED CENTER ON-PREMISES PYLON SIGN:** A pylon sign which advertises or directs attention to a use, establishment, product, or service that is located in a planned center.

**POLE SIGN:** A freestanding sign supported by a single pole mounted permanently in the ground.

**PORTABLE SIGN:** Any sign not permanently affixed to the ground or a structure on the premises it is intended to occupy.

**PROJECTING SIGN:** A building mounted sign with the sign faces projecting from and perpendicular to the building fascia.

**PROPERTY DEVELOPMENT:** Residential property being developed for the sale or lease of multiple lots or structures within a subdivision, and may have one temporary sign as outlined in this chapter.

PROPERTY SIGN: A sign related to the property upon which it is located.

PUBLIC NECESSITY SIGN: A sign informing the public of any danger or hazard existing on or adjacent to the premises.

PYLON SIGN: A freestanding ground sign that includes only one vertical structural support connecting the face of the sign to the ground.

RESIDENTIAL ENTRY FEATURE SIGN: A permanent sign located at a primary residential development entrance intended to facilitate public safety and community identity.

RESIDENTIAL PROPERTY FOR SALE: Residential property, including individual lots or parcels, actively listed for sale or lease.

RESIDENTIAL SIGN: A temporary, non-commercial sign posted on residential property by the property owner. Residential signs included in other sign categories as defined in this chapter shall be governed by the provisions pertaining to those sign categories.

ROOF SIGN: A sign erected upon a roof or parapet of a building or structure.

ROTATING SIGN: Any sign or portion thereof which physically revolves about an axis.

SCREEN SIGN: A screen sign is a sign that consists of a screen like material that is attached to a wall or parking deck and is capable of displaying electronic messages. Screen signs must conform to the architectural and aesthetic quality of the building they are attached to.

SIGN: Any writing, pictorial representation, symbol, banner or any other figure of similar character of whatever material which is used to identify, announce, direct attention to or advertise, which is placed on the ground, on any bush, tree, rock, wall, post, fence, building, structure, vehicle, or any place whatsoever and which is visible from outside a building. The term "placed" shall include constructing, erecting, posting, painting, printing, tacking, nailing, gluing, sticking, carving, stringing, or otherwise fastening, affixing or making visible in any manner whatsoever.

SIGNAGE PLAN: A signage plan consists of one or more scaled drawings showing the location, type, size and design of all existing and proposed signs on site.

SNIPED SIGN: A sign for which a permit is required and has not been obtained and which is tacked, nailed, posted, pasted, glued or otherwise attached to the ground, trees, poles, stakes, fences, or other objects with the message appearing thereon.

SPECIAL EVENTS: A specific time period during which there are "special events", including but not limited to community events, presentations, sales, and so forth.

TEMPORARY SIGNS: Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials with or without frame installed for a limited period of time.

TENANT LISTING SIGN: A wall sign on a building containing multiple tenants or uses, located near the entrance and designed in such a manner as to accommodate multiple sign plates.

**TRAFFIC CONTROL SIGN:** Standard regulatory signs installed by public agencies, including stop and yield signs, speed limit signs, etc.

**TRAILER SIGN:** Any sign affixed to, applied, set upon, or printed on a trailer.

**TRESPASSING SIGN:** Any sign which warns against the trespassing onto a parcel of property or structure.

**VEHICLE SIGN:** Any sign that is mounted upon, painted upon, or otherwise erected on trucks, cars, boats, trailers, or other motorized vehicles or equipment.

**WALL SIGN:** A sign erected or attached parallel to the outside of a wall of a building with messages or graphics on the face side only.

**WAYFINDING SIGN:** A directional sign that guides the traveling public to key civic, visitor, or recreational destinations within a specific region.

**WIND SIGN:** Any sign or portion thereof or series of signs, banners, flags or other objects designed and fastened in such a manner as to move freely upon being subjected to pressure by wind or breeze.

**WINDOW SIGN:** A sign that is attached to, or suspended directly behind or in front of a window.

(Ord. 19-42 § 2: Ord. 19-14)

**17.48.040: DEFINITIONS:**

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

**A-FRAME SIGN:** Any sign, structure, or configuration composed of one or two (2) sign faces mounted or attached back-to-back in such a manner as to form a basically triangular vertical cross- section.

**ABANDONED SIGN:** A sign which no longer correctly directs or influences any person, advertises a current business, lessor, owner, product or activity conducted or available on the premises where such sign is displayed.

**ADVERTISING SIGN:** A sign which directs attention to a use, product, commodity or service either related or not related to the premises on which the sign is located.

**ANIMATED SIGN:** A sign which involves motion or rotation of any part by mechanical or other means.

**AREA OF A SIGN:** The entire area within a single continuous perimeter composed of squares or rectangles which enclose the extreme limits of the advertising message, announcement, declaration, demonstration, display illustration, insignia, surface or space of a similar nature, together with any frame or other material, color, or condition which forms an integral part of the display and is used to differentiate such sign from the wall or background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. If a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that only one face of a double faced sign shall be considered in determining the sign area, provided both faces are parallel and the distance between faces does not exceed two feet (2'). Further, where a sign consists only of individual letters, numbers, symbols or other similar components and is painted on or attached flat against the wall of a building, and where such individual components are without integrated background definition and are not within a circumscribed frame area, the total area of the sign shall be the sum of the areas of the squares or rectangles surrounding each individual sign component.

**ATTACHED SIGN:** Any sign which is fastened, attached, connected or supported in whole or in part by a building or structure other than a sign structure wholly by the ground.

**AWNING SIGN:** A sign which includes lettering or graphics placed on the vertical valance of an awning and supported by a rigid framework attached to a building.

**BANNER SIGN:** A sign made of fabric, plastic or a similar lightweight material and hung from a building or framework attached to a building or placed in the ground.

**BENCH SIGN:** A sign which is affixed or painted to a bench and is placed outside of the main structure on the property. Benches owned and maintained by a public transit authority are exempt from these regulations.



**BILLBOARD SIGN:** A detached or attached sign designed or intended to direct attention to a business, product, service, event or attraction that is not sold, offered, or existing on the property where the sign is located.

**BLADE BANNER SIGN:** A vertical banner supported by a durable pole.

**BLADE SIGN:** A building mounted sign with sign faces projecting from and perpendicular to the building fascia.

**BUSINESS SIGN:** A sign which directs attention to a use conducted, product or commodity sold, or service performed upon the premises.

**CANOPY SIGN:** A sign attached to a canopy.

**CHANGEABLE COPY SIGN:** A sign or portion of a sign with characters, letters, graphics, or other copy that can be changed or modified by mechanical, electrical, or manual means, not including digital, electronic messaging or electronic message signs.

**COMMUNITY SIGN:** A temporary on or off-premises sign generally made of a woven material or durable synthetic material which is primarily attached to or hung in a vertical fashion from light poles or buildings, of a solely decorative, festive, and/or informative nature announcing activities, promotions, events, seasonal or traditional themes which are sponsored or supported by Murray City.

**DETACHED SIGN:** Any sign not supported in whole or in part by a building, or structure other than by a sign structure which is supported wholly by the ground.

**DIRECTIONAL SIGN:** A permanent sign located on private property at or near the public right-of-way, directing or guiding vehicular traffic onto the property and/or toward parking or other identified locations on the property.

**DIRECTLY ILLUMINATED SIGN:** Any sign designed to provide artificial light directly or through transparent material from a source of light within or on such sign, including, but not limited to, neon and incandescent lamp signs.

**DOUBLE-FACED SIGN:** A sign with two (2) parallel identical faces, or two (2) identical sign faces that are not parallel but diverge from a common edge at an angle no greater than fifteen degrees (15°).

**ELECTRIC AWNING SIGN:** A fireproof space frame structure with translucent flexible reinforced vinyl covering designed in awning form, but whose principal purpose and use is as a sign. These signs are internally illuminated by fluorescent or other light sources in fixtures approved under the Electrical Code.

**ELECTRONIC MESSAGE CENTER SIGN:** A sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include displays using incandescent lamps, LEDs, LCDs or a flipper matrix.

**FLAG SIGN, COMMERCIAL:** A sign which is made of cloth or similar lightweight material that expresses messages which are primarily commercial in nature.



**FLAG SIGN, NON-COMMERCIAL:** A sign which is made of cloth or similar lightweight material that expresses messages which are not primarily commercial. Such flags may include flags of governmental entities, flags identifying the person, institution, organization or corporation occupying a property.

**FLASHING SIGN:** An illuminated sign which exhibits changing light or color effect by blinking or any similar means to provide a non-constant illumination. Any display must remain lighted for a minimum of two (2) seconds.

**FLAT SIGN:** A sign erected or attached parallel to the outside of a wall of a building with messages or graphics on the face side only.

**FLOODLIGHTED SIGN:** A sign made legible in the absence of daylight by devices which reflect or project light upon it.

**FREEWAY:** A highway, in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands, or in respect to which such owners have only limited or restricted right or easement of access, the precise route for which has been determined and designed as a freeway by an authorized agency of the state or a political subdivision thereof. This term includes the main traveled portion of the trafficway, all land situated within the right of way, and all ramps and appurtenant land and structures.

**GRAFFITI:** Any form of unauthorized printing, writing, spraying, scratching, affixing, etching, or inscribing on the property of another regardless of the content or nature of the material used in the commission of the act.

**GROUND SIGN:** A sign that has its own supporting structure and is not attached to or supported by a building. Types of ground signs include pedestal, pylon, monument, and shared monument signs.

**GROUP IDENTIFICATION SIGN:** A sign allowing for two (2) or more properties or uses that may share common frontage, access points, off-street parking, or loading areas.

**HANGING SIGN:** A building mounted sign suspended from the underside of a roof, overhang or recessed area or other similar architectural features of a building.

**HEIGHT OF SIGN:** The vertical distance measured from the adjacent street grade or upper surface of the nearest curb of a street other than an elevated roadway, whichever permits the greatest height, to the highest point of the sign.

**HOME OCCUPATION SIGN:** A sign associated with a valid home business existing on the premises.

**ILLEGAL OFF PREMISES ADVERTISING SIGN:** An off premises advertising sign that does not conform or comply with the requirements, including, without limitation, height restrictions, of the version of this Sign Code in effect when the sign was originally erected.

**INDIRECTLY ILLUMINATED SIGN:** A sign the illumination of which is derived entirely from an external artificial source which is arranged so that no direct rays of light are projected from such artificial source into residences or streets.

**INFLATED SIGNS:** A sign that is supported by heated or forced air or lighter than air gases.

**INTERSTATE:** For the purposes of sections 17.48.260, 17.48.270 and 17.48.280, interstate means Interstate 15 (I-15) or Interstate 215 (I-215).

**INTERSTATE ORIENTED SIGN:** For the purposes of sections 17.48.260, 17.48.270 and 17.48.280, means any sign within 660 feet of an interstate right-of-way, and oriented toward the interstate or otherwise designed to be viewed from the freeway.

**LEGAL NONCONFORMING OFF PREMISES SIGN:** An off premises advertising sign that conformed and complied with the requirements of the version of this Sign Code in effect when the sign was originally erected but no longer conforms or complies with an amended version of this Sign Code.

**MARQUEE SIGN:** A sign designed to have changeable copy, either manually or electronically. Marquee signs may be a principal identification sign, freestanding sign, a wall sign, or attached to a canopy.

**MENU BOARD SIGN:** A sign located at a drive-in or drive-up window restaurant.

**MONUMENT SIGN:** A freestanding on site sign that is attached to the ground or a foundation in the ground and does not include poles, braces, or other visible means of support.

**MONUMENT SIGN, SHARED:** A freestanding on site sign for two (2) or more uses that is attached to the ground or a foundation in the ground and does not include poles, braces, or other visible means of support.

**MOVING SIGN:** Any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement of any description, or other apparent visible movement achieved by electrical, electronic or kinetic means, including intermittent electrical pulsations, or by actions of wind currents.

**NAMEPLATE SIGN:** A sign which designates the name and address of a person or persons occupying the premises upon which it is located. A nameplate is not an identification sign.

**NEIGHBORHOOD IDENTIFICATION SIGN:** A permanent sign located at the entrance of a neighborhood, tract, or subdivision.

**NONCONFORMING SIGN:** A sign legally existing at the time of the effective date hereof which does not currently conform to the provisions of this chapter.

**NONILLUMINATED SIGN:** A sign not illuminated either directly or indirectly.

**NON-INTERSTATE STREET OR HIGHWAY:** A state, county or municipal road within the City, excluding I-15 or I-215.

**NON-INTERSTATE ORIENTED SIGN:** Any sign located on a parcel of land adjacent to a street or highway that is not an interstate, and oriented toward the street or highway or otherwise designed to be viewed from the non-interstate street or highway.

**OFF-PREMISES ADVERTISING SIGN:** A commercial sign that directs attention of the public to a business activity conducted or product sold or offered at a location not on the same premises where the commercial sign is located. For purposes of this section, easements and other appurtenances and noncontiguous parcels under the same ownership are considered off the premises of the parcel of land on which the business or activity is located or conducted. The definition of off premises advertising sign includes, without limitation, billboards, poster panels, marquees, painted bulletins and other similar advertising displays. Signs that are no more than twelve (12) square feet in area and no more than five feet (5') above uniform ground surface grade and which provide only directions to a business or establishment are excluded from the definition of off premises advertising sign. The definition of off premises advertising sign does not include mass transit bus stop bench and shelter and light and commuter rail station advertising displays.

**OFF-PREMISES SIGN:** An advertising sign which directs attention to a use, product, commodity, or service not related to the premises on which it is erected.

**ON-PREMISES SIGN:** An advertising sign which directs attention to a use, product, commodity, or service which is sold, offered or conducted on the premises upon which the sign is located.

**PAINTED WINDOW SIGN:** A sign painted on windows or doors with markers, paints, or any other type of substance used to display messages.

**PARK OR TRAIL SIGN:** A sign at a park, trail, or other open space.

**PEDESTAL SIGN:** A freestanding one- or two-sided ground sign that includes two (2) or more vertical structural supports extending from the sign face to the ground.

**PLANNED CENTER:** An area of minimum contiguous size, as specified by ordinance, to be planned, developed, operated, and maintained containing one or more structures to accommodate commercial, manufacturing, or business park areas and other uses incidental to the primary uses. Planned centers are designed as an integrated complex or leasable or individually owned spaces in a single building, group of buildings, or parcels.

**PLANNED CENTER ON-PREMISES PYLON SIGN:** A pylon sign which advertises or directs attention to a use, establishment, product, or service that is located in a planned center.

**POLE SIGN:** A freestanding sign supported by a single pole mounted permanently in the ground.

**PORTABLE SIGN:** Any sign not permanently affixed to the ground or a structure on the premises it is intended to occupy.

**PROJECTING SIGN:** A building mounted sign with the sign faces projecting from and perpendicular to the building fascia.

**PROPERTY DEVELOPMENT:** Residential property being developed for the sale or lease of multiple lots or structures within a subdivision, and may have one temporary sign as outlined in this chapter.

**PROPERTY SIGN:** A sign related to the property upon which it is located.

**PUBLIC NECESSITY SIGN:** A sign informing the public of any danger or hazard existing on or adjacent to the premises.

**PYLON SIGN:** A freestanding ground sign that includes only one vertical structural support connecting the face of the sign to the ground.

**RESIDENTIAL ENTRY FEATURE SIGN:** A permanent sign located at a primary residential development entrance intended to facilitate public safety and community identity.

**RESIDENTIAL PROPERTY FOR SALE:** Residential property, including individual lots or parcels, actively listed for sale or lease.

**RESIDENTIAL SIGN:** A temporary, non-commercial sign posted on residential property by the property owner. Residential signs included in other sign categories as defined in this chapter shall be governed by the provisions pertaining to those sign categories.

**ROOF SIGN:** A sign erected upon a roof or parapet of a building or structure.

**ROTATING SIGN:** Any sign or portion thereof which physically revolves about an axis.

**SCREEN SIGN:** A screen sign is a sign that consists of a screen like material that is attached to a wall or parking deck and is capable of displaying electronic messages. Screen signs must conform to the architectural and aesthetic quality of the building they are attached to.

**SIGN:** Any writing, pictorial representation, symbol, banner or any other figure of similar character of whatever material which is used to identify, announce, direct attention to or advertise, which is placed on the ground, on any bush, tree, rock, wall, post, fence, building, structure, vehicle, or any place whatsoever and which is visible from outside a building. The term "placed" shall include constructing, erecting, posting, painting, printing, tacking, nailing, gluing, sticking, carving, stringing, or otherwise fastening, affixing or making visible in any manner whatsoever.

**SIGNAGE PLAN:** A signage plan consists of one or more scaled drawings showing the location, type, size and design of all existing and proposed signs on site.

**SNIPED SIGN:** A sign for which a permit is required and has not been obtained and which is tacked, nailed, posted, pasted, glued or otherwise attached to the ground, trees, poles, stakes, fences, or other objects with the message appearing thereon.

**SPECIAL EVENTS:** A specific time period during which there are "special events", including but not limited to community events, presentations, sales, and so forth.

**TEMPORARY SIGNS:** Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials with or without frame installed for a limited period of time.

**TENANT LISTING SIGN:** A wall sign on a building containing multiple tenants or uses, located near the entrance and designed in such a manner as to accommodate multiple sign plates.

**TRAFFIC CONTROL SIGN:** Standard regulatory signs installed by public agencies, including stop and yield signs, speed limit signs, etc.

**TRAILER SIGN:** Any sign affixed to, applied, set upon, or printed on a trailer.

**TRESPASSING SIGN:** Any sign which warns against the trespassing onto a parcel of property or structure.

**VEHICLE SIGN:** Any sign that is mounted upon, painted upon, or otherwise erected on trucks, cars, boats, trailers, or other motorized vehicles or equipment.

**WALL SIGN:** A sign erected or attached parallel to the outside of a wall of a building with messages or graphics on the face side only.

**WAYFINDING SIGN:** A directional sign that guides the traveling public to key civic, visitor, or recreational destinations within a specific region.

**WIND SIGN:** Any sign or portion thereof or series of signs, banners, flags or other objects designed and fastened in such a manner as to move freely upon being subjected to pressure by wind or breeze.

**WINDOW SIGN:** A sign that is attached to, or suspended directly behind or in front of a window.

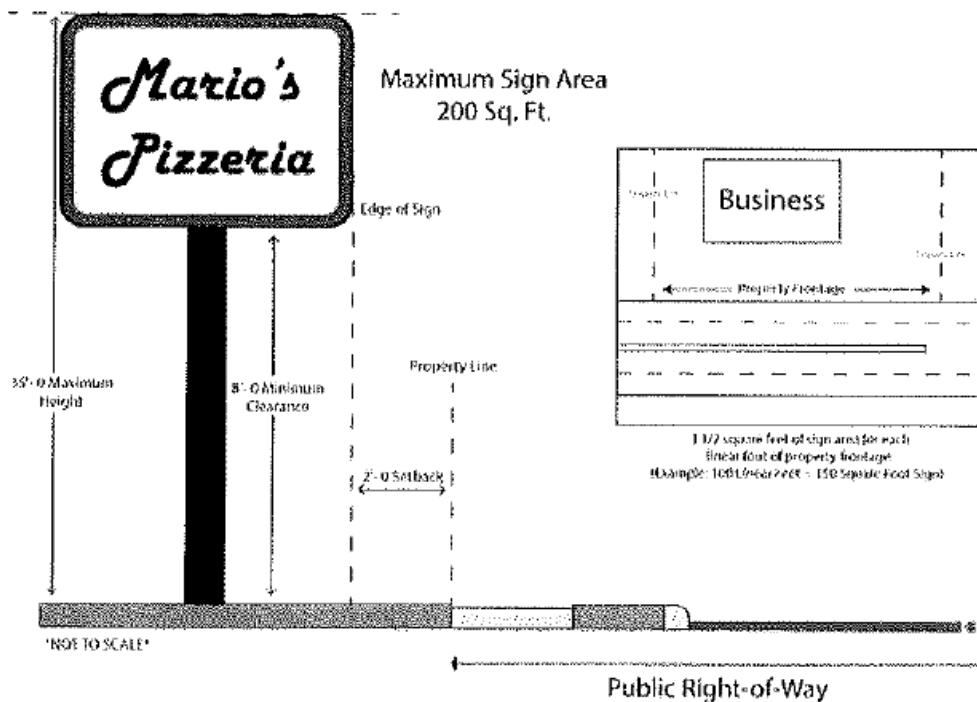
(Ord. 19-42 § 2: Ord. 19-14)

#### 17.48.200: COMMERCIAL AND MANUFACTURING ZONE SIGNS:

In Commercial and Manufacturing Zones, signs indicating the business, commodities, service, industry, or other activity sold, offered, or conducted on the premises are permitted as follows:

- A. Detached On-Site Signs: Detached on site signs are to be erected as follows:
1. One detached on premises sign for each developed parcel not exceeding one and one-half ( $1\frac{1}{2}$ ) square feet of sign area for each linear foot of street frontage. No sign may exceed a total sign area of two hundred (200) square feet per side (see figure 22 of this subsection A1). A maximum of two (2) sides are allowed;

FIGURE 22



2. If a developed parcel has in excess of two hundred (200) linear feet of street frontage, additional signs may be allowed, provided the distance between detached signs on each parcel may not be less than two hundred feet (200') as measured in a straight line;

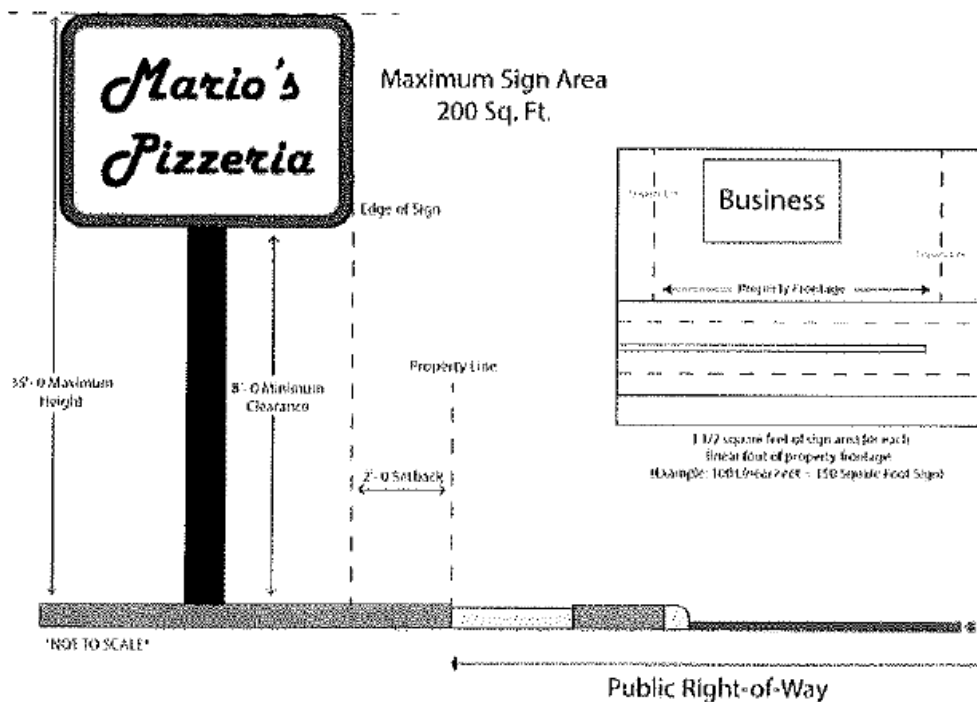
3. The maximum sign height is thirty five feet (35') above pavement grade or ground level. On properties adjacent to freeways, where the sign is freeway oriented, maximum sign height may be determined from freeway grade;
  4. Minimum sign clearance from grade to the bottom of the sign is eight feet (8');
  5. Ground/monument signs shall comply with regulations found in section 17.48.140 of this chapter;
  6. Minimum sign setback from all property lines is two feet (2').
  7. Pole signs are only allowed in the Commercial and Manufacturing Zones for parcels or developments that are directly adjacent to or abutting either Interstate 15 or Interstate 215 and must be freeway oriented.
- B. Attached Signs For Each Occupancy: On premises signs may not exceed a total of three (3) square feet of sign area for each linear foot of building frontage.
- C. Planned Center Signs: The Planning Commission may allow common signs displaying advertising for all uses with a planned center on multiple parcels of property that may or may not have separate ownership. The Planning Commission will consider the following criteria as basis for approval of the signs:
1. Signs must be integrated into the development with a common theme or integrated architecturally with the buildings.
  2. Location, number, and size of all signs must receive approval by the Planning Commission and meet the provisions within the Sign Code.
  3. The applicant must submit elevations of all signs, and a site plan showing the location of the proposed signs.
  4. Additional standards for pedestal signs are located within section 17.48.140 of this chapter.
- D. Pylon Signs: Are permitted within the C-D Zone (not permitted within the M-G Zone) and shall comply with the regulations found in section 17.48.140 of this chapter. (Ord. 19-14)

# 17.48.200: COMMERCIAL AND MANUFACTURING ZONE SIGNS:

In Commercial and Manufacturing Zones, signs indicating the business, commodities, service, industry, or other activity sold, offered, or conducted on the premises are permitted as follows:

- A. Detached On-Site Signs: Detached on site signs are to be erected as follows:
  1. One detached on premises sign for each developed parcel not exceeding one and one-half ( $1\frac{1}{2}$ ) square feet of sign area for each linear foot of street frontage. No sign may exceed a total sign area of two hundred (200) square feet per side (see figure 22 of this subsection A1). A maximum of two (2) sides are allowed;

FIGURE 22



2. If a developed parcel has in excess of two hundred (200) linear feet of street frontage, additional signs may be allowed, provided the distance between detached signs on each parcel may not be less than two hundred feet (200') as measured in a straight line;



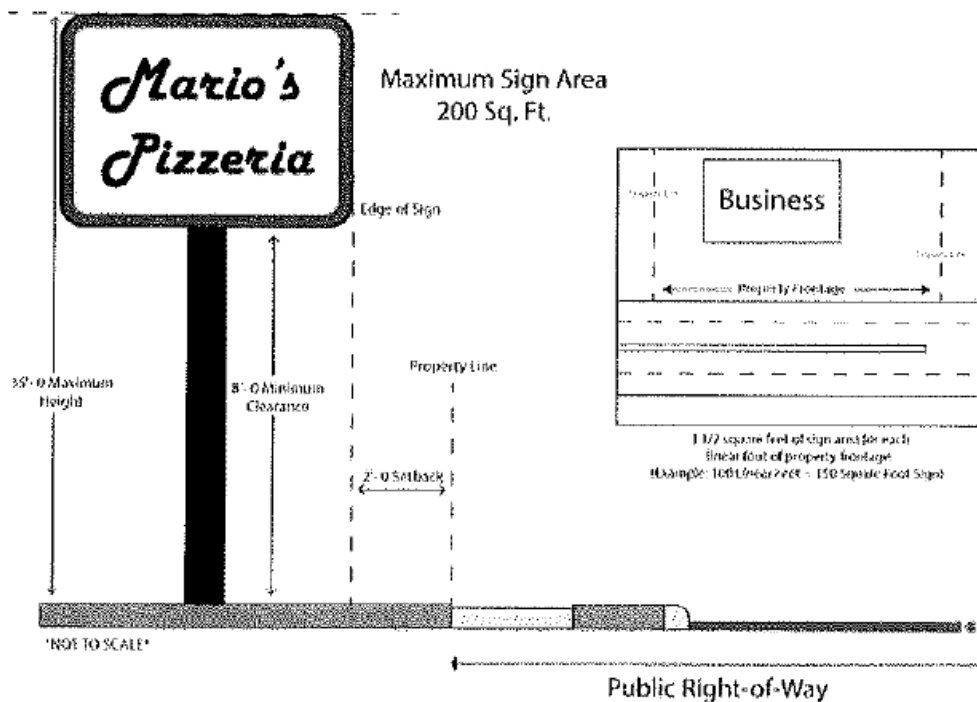
3. The maximum sign height is thirty five feet (35') above pavement grade or ground level. On properties adjacent to freeways, where the sign is freeway oriented, maximum sign height may be determined from freeway grade;
  4. Minimum sign clearance from grade to the bottom of the sign is eight feet (8');
  5. Ground/monument signs shall comply with regulations found in section 17.48.140 of this chapter;
  6. Minimum sign setback from all property lines is two feet (2').
  7. Pole signs are only allowed in the Commercial and Manufacturing Zones for parcels or developments that are directly adjacent to or abutting either Interstate 15 or Interstate 215 and must be freeway oriented.
- B. Attached Signs For Each Occupancy: On premises signs may not exceed a total of three (3) square feet of sign area for each linear foot of building frontage.
- C. Planned Center Signs: The Planning Commission may allow common signs displaying advertising for all uses with a planned center on multiple parcels of property that may or may not have separate ownership. The Planning Commission will consider the following criteria as basis for approval of the signs:
1. Signs must be integrated into the development with a common theme or integrated architecturally with the buildings.
  2. Location, number, and size of all signs must receive approval by the Planning Commission and meet the provisions within the Sign Code.
  3. The applicant must submit elevations of all signs, and a site plan showing the location of the proposed signs.
  4. Additional standards for pedestal signs are located within section 17.48.140 of this chapter.
- D. Pylon Signs: Are permitted within the C-D Zone (not permitted within the M-G Zone) and shall comply with the regulations found in section 17.48.140 of this chapter. (Ord. 19-14)
- E. E. Screen Signs: Are allowed subject to the following standards:
1. Property must have a minimum of three (3) acres.
  2. Shall be located within 150 feet of the I-15 freeway right-of-way.
  3. Shall be oriented towards the I-15 freeway.
  4. Must be incorporated as an architectural element of the building.
  5. Only one (1) screen sign is permitted per property.
  6. May not exceed five (5) sq ft per linear foot of building frontage.
  - 5-7. Must be located a minimum of fifty feet (50') above the finished grade.

17.48.200: COMMERCIAL AND MANUFACTURING ZONE SIGNS:

In Commercial and Manufacturing Zones, signs indicating the business, commodities, service, industry, or other activity sold, offered, or conducted on the premises are permitted as follows:

- A. Detached On-Site Signs: Detached on site signs are to be erected as follows:
1. One detached on premises sign for each developed parcel not exceeding one and one-half ( $1\frac{1}{2}$ ) square feet of sign area for each linear foot of street frontage. No sign may exceed a total sign area of two hundred (200) square feet per side (see figure 22 of this subsection A1). A maximum of two (2) sides are allowed;

FIGURE 22



2. If a developed parcel has in excess of two hundred (200) linear feet of street frontage, additional signs may be allowed, provided the distance between detached signs on each parcel may not be less than two hundred feet (200') as measured in a straight line;

3. The maximum sign height is thirty five feet (35') above pavement grade or ground level. On properties adjacent to freeways, where the sign is freeway oriented, maximum sign height may be determined from freeway grade;
  4. Minimum sign clearance from grade to the bottom of the sign is eight feet (8');
  5. Ground/monument signs shall comply with regulations found in section 17.48.140 of this chapter;
  6. Minimum sign setback from all property lines is two feet (2').
  7. Pole signs are only allowed in the Commercial and Manufacturing Zones for parcels or developments that are directly adjacent to or abutting either Interstate 15 or Interstate 215 and must be freeway oriented.
- B. Attached Signs For Each Occupancy: On premises signs may not exceed a total of three (3) square feet of sign area for each linear foot of building frontage.
- C. Planned Center Signs: The Planning Commission may allow common signs displaying advertising for all uses with a planned center on multiple parcels of property that may or may not have separate ownership. The Planning Commission will consider the following criteria as basis for approval of the signs:
1. Signs must be integrated into the development with a common theme or integrated architecturally with the buildings.
  2. Location, number, and size of all signs must receive approval by the Planning Commission and meet the provisions within the Sign Code.
  3. The applicant must submit elevations of all signs, and a site plan showing the location of the proposed signs.
  4. Additional standards for pedestal signs are located within section 17.48.140 of this chapter.
- D. Pylon Signs: Are permitted within the C-D Zone (not permitted within the M-G Zone) and shall comply with the regulations found in section 17.48.140 of this chapter. (Ord. 19-14)
- E. E. Screen Signs: Are allowed subject to the following standards:
1. Property must have a minimum of three (3) acres.
  2. Shall be located within 150 feet of the I-15 freeway right-of-way.
  3. Shall be oriented towards the I-15 freeway.
  4. Must be incorporated as an architectural element of the building.
  5. Only one (1) screen sign is permitted per property.
  6. May not exceed five (5) sq ft per linear foot of building frontage.
  7. Must be located a minimum of fifty feet (50') above the finished grade.





# MURRAY CITY COUNCIL





# Land Use Text Amendment Chapter 17.48 Sign Code

Sections 17.48.040 & 17.48.200

Adding definition and regulations regarding  
screen signs





## Proposed Changes

### Add Screen Sign Definition

**SCREEN SIGN:** A screen sign is a sign that consists of a screen like material that is attached to a wall or parking deck and is capable of displaying electronic messages. Screen signs must conform to the architectural and aesthetic quality of the building they are attached to.





## Proposed Changes

### Add Screen Sign Regulations

1. Property must have a minimum of three (3) acres.
2. Shall be located within 150 feet of the I-15 freeway right-of-way.
3. Shall be oriented towards the I-15 freeway.
4. Must be incorporated as an architectural element of the building.
5. Only one (1) screen sign is permitted per property.
6. May not exceed five (5) sq ft per linear foot of building frontage.
7. Must be located a minimum of fifty feet (50') above the finished grade.



## Examples







## Findings

1. The proposed text amendment is in harmony with objective 5 of the Economic Development Element of the General Plan to “increase the sustainability of the city’s tax base through increased office property values and by creating additional employment centers” by allowing unique features that are not found in many areas in the valley.
2. The proposed change is in harmony with Initiative 2 of the General Plan which states “create office/employment centers” by allowing innovative elements that attracts businesses to office developments.
3. Staff finds that continuing to review and update development standards furthers the City’s mission of “[guiding] growth to promote prosperity and sustain a high quality of life for those who live, work, shop, and recreate in Murray.
4. The Planning Commission held a public hearing on August 15<sup>th</sup>, 2024, and voted 5-0 to recommend the City Council approve the requested amendment.



## Staff Recommendation

Staff recommends and the Planning Commission recommend the City Council **APPROVE** the proposed amendments to Sections 17.48.040 and 17.48.200 within the Sign Code as reviewed in the Staff Report.





THANK YOU!







**MURRAY**  
CITY COUNCIL

# Public Hearing #3



**MURRAY**

# Community and Economic Development

## Murray City Staff MCCD Zone Amendment

### Council Action Request

### Council Meeting

Meeting Date: November 19, 2024

<b>Department Director</b> Phil Markham  <b>Phone #</b> 801-270-2427  <b>Presenters</b> David Rodgers	<b>Purpose of Proposal</b> Amend Murray Cody Chapter 17.170.120 MCCD Zone  <b>Action Requested</b> Code Amendment  <b>Attachments</b> Slides  <b>Budget Impact</b> None Anticipated  <b>Description of this Item</b> Planning Division Staff proposes amendments to Chapter 17.170.120 (F) Murray City Center District MCCD Height Regulations.  This request allows an additional 15' of height and a change of one additional story to a portion of the zone located East of State Street and South of Vine Street.  The Planning Commission conducted a public hearing on October 3rd, 2024 and voted 6-1 recommending that the City Council approve the requested changes.
<b>Required Time for Presentation</b> 10 minutes  <b>Is This Time Sensitive</b> No  <b>Mayor's Approval</b>          <b>Date</b> October 29, 2024	

# MURRAY CITY CORPORATION

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19<sup>TH</sup> day of November, 2024, at the hour of 6:30 p.m., in the City Council Chambers of the Murray City Hall, 10 East 4800 South, Murray, Utah, the Murray City Municipal Council will hold and conduct a Public Hearing on and pertaining to text amendments to Section 17.170.120 of the Murray City Municipal Code relating to height regulations in the Murray City Center District (MCCD).

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

DATED this 16<sup>th</sup> day of October 2024.



MURRAY CITY CORPORATION

A handwritten signature in black ink, appearing to read "Brooke Smith", written over a horizontal line.

Brooke Smith  
City Recorder

DATES OF POSTING: November 8, 2024  
PH24-43

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

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

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

AN ORDINANCE AMENDING SECTION 17.170.120 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO HEIGHT REGULATIONS IN THE MURRAY CITY CENTER DISTRICT (MCCD).

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this ordinance is to amend Section 17.170.120 of the Murray City Municipal Code relating to height regulations in the Murray City Center District (MCCD).

*Section 2. Amend Section 17.170.120 of the Murray City Municipal Code.* Section 17.170.120 of the Murray City Municipal Code shall be amended to read as follows:

**17.170.120: HEIGHT REGULATIONS:**

The following height restrictions shall apply in the MCCD Zone.

A. Buildings shall not exceed ten (10) stories in height or one hundred thirty-five feet (135') whichever is less. A pedestrian scaled facade must be provided on lower floors.

B. For new buildings located west of State Street and south of 4800 South, a minimum height of forty feet (40') or four (4) stories, whichever is less, is required.

C. Buildings located east of State Street are exempt from the minimum height requirement.

D. The height of a structure located adjacent to a residential zoning district may not exceed fifty feet (50') within sixty feet (60') of a residential zoning district.

E. On properties located north of Court Avenue that are adjacent to Center Street, buildings shall not be erected to a height greater than thirty five feet (35').

F. New buildings located east of State Street and south of Vine Street shall not exceed ~~six-seven~~ (67) stories in height or ~~seventy-eighty-five~~ feet (~~70'85'~~), whichever is less.

G. Public or quasi-public utility buildings and structures are exempt from the minimum height regulations above. This exemption does not include office buildings for public or quasi-public utility companies. (Ord. 23-04: Ord. 21-21: Ord. 19-40)

....

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

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

MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_  
Pam Cotter, Chair

ATTEST:

\_\_\_\_\_  
Brooke Smith, City Recorder

MAYOR'S ACTION:

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

\_\_\_\_\_  
Brett A. Hales, Mayor

ATTEST:

\_\_\_\_\_  
Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

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

\_\_\_\_\_  
Brooke Smith, City Recorder



~DRAFT~

Minutes of the Planning Commission meeting held on Thursday, October 3<sup>rd</sup>, 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: Maren Patterson, Chair  
Ned Hacker, Vice Chair  
Lisa Milkavich  
Jake Pehrson  
Michael Henrie  
Michael Richards  
Pete Hristou  
Phil Markham, CED Director  
Zachary Smallwood, Planning Division Manager  
David Rodgers, Senior Planner  
Ruth Ruach, Planner I  
Mark Richardson, Deputy Attorney  
Mark Morris, VODA  
Members of the Public (per sign-in sheet)

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

Chair Patterson called the meeting to order at XXX p.m.

#### BUSINESS ITEMS

#### APPROVAL OF MINUTES

XXX made a motion to approve the minutes for September 5<sup>th</sup>, 2024, and September 19<sup>th</sup>, 2024. Seconded by XXX. 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

XXX made a motion to approve the findings of facts for Erektion State Farm Conditional Use Permit and for Kombustion Motorsports Conditional Use Permit. A voice vote was taken with all in favor.

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

#### Vara Salon Suites - Project # 24-101 - 4770 South 900 East - Conditional Use Permit for Tattoo Use in the C-D Zone

Loris Ventures LLC was present to represent this request. Ruth Ruach presented the application requesting Conditional Use Permit approval to allow a body art studio within the C-D Zone on the property located at 4770 South 900 East.

Eleven notices of the public meeting were sent to all property owners for parcels located within 300 feet of the subject property.

XXX opened the public comment period for this agenda item.

XXX closed the public comment period for this agenda item.

XXX made a motion that the Planning Commission APPROVE a Conditional Use Permit to allow a body art studio at the property addressed 4770 S 900 E, subject to the following conditions:

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.

Seconded by XXX. Roll call vote:

A Patterson  
A Hacker  
A Milkavich  
A Pehrson  
A Richards  
A Henrie

Motion passes: X-X

### SUBDIVISION REVIEW – ADMINISTRATIVE ACTION

#### 93 Woodrow Flag Lot Subdivision - Project # 24-099 - 93 West Woodrow Street - Preliminary and Final Subdivision Review for a Flag Lot Subdivision

Kyle Zack, from 10 Pointe Properties, was present to represent this request. Zachary Smallwood presented the application for Preliminary and Final Flag Lot Subdivision approval for property in the R-1-8 Zone located at 93 West Woodrow Street.

Seventy-four notices of the public meeting were sent to affected entities and all property owners for parcels located within 300 feet of the subject property.

XXX opened the public comment period for this agenda item.

XXX closed the public comment period for this agenda item.

XXX made a motion that the Planning Commission GRANT preliminary and final subdivision approval for a Flag Lot Subdivision for the proposed 93 Woodrow Subdivision located at 93 West Woodrow Street, subject to the following conditions:

1. The applicant shall meet all requirements of the City Engineer, including the following:
  - A. Meet City subdivision requirements and standards – City Code Title 16.
  - B. Address all engineering and survey review comments prior to printing the plat to mylar.
  - C. Provide grading, drainage, and utility plan – City Code Chapter 16.08.
  - D. Meet City storm drainage requirements, on-site retention is required – City Code Chapter 13.52.050
  - E. Provide standard front rear and side yard PUE's on lots – City Code Chapter 16.16.100.
  - F. Provide separate utilities to proposed lots.
  - G. Provide Woodrow Street right-of-way dedication to accommodate future street improvements (asphalt, curb, and gutter & sidewalk) – City Code Chapter 17.76.120.
  - H. Provide any required easements and vacate any unused easements within the proposed buildable areas and street - City Code Chapter 16.16.100.
  - I. Obtain a City Excavation Permit for work within City roadways – City Code Chapter 12.16.020.
2. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
3. The applicant shall meet all requirements of the Murray City Water Department.
4. The applicant shall meet all requirements of the Murray City Wastewater Department.
5. The applicant shall meet all requirements of the Murray City Fire Department.
6. The applicant shall obtain building permits for any new construction on the property.
7. The Final Plat shall adhere to the requirements for Flag Lot Subdivisions contained in Section 17.76.140 of the Murray City Land Use Ordinance and as outlined in the Staff Report.
8. The applicant shall meet all applicable Building and Fire Codes.
9. The applicant shall provide complete plans, structural calculations and soils reports stamped and signed by the appropriate design professionals at the time of submittal for building permits.

10. The subdivision plat shall be recorded within one year of the final approval or the final plat shall be null and void.

Seconded by XXX. Roll call vote:

A Patterson  
A Hacker  
A Milkavich  
A Pehrson  
A Richards  
A Henrie

Motion passes: X-X

#### LAND USE TEXT AMENDMENT(S) – LEGISLATIVE ACTION

##### Chapter 17.170.120 of the Murray City Center District - Project # 24-109 - Amending height allowances for properties east of State Street and south of Vine Street

David Rodgers presented the proposed amendments to Chapter 17.170.120 (F) Murray City Center District M CCD Height Regulations. The request allows an additional 15' of height and a change of one additional story to a portion of the zone in the M CCD Zone East of State Street and South of Vine Street. Mr. Rodgers read the text of the original code. He showed the map of the parcels located in the M CCD zone, as well as map of the heights in the lot addressed in the subject properties. He discussed the reason for the text amendment, as the RDA has entered into an agreement with a developer for the old city hall site. He said that there was a measurement issue when heights were being measured from different roads around the property. He said notices were sent to adjacent property owners, with no comments received. He said the proposed changes are in harmony with the multiple aspects of the General Plan. Notices were sent to affected entities for this amendment. As of the date of this report, one sign company inquired about the changes. Staff recommends the Planning Commission forward a recommendation of approval to the City Council.

Commissioner Henrie expressed his concern about the number of stories that was previously approved now being different. Mr. Smallwood said it's acceptable for that to have occurred because the project has not had Land Use approvals yet. He said it will be final once the Redevelopment Agency has entered into an agreement with the developer.

The commissioners had a discussion as to why the height requirements were different for this zone. Commissioner Henrie felt concerned as to why there was a difference with surrounding areas. Commissioner Pehrson said he agreed and that heights should be consistent for the zone. Commissioner Henrie felt that certain sections of the amendment should be removed. Commissioner Pehrson said that the amendment should be approved as it's written.

Commissioner Milkavich expressed concern that maybe the height was changed for the benefit of the developer, but also said that she doesn't want to do something to lose a developer. Mr. Smallwood said one reason for the height reduction is due to costs related to parking structures. Commissioner Henrie feels less like they're giving into a developer if they omit the height requirement. Commissioner Pehrson said that what the Planning Commission is doing is reviewing

what the RDA envisioned and for them to approve if it can be accomplished. He said the Planning Commission should make the recommended changes that will allow the process to move forward.

Chair Patterson expressed concern that the affected entities were properly notified. Mr. Rodgers assured her that they followed correct procedures in contacting property owners within the required radius. Mr. Smallwood added that they are also required to post electronic notices to the city's and state's website. He also said that any resident can subscribe to notices on the city's website.

Chair Patterson expressed her frustration that this proposal to reduce the height from ten to seven stories went through originally. She said she doesn't understand why it extends as far south as it does. She thought they zoned a very small part of the MCCD for the potential redevelopment of the old city hall. She doesn't understand why they limited all the properties around it. She feels that her opinion doesn't matter because this is going back to the City Council, who asked for the change to begin with.

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

The commissioners discussed the properties that would be affected by the height change. They discussed the option of striking section (F), which limits the height of buildings in the zone to seven stories. Mr. Smallwood said that some members of the City Council are not in favor of increased heights in many of the zones. They requested that staff work to reduce heights.

Mr. Richardson, the commissioners, and staff discussed the proper parliamentary procedures for making a motion to omit Section (F) and how that affects forwarding a recommendation on to the City Council. Mr. Richardson said that the motion would need to be reworded because if it doesn't pass, then they don't have anything to forward to the City Council. They discussed the implications of making two motions and that it would result in forwarding a negative recommendation.

Commissioner Henrie made a motion that the Planning Commission amend the proposed amendments to Section 17.170.120 (F) within the MCCD zone to strike, Section (F) from Chapter 17.170.120.

The motion failed for a second.

Chair Patterson called for another motion.

Commissioner Hristou made a motion to forward a recommendation of approval to the City Council for the proposed amendments to Section 17.17. 0.1, 20. 20 (F) within the MCCD zone, as reviewed in the staff report.

Commissioner Pehrson seconded. Roll call vote:

A Patterson  
A Hacker  
A Milkavich  
A Pehrson

A Richards  
X Henrie

Motion passes: 5-1

#### DISCUSSION ITEMS & TRAINING

Form Based Code Updates - Review of work conducted on the Form Based Code for the City Center Area

Open and Public Meetings Act Training - Yearly training on the Utah State Open and Public Meetings Act

#### ANNOUNCEMENTS AND QUESTIONS

The next scheduled meeting will be held on Thursday, October 17<sup>th</sup>, 2024, at 6:30 p.m. MST in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

#### ADJOURNMENT

XXX made a motion to adjourn the meeting at XXX p.m.



---

Philip J. Markham, Director  
Community & Economic Development Department



## AGENDA ITEM # 06 Chapter 17.170.120 MCCD Zone Amendment

<b>ITEM TYPE:</b>	Text Amendment		
<b>ADDRESS:</b>	MCCD Zone East of State St. and South of Vine St.	<b>MEETING DATE:</b>	October 3, 2024
<b>APPLICANT:</b>	Community & Economic Development Department	<b>STAFF:</b>	David Rodgers, Senior Planner
<b>PARCEL ID:</b>	N/A	<b>PROJECT NUMBER:</b>	24-109
<b>REQUEST:</b>	Planning Division Staff proposes amendments to Chapter 17.170.120 (F) Murray City Center District MCCD Height Regulations. The request allows an additional 15' of height and a change of one additional story to a portion of the zone in the location indicated above.		

### I. STAFF REVIEW & ANALYSIS

#### History & Background

In November of 2023, the Murray City RDA Board entered into an agreement with the Triumph Group to purchase the property located at 5025 State Street for them to redevelop the property into a mixed-use development with restaurants, medical office, and for-sale housing units.

As the full scale of the project continues to be developed, it was determined that due to the grade of the site, the project as proposed would not be possible under the current standards. These changes will allow the developer to build the project as it was originally envisioned and shown to the RDA Board during the negotiations for the purchase.

#### Review of Proposed Changes

The code change will allow an additional fifteen feet (15') of height and an additional story to the MCCD Zone in the area south of Vine Street and east of State Street. Due to some elevation changes on this site, the developer is currently not able to build to the standard they expected to when measuring heights from Myrtle Ave. With these changes, Triumph Group will be able to develop the parcel according to the original plan. The proposed changes are narrowly tailored to the site in question and do not extend to other areas of the MCCD Zone.

## II. DEPARTMENT REVIEWS

The draft changes were provided to each department for their reviews the week of September 17th. All departments recommended approval with no comments or concerns.

## III. PUBLIC INPUT

Notices were sent to Affected Entities for this amendment. As of the date of this report, one sign company inquired about the changes.

## IV. FINDINGS

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

1. The proposed change is in harmony with Initiative 1 of the General Plan which states “Revitalize Downtown east of State Street” by allowing innovative elements that attracts businesses and residents to the future development at this location.
2. Staff finds that continuing to review and update development standards furthers the City’s mission of “[guiding] growth to promote prosperity and sustain a high quality of life for those who live, work, shop, and recreate in Murray.
3. The proposed text amendment is in harmony with objective 2 of the Land Use and Urban Design Element of the General Plan to “encourage Revitalization in the Core of the City” by offering zoning incentives for areas targeted for revitalization.
4. Staff finds that the update to the code supports the Neighborhoods & Housing element of the General Plan to “support a range of housing types” by encouraging the development to prioritize for sale units of various sizes.

## V. CONCLUSION/RECOMMENDATION

Based on the background, analysis, and the findings within this report, Staff recommends that the Planning Commission **forward a recommendation of APPROVAL to the City Council for the proposed amendments to Sections 17.170.120 (F) within the MCCD Zone as reviewed in the Staff Report.**





## NOTICE OF PUBLIC HEARING

October 3rd, 2024, 6:30 PM

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

**Amendments to Chapter 17.170 Murray City Center District MCCD. This is a request by Murray City Planning Staff to amend section 17.170.120 Height Regulations. The Planning Commission will review suggested edits to the code to allow for 15' of additional height and a change of one additional story to the number of stories permitted for properties located east of State Street and south of Vine Street.**

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

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

If you have questions or comments concerning any of these items, please contact the Murray City Planning Division at 801-270-2430, or e-mail [planning@murray.utah.gov](mailto:planning@murray.utah.gov).

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

17.170.120: HEIGHT REGULATIONS:

The following height restrictions shall apply in the M CCD Zone.

- A. Buildings shall not exceed ten (10) stories in height or one hundred thirty-five feet (135') whichever is less. A pedestrian scaled facade must be provided on lower floors.
- B. For new buildings located west of State Street and south of 4800 South, a minimum height of forty feet (40') or four (4) stories, whichever is less, is required.
- C. Buildings located east of State Street are exempt from the minimum height requirement.
- D. The height of a structure located adjacent to a residential zoning district may not exceed fifty feet (50') within sixty feet (60') of a residential zoning district.
- E. On properties located north of Court Avenue that are adjacent to Center Street, buildings shall not be erected to a height greater than thirty five feet (35').
- F. New buildings located east of State Street and south of Vine Street shall not exceed six (6) stories in height or seventy feet (70'), whichever is less.
- G. Public or quasi-public utility buildings and structures are exempt from the minimum height regulations above. This exemption does not include office buildings for public or quasi-public utility companies. (Ord. 23-04: Ord. 21-21: Ord. 19-40)

17.170.120: HEIGHT REGULATIONS:

The following height restrictions shall apply in the MCCD Zone.

- A. Buildings shall not exceed ten (10) stories in height or one hundred thirty-five feet (135') whichever is less. A pedestrian scaled facade must be provided on lower floors.
- B. For new buildings located west of State Street and south of 4800 South, a minimum height of forty feet (40') or four (4) stories, whichever is less, is required.
- C. Buildings located east of State Street are exempt from the minimum height requirement.
- D. The height of a structure located adjacent to a residential zoning district may not exceed fifty feet (50') within sixty feet (60') of a residential zoning district.
- E. On properties located north of Court Avenue that are adjacent to Center Street, buildings shall not be erected to a height greater than thirty five feet (35').
- F. New buildings located east of State Street and south of Vine Street shall not exceed ~~six~~ seven (~~67~~) stories in height or ~~eighty-five~~ seventy feet (~~85-70~~'), whichever is less.
- G. Public or quasi-public utility buildings and structures are exempt from the minimum height regulations above. This exemption does not include office buildings for public or quasi-public utility companies. (Ord. 23-04: Ord. 21-21: Ord. 19-40)

17.170.120: HEIGHT REGULATIONS:

The following height restrictions shall apply in the MCCD Zone.

- A. Buildings shall not exceed ten (10) stories in height or one hundred thirty-five feet (135') whichever is less. A pedestrian scaled facade must be provided on lower floors.
- B. For new buildings located west of State Street and south of 4800 South, a minimum height of forty feet (40') or four (4) stories, whichever is less, is required.
- C. Buildings located east of State Street are exempt from the minimum height requirement.
- D. The height of a structure located adjacent to a residential zoning district may not exceed fifty feet (50') within sixty feet (60') of a residential zoning district.
- E. On properties located north of Court Avenue that are adjacent to Center Street, buildings shall not be erected to a height greater than thirty five feet (35').
- F. New buildings located east of State Street and south of Vine Street shall not exceed seven (7) stories in height or eighty-five feet (85'), whichever is less.
- G. Public or quasi-public utility buildings and structures are exempt from the minimum height regulations above. This exemption does not include office buildings for public or quasi-public utility companies. (Ord. 23-04: Ord. 21-21: Ord. 19-40)





# MURRAY CITY COUNCIL

November 12<sup>th</sup>, 2024





# MCCD Zone Text Amendment

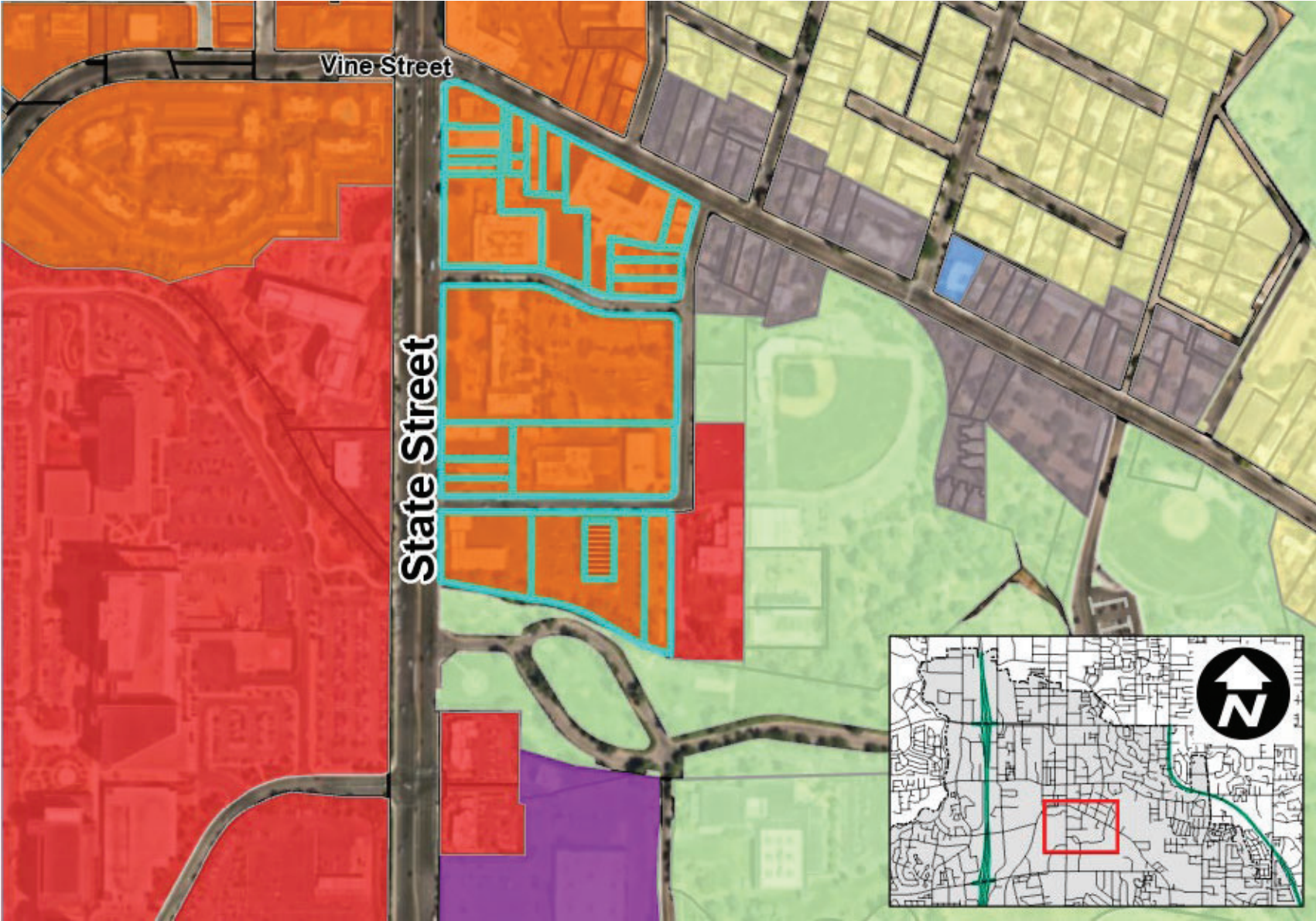
Text Amendment modifying the height of a  
specific area of the MCCD Zone

MCCD Zone East of State Street and South of  
Vine Street





Impacted Parcels





## Site Details





# Revised Code Language

## 17.170.120: HEIGHT REGULATIONS:

The following height restrictions shall apply in the MCCD Zone.

- A. Buildings shall not exceed ten (10) stories in height or one hundred thirty-five feet (135') whichever is less. A pedestrian scaled facade must be provided on lower floors.
- B. For new buildings located west of State Street and south of 4800 South, a minimum height of forty feet (40') or four (4) stories, whichever is less, is required.
- C. Buildings located east of State Street are exempt from the minimum height requirement.
- D. The height of a structure located adjacent to a residential zoning district may not exceed fifty feet (50') within sixty feet (60') of a residential zoning district.
- E. On properties located north of Court Avenue that are adjacent to Center Street, buildings shall not be erected to a height greater than thirty five feet (35').
- F. New buildings located east of State Street and south of Vine Street shall not exceed ~~six~~ seven (67) stories in height or ~~eighty-five~~ seventy feet (~~85~~ 70'), whichever is less.
- G. Public or quasi-public utility buildings and structures are exempt from the minimum height regulations above. This exemption does not include office buildings for public or quasi-public utility companies. (Ord. 23-04: Ord. 21-21: Ord. 19-40)



## Findings

1. The proposed change is in harmony with Initiative 1 of the General Plan which states “Revitalize Downtown east of State Street” by allowing innovative elements that attracts businesses and residents to the future development at this location.
2. Staff finds that continuing to review and update development standards furthers the City’s mission of “[guiding] growth to promote prosperity and sustain a high quality of life for those who live, work, shop, and recreate in Murray.
3. The proposed text amendment is in harmony with objective 2 of the Land Use and Urban Design Element of the General Plan to “encourage Revitalization in the Core of the City” by offering zoning incentives for areas targeted for revitalization.
4. Staff finds that the update to the code supports the Neighborhoods & Housing element of the General Plan to “support a range of housing types” by encouraging the development to prioritize for sale units of various sizes.
5. The Planning Commission conducted a public hearing on October 3<sup>rd</sup>, 2024, and voted 6-1 recommending that the City Council approve the requested changes.



## Staff Recommendation

Staff and the Planning Commission recommend that the City Council **APPROVE** the proposed amendments to Sections 17.170.120 (F) within the MCCD Zone.





THANK YOU!







# Business Items



**MURRAY**  
CITY COUNCIL

# Business Item #1



**MURRAY**


# City Attorney/Human Resource

## Presentation Title/Action Name

### Council Action Request

### Council Meeting

Meeting Date: November 19, 2024

<b>Department</b> <b>Director</b> G.L. Critchfield - Robyn Colton <b>Phone #</b> 801-264-2640 <b>Presenters</b> G.L. Critchfield Robyn Colton  <b>Required Time for Presentation</b> 10 Minutes <b>Is This Time Sensitive</b> No <b>Mayor's Approval</b>  <b>Date</b> October 29, 2024	<b>Purpose of Proposal</b> Consider an ordinance moving responsibility for Workers Compensation to the Human Resource Department <b>Action Requested</b> Consider an ordinance change. <b>Attachments</b> Proposed ordinance. <b>Budget Impact</b> No immediate budget impact. The Risk Analyst would move to the HR Department to continue with overseeing Workers Compensation matters. <b>Description of this Item</b> For many years workers compensation matters were handled within the HR Department. When the Risk Division was created within the City Attorneys Office, workers compensation became part of the Risk Division's responsibility. Given the fact that workers compensation claims end up with the HR Department it seems that workers compensation should begin there as well.  Currently, workers compensation claims are supervised by the Risk Manager but handled by the Risk Analyst. If the Council passes the proposed ordinance, this person would move to and work in the HR Department.  With this move, the Risk Manager could assume greater responsibility in an unrelated area - namely, Smelter Site oversight. The Smelter Site is an area of responsibility that can
---	--



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

AN ORDINANCE AMENDING SECTIONS 2.10.030 and 2.23.010 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO DUTIES OF THE RISK MANAGEMENT DIVISION AND THE HUMAN RESOURCES DEPARTMENT.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this ordinance is to amend Sections 2.10.030 and 2.23.010 of the Murray City Municipal Code relating to duties of the Risk Management Division and the Human Resources Department.

*Section 2. Amendment to Sections 2.10.030 and 2.23.010 of the Murray City Municipal Code.* Sections 2.10.030 and 2.23.010 of the Murray City Municipal Code shall be amended to read as follows:

**2.10.030: RISK MANAGEMENT:**

A. The City's risk management program is supervised by the City Attorney. The risk management program:

1. Provides for the review, evaluation and purchase of City liability insurance, workers' compensation insurance, property insurance, and other insurance as needed;
2. Establishes and administers risk management programs for the City, ~~including workers' compensation;~~
3. Coordinates any self-insurance program; and
4. Receives and processes all claims with approval and review of the City Attorney.
5. Assists with the administration of Chapter 17.25, the Smelter Site Overlay District.

...

**2.23.010: DEPARTMENT CREATED; DUTIES:**

The Human Resource Department is created. The Department shall be directed by the Human Resource Director, a department director who reports to the Mayor and is responsible for the administrative direction of the Human Resource Department. The Human Resource Director is appointed by the Mayor with the advice and consent of the City Council. The Human Resource Department performs the following functions:

A. Administration Of All Personnel Functions: The Human Resource Department is responsible for the administration of all personnel functions of the City, including, but not limited to, employee recruiting and certification, employee classification and evaluation,

administration of employee benefits, including health insurance, wage and compensation plans, labor relations, employment training, equal opportunity employment, [workers' compensation](#), employee grievances, providing staff to the personnel advisory board and maintenance of all City personnel records.

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

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

MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_  
Pam Cotter, Chair

ATTEST:

\_\_\_\_\_  
Brooke Smith, City Recorder

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 or a summary hereof was published  
according to law on the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Brooke Smith, City Recorder



# Business Item #2



**MURRAY**


# Finance & Administration

## Completion and Receipt of Independent Audit FY2023-2024

### Council Action Request

Committee of the Whole & City Council

Meeting Date: November 19, 2024

<b>Department</b> <b>Director</b> Brenda Moore  <b>Phone #</b> 801-264-2513  <b>Presenters</b> Brenda Moore          <b>Required Time for Presentation</b> 45  <b>Is This Time Sensitive</b> Yes  <b>Mayor's Approval</b>   <b>Date</b> October 10, 2024	<b>Purpose of Proposal</b>  Acknowledging completion and receipt of the independent audit for fiscal year 2023-2024.  <b>Action Requested</b>  Discussion in committee of the whole and consideration of a resolution in council meeting.  <b>Attachments</b>  Resolution   <b>Budget Impact</b>          <b>Description of this Item</b>  A PDF of the completed audit will be sent as soon as it is finalized. Printed materials will be available the day of the meeting.   The resolution is an acknowledgment that the audit is complete, you have received it, and telling the Recorder to publish notice of that fact.
---	---

RESOLUTION R24-

A RESOLUTION TO ACKNOWLEDGE COMPLETION AND RECEIPT OF THE INDEPENDENT AUDIT FOR FISCAL YEAR 2023-2024 AND DIRECT THAT NOTICE BE PUBLISHED PURSUANT TO SECTION 10-6-152 OF THE UTAH CODE.

WHEREAS, sections 10-6-151, 51-2a-201 and 51-2a-202 of the Utah Code require the City to have, at least annually, an independent audit of its accounts by a certified public accountant; and

WHEREAS, pursuant to section 10-6-152 of the Utah Code, within ten (10) days following receipt of the independent audit, the City is required to publish notice advising the public that the audit is complete and available for inspection; and

WHEREAS, the City retained HBME, LLC, a certified public accountants, to do an independent audit of the City's accounts for fiscal year 2023-2024; and

WHEREAS, HBME has completed the independent audit of the City's accounts for fiscal year 2023-2024; and

WHEREAS, HBME has presented the independent audit to the Mayor and Murray City Municipal Council; and

WHEREAS, the Murray City Municipal Council wants to acknowledge receipt of the completed audit and order that notice be published pursuant to section 10-6-152 of the Utah Code.

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

It hereby acknowledges that the independent audit of the City's accounts for fiscal year 2023-2024 has been completed by HBME and submitted to the Murray City Municipal Council. As required by section 10-6-152 of the Utah Code, the City Recorder is directed to publish notice, advising the public that the independent audit is complete and available for inspection.

PASSED AND APPROVED this      day of              2024.

MURRAY CITY MUNICIPAL COUNCIL

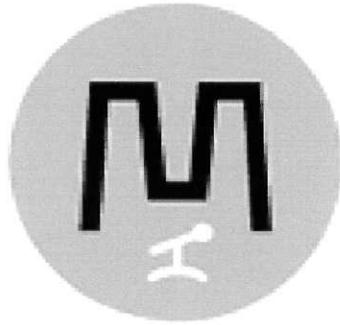
\_\_\_\_\_  
Pam Cotter, Chair

ATTEST:

---

Brooke Smith, City Recorder





**MURRAY**  
CITY COUNCIL

# Mayor's Report And Questions



**MURRAY**  
CITY COUNCIL

**Adjournment**