

Murray City Municipal Council

Chambers

Murray City, Utah

The Murray City Municipal Council met on Tuesday, November 19, 2019 at 6:30 p.m. for a meeting held in the Murray City Center Council Chambers, 5025 South State Street, Murray, Utah.

Council Members in Attendance:

Dave Nicponski, Chair	District #1
Dale Cox, Vice Chair	District #2
Jim Brass	District #3
Diane Turner	District #4
Brett Hales	District #5

Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Jennifer Heaps	Communications & Public Relations Director	Robert White	IT Director
Craig Burnett	Police Chief	Kristin Reardon	Police Department
Robyn Colton	Human Resources Director	Jeff Martin	Building Maintenance Director
Jon Harris	Fire Chief	Kim Sorensen	Parks & Recreation Director
Danny Hansen	IT	Josh Sturges	Facilities Maintenance
Lori Edmunds	Cultural Arts Director		
Jim McNulty	Community & Economic Development (CED) Manager	Jared Hall	Development Services Manager
		Phyllis Wall	Treasurer Clerk
Citizens			

Opening Ceremonies

Call to Order – Mr. Brass called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Mike Romero.

Approval of Minutes

None scheduled.

Special Recognition

1. Murray City Council Employee of the Month, Josh Sturges, Facilities Maintenance Supervisor.

Staff Presentation: Brett Hales, Council Member and Kim Sorensen, Parks and Recreation Director

Mr. Hales said the Council started the Employee of the Month Program because they felt it was important to recognize the City's employees. He presented Mr. Sturges with a certificate, a \$50 gift card and told him that his name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Mr. Sturges for all he does for the City.

Mr. Sorensen spoke about all that Mr. Sturges has accomplished during his time with the city. He thanked Mr. Sturges for everything he does for the city.

Mr. Sturges introduced his family and thanked Mr. Sorensen and the Council for recognizing him.

2. Swearing-In New Murray City Patrol Officer Anthony Griffiths.

Staff Presentation: Craig Burnett, Police Chief

Chief Burnett introduced Officer Griffiths and spoke about the experience he is bringing to Murray City.

The Swearing-In Ceremony was performed by Jennifer Kennedy, City Recorder.

Citizen Comments – Comments are limited to 3 minutes unless otherwise approved by the Council.

Albert Stringer – Murray City, Utah

Mr. Stringer said he lives in the Fireclay area and parking is an issue. He has had several cars towed and many tickets and has spent a lot of money and time getting his car out of impound. He feels like the Fireclay area is a targeted zone. If the residents of that area park in the Trax parking lot, they get tickets that are \$400. He has had a warrant issued for his arrest for two parking tickets that he was issued for parking right outside of where he lives. He feels like this is unfair to the community.

Rosalba Dominguez – Murray City, Utah

Ms. Dominguez introduced herself as the new Council Member representing Council District #3. She said during her campaign she spoke to over 3,000 citizens and one of their biggest concerns is what is the downtown revitalization going to look like and how is their voice going to be heard during that process.

Ms. Dominguez also learned that there are multi-generational families living in Murray and multiple families living in one home and they care about what is happening in their community. People were happy to meet and engage with her and have conversations; the citizens want what's best for Murray.

Ms. Dominguez also learned that some small and important issues to citizens were speeding, sidewalks, and code enforcement on blight homes. Citizens also want to support economic growth and want smart community growth.

DeLynn Barney – Murray City, Utah

Mr. Barney feels that as part of the new City Hall there should be a significant memorial honoring fallen military and first responders. These individuals have sacrificed for the freedoms we enjoy and we owe them a lot. The lease we could offer them is a memorial to show our respect.

Consent Agenda

Mr. Brass asked that all items be voted on together; no objections were made.

1. Consider confirmation of the Mayor's reappointment of Clark Bullen to the Arts Advisory Board for a three-year term to expire January 1, 2023.
2. Consider confirmation of the Mayor's appointment of Mike Romero to the Personnel Advisory Board to fulfill a vacant position for a term to expire June 30, 2020

Mayor Camp introduced Mr. Bullen and Mr. Romero.

MOTION: Ms. Turner moved to adopt the Consent Agenda. The motion was SECONDED by Mr. Hales.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

Public Hearings

1. Consider an ordinance related to land use; amends the General Plan to include strategies related to moderate income housing under Chapter 9.3.

Staff Presentation: Jared Hall, Development Services Manager

(See Attachment 1 for slides used during this presentation)

Mr. Hall said this amendment is related to SB 34 that was passed by the State Legislature this past spring. The city's current housing plan meets almost all of the new requirements of the bill. In order to meet the requirements of SB 34, two requirements needed to be added to the ordinance; maintain reduced residential parking requirements in the Murray City Center District (MCCD), Mixed Use, and Transit Oriented Development zones and

Implement transit oriented development and/or mixed use zoning for properties in and around transit stations. The city already does these two things, but they needed to be added to the ordinance.

The Planning Commission is recommending the City Council approve this change.

Mr. Brass said Murray City increased their parking requirements within the city over and above what the Wasatch Front Regional Council has suggested. The reason the city did that was because of the parking issues at Fireclay.

Mr. Hall noted the parking requirements have been increased a little bit in the MCCD, Mixed Use and Transit Oriented Development zones, but they are still below what normal standards would be in a regular zone.

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

MOTION: Mr. Hales moved to adopt the ordinance. The motion was SECONDED by Mr. Cox.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

2. Consider an ordinance amending Sections 17.48.040, 17.48.260, 17.48.270 and 17.48.280 of the Murray City Municipal Code relating to off-premise and electronic message signs.

Staff Presentation: Jim McNulty, Development Services Director

(See Attachment 2 for slides used during this presentation)

Mr. McNulty said his staff has been working on these changes for a few months. This past summer, the city adopted a new sign ordinance. When that was done, off-premise signs were not addressed. Staff is proposing new definitions that are specific to off-premise signs. These proposed changes deal with off-premise signs within sections 17.48.260, 17.48.270 and 17.48.280 of the sign code.

Section 17.48.260 deals with off-premise signs. The city's intent is not to take anything away from off-premise signs, outdoor advertising or the billboard industry. The city's intent is to become consistent with State Code. The proposed language in this section is being revised to allow for an owner of an off-premise sign to be able to upgrade an

existing static billboard to an Electronic Message Center.

Mr. McNulty explained that the proposed changes in section 17.48.270 deal with height adjustment for off-premise interstate signs and off-premise non-interstate signs.

Section 17.48.280 deals with Electronic Message Centers (EMC). The proposed language in this section allows for an interstate oriented off-premise sign to have an EMC adjacent to I-15 and I-215 without a conditional use permit. It also allows for a non-interstate highway oriented off-premise sign to have an EMC with a conditional use permit.

Mr. McNulty noted that staff feels this proposed ordinance is consistent with State Code. On October 3, 2019 the Planning Commission held a public hearing and forwarded a recommendation of approval to the City Council. Staff is also recommending approval of these proposed changes.

The public hearing was open for public comments.

Guy Larsen – Regan Outdoor Advertising

Mr. Larsen said he appreciates the time that city staff has put forth in coming up with an ordinance that works for the city and outdoor advertisers. He asked that a decision on this be postponed until the next City Council meeting because Regan Outdoor Advertising recently met with staff and have a couple of things they would like to staff with them prior to this ordinance being voted on.

Lloyd Jones – Murray City, Utah

Mr. Jones asked what these changes in the ordinance would protect the citizens from.

Mr. McNulty replied any conditional use, which an EMC would be if it were adjacent to residential property, would require a conditional use permit process. This process helps protect the health, safety and welfare of the city's residents. During this process, staff looks at things such as how bright the light is and what impact it has on adjacent residents.

Mr. Brass said they have had questions asked about this ordinance and he would like some more time to get those answered. He left the public hearing open and suggested postponing a decision on this item until the next City Council meeting.

MOTION: Mr. Cox moved to continue a decision on this ordinance until the December 3, 2019 City Council Meeting. The motion was SECONDED by Ms. Turner.

Council roll call vote:

Ms. Turner Aye

Mr. Hales Aye

Mr. Nicponski Aye – noted that he represents Regan Signs as a Lobbyist

Mr. Cox Aye

Mr. Brass Aye

Motion passed 5-0

3. Consider an ordinance amending Chapter 17.170 of the Murray City Municipal Code relating to the Murray City Center District (MCCD).

Mayor Camp said that these proposed changes do not eliminate or change the scope or purpose of the History Advisory Board. The ordinance states that, *“the History Advisory Board will identify, document, preserve, and interpret the city’s historic resources to promote awareness, understanding, appreciation, and preservation of the city’s heritage and foster community identity and civic pride,”* and that will remain unchanged. The proposed changes will not impact the ability for the city to obtain Certified Local Government (CLG) grants and it does not discourage or prevent historic preservation. However, it does not make historical preservation the single most important consideration in redevelopment.

Mayor Camp noted that there have been some comments that renovation of well-constructed structures is less expensive than comparable new construction. That is probably true in some cases, but not in all cases. Either way, nothing in this proposed ordinance change would prevent a building owner or investor from renovation.

Mayor Camp encouraged the Council to carefully consider the presentation and public comments that will be made on this item tonight.

Staff Presentation: Jared Hall, Development Services Manager

(See Attachment 3 for slides used during this presentation)

Mr. Hall said this is an ordinance amendment to the MCCD zone. The intent of this zone is to accommodate commercial and residential development. One of the issues staff has seen over the years that seems to be impeding redevelopment of downtown is with the process. The proposed ordinance does not change that new construction and major alterations would still require the approval of the Planning Commission. It does change the name of those types of approvals to “Design Review” instead of “Certificate of Appropriateness.” Staff has also recommended eliminating the Design Review Committee.

Staff has looked at the design guidelines. They do not want to remove the design guidelines, however they want to clarify that they are guidelines, and should not be applied the same way that the code is.

Another issue staff deals with is historic preservation. They have recommended changes to the historic preservation ordinance that would make the process of redevelopment of the downtown viable. They want to make historic preservation an incentive instead of a deterrent. Rather than trying to deter people from dealing with historic buildings, staff would like to give incentives to people who would like to restore historic buildings. They

are recommending waiving building permit and application fees on projects that include renovating historic buildings.

Mr. Hall noted that the city has spent a lot of time and money in support of historic preservation by preserving historic buildings such as the Murray Mansion and the Murray Theater.

Mr. Hall said there are some proposed changes in the sustainability portion of the ordinance. They want to incentivize sustainability. Staff is proposing that public buildings will be built to high performance building standards instead of LEED and private construction be incentivized to seek third party certifications.

Area and frontage regulations have changed slightly. Staff has included a little setback ability so that in design, a building can be setback slightly further from the street. There are still requirements for public improvements that will look nice and be pedestrian oriented.

Mr. Hall said there is also a recommended change to the building scaling and density regarding the ground floor commercial requirement. In the MCCD zone, the ground floor of any multi-housing project, has to be commercial. The proposal is that ground floor commercial would only be required along the side of the building that is next to a public street and only have a depth of 40 feet.

There are a couple of proposed changes to height. You are not required to build a minimum height of 40 feet on the eastside of State Street, but buildings on the west side of State Street, must be at least 40 feet high. The maximum height allowed in this zone is still 135 feet, but the actual height a building can be depends on how close it is to residential zoning.

Mr. Hall said staff is recommending a slight increase in the parking. For residential units with two bedrooms or less, the maximum parking allowed would go from 1.25 to 1.5 and for residential units with more than two bedrooms it would go from 1.4 to 2. The Planning Commission can approve more parking, but the parking would have to be in a parking structure or within the envelope of the building.

Mr. Hall noted that these proposed changes are in line with the General Plan and need to be done to spur the redevelopment of downtown. The Planning Commission recommended approval of all of staff's recommendations with the exception of the proposed changes related to historic preservation and they want to keep the MCCD Design Review Committee.

The public hearing was open for public comments.

Rebecca Santa Cruz – History Advisory Board Chair

Ms. Santa Cruz said section 17.170.070 regarding the requirement of 125% of the

estimated cost of a project, is unreasonable. They are fine with that being removed.

The thing the History Advisory Board feels is extremely important is regarding the list of historic buildings. Removal of this list from the city ordinance seems like an open invitation to demolition. If a private property owner can request removal from the list by simply submitting their request to the Mayor's office, what is to prevent a developer from buying a historic property with the intention of demolishing it. It seems like the list becomes mute as it is no longer protection. The History Board would like to remain involved in that process.

Ms. Santa Cruz said there seems to be a gap in the code where there is no process for which a historic building might be removed from the list. She suggested taking the language that is in the code for demolishing a historic building and moving it to removal. The criteria for that is: 1) the owner of the property would suffer financial hardship and be deprived of economic return; 2) the value of the owner's property would be diminished, and 3) a building has been verified as unsafe and repairs are unpractical.

Regarding forcing property owners to remain on the list against their will, if there was a process by which they might be removed from the list might help address that.

Ms. Santa Cruz said if a historic property is demolished there should be more extensive vindication than a plaque. When the Utah Theater was sold last week, part of the negotiated deal was that \$1,000,000 was to be spent on preservation and re-incorporation of historic architectural details.

In the interest of transparency, and democratic input, she urged the Council to remember that a future that doesn't remember its past forgets it.

DeLynn Barney – Murray City, Utah

Mr. Barney said he lives in the middle of the MCCD zone and has seen a lot of changes over the years. There's not a whole lot of the unique character of Murray City left that was here when his family moved here. Murray City has a unique character that has developed over the years and should be kept. He feels that the Design Review Committee should be kept. If Murray City wants to have a lot of fancy buildings like other cities, maybe they should incorporate with another city.

Miranda Carter – Murray City, Utah

Ms. Carter asked the Council to consider postponing this vote to get more public participation. She attended the Planning Commission in October to listen to this and that was the first time she heard about the proposed changes. She was sad there wasn't more public involvement.

Ms. Carter thinks that one of the things that hasn't been considered is that changing the code seems like a more passive approach. It's a way to encourage people to redevelop.

She spoke about the Culture House project in Austin and believes that would be a great option for the MCCD. She also thinks having street fairs, like they do in Salt Lake City, would be a good idea.

Adam Thompson – Murray City, Utah

Mr. Thompson said he has a master's in real estate development and a Graduate Certificate in Urban Planning so he understands what is going on. He thinks this is getting pushed through quicker than normal because the people who represent the city right now have had that experience and the background and can make the best decisions currently.

Mr. Thompson said his biggest concern is with the list and the 125% cash bond needs to be removed.

Janice Strobell – Murray City, Utah

Ms. Strobell said this is about community revitalization. Everyone has worked diligently to try to figure out how to revitalize the downtown. She asked the Council to table the vote. However, if they want to vote on this tonight, she encouraged them to keep the Design Review Committee and the historic preservation section.

Ms. Strobell said people want to see immediate action. She proposed that one of the best ways the city can do immediate action is to contract with a firm, such as Downtown Redevelopment Services, because they will help the city gather community input. The community input has not been adequate.

Everyone knows that development takes time. In the meantime, there are things we can do with downtown right now. We can do things with the exterior of buildings and spruce it up.

Kim Anderson – Murray City, Utah

Mr. Anderson said he sent a letter to the Council. He is a licensed architect and has a planning certificate from the University of Utah. He would like the Design Review Committee kept in the ordinance and see historic preservation continue. He asked the Council to postpone voting on this item.

Kathleen Stanford – Murray City, Utah

Ms. Stanford said if this ordinance passes, everyone has failed. She doesn't feel the historic preservation section of the code is the problem. She has suggested to the Planning Commission taxing all new construction half of one percent to put into a fund to help people with their historic buildings. She understands the City Council and Mayor want the downtown to be successful, but the success of downtown depends on historic buildings. She doesn't feel like the Home 2 Suites or the Center Court Apartments have helped the downtown. She thinks this ordinance needs more public input.

Mike Todd – Murray City, Utah

Mr. Todd said with the exception of the city, he is probably the largest property owner in this district. He is the owner of the Desert Star Theater. He invested several million dollars in renovating downtown Murray several years ago and it's falling into disrepair again.

When the city introduced the MCCD several years ago, they fought against this zone. They said it would kill downtown and that's exactly what it has done. Nearly every day, someone comes into their box office in shock because the inside of the building is beautiful but the outside looks like trash.

Mr. Todd said the biggest mistake he made was preserving those old buildings. He should have torn them down and rebuild them to look old. He appreciates everyone's concern and passion, but the difference is, he has put millions of dollars into something others want to do. If someone has a building on the list that they want to preserve, they should buy it and preserve it.

Mr. Todd has been in Murray for 32 years and very little has changed. He wants the city to move forward. He wants them to vote tonight in favor of this ordinance. The ordinance is not perfect, but it's better than what is in the code now.

Susan Wright – Murray City, Utah

Ms. Wright agreed with everything that Mr. Todd said. Her and her husband have owned 11 buildings in Murray City. She feels like all these old buildings are going to bring in are tattoo parlors, bars and loan sharks. That is what is in downtown Murray now. Downtown Murray has outlived its past. There is only so much you can do to old buildings and if you're always looking backward you can never move forward.

Lloyd Jones – Murray City, Utah

Mr. Jones said when things move quickly, things get missed. This needs to be done right. He recognizes the money that has been paid for buildings and the attempts to save them that have been made. Some of the historic cities are known because of their architecture and what those old buildings look like. There are important buildings in Murray that need to be looked at and evaluated. He asked the Council to postpone voting on this item.

Mr. Brass closed the public hearing.

Mr. Brass said he has done a lot of research and he is concerned about downtown. He read an article from the Murray Eagle dated Thursday, February 24, 1994 titled "*Heart of Murray Rebounds After Wrights Transplant*".

"A decade ago, Murray's old downtown area was dying. The few blocks between 4500 South and Vine Street, which once had been identified as the heart of Murray was fast on its way to becoming a tombstone."

What changed that was two people came in and started buying up buildings and they

generated interest in downtown.

Mr. Brass was around when the city had the Downtown Historic Overlay District. He saw what that did and the owners of property in the downtown asked the city to fix it. That's when the city did the MCCD. They thought it was the right thing to do, clearly it hasn't been.

Mr. Brass said the city has been working on this for 16 years and this has not happened quickly. He thinks there are little bits and pieces of this ordinance that concern everyone. This is a Redevelopment Agency (RDA) project area. If someone comes in and wants to build and requests financial assistance from the RDA, a development agreement is required and the RDA can ask for a variety of things in that agreement.

Mr. Brass said he is a fan of building buildings that look older. He was recently in downtown Salt Lake City and saw a new building that was built to look older. The Myrtle Medical building behind City Hall is also built to look old. He has heard Doug Wright say that he knows when he is in Murray because of the architecture and feel. Mr. Brass believes the city can maintain that look and feel and get good, useable, functional buildings.

Mr. Brass does not disagree with the idea of getting citizen involvement, he said that in the RDA meeting. If the city wants to build a downtown that will attract the citizens in bring people in, it's wise to ask the citizens what they want. He would love to see citizen involvement.

It is time for a change. The city has tried multiple times to develop the downtown and it hasn't happened. There was a developer that wanted to build a \$55,000,000 project, their portion of the required bond was \$9,000,000. Many developers don't have the cash to do that. Unless the city can find somebody with a pile of cash to rescue downtown again, we need to do what's right. The city doesn't have millions of dollars to spend on downtown. However, the city does own the Murray Mansion, the Murray Chapel and the Murray Theater and we are committed to preserving those. The Murray Theater is going to cost \$8,000,000 to renovate.

This ordinance has an incentive for anyone who wants to buy a building and restore it. The city will waive all city-related fees for that. We're not killing the heritage of downtown. Mr. Brass expressed his appreciation to Mr. Todd for what he did with his property.

Ms. Turner said she agrees with Mr. Brass, the city needs to move forward with these changes. She has been hearing about redeveloping the downtown for a long time and she wants to see it progress. Through the RDA, the growth and development can be controlled. She thinks a couple of things in the proposed ordinance could use some tweaking but reiterated the importance of moving forward.

Mr. Hales said this ordinance does not only affect District #3, it affects the entire city. The city has several properties it has purchased and are restoring, but they can't save everything.

Mr. Cox said the ordinance is a living document. It's not set in stone and that's the end of the discussion. The city has to move forward and as situations come up and change, they will be looked at and discussed.

Mr. Brass encouraged everyone in attendance to pay attention to the Redevelopment Agency meetings and reminded them that all those agendas are posted online. He advised the Council to make sure that a legitimate traffic study is done for downtown as this moves forward and explained the reasons to do so. There is Murray Crossing, the fire station, the new City Hall and Box Elder and Hanauer will become major roads. He noted that a traffic study will limit what can be done downtown and this ordinance is just a document to get things going.

Mr. Hales said he would like to consider keeping the Design Review Committee in the ordinance.

Mr. Brass said he feels the same way. He told the members of the Council if they think there are good arguments to keep it, they should discuss it.

Ms. Turner said she thinks the Design Review Committee offers some outside eyes because the committee is made up of citizens from the community.

Mr. Cox said he agrees with Ms. Turner.

MOTION: Mr. Hales moved to amend the ordinance to keep the Design Review Committee but amend their responsibilities based on the other approved amendments to the Murray City Center District ordinance. The motion was SECONDED by Mr. Cox.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

Ms. Turner said her concern is to have the downtown developed in an environmentally responsible way and she understands staff wants the same thing.

MOTION: Ms. Turner Move to further amend the ordinance to replace Section 17.170.080 in the proposed ordinance with the new suggested language that was distributed last Friday that states, in part: (A) “encourages sustainable development through green building rating or certification systems” and (B) “any incentives provided will be based on post-performance outcomes etc.” Mr. Critchfield noted that language is also in section 17.170.080. The motion was SECONDED by Mr. Hales.

Mr. Cox verified that this change encourages sustainable development and doesn't mandate it.

Ms. Turner replied it encourages sustainable development.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

MOTION: Mr. Cox moved to approve the ordinance amending Chapter 17.170 of the Murray City Municipal Code relating to the Murray City Center District, as amended. The motion was SECONDED by Ms. Turner.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

Business Items

1. Consider an ordinance amending Section 2.62.120 of the Murray City Municipal Code relating to employee holidays.

Staff Presentation: Dale Cox, Council Member

Mr. Cox said discussions have taken place about giving employees half a day off on Christmas Eve (four hours). He noted that Mayor Camp had previously mentioned several things that were taken into consideration regarding this already.

Mr. Cox stated that, for 2019, he would like to amend the ordinance to give the employees four hours off. He said the Council will have discussions with others to decide what to do on Christmas Eve going forward.

MOTION: Mr. Nicponski moved to adopt the ordinance. The motion was SECONDED by Mr. Hales.

Council roll call vote:

Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye
Mr. Cox	Aye
Mr. Brass	Aye

Motion passed 5-0

Mayor's Report and Questions

No report was given by the Mayor.

Adjournment

The meeting was adjourned at 8: 16 p.m.

Jennifer Kennedy, City Recorder

Attachment 1

GENERAL PLAN AMENDMENT

Moderate Income Housing Update

2017 Murray City General Plan Chapter 9 – Moderate Income Housing



Recommended Amendment

In order to appropriately meet the requirements of SB 34, staff recommends that two additional strategies be added to Chapter 9.3, Objective 1 as follows:

Strategy: Maintain reduced residential parking requirements in the MCCD, Mixed Use, and Transit Oriented Development zones.

Strategy: Implement transit oriented development and/or mixed use zoning for properties in and around transit stations.

The addition of these strategies to Objective 1 will bring the 2017 Murray City General Plan into full compliance with the requirements of SB 34.



Findings

- i. The proposed amendments are in harmony with the goals and objectives established by the 2017 Murray City General Plan.
- ii. The proposed amendments are necessary ensure compliance with current Utah State Code.



Recommendation

Staff and the Planning Commission recommend that the City Council APPROVE the amendments Chapter 9.3, Objective 1 of the 2017 Murray City General Plan as proposed.



Attachment 2

OFF-PREMISE SIGN REGULATIONS

Text Amendment

Chapter 17.48, Sign Code



Section 17.48.040: Definitions

City staff is proposing new definitions that are specific to Off-Premise Signs within Sections 17.48.260, 17.48.270 and 17.48.280 of the Sign Code.



Section 17.48.260: Off-Premise Signs

Utah Code, Sections 10-9a-512 through 513 addresses Nonconforming Off-Premises Advertising Signs as well as allowed maintenance. The proposed language in this section is being revised allowing for an owner of an off-premise sign to repair, refurbish, repaint, modify or upgrade, or otherwise keep a legal nonconforming off-premise sign safe and in a state suitable for use.



Section 17.48.270: Height Adjustment & Relocation

Utah Code, Sections 72-7-507 and 72-7-510 addresses height adjustments and relocation for existing off-premise signs. The proposed language in this section allows for the relocation of a sign within five thousand two-hundred and eight (5,280) feet of its prior location, and no closer than three hundred (300) feet from an off-premise sign along the same side of a street, highway or interstate.

This section also includes language allowing for additional height for non-interstate highway oriented off-premise signs and interstate oriented off-premise signs.



Section 17.48.280: Electronic Message Center Signs

Utah Code, Section 10-9a-513 allows for a sign owner to structurally modify or upgrade a billboard. The proposed language in this section allows for an interstate oriented off-premise sign to have an EMC adjacent to I-15 and I-215 without conditional use approval if located at least 300 feet away from a residential use. This section also allows for a non-interstate highway oriented off-premise sign to have an EMC with conditional use approval. The sign must be at least 300 feet away from a residential use.



Findings

- i. The proposed text amendments are consistent with the Utah Code, Section 10-9a-512 through 513.
- ii. The proposed text amendments are consistent with the Utah Code, Sections 72-7-507 and 72-7-510.
- iii. The proposed text amendments are consistent with the purpose of Title 17, Murray City Land Use Ordinance.
- iv. The proposed text amendments are consistent with the Goals & Policies of the Murray City General Plan.



Staff & Planning Commission Recommendations

City staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the proposed ordinance amendments to Chapter 17.48, Off-Premise Signs.

On October 3, 2019, the Planning Commission held a public hearing and forwarded a recommendation of APPROVAL to the City Council for the proposed ordinance amendments.

The vote by the Planning Commission was unanimous.



Attachment 3

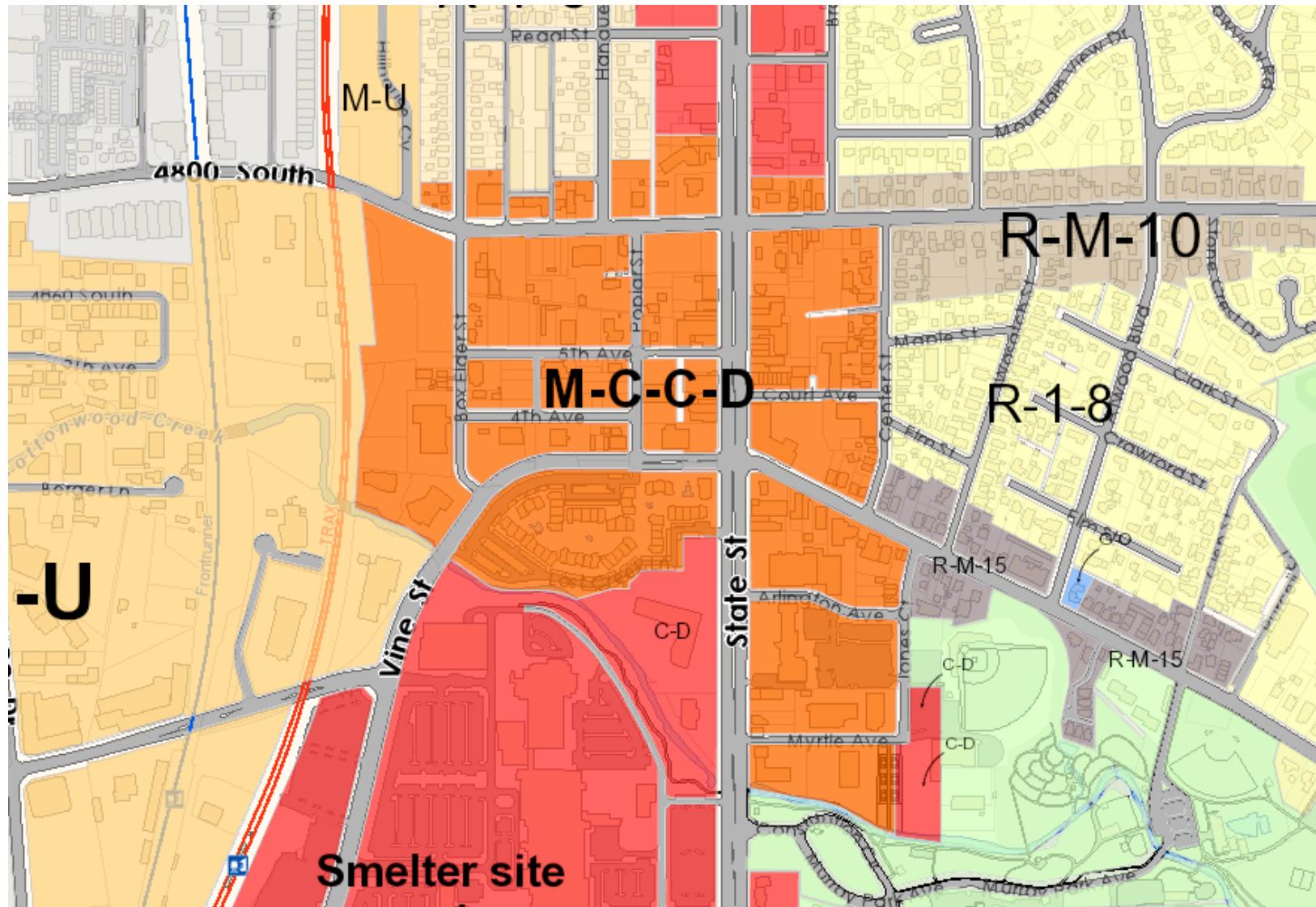
LAND USE TEXT AMENDMENT

MCCD Zone Regulations Updates

Title 17.170, Murray City Center District MCCD



The Murray City Center District Zone



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



Process

- New Construction and Major Alterations still require Planning Commission approval
- Minor alterations still reviewed by Planning Division staff
- “Design Review” approval substituted for “Certificate of Appropriateness”
- The MCCD Design Review Committee would no longer be a step in the process



Design Guidelines

“The guidelines shall be consulted during the review of proposed development in order to provide guidance, direction and options which will further the stated purposes of the MCCD.”

Streetscape 1

Protect the Pedestrian Where the Building Meets the Street

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

The pedestrian, over simple awning extended over awnings can provide adequate protection from the elements.

Recommendations

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



Clear one single page designs

- Values Supported
 - Linking back to the General Plan
- Issue being addressed
 - Why the specific guideline is important to the MCCD
- Recommendations
 - Items that could be incorporated to address the issue or guideline



Historic Preservation

Existing

“If demolition is approved, the applicant/property owner must be willing to provide a performance security and financial guarantee equal to 125% of the estimated cost of the project...”

Incentive Based Approach

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





Sustainability

- New public buildings and uses designed and built to the High Performance Building Standards.
- Incentives for private developments achieving third-party sustainability certifications:
 - Based on post-performance outcomes
 - Project-specific, through a development agreement



Area & Frontage Regulations

- Building facades must occupy at least 50% of the property frontage on streets. Maximum allowed setbacks are between 12' – 18' from the back of curb and gutter (0' – 5' feet from property line).
- Setbacks up to 25' from the back of curb and gutter (13' from property line) may be allowed if building facades occupy at least 80% of the property frontage on public streets.
- Municipal, public, or quasi-public buildings can be considered with greater setbacks if the additional setback is used for public plazas, parks, etc.



Setbacks and Public Improvements



Building Scaling & Density

- Ground floor commercial required along public streets, for a depth of 40'
- Parking or additional retail may be located behind that minimum 40'

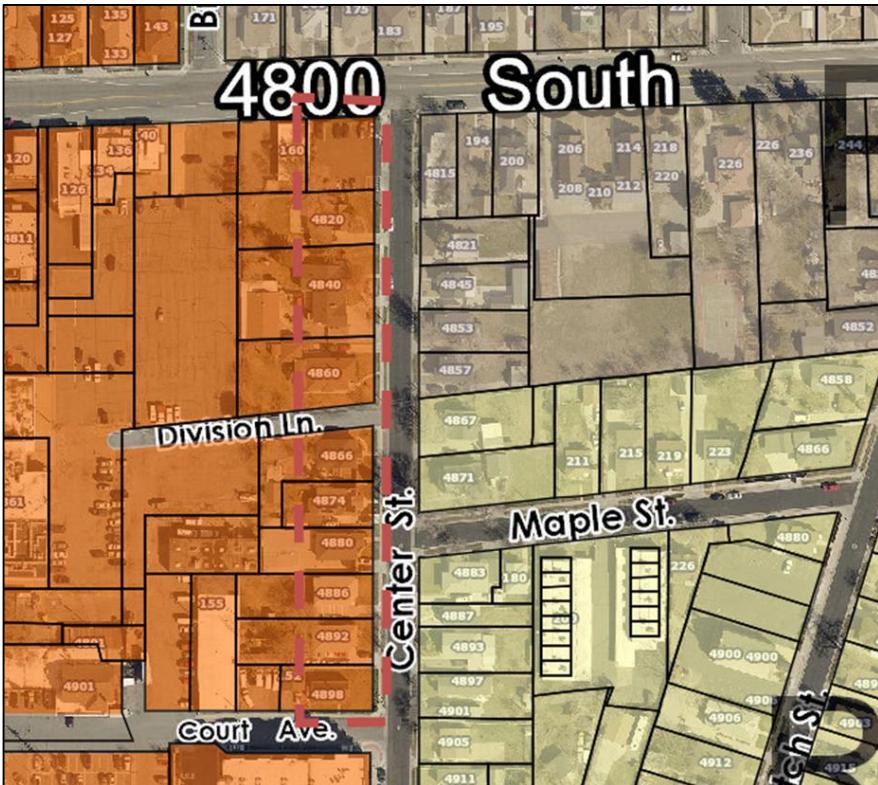


- Horizontal Mixed Use and any mixed use project over 5 acres requires a Master Site Plan
- Projects with practical and demonstrated security concerns may request an exception and alternate design for some requirements.



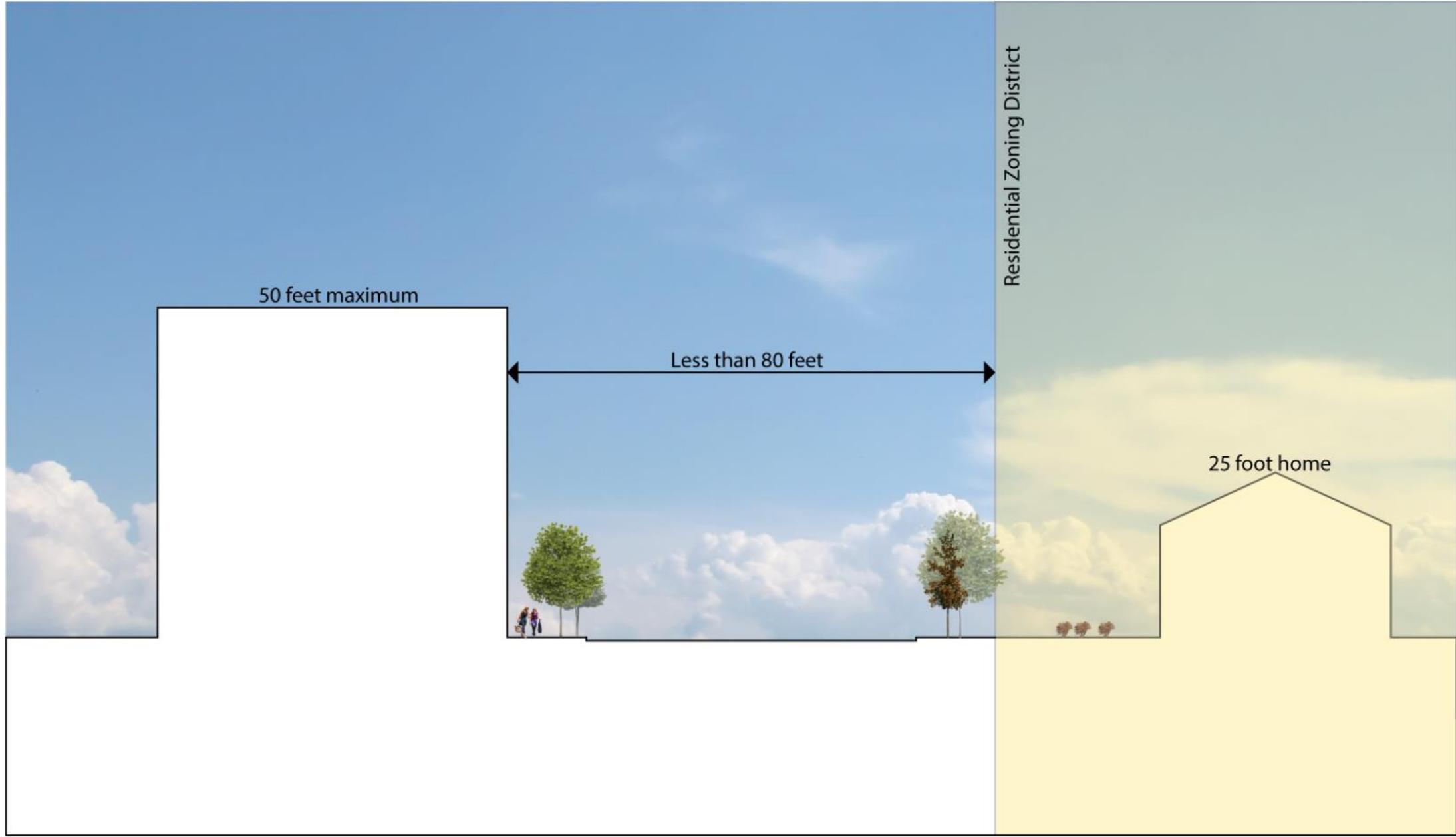
Height

- Properties east of State Street are not subject to minimum 40' height
- Buildings on properties in the MCCD Zone adjacent to Center Street north of Court Avenue are limited to a maximum height of 35'.



Allowed building height	Distance from property line in Residential Zoning
50 feet	Less than 80 feet
75 feet	Between 80 and 100 feet
135 feet	More than 100 feet





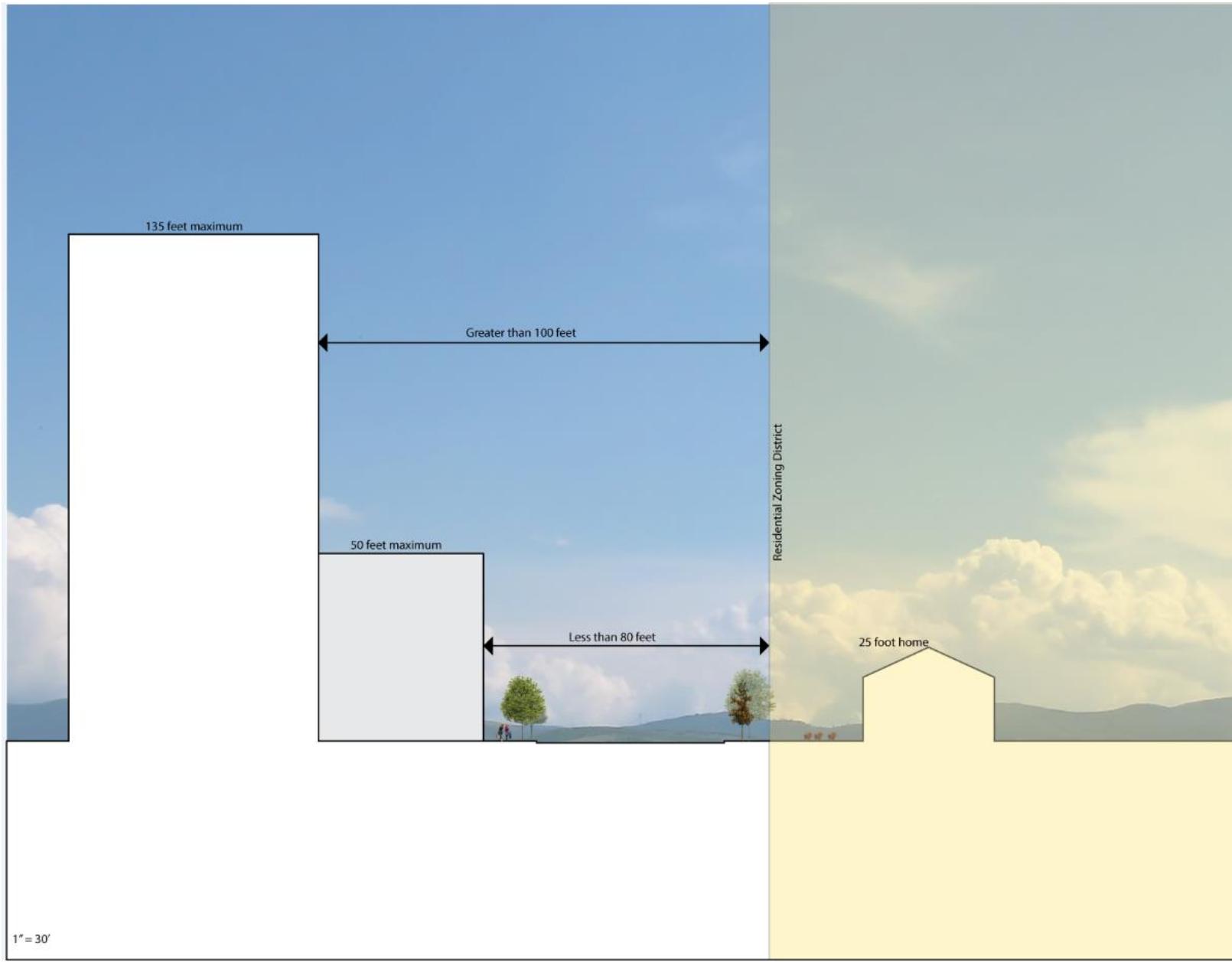
75 feet maximum

80 to 100 feet

Residential Zoning District

25 foot home





Parking

- Residential

Number of bedrooms per unit	Current maximum allowed parking	Proposed maximum allowed parking
2 bedrooms or less	1.25	1.5
More than 2 bedrooms	1.4	2

- Non-Residential

Minimum: 1 space / 500 s.f.

Maximums: between 1 space / 265 – 350 s.f.



- Parking may exceed allowed maximums as approved by the Planning Commission



Findings

- i. The proposed amendments are in keeping with the purpose, goals, and objectives of the Murray City General Plan.
- ii. The proposed amendments will help facilitate quality, mixed use redevelopment of properties in the city center.



Staff Recommendation

Staff recommends that the City Council APPROVE the proposed amendments to the Murray City Land Use Ordinance Section 17.170, Murray City Center District, MCCD Zone.



Planning Commission Recommendation

On October 17, 2019 the Planning Commission voted to forward a recommendation of APPROVAL to the City Council for the proposed amendments to the Murray City Land Use Ordinance Section 17.170, Murray City Center District, MCCD Zone without the proposed changes to 17.170.060 relating to historic preservation, and without the removal of the MCCD Design Review Committee from the application process.

