



# Murray City Municipal Council

## Notice of Meeting

Thursday, March 18, 2021

Murray City Center

5025 South State Street, Murray, Utah 84107

### City Council Workshop Electronic Meeting Only

Public Notice is hereby given that this meeting will occur electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Council Chair has determined that conducting a meeting with an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers. (See attached Council Chair determination.)

The public may view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>.

#### **Workshop Agenda**

##### **12:00 p.m. Council Chambers**

Diane Turner conducting.

1. General Plan Overview and Discussion on the Process of Creating the General Plan
2. Medium Vs. Low Density Relating to the R-1-6 Zone
3. Mixed-Use (M-U) Zone Overview and Discussion on Potential Changes
4. Transit Oriented District (TOD) Overview and Discussion on Potential Changes
5. Murray City Center District (MCCD) Overview and Discussion on Potential Changes
6. Adjournment

On Friday, March 12, 2021, 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 Chair Determination  
Open and Public Meeting Act  
Utah State Code 52-4-207(4)  
March 1, 2021**

In accordance with, Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus, I have determined that meeting in an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

Federal, state and local leaders have all acknowledged the global pandemic. Salt Lake County Public Health Order 2020-15 dated October 26, 2020, recognizes that COVID-19 is a contagion that spreads from person to person and poses a continuing and immediate threat to the public health of Salt Lake County residents.

It is my intent to safeguard the lives of Murray residents, business owners, employees and elected officials by meeting remotely through electronic means without an anchor location.

The public may view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>.

Diane Turner  
Murray City Council Chair

## CHAPTER 17.146

### MIXED USE DEVELOPMENT DISTRICT M-U

#### SECTION:

**17.146.010: Purpose**

**17.146.020: Definitions**

**17.146.030: Permitted Uses**

**17.146.040: Conditional Uses**

**17.146.050: Area, Width, Frontage And Yard Regulations**

**17.146.060: Height Regulations**

**17.146.070: Building Requirements**

**17.146.080: Parking Regulations**

**17.146.090: Landscaping Regulations**

**17.146.100: Loading And Service Areas**

**17.146.110: Open Space**

**17.146.120: Access Improvements**

**17.146.130: Lighting Standards**

**17.146.140: Storage Of Commercial Vehicles**

**17.146.150: Nonconforming Uses And Developments**

#### **17.146.010: PURPOSE:**

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

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

#### **17.146.020: DEFINITIONS:**

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

**HORIZONTAL MIXED USE:** A mixed-use project in which all or some of the commercial and residential components are

provided in separate buildings on the same parcel or on contiguous parcels included together in a Master Site Plan.

**PRINCIPAL STREET:** The street with higher traffic volume.

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

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

**TRANSIT STATION:** Refers to one of the three (3) rail stations located in Murray City's boundaries; the Murray North Station, Murray Central Station, and Fashion Place West Station.

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

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

(Ord. 19-36 § 2; Ord. 10-04 § 2)

**17.146.030: PERMITTED USES:**

A. A use not specifically designated is prohibited. The inclusion of a major heading includes all subcategories listed under the major heading unless otherwise excepted.

B. The following uses are permitted in the district (where square foot limits are specified, they shall apply to individually operating businesses, not to the entire property):

<b>Use No.</b>	<b>Use Classification</b>
1100	Household units (except 1110, 1112, 1114, 1115, 1116, 1121, 1122). Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.
1210	Residential facility for disabled persons.
1210	Residential facility for elderly persons (see chapter 17.32 of this title).
1241	Retirement homes, independent living or congregate care.
1300	Residential hotels and apartment hotels.
1511	Hotels.
4100	Railroad, rapid rail transit, and street railway transportation.
4601	No fee parking lots and garages (except surface parking lots not associated with a permitted use).
4602	Commercial parking lots and garages on a fee basis (except surface parking lots not associated with a permitted use).
4710	Telephone communications (except 4712).
4730	Radio communications.
4740	Television communications.
4750	Radio and television communications, combined.
4760	Recording and sound studios.
4800	Utilities (offices, lines and right of way only; except 4812, 4813, 4822, 4823, 4832, 4842, 4843, 4845, 4850, 4861, and 4874).
4920	Transportation services and arrangements (with no more than 5 employees in no more than 2,500 square feet; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
5210	Building materials, tile (no outside storage; not to exceed 12,000 square feet).
5220	Heating and plumbing equipment (no outside storage; not to exceed 12,000 square feet).
5230	Paint, glass, and wallpaper (no outside storage; not to exceed 12,000 square feet).
5240	Electrical supplies (no outside storage; not to exceed 12,000 square feet).
5251	Hardware (no outside storage; not to exceed 12,000 square feet).
5254	Janitorial supplies (no outside storage; not to exceed 12,000 square feet).
5255	Building maintenance materials (no outside storage; not to exceed 12,000 square feet).
5256	Swimming pool supplies (no outside storage; not to exceed 12,000 square feet).

5310	Department stores (not to exceed 40,000 square feet unless floor area ratio (FAR) of 1.0 is met).
5320	Mail order houses (deliveries and shipping only during normal business hours; not to exceed 12,000 square feet).
5330	Variety stores (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5350	Direct selling organizations (deliveries and shipping only during normal business hours; no outside storage; not to exceed 20,000 square feet).
5390	General merchandise (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5400	Food stores (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5600	Apparel and accessories (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5700	Furniture, home furnishings, and equipment (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5810	Eating places (drive-through sales to be allowed by conditional use permit; not to exceed 20,000 square feet).
5910	Drug and proprietary (not to exceed 12,000 square feet).
5920	Liquor, package (state store).
5930	Antiques and secondhand merchandise (except 5935, 5938 and construction materials; not to exceed 20,000 square feet).
5940	Books, stationery, art, and hobby supplies (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5950	Sporting goods, bicycles, and toys supplies (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5969	Garden supplies (not to exceed 40,000 square feet unless FAR of 1.0 is met).
5970	Jewelry (not to exceed 12,000 square feet).
5990	Miscellaneous retail trade (not to exceed 12,000 square feet).
6100	Finance, insurance, and real estate (except 6112, payday loan services, 6123, 6124, and 6141 surety bail bonding) (not to exceed 40,000 square feet unless FAR of 1.0 is met).
6213	Dry cleaning (in no more than 7,500 square feet; no outside storage).
6216	Self-service laundries.
6218	Rug cleaning and repair (in no more than 7,500 square feet; no outside storage).
6220	Photographic services.
6230	Beauty and barber services.
6241	Funeral home.
6250	Apparel repair, alteration, and cleaning, shoe repair services (except 6256).
6290	Personal services (except 6293, 6294).
6310	Advertising services (office only; no outside storage).
6320	Consumer credit reporting services.
6330	Duplicating, mailing, stenographic, and office services.
6340	Dwelling and building services (office only, except 6342, 6345).
6350	News syndicate services (office only).
6360	Employment services.
6390	Business services (office only, except 6394 and 6397).
6420	Electrical appliance repair and service (except 6421 and 6426; in no more than 12,000 square feet; no outside storage).
6493	Watch, clock, jewelry repair, engraving.
6496	Locksmiths and key shops.
6498	Saw, knife, lawn mower and tool sharpening (in no more than 5,000 square feet; no outside storage).
6499	Miscellaneous small item repair (in no more than 5,000 square feet; no outside storage).
6500	Professional services (office only, except 6513 and 6516).
6600	Contract construction services (office and indoor storage only; no outside storage; not to exceed 12,000 square feet).
6700	Governmental services (except 6714, 6740, 6750, and 6770).
6800	Educational services.
6900	Miscellaneous service organizations.
7100	Cultural activities and nature exhibitions (except 7124).
7210	Entertainment assembly (except 7213).
7220	Sports assembly (except 7223 and 7224).
7230	Public assembly.
7391	Penny arcades and other coin operated amusements.

7395	Card rooms.
7396	Dance halls, ballrooms (includes dance clubs).
7397	Billiard and pool halls.
7399	Other amusements (office only).
7413	Tennis courts.
7414	Ice skating.
7417	Bowling alleys.
7420	Playgrounds and athletic areas.
7425	Athletic clubs, bodybuilding studios.
7432	Swimming pools and schools.
7451	Archery range (indoor only).
7492	Picnic areas.
7600	Parks (public and private).
8221	Veterinarian services (completely enclosed within a building).
8224	Pet grooming (completely enclosed within a building).

(Ord. 19-36 § 2: Ord. 16-41: Ord. 10-04 § 2)

**17.146.040: CONDITIONAL USES:**

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

<b>Use No.</b>	<b>Use Classification</b>
1140	<p>Condominium, low rise or garden type. Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one-mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.</p>
1150	<p>Condominium, high rise. Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.</p>
1210	<p>Rooming and boarding houses. Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.</p>
1515	<p>Transient apartments rented by day or week. Projects located within one-quarter mile of transit stations are allowed residential densities up to 100 units per acre. Projects located within one-half mile of transit stations are allowed residential densities up to 80 units per acre. Projects located within one mile of transit stations are allowed residential densities up to 50 units per acre. Projects located more than one mile from transit stations are allowed residential densities up to 40 units per acre. Density per acre is calculated by the total project area. Project location is measured as a straight line between the closest points of the project and the property upon which the transit station is located.</p>
2000	<p>Manufacturing industries (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).</p>
3220	<p>Glass and glassware (pressed or blown; in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).</p>
3250	<p>Pottery and related products (except 3251 and 3255; trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).</p>
3500	<p>Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).</p>

3900	Miscellaneous manufacturing (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
5100	Wholesale trade (except 5110, 5120, 5150, 5162, 5169, 5170, 5181, 5182, 5185, 5191, 5192, 5193, 5198, 5199 firearms and ammunition, charcoal, livestock and poultry feed, farm supplies, hay; in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
5813	Short order eating places with no product specialty, auto oriented (drive-in or drive-through establishments, etc.).
5820	Drinking places alcoholic beverages.
6516	Skilled nursing, convalescent and rest home facilities. (Does not include asylums.)
6516.1	Assisted living facilities.
8121	Indoor farming. Includes crops grown wholly indoors for commercial distribution to other locations and/or retail sale on site.

(Ord. 19-36 § 2: Ord. 19-20: Ord. 16-41: Ord. 10-04 § 2)

**17.146.050: AREA, WIDTH, FRONTAGE AND YARD REGULATIONS:**

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

B. The courtyard or plaza area shall be deemed to be a part of the front setback of the building.

C. Buildings located on a corner lot shall front on both streets.

D. All front setback areas shall be landscaped in accordance with applicable sections of this title.

E. Parking and/or driveways are not permitted in the front setback area of any building. Drive-thru lanes and other accesses may be approved in front setback areas as part of a Master Site Plan if the Planning Commission finds that the purposes and other requirements of the M-U Zone are met.

F. When located within one-half mile of a transit station, commercial uses shall occupy a minimum of seventy five percent (75%) of the width of the ground floor of a building facing a public street. When located more than one-half mile from a transit station, commercial uses shall occupy a minimum of fifty percent (50%) of the width of the ground floor of a building facing a public street. When located on the ground floor of the same building, the commercial uses must extend forty feet (40') in depth. The balance of the ground floor may be occupied by residential uses, including parking. Horizontal Mixed Use projects shall provide a minimum commercial square footage component equal to an area calculated as seventy five percent (75%) of the project frontage on the public street and forty feet (40') in depth. For projects which comprise multiple parcels, square footage shall be calculated based on total project frontage on the public street.

G. A Master Site Plan approved by the Planning Commission is required for Horizontal Mixed Use Developments and Mixed Use developments located on a parcel or combination of parcels greater than five (5) acres. In addition to the requirements of this zone, the Planning Commission shall address the following when considering the Master Site Plan:

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

2. Central Feature: A prominent, centrally located feature such as a park, plaza, or other gathering place should be provided to unify the residential and commercial uses of the project. This location should include features and amenities to encourage public use and activity, with convenient access from both residential and commercial components of the development.

3. Outdoor Spaces: To the extent possible, buildings should be designed to form outdoor spaces such as courtyards, plazas, and terraces that can integrate the components of the development. Pedestrian walkways linking the components of the development with these outdoor spaces and the public streets should be developed. Where possible, the potential linkages to existing and future adjacent developments should be considered.

4. Memorandum Of Understanding: Mixed Use developments that require a Master Site Plan shall be approved in conjunction with a Memorandum of Understanding (MOU) between Murray City and the developer. The MOU shall govern requirements for the timing of the installation of improvements, performance on construction of critical development components, and shall further memorialize the requirements for development of the several buildings and parcels as contained in the Master Site Plan and other project approvals.

H. Maintenance buildings, trash collection and recycling areas, storage and service areas, mechanical equipment and loading docks shall not be permitted in the front setback of any building. Single or ganged utility meters or other service equipment may be located in the front setback of any building, provided there are site constraints which preclude their access in a location elsewhere on site, and they are screened and approved by the city.

I. The side lot area between non-adjoint buildings and the property line shall be developed as parking, plaza, landscaped open space, or a landscaped walkway with access to the sidewalk. Where parking is located in the side lot area adjacent to a property boundary a five foot (5') wide landscaping area will be required along all property lines not occupied by drive accesses.

J. A parking structure fronting on a street shall have a front setback of between fifteen feet (15') and twenty five feet (25') from the back of curb and gutter. The parking structure front setback shall not be less than the setback of the main building. The face of the structure abutting the street shall have building materials compatible with the main buildings on the same or adjoining property. The area between the sidewalk and the parking structure shall have a minimum of ten feet (10') of landscaping or shall provide window treatment consistent with subsection 17.146.070B of this chapter.

K. Surface parking lots shall have a minimum setback of between fifteen feet (15') and twenty five feet (25') from the curb. Surface parking shall be located to the side or behind the building. The area between the sidewalk and the parking lot shall have a minimum of ten feet (10') of landscaping. The remainder of the area between the required landscaping and parking shall be a combination of plazas, artwork, fountains, and pedestrian ways. In no case shall the parking be set back from the street less than the building.

L. There shall be a minimum fifty foot (50') setback from the top of the bank of Little Cottonwood Creek, Big Cottonwood Creek and the Jordan River.

(Ord. 19-36 § 2: Ord. 10-04 § 2)

#### **17.146.060: HEIGHT REGULATIONS:**

A. Height Restrictions: There are no height restrictions in the district except as provided herein. The height of a structure located within one hundred feet (100') of the nearest boundary of a residential zone district may not exceed fifty feet (50'). Beyond one hundred feet (100'), the building height may increase one foot (1') of height for each additional one foot (1') of setback from the residential zone district.

#### **B. Measurement Of Distances:**

1. For purposes of this section, the width of public or private roadways shall be included in computing setback distances. For example, if a roadway is located on the boundary of a residential zoning district, the measurements required under this section shall be made from the property line of that roadway which is nearest the residential use or zone. Otherwise, the measurement shall be made from the residential zoning district boundary.

2. Setback distances to structures located pursuant to this section shall be measured from the nearest residential zoning district boundary, except as otherwise provided in this section, to the nearest exterior wall of the structure.

3. Where residential zoning is separated from the mixed use zone by a federal interstate highway the height restrictions of this chapter shall not apply.

C. Authority: Nothing in this section shall be construed to limit the authority of the planning commission or community and economic development staff to review building materials, design elements and other aesthetic considerations as it deems proper to mitigate or modify the visual impact of the height of buildings upon surrounding land uses. (Ord. 10-04 § 2)

#### **17.146.070: BUILDING REQUIREMENTS:**

A. Walls, partitions and floor/ceiling assemblies separating dwelling units from each other or from public or service areas shall have a sound transmission class (STC) of not less than fifty (50) for airborne noise.

B. Blank walls shall not occupy over fifty percent (50%) of a principal frontage. Nonresidential buildings and structures shall not have a section of blank wall exceeding thirty (30) linear feet without being interrupted by a window, entry, pilaster, or similar element. All development shall provide ground floor windows on the building facade and adjacent to a public or private street, including private pedestrian only streets, parks, paths, or courts. Darkly tinted windows and mirrored windows which block two-way visibility are prohibited as ground floor windows.

C. All buildings fronting on a street shall have at least one public entrance per use or business which fronts on the street.

D. All buildings and structures shall be maintained in good condition.

E. Water conserving plumbing fixtures shall be used. Such fixtures shall include, but are not limited to, dual flush toilets and low volume showers and lavatories which cannot be adjusted or modified. (Ord. 10-04 § 2)

#### **17.146.080: PARKING REGULATIONS:**

A. For buildings that exceed four (4) stories in height, at least fifty percent (50%) of the parking shall be located within the exterior walls of the building or in a parking structure that is within seven hundred fifty feet (750') of the main building. For the purposes of this chapter, building height is determined by measuring the vertical distance from the average of the finished ground level adjoining the building at the exterior wall to a flat roof deck or, for sloped roofs, to the average height of the highest roof surface. Pursuant to section 17.76.080 of this title, the height limitations shall not apply to architectural screening for mechanical equipment, church spires, and decorative tower elements.



B. If more than twenty five percent (25%) of the off street parking is provided in surface parking lots, the minimum parking shall be:

1. For residential units with two (2) bedrooms or fewer, 1.5 stalls per unit.
2. For residential units with more than two (2) bedrooms, 1.85 stalls per unit.
3. For all office and retail uses, off street parking will be calculated at three (3) parking stalls for each one thousand (1,000) square feet of net usable office area or retail floor area.

C. If seventy five percent (75%) or more of the off street parking is provided within the main buildings or within parking structures with two (2) or more floors, the minimum parking shall be:

1. For residential units with two (2) bedrooms or fewer, 1.125 stalls per unit.
2. For residential units with more than two (2) bedrooms, 1.4 stalls per unit.
3. When the office uses or net usable square footage is unknown, off street parking will be calculated at one parking stall for each three hundred fifty (350) square feet of net usable office area or retail floor area.
4. All medical, dental and related office uses will require one off street parking stall for each three hundred fifty (350) square feet of net usable office area.
5. All other office uses will be calculated at the ratio of two and one-fourth (2.25) off street parking stalls for each one thousand (1,000) square feet of net usable floor area.
6. Retail use parking shall be calculated at the rate of one parking space for each three hundred fifty (350) square feet of net floor area.
7. On street parking adjacent to the development parcel shall not count toward the minimum parking required by this chapter.

D. Parking in excess of one hundred twenty five percent (125%) of the minimums outlined above may only be provided in parking structures or within the envelope of the building.

E. Off street parking will not be permitted in any fire lane, aisle space or front yard setback areas except as allowed by this chapter.

F. Comply with off street parking dimensional standards as found in chapter 17.72 of this title.

G. Shared parking is permitted and encouraged in the mixed use zone. Parking spaces shall be located within one thousand feet (1,000') of the property served by the spaces.

H. For properties within one-fourth ( $\frac{1}{4}$ ) mile of an existing transit stop, minimum required parking shall be reduced by ten percent (10%).

(Ord. 19-36 § 2: Ord. 14-12: Ord. 10-04 § 2)

#### **17.146.090: LANDSCAPING REGULATIONS:**

A. Water conserving landscape designs shall be used. All landscaping must be irrigated and planted with substantial live plant material or appropriate xeriscape for the purpose of buffering, screening and beautifying the site, and comply with applicable landscape requirements found in chapter 17.68 of this title, except lawn shall not be required as stated in subsection 17.68.040A1a of this title. At plant maturity the landscaping should represent, as a minimum standard, compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.

B. Landscaping adjacent to a residential zoning boundary line will require a minimum landscaping buffer of ten feet (10') in width from the boundary line on the nonresidential side of the property excluding the fence, and curb wall if located adjacent to off street parking.

C. Parking lots abutting a property line shall be screened by a minimum five foot (5') wide landscape area as outlined in subsection 17.146.050I of this chapter.

D. Sustainable landscaping including xeriscape species and innovative water recycling or irrigation systems is encouraged. All landscape plans must be approved by the city's urban forester.

(Ord. 19-36 § 2: Ord. 10-04 § 2)

#### **17.146.100: LOADING AND SERVICE AREAS:**

A. Trash collection and recycling areas, service and storage areas, mechanical equipment and loading docks shall be screened on all sides so that no portion of such areas is visible from the adjacent public streets or alleys and adjacent properties. Screening shall have a minimum height of eight feet (8') and may include accessory buildings, shrubbery and plantings, decorative walls, solid fences, screen panels, doors, topographic changes, buildings or any combination of the above.

B. No more than two (2) loading docks per individual use; loading docks are not to be located in building frontage. (Ord. 10-04 § 2)

**17.146.110: OPEN SPACE:**

A. Fifteen percent (15%) of the land area of each development shall be developed as landscaping, courtyards, plazas, or walkways, except any areas used for drainage retention with a slope greater than three to one (3:1) will not qualify as open space. Amenity areas provided in conjunction with multi-family uses will qualify as open space.

B. Each development shall have a system of pedestrian walkways and sidewalks that provide easy connections between the building entrances, neighboring building entrances, sidewalks, parking areas, open space and public trails.

(Ord. 19-36 § 2: Ord. 10-04 § 2)

**17.146.120: ACCESS IMPROVEMENTS:**

A. Construction of new buildings or renovations of existing buildings shall include construction and installation of the adjacent sidewalks, park strips and other landscaping, curbs, gutters, lighting, and street furniture as required in this chapter.

B. For developments that do not include a commercial use on the ground floor, improvements within the rights of way for public streets shall include, but not be limited to, the following:

1. Seven foot (7') wide paved sidewalks with an eight foot (8') landscaped park strip adjacent to the curb and gutter or fifteen foot (15') paved sidewalk with five foot (5') tree wells adjacent to the curb as approved by the city engineer and the planning commission.

2. Street trees shall be spaced between thirty feet (30') and forty feet (40') on center as approved by the City. Landscaping and tree grates to be approved by the City.

3. Street lighting shall be spaced between ninety feet (90') and one hundred ten feet (110') as approved by the City.

C. For developments that include a commercial use on the ground floor, or unless otherwise approved by the City, improvements within the rights of way for public streets shall include, but not be limited to, the following:

1. Seven foot (7') wide paved sidewalks with nine foot (9') wide adjacent on street parallel parking (including gutters). Forty foot (40') landscape planters shall be installed between every two (2) to three (3) parallel parking spaces and shall include the following:

a. The forty foot (40') landscaping planters shall have one streetlight, two (2) trees, and shrubs to provide a minimum ground coverage of fifty percent (50%) at time of planting;

b. Landscape planter trees shall have branching beginning no less than six feet (6') above the ground and shrubs not exceeding a height of three feet (3');

c. Streetlights shall be placed at the center of every landscaping planter with the nearest shrubs being located a minimum of four feet (4') from every light pole;

d. Street trees shall be located fourteen feet (14') from center street lighting;

e. Street planters shall be flared at a minimum forty five degree (45°) angle in order to facilitate ease of access for the adjacent parallel parking spaces;

f. Additional ground cover shall be provided as necessary in order for landscape planters to have a minimum of fifty percent (50%) ground cover at time of planting.

2. Parking must be located a minimum of thirty feet (30') from intersecting rights-of-way or drive accesses.

3. Street trees shall also be located in park strip areas not utilized as landscape planters and shall be spaced every thirty feet (30') to forty feet (40') on center.

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

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

1. Benches shall be provided and spaced as approved by the City.

2. Bicycle racks shall be placed on every development as follows:

a. The minimum number of bicycle parking spaces for any use shall be five percent (5%) of the vehicular parking spaces required for such use, up to a maximum of twelve (12) spaces;

b. In all cases where bicycle parking is required, no fewer than two (2) shall be provided;

c. All proposed bicycle racks shall be clearly shown on the site plan indicating location;

d. Bicycle parking spaces shall be:

(1) At least two feet by six feet (2' x 6') per bicycle;

(2) Designed to have sufficient space, to be a minimum of twenty four inches (24"), beside each parked bicycle to

allow access. This access may be shared by adjacent bicycles. Racks shall be installed a minimum of twenty four inches (24") from any wall or other obstruction;

- (3) Located to prevent damage to bicycles by vehicles, etc.;
- (4) In a convenient, visible, lighted area;
- (5) Located so as not to interfere with pedestrian movements;
- (6) As near the principal entrance(s) of the building as practical;
- (7) Located to provide safe access to and from the street;
- (8) Designed to allow each bicycle to be supported by its frame;
- (9) Designed to allow the frame and wheels of each bicycle to be secured against theft;
- (10) Anchored to resist rust or corrosion, or removal by vandalism;

(11) Designed to accommodate a range of bicycle shapes and sizes and facilitate easy locking without interfering with adjacent bicycles.

(Ord. 19-36 § 2: Ord. 16-28)

**17.146.130: LIGHTING STANDARDS:**

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

**17.146.140: STORAGE OF COMMERCIAL VEHICLES:**

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

**17.146.150: NONCONFORMING USES AND DEVELOPMENTS:**

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

Applications for renovations or improvements to properties that are nonconforming in relation to development standards shall include a calculation of the cost of the improvements. (Ord. 18-22)

## CHAPTER 17.168

# TRANSIT ORIENTED DEVELOPMENT DISTRICT TOD

### SECTION:

#### 17.168.010: Purpose

#### 17.168.020: TOD Boundaries

#### 17.168.030: Municipal Council Adopts TOD Guidelines; Conformance With Requirements

#### 17.168.040: Definitions

#### 17.168.050: Uses

#### 17.168.060: Area, Width, Frontage And Yard Regulations

#### 17.168.070: Height Regulations

#### 17.168.080: Ground Floor Requirements

#### 17.168.090: Parking Regulations

#### 17.168.100: Loading And Service Areas

#### 17.168.110: Buildings And Lots That Straddle The TOD Boundary

#### 17.168.120: Open Space

#### 17.168.130: Access Improvements

#### 17.168.140: Lighting Standards

#### 17.168.150: Obtaining Building Permit

#### 17.168.010: PURPOSE:

The purpose of a Transit Oriented Development District (TOD) is to encourage pedestrian oriented design, promote development and protect the public health, safety and welfare by preserving the unique character of existing areas for future use and development. The TOD encourages compact, mixed use development near transit stops. Carefully planned mixed uses, including neighborhood oriented commercial and restaurant space, provide increased opportunities for transit and pedestrian activity. It is established to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities while prohibiting certain high impact and automobile oriented uses. A TOD is facilitated by site and community design standards that:

- A. Encourage high quality, compact development and increase the number of residents and workers within walking distance of transit opportunities;
- B. Encourage a mix of high quality residential, office, commercial, live-work, open space, entertainment, recreation, public and institutional land uses;
- C. Revitalize areas proximate to transit stations;
- D. Improve the urban design in the area;
- E. Encourage active community life within a framework of attractive and welcoming buildings and usable open spaces;
- F. Coordinate the urban design and streetscape elements in order to create a distinct visual quality for the area;
- G. Manage parking and access in a manner that enhances pedestrian safety, pedestrian mobility and quality urban design;
- H. Efficiently use public and private resources by reducing parking requirements for development in close proximity to a transit stop;
- I. Provide incentives for structured parking, new roads and public open spaces to enhance the design and function of the built environment;
- J. Encourage a safe, attractive and comfortable environment for the pedestrian and bicyclist by providing public open spaces, public pedestrian walkways, wide sidewalks, bike lanes, street furniture, pedestrian scale lighting, street trees and other appropriate amenities. (Ord. 07-36 § 2)

#### 17.168.020: TOD BOUNDARIES:

The TOD is centered in the Fireclay area around the TRAX light rail Murray North Station and is bounded by Big Cottonwood Creek on the north, fifteen feet (15') east of Main Street on the east, 4500 South Street on the south, and the D&RGW (Union Pacific) railroad tracks on the west. (Ord. 07-36 § 2)

#### 17.168.030: MUNICIPAL COUNCIL ADOPTS TOD GUIDELINES; CONFORMANCE WITH REQUIREMENTS:

The Murray City Municipal Council shall adopt TOD Guidelines. Property located within the TOD shall be developed in conformance with the provisions set forth herein and with the TOD Guidelines. For purposes of this chapter, landscaping requirements and encroachment allowances shall be governed by the TOD Guidelines. All uses shall meet the requirements and standards set forth in this chapter. (Ord. 07-36 § 2)

**17.168.040: DEFINITIONS:**

For purposes of this chapter, the following terms shall be defined as follows:

**DEVELOPMENT PARCEL:** A lot or contiguous lots under the control of a single development entity.

**PRINCIPAL STREET:** A collector or arterial street, including Main Street and Fireclay Avenue.

**RENOVATION:** Physical modification to a building that involves the entire building or has a substantial visual impact on the building or the surroundings. By way of illustration, renovation includes, without limitation, overall building design, exterior facades, site landscape and parking. (Ord. 07-36 § 2)

**17.168.050: USES:**

A. A use not specifically designated is prohibited. The inclusion of a major heading includes all subcategories listed under the major heading unless otherwise excepted. For example, listing 6900 miscellaneous service organizations includes all categories and subcategories listed from 6910 through 6999.

B. The following uses are permitted in the TOD:

<u>Use No.</u>	<u>Use Classification</u>
1100	Household units (excepting 1110).
1241	Retirement homes, independent living or congregate care.
1511	Hotels.
4100	Railroad, rapid rail transit, and street railway transportation.
4210	Bus transportation (except 4214 and 4215).
4210	Commercial parking lots and garages on a fee basis (except surface parking lots not associated with a permitted use).
4601	No fee parking lots and garages (except surface parking lots not associated with a permitted use).
4710	Telephone communications (except 4712).
4730	Radio communications.
4740	Television communications.
4750	Radio and television communications, combined.
4760	Recording and sound studios.
4800	Utilities (offices, lines and right of way only; except 4812, 4813, 4822, 4823, 4832, 4842, 4843, 4845, 4850, 4861, and 4874).
4920	Transportation services and arrangements (with no more than 5 employees in no more than 2,500 square feet; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
5100	Wholesale trade (excepting 5110, 5120, 5150, 5162, 5169, 5170, 5181, 5182, 5185, 5191, 5192, 5193, 5199 - firearms and ammunition, charcoal, livestock and poultry feed, farm supplies, hay; with no more than 5 employees in no more than 5,000 square feet; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
5198	Lumber and construction materials, wholesale and re-sale in buildings with footprints no greater than 30,000 square feet. No outdoor storage. Docks, delivery and staging areas must be screened from public streets.
5310	Department stores.
5320	Mail order houses (no loading dock; deliveries and shipping only by van or small truck during normal business hours).
5330	Variety stores.
5350	Direct selling organizations (no loading dock; deliveries and shipping only by van or small truck during normal business hours; no outside storage).
5390	General merchandise.
5400	Food stores.
5600	Apparel and accessories.
5810	Eating places (except 5813; no drive-through sales).
5910	Drug and proprietary.
5920	Liquor, package (state store).

5930 Antiques and secondhand merchandise (except 5935, 5938 and 5939 - construction materials).

5940 Books, stationery, art, and hobby supplies.

5950 Sporting goods, bicycles, and toys.

5969 Garden supplies.

5970 Jewelry.

5990 Miscellaneous retail trade.

6100 Finance, insurance, and real estate services (except 6112, 6123, 6124, 6141 - surety bail bonding only).

6213 Dry cleaning (in no more than 7,500 square feet; no outside storage).

6216 Self-service laundries.

6218 Rug cleaning and repair (in no more than 7,500 square feet; no outside storage).

6220 Photographic services.

6230 Beauty and barber services.

6241 Funeral home.

6250 Apparel repair, alteration, and cleaning, shoe repair services (except 6256).

6290 Personal services (except 6293, 6294).

6310 Advertising services (office only; no outside storage; no billboards).

6320 Consumer credit reporting services.

6330 Duplicating, mailing, stenographic, and office services.

6340 Dwelling and building services (office only, except 6342, 6345).

6350 News syndicate services (office only).

6360 Employment services.

6390 Business services (office only, except 6394 and 6397).

6420 Electrical appliance repair and service (except 6421 and 6426; in no more than 5,000 square feet; no outside storage).

6493 Watch, clock, jewelry repair, engraving.

6496 Locksmiths and key shops.

6498 Saw, knife, lawn mower and tool sharpening (in no more than 5,000 square feet; no outside storage).

6499 Miscellaneous small item repair (in no more than 5,000 square feet; no outside storage).

6500 Professional services (office only, except 6513 and 6516).

6516 Skilled nursing, convalescent and rest home facilities. (Does not include asylums.)

6516.1 Assisted living facilities.

6700 Governmental services (except 6714, 6740, 6750, and 6770).

6800 Educational services.

6900 Miscellaneous service organizations.

7100 Cultural activities and nature exhibitions (except 7124).

7210 Entertainment assembly (except 7213).

7220 Sports assembly (except 7223 and 7224).

7230 Public assembly.

7391 Penny arcades and other coin operated amusements.

7395 Card rooms.

7396 Dance halls, ballrooms (includes dance clubs).

7397 Billiard and pool halls.

7399 Astrologers, bicycle rental, fortune tellers, tourist guides, phrenologist (office only).

7413 Tennis courts.

7414 Ice skating.

7417 Bowling alleys.

7420 Playgrounds and athletic areas.

7425 Athletic clubs, bodybuilding studios.

7432 Swimming pools and schools.

7451 Archery range (indoor only).

7492 Picnic areas.

7600 Parks (public and private).

8221 Veterinarian services (completely enclosed within a building; no overnight boarding).

8224 Pet grooming (completely enclosed within a building; no overnight boarding).

C. A development parcel may have more than one main building.

D. The following accessory structures and buildings, which are customarily used in conjunction with and are incidental to the principal uses and structures, are permitted:

1. Parking structures, and

2. Other accessory buildings which do not in aggregate have a footprint greater than twenty five percent (25%) of the footprint of the main buildings on a development parcel.

E. More than one permitted use may be located on a development parcel and within a building.

F. The following uses and structures are permitted in the TOD only after a conditional use permit has been approved by the Planning Commission and subject to the terms and conditions thereof:

<u>Use No.</u>	<u>Use Classification</u>
1515	Transient apartments rented by day or week.
2000	Manufacturing industries (handwork trades only with no more than 5 employees in no more than 2,500 square feet; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
3220	Glass and glassware (pressed or blown; handwork trades only with no more than 5 employees in no more than 2,500 square feet; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
3250	Pottery and related products (excepting 3251 and 3255; handwork trades only with no more than 5 employees in no more than 2,500 square feet; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
3500	Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks (handwork trades only with no more than 5 employees in no more than 2,500 square feet; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
3900	Miscellaneous manufacturing (handwork trades only with no more than 5 employees in no more than 2,500 square feet; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
5100	Wholesale trade (excepting 5110, 5120, 5150, 5162, 5169, 5170, 5181, 5182, 5185, 5191, 5192, 5193, 5198, 5199 - firearms and ammunition, charcoal, livestock and poultry feed, farm supplies, hay; with no more than 5 employees in no more than 5,000 square feet; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
5813	Short order eating places with no product specialty, auto oriented (drive-in or drive-through establishments, etc.).
5820	Drinking places - alcoholic beverages.
6112	Check cashing.
6516	Sanatoriums, convalescent and rest home services. (Lodging and meals offered with full time medical staff. Does not include asylums.)
8121	Indoor farming. Includes crops grown wholly indoors for commercial distribution to other locations and/or retail sale on site.

(Ord. 20-13: Ord. 19-20: Ord. 16-41: Ord. 15-07: Ord. 07-40 § 3: Ord. 07-36 § 2)

**17.168.060: AREA, WIDTH, FRONTAGE AND YARD REGULATIONS:**

A. All main buildings shall front on either a public or private street including private pedestrian only streets, paths or courts. Buildings that front on a courtyard that fronts on a street shall be deemed to front on the street.

B. For development in the TOD east of Utah transit authority light rail lines, the front setback for main buildings, excepting courtyards and plazas, shall be between fifteen feet (15') and twenty five feet (25') from the back of curb and gutter. Up to fifty percent (50%) of the front setback may be greater than twenty five feet (25') if the additional front setback is developed as a courtyard or plaza. Main buildings may have detached components within a courtyard or plaza if the uses in the detached component enhance activity on the courtyard or plaza. In the case of pedestrian only streets, paths or courts, a minimum width of twenty five feet (25') from building face to building face shall be required.

C. The courtyard or plaza area shall be deemed to be a part of the front setback of the building.

D. Buildings located on a corner lot shall front on both streets.

E. All front setback areas shall be landscaped in accordance with the TOD guidelines.

F. Parking is not permitted in the front setback area of any building.

G. Maintenance buildings, trash collection and recycling areas, storage and service areas, mechanical equipment and loading docks shall not be permitted in the front setback of any building. Single or ganged utility meters or other service equipment may be located in the front setback of any building; provided, there are site constraints which preclude their access in a location elsewhere on site, and they are screened and approved by the City.

H. Maintenance buildings, trash collection and recycling areas, storage and service areas, mechanical equipment and loading docks shall be set back a minimum of twenty five feet (25') beyond the closest front setback.

I. The side lot area between nonadjoining buildings and the property line shall be developed as parking, plaza, landscaped open space, or a landscaped walkway with access to the sidewalk.

J. No parking lot or parking structure shall front principal streets except Main Street. A parking structure fronting on a nonprincipal street with office or retail uses along the entire frontage of the first floor, excluding drive lanes, shall have a front setback of between fifteen feet (15') and twenty five feet (25') from the back of curb and gutter. The parking structure front setback shall not be less than the setback of the main building.

K. Surface parking lots facing the street frontages other than principal streets shall have a minimum setback of fifteen feet (15') from the back of curb.

L. There shall be a minimum fifty foot (50') setback from the top of the bank of the Little Cottonwood Creek. (Ord. 07-36 § 2)

**17.168.070: HEIGHT REGULATIONS:**

There are no height restrictions in the TOD except as provided herein. (Ord. 07-36 § 2)

**17.168.080: GROUND FLOOR REQUIREMENTS:**

A. Main buildings, situated east of the UTA TRAX light rail lines or fronting principal streets, shall have ground floors with a minimum ceiling height of twelve feet (12') measured from floor deck to floor deck. For purposes of this section, main buildings shall not include townhouses.

B. Multi-story buildings designed for nonresidential uses on the ground floor shall have walls, partitions and floor/ceiling assemblies separating dwelling units from other spaces with a sound transmission classification (STC) of at least fifty (50) for airborne noise.

C. Main buildings fronting principal streets shall have ground floors developed and occupied by nonresidential uses. Nonresidential uses shall not include portions of the development used for parking, storage, maintenance, or other accessory uses provided for the residential component of the development.

D. West of Main Street, the portion of the ground floor of any building devoted to the sale of retail goods shall not exceed fifty thousand (50,000) square feet. (Ord. 15-07)

**17.168.090: PARKING REGULATIONS:**

A. For parking for buildings that exceed four (4) stories in height, at least seventy five percent (75%) of the parking shall be located within the exterior walls of the building or in a parking structure that is within seven hundred fifty feet (750') of the main building. For the purposes of this chapter, building height is determined by measuring the vertical distance from the average of the finished ground level adjoining the building at the exterior wall to a flat roof deck or, for sloped roofs, to the average height of the highest roof surface. Pursuant to section 17.76.080 of this title, the height limitations shall not apply to architectural screening for mechanical equipment, church spires, and decorative tower elements.

B. If more than twenty five percent (25%) of the off street parking is provided in surface parking lots, the minimum parking shall be:

1. For residential units with two (2) bedrooms or less, 1.5 stalls per unit.

2. For residential units with more than two (2) bedrooms, 1.85 stalls per unit.

3. When the office uses or net usable square footage is unknown, off street parking will be calculated at one parking stall for each two hundred sixty five (265) square feet of net usable office area or retail floor area.

4. All medical, dental and related office uses will require one off street parking stall for each two hundred sixty five (265) square feet of net usable office area.

5. All other office uses will be calculated at the ratio of three (3) off street parking stalls for each one thousand (1,000) square feet of net usable floor area.

6. Retail use parking shall be calculated at the rate of one parking space for each two hundred sixty five (265) square feet of net usable floor area.

C. If seventy five percent (75%) or more of the off street parking is provided within the main buildings or within parking structures with two (2) or more floors, and for properties west of the UTA Trax Station, the minimum parking shall be:

1. For residential units with two (2) bedrooms or less, 1.125 stalls per unit.



2. For residential units with more than two (2) bedrooms, 1.4 stalls per unit.
  3. When the office uses or net usable square footage is unknown, off street parking will be calculated at one parking stall for each three hundred fifty (350) square feet of net usable office area or retail floor area.
  4. All medical, dental and related office uses will require one off street parking stall for each three hundred fifty (350) square feet of net usable office area.
  5. All other office uses will be calculated at the ratio of two and one-fourth (2.25) off street parking stalls for each one thousand (1,000) square feet of net usable floor area.
  6. Retail use parking shall be calculated at the rate of one parking space for each three hundred fifty (350) square feet of net floor area.
  7. On street parking adjacent to the development parcel shall not count toward the minimum parking required by this chapter.
- D. Off street parking is not permitted in any fire lane, aisle space or front yard setback areas. (Ord. 14-12: Ord. 10-07 § 2: Ord. 08-02 § 2: Ord. 07-36 § 2)

**17.168.100: LOADING AND SERVICE AREAS:**

Trash collection and recycling areas, service and storage areas, mechanical equipment and loading docks shall be screened on all sides so that no portion of such areas are visible from the adjacent public streets or alleys and adjacent properties. Screening shall have a minimum height of eight feet (8') and may include accessory buildings, shrubbery and plantings, decorative walls, solid fences, screen panels, doors, topographic changes, buildings or any combination of the above. (Ord. 07-36 § 2)

**17.168.110: BUILDINGS AND LOTS THAT STRADDLE THE TOD BOUNDARY:**

If a building is partially within the TOD District and partially within another zoning district, the entire building shall conform to the requirements of the TOD District. The portion of any parcel within the TOD District shall conform to the requirements of the TOD District. (Ord. 07-36 § 2)

**17.168.120: OPEN SPACE:**

A. Twenty percent (20%) of the area of each parcel shall be developed as landscaped setbacks, courtyards, plazas, open space, or walkways.

B. Each parcel shall have a system of pedestrian walkways and sidewalks that provide connections between the building entrances, neighboring building entrances, sidewalks, parking areas, open space and public trails. (Ord. 07-36 § 2)

**17.168.130: ACCESS IMPROVEMENTS:**

A. Construction of new buildings or renovations of existing buildings shall include construction and installation of the adjacent sidewalks, park strips and other landscaping, curbs, gutters, lighting, and street furniture in conformance with the TOD Design Guidelines adopted pursuant to this chapter.

B. Private streets shall be installed within any project in which the main buildings do not front on a public street.

C. The improvements within the rights-of-way for the principal streets shall include:

1. Paved sidewalks adjacent to the private property line shall be installed according to City specifications established by the City Engineer and in conformance with the TOD Design Guidelines adopted pursuant to this chapter.

2. Park strip between the sidewalk and the curb installed in conformance with the TOD Design Guidelines adopted pursuant to this chapter and which shall contain appropriate tree plantings and landscaping in accordance with the TOD Guidelines.

3. Pedestrian lighting.

4. Benches.

5. Trash receptacles.

D. The improvements within the public rights-of-way and adjacent to nonprincipal streets and private streets shall include:

1. Paved sidewalks installed in conformance with the TOD Design Guidelines adopted pursuant to this chapter.

2. Park strip between the sidewalk and the curb installed in conformance with the TOD Design Guidelines adopted pursuant to this chapter and which shall contain appropriate tree plantings and landscaping in accordance with the TOD Guidelines.

3. Pedestrian lighting.

4. Benches within passenger loading areas.

5. Trash receptacles within fifteen feet (15') of entry and exit doors of any retail establishment. (Ord. 07-36 § 2)

**17.168.140: LIGHTING STANDARDS:**

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

B. Illumination levels shall not exceed IESNA recommended standards.

C. Lighting shall be provided for pedestrian ways that is appropriately scaled to walking. Light standards shall not be taller than sixteen feet (16'). However, light standards adjacent to State Street or 4500 South (major arterial roadways), as well as Vine Street and 4800 South (major collector roadways) are allowed up to twenty three feet (23') in height. Light standard height will be reviewed on a case by case basis by City staff.

D. Lighting shall be shielded and directed downward to prevent any off site glare.

E. All site lighting luminaires will conform to IESNA "cutoff" or "sharp cutoff" classification. City staff will provide additional details as needed.

F. An amber lamp color (3,000 Kelvin), or other color in consultation with the Power Department can be used for a project.

G. For property owner installed private lighting, metal halide and induction lamp sources may be used subject to approval by the City Power Department and CED staff. Building facade lighting must be shielded and directed downward to avoid light trespass and illumination of the night sky. (Ord. 18-22)

**17.168.150: OBTAINING BUILDING PERMIT:**

A. No person shall obtain a building permit for new construction or for renovation of existing buildings that exceed twenty five percent (25%) of the assessed value of the buildings without first preparing and presenting the information required by this section, paying the applicable design review fee, and receiving design approval from the Community Development Division.

B. The City shall review the plans for conformance with the requirements of this Code and the TOD Design Guidelines that have been adopted by the Murray City Municipal Council. The City shall determine the following before approval is given:

1. The project is in general conformance with the Murray City general plan.
2. The project is in general conformance with the specific area plan, if any, adopted for the area.
3. The project conforms with the requirements of the applicable sections of the zoning ordinance.
4. The project does not jeopardize the health, safety, or welfare of the public.
5. The project conforms to the applicable standards outlined in the TOD Design Review Guidelines.

C. If the City denies approval of the submitted plans, the denial shall be accompanied by a letter indicating the areas where the plans must be changed to obtain approval.

D. A denial of approval by the City may be appealed to the Appeal Authority.

E. Applicants for design review and approval shall submit any or all of the following information, as requested by the City:

1. Project identification information including the project name, the specific location of the project including street addresses and parcel Sidwell numbers, applicant name and representatives (if any other than applicant); and proposed uses.
2. Vicinity map or aerial photo with site plan overlay, to scale, showing the project location in relationship to neighboring buildings and the surrounding area.
3. Grading plan.
4. Site plan, to scale, showing proposed parking, loading and service areas, and vehicular and pedestrian circulation.
5. Detailed elevations of all sides of the proposed building and other exterior elements, including exterior building materials.
6. Sign plan.
7. Landscape plan.
8. Exterior lighting plan.
9. Floor plans.
10. Utilities plan.
11. Drainage plan.
12. Other design information requested by the City.

F. Three (3) copies of each plan must be submitted to the City. The City shall retain one copy of the plans. One copy of the plans shall be returned to the applicant stamped to show the approval or the denial of approval. In addition to the improvements to be built on the applicant's property, submitted plans must include improvements to be built in the public rights-of-way.

G. If the construction of building improvements has not commenced within eighteen (18) months of the design approval or if construction has ceased for a period of one year or longer, the design approval shall expire. Applicants may request an extension of up to six (6) calendar months during the final month prior to expiration. After the expiration of a design approval, the applicant shall be required to resubmit the plans, pay the design review approval fee, and obtain design approval prior to the issuance of a building permit. (Ord. 18-22)

## CHAPTER 17.170

### MURRAY CITY CENTER DISTRICT MCCD

#### SECTION:

**17.170.010: Purpose**

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#### **17.170.010: PURPOSE:**

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

B. The regulations and design guidelines of the MCCD are intended to promote mixed use development, encourage pedestrian oriented design, promote development opportunities, and increase residential and commercial densities. The anticipated development model promotes sustainable, compact, mixed use, transit-oriented uses with neighborhood oriented commercial, restaurant, civic, cultural and residential spaces to promote street life and activity. (Ord. 19-40)

#### **17.170.020: DESIGN GUIDELINES:**

The Murray City Council has adopted the Murray City Center District (MCCD) Design Guidelines. The guidelines shall be consulted during the review of proposed development in order to provide guidance, direction, and options which will further the stated purposes of the MCCD. Wherever practicable, development should adhere to the objectives and principles contained in the design guidelines. (Ord. 19-40)

#### **17.170.030: DEFINITIONS:**

**ADMINISTRATIVE STAFF or STAFF:** Representatives from the Community and Economic Development Department.

**DESIGN GUIDELINES:** The principles of appropriate development activity that promote the purposes and standards of this title.

**DESIGN REVIEW COMMITTEE or COMMITTEE:** The committee established underchapter 2.68 of this code. The committee acts in an advisory capacity to the Planning Commission and City Council and serves to facilitate the design review approval process.

**DESIGN REVIEW PROCESS:** The process by which applications for development within the MCCD zone are reviewed for conformance with the applicable standards of this section. The process can include pre-application conferences and review by Community and Economic Development Department staff, review by the design review committee as well as referral to and review by the Planning Commission.

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

**MAJOR ALTERATION:** A physical modification to a building that involves the entire building or has a substantial visual

impact on the building or the surroundings. By way of illustration, major alteration includes, without limitation, overall building design, exterior facades, site landscape and parking.

**MINOR ALTERATION:** A physical modification that is limited in scope or has a minor visual impact in relation to the total building. By way of illustration, minor alteration includes, without limitation, lighting and other appurtenant fixtures, signs and awnings.

**ORDINARY MAINTENANCE AND REPAIR:** Work to repair or prevent deterioration of a building that does not constitute a minor or major alteration. Examples of ordinary maintenance and repair include repairing deteriorated masonry, replacing broken windows or damage caused by weather or natural disaster, repainting a building in the same color as existing, replacing doors, and the like. Maintenance and repair does not include major changes in color or building materials.

**PLANNING COMMISSION or COMMISSION:** The City's Planning Commission.

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

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

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

**SUSTAINABLE DESIGN:** Includes methods and materials that conserve natural resources, promote adaptive reuse of materials, buildings and sites, and promote the health and welfare of residents and property owners. (Ord. 19-40)

**17.170.040: DESIGN REVIEW PROCESS:**

A. Design Review: The purpose and intent of the design review process within the MCCD is to secure the purposes of this chapter and the general plan, and to ensure that the general appearance of buildings, signs, and the development of the lands does not detract from the purpose and intent of this chapter.

B. Design Review Approval Required: No exterior portion of any buildings or improvements on any properties shall be erected, altered, restored, or moved within the MCCD until after an application for a design review approval has been submitted, reviewed, and approved. Application for design review approval shall be made on forms furnished by the City's Community and Economic Development Department. The Director or designee shall determine if the application is a major or minor alteration. The determination of the Director or designee may be appealed to the appeal authority.

1. Minor Alterations: Administrative staff shall review and approve applications for minor alterations, signs, awnings, and lighting. Minor alterations denied by the administrative staff may be appealed to the appeal authority. A design review application, when determined to involve signs, awnings, lighting, or minor alterations may be reviewed and approved by administrative staff. A design review application for minor alterations must be approved or denied within thirty (30) days from receipt of a complete application.

2. Major Alterations And New Construction: The design review process for major alterations and all new construction consists of the following:

a. Pre-Application Conference: Application materials will be submitted to the Community and Economic Development Department and a time will be scheduled for a general concept review of the application. The applicant will receive input from staff on the process, design standards and other applicable elements prior to submittal of a final application.

b. Design Review: After a complete application for formal review is submitted:

(1) Meetings will be scheduled for staff review to gain City department input on the plans and review the proposal in relation to this chapter and design review guidelines;

(2) The proposal shall go before the MCCD design review committee for its review and recommendation in relation to this chapter and the design review guidelines; and

(3) The application will then be forwarded to the Planning Commission for final action. The application shall be made on a form available from the Community and Economic Development Department and shall include minimum application submittal requirements as determined by the Community and Economic Development Department.

c. Design Review Approval: Design review approval must be issued by the Planning Commission prior to the issuance of a building permit or other permit granted for purposes of major alterations including constructing, altering, and moving structures and buildings. Design review approval is required whether or not a building permit is required. The Planning Commission shall review the plans for conformance with the requirements of this title and the MCCD design guidelines. The City shall determine the following before approval is given:

(1) The project is in general conformance with the current Murray City general plan.

(2) The project is in general conformance with the specific area plan, if any, adopted for the area.

(3) The project conforms to the requirements of the applicable sections of the land use ordinance.

(4) The project does not jeopardize the health, safety, or welfare of the public.

(5) The project is in harmony with the purpose of the MCCD zone and adheres to the principles of the design guidelines.

d. Obtaining A Building Permit: No person shall obtain a building permit for new construction or for renovation of existing buildings without first preparing and presenting the information required by this section, paying the applicable design review fees, and receiving design approval from the Community and Economic Development Department. Any building permits or such other permits not issued in conformity with this chapter shall be invalid.

e. Public Utility Companies: The State of Utah, the City, Salt Lake County, and all public utility companies shall be required to obtain design review approval prior to initiating any changes in the character of street paving, sidewalks, utility installations, lighting, walls, fences, structures and buildings.

f. Design Elements Subject To Review:

(1) Overall building design including design character, alignment and setback, size, height, proportion, and scale of the building;

(2) Exterior facades including exterior walls and building materials, roof and parapet, storefronts including windows and doors, bulkheads, cornices, ornamental detail, color, and back entrances;

(3) Site landscape including pavement, steps, lighting, trees, and ground cover;

(4) Parking;

(5) Lighting and other appurtenant fixtures;

(6) Signs and awnings;

(7) Public improvements; and

(8) Site amenities.

g. Exceptions: Even if all design guidelines are not met, design review approval may be granted if the Planning Commission finds that compliance with the design guidelines or certain design guidelines would: 1) deprive owner of all viable economic use of the owner's property, or 2) result in substantial diminution in value of owner's property.

h. Compliance: Design review approvals shall be issued for a period of eighteen (18) months. All work performed pursuant to a design review approval shall conform to the requirements of the approval. If the construction of building improvements has not commenced within eighteen (18) months of the design approval or if construction has ceased for a period of one (1) year or longer, the approval and any associated building permits shall expire. Applicants may request two (2) extensions of six (6) calendar months during the final month prior to expiration. Requests for extension must be made in writing to the Community and Economic Development Department. (Ord. 19-40)

#### **17.170.050: PROCEDURES:**

A. Applications: The Community and Economic Development Department shall receive applications for design review approval as required under section 17.170.040 of this chapter. Applications for new construction or major alteration must be reviewed by the design review committee, which must forward a recommendation to the Commission within sixty (60) days from the date of application. Members of the Planning Commission or design review committee may enter, solely in performance of their official duties and only at reasonable times, upon private lands for examination or survey thereof.

However, no member, employee, or agent of the Commission or committee may enter any private building without express consent of the owner or occupant thereof.

B. Public Meeting: Prior to action on an application for design review approval, the Commission shall hold a public meeting. The Commission shall take such action as may reasonably be required to inform the owners of any property likely to be materially affected by the application and shall give the applicant and such owners an opportunity to be heard. A written notice of the proposal shall be sent at least ten (10) days prior to the hearing to the applicant and to owners of property (lots, parcels or tracts of land) within three hundred feet (300') of the property that is the subject of an application for design review approval.

C. Final Action: The Commission's final action on an application for design review approval for major alterations and new construction shall be by the passage of a motion to take one (1) of the following actions:

1. Grant the design review approval as proposed;

2. Grant the design review approval subject to specific conditions and/or modifications of the proposal presented in the application;

3. Deny the design review approval as proposed or modified.

D. Appeal:

1. Minor Alterations: Minor alterations denied by the administrative staff may be appealed to the Planning Commission by filing written notice of the appeal with the Community and Economic Development Department within thirty (30) calendar days from issuance of the written decision by the administrative staff.

2. Major Alterations And New Construction: Planning Commission decisions on applications for design review approval

may be appealed to the Hearing Officer by an aggrieved party. Written notice of the appeal must be filed with the Community and Economic Development Department within thirty (30) calendar days from the date of the Commission's decision. The appeal shall be a review of the record to determine whether the decision was so unreasonable as to be arbitrary and capricious. (Ord. 19-40)

**17.170.060: HISTORIC PRESERVATION:**

The preservation, restoration, re-use and/or incorporation of historically significant buildings into new development within the MCCD zone is encouraged wherever possible. Applications for design review approval that include the alteration, renovation, or demolition in whole or in part of any of the historically significant buildings identified herein shall be subject to special considerations outlined in this section.

A. Designation Of Historically Significant Buildings: A list of designated historically significant buildings located within the MCCD zone shall be maintained by the Community and Economic Development Department. Buildings designated as historically significant are subject to the special considerations of this section. A property owner may remove their property from the list of designated historically significant buildings by submitting a written request to the Community and Economic Development Department or the office of the Mayor. The City shall update the list and respond in writing to the property owner demonstrating the removal within thirty (30) days of the receipt of the written request. The Mayor shall notify the City Council of the removal of a property from the list of historically significant buildings within thirty (30) days of the removal.

B. Relocation: Relocation of an existing significant historic building is allowed if approved by the Planning Commission after following the design review approval process, if it can be demonstrated that the historical character of the building can be preserved. Application and permit fees for projects involving the relocation 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.

C. Renovation: Any renovation of all or part of a historically significant building will be considered a major alteration. 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.

D. Alteration And/Or Demolition: Alteration or demolition of designated historically significant buildings is considered a major alteration and requires design review approval. Design review approval for projects involving the demolition of designated historically significant buildings is subject to the following requirements:

1. Adherence: The Planning Commission must find that the proposed development requiring demolition of the historically significant building demonstrates adherence to the goals and objectives of the Murray City general plan and the MCCD zone.

2. Monument: If demolition is granted, the applicant must propose and install a monument with a narrative inscription describing the historical significance of the building, or a public arts project commemorating the same. The monument or commemoration should be incorporated into the project at or near the original location of the historically significant building and will be installed at the applicant's expense. The location, design, and content of the narrative inscription of the monument must be reviewed by the Murray City History Advisory Board for recommendation to the Planning Commission as a component of the design review application.

3. Memorandum Of Understanding: A memorandum of understanding must be executed between the City and applicant regarding the project. The memorandum of understanding must be approved by the City Council prior to the issuance of demolition permits. The memorandum of understanding must establish the following:

a. That there is immediacy of the project and thus for demolition. A development time line must be submitted demonstrating a twenty four (24) month project completion period for that portion of the project where a historically significant building is to be demolished;

b. That demolition of the historically significant building shall not occur until a building permit has been issued for the proposed development or phase of the development that requires the demolition.

c. That the History Advisory Board has approved a monument and inscription as required by this section. The memorandum will establish the receipt of a bond from the applicant with the City to provide for the installation of the monument and inscription.

E. Land Use, Interior Arrangement, Maintenance, Emergency Repairs Not Considered:

1. Nothing herein shall be construed to prevent a property owner from making any use of his or her property not prohibited by other statutes, ordinances or regulations.

2. The ordinary maintenance or repair of any exterior architectural feature of a building in areas which do not involve replacing the feature or a change in design, material, color or outer appearance thereof, shall not be prevented by the requirements of this chapter.

3. Nothing in this chapter shall be construed to prevent:

a. The maintenance; or

b. In the event of an emergency, the immediate restoration of any existing aboveground utility structure without approval by the Commission.

4. The construction, reconstruction, alteration, restoration, moving or demolition of any exterior architectural features, which the City building inspector or similar official shall certify is required for public safety because of an unsafe or dangerous condition, shall not be prevented by the requirements of this chapter. (Ord. 19-40)

**17.170.070: USES:**

A. The inclusion of a major heading includes all subcategories listed under the major heading unless otherwise excepted. (For example, listing 6900 miscellaneous service organizations includes all categories and subcategories listed from 6910 through 6999.) Any use not specifically listed shall be prohibited.

B. The following uses are permitted in the Murray City Center District (MCCD):

Use No.	Use Classification
1120	Two-family dwelling (subject to requirements for ground floor commercial uses, see section 17.170.100).
1130	Multiple-family dwelling (subject to requirements for ground floor commercial uses, see section 17.170.100).
1150	Apartment high rise (subject to requirements for ground floor commercial uses, see section 17.170.100).
1511	Hotels.
2180	Beverages (only in conjunction with a restaurant, 5,000 square feet or smaller).
2300	Manufacture; apparel (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).
2510	Household furniture (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
2740	Commercial printing (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).
2760	Greeting cards (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).
3259	Pottery (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).
3911	Jewelry (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).
3920	Musical instruments and parts (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).
3950	Costume jewelry (handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors).
4602	Commercial parking lots and garages on a fee basis (except surface parking lots not associated with a permitted use).
5400	Food stores.
5600	Apparel and accessories.
5810	Eating places (except 5813; CUP required for drive-through sales).
5820	Drinking places; alcoholic beverages.
5910	Drug and proprietary.
5920	Liquor, package (state store).
5930	Antiques and secondhand merchandise (except 5935, 5938 and 5939 - construction materials).
5940	Books, stationery, art, and hobby supplies.
5950	Sporting goods, bicycles, and toys (except 5951).
5969	Garden supplies.
5970	Jewelry.
5990	Miscellaneous retail trade.
6100	Finance, insurance, and real estate services (except 6112, 6123, 6124, 6141 - surety bail bonding only).
6213	Dry cleaning (in no more than 7,500 square feet).
6216	Self-service laundries.
6220	Photographic services.
6230	Beauty and barber services.



6250	Apparel repair, alteration, and cleaning, shoe repair services (except 6256).
6290	Personal services (except 6293, 6294).
6310	Advertising services (office only; no billboards).
6330	Duplicating, mailing, stenographic, and office services.
6340	Dwelling and building services (office only, except 6342, 6345).
6350	News syndicate services.
6360	Employment services.
6390	Business services (office only, except 6393, 6394 and 6397).
6493	Watch, clock, jewelry repair, engraving.
6494	Reupholstery and furniture repair (includes antiques, etc.).
6496	Locksmiths and key shops.
6499	Miscellaneous small item repair (maximum 5,000 square feet).
6500	Professional services (office only, except 6513 and 6516, 6518, 6518.1, 6550).
6600	General construction services (office only, no material storage or equipment service yards).
6700	Governmental services (except 6714, 6740, 6750, and 6770).
6800	Educational services.
6900	Miscellaneous service organizations.
7100	Cultural activities and nature exhibitions (except 7123, 7124, 7129).
7210	Entertainment assembly (except 7213).
7220	Sports assembly (except 7221, 7222, 7223, 7224).
7230	Public assembly.
7391	Penny arcades and other coin operated amusements.
7395	Card rooms.
7396	Dance halls, ballrooms (includes dance clubs).
7397	Billiard and pool halls.
7399	Bicycle rental, tourist guides only.
7410	Bowling alleys.
7420	Playgrounds and athletic areas.
7425	Athletic clubs, bodybuilding studios.
7432	Swimming pools and schools.
7451	Archery range (indoor only).
7492	Picnic areas.
7600	Parks (public and private).
7910	Other cultural, entertainment, recreational activities.
8221	Veterinarian services (completely enclosed within a building; no overnight boarding).
8224	Pet grooming (completely enclosed within a building; no overnight boarding).

C. A development parcel may have more than one (1) main building.

D. The following accessory structures and buildings, which are customarily used in conjunction with and are incidental to the principal uses and structures, are permitted:

1. Parking structures; and
2. Other accessory buildings which do not in aggregate have a footprint greater than twenty five percent (25%) of the footprint of the main buildings on a development parcel.

E. More than one (1) permitted use may be located on a development parcel and within a building.

F. The following uses and structures are permitted in the MCCD only after a conditional use permit has been approved by the Planning Commission and subject to the terms and conditions thereof:

Use No.	Use Classification
1241	Retirement homes, independent living or congregate care.

3250	Pottery and related products (excepting 3251 and 3255; handwork trades only; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors).
3500	Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks (handwork trades only; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors).
5813	Drive-through restaurant (must be located more than one-quarter mile from a transit station; parking and maneuvering areas must be located to the rear of building; drive-through windows and lanes may not be located between the street and building front).
6111	Banking services, including drive-through services, members and nonmembers of Federal Reserve System. (Service windows and all related maneuvering lanes and any associated structures must be located to the rear or side of the building; drive-through windows and lanes may not be located between the street and building front. Includes national, state, commercial, mutual, private, trust companies.)
6513	Hospitals.
6516.1	Assisted living facilities.

G. The following are uses not permitted in the area:

Use No.	Use Classification
5510	Motor vehicle sales.
5530	Service stations.
5590	Automotive, marine crafts, aircrafts and accessories.
5960	Farm and garden supplies.
6379	Self-storage units.
6394	Equipment rental and leasing services.
6397	Automobile, truck and trailer services.
6410	Automobile repair and related services.
7213	Drive-in movies (outdoor theater).
7394	Go-cart tracks.
7398	Auto racing, miniature.

H. No outside storage will be allowed for any of the uses in the MCCD. (Ord. 19-40)

**17.170.080: SUSTAINABILITY STANDARDS:**

A. The City has adopted the goal of pursuing and achieving sustainable development practices in the MCCD. No sustainable development certifications are required under this section, however, the City encourages sustainable development through green building rating or certification systems such as LEED, the State of Utah Division of Facilities and Construction Management High-Performance Building Standards, or the equivalent. The City may provide incentives for developers who achieve third-party sustainable development certification for buildings.

B. Any incentives provided will be based on post-performance outcomes, negotiated specifically for each development project and specified through a development agreement which shall be approved by the City Council and/or the Redevelopment Agency of Murray City.

1. Sustainability focus areas include water conservation, stormwater management, energy efficiency and support of transit and active transportation.

2. Sustainable development principles and goals are further defined in the MCCD design guidelines and are recommended as standards for the development of the area.

C. The City recognizes that, regardless of third-party certification level, there are standards that are in the best interest of the health, safety, and general welfare of the residents of Murray. Standards to promote efficient and sustainable development have been included in the parking, landscaping and building and site design standards of the MCCD and are required whether or not an individual development attains a third-party sustainable development certification. In addition, all new public buildings and uses shall, as practicable, be designed and built to comply with the High-Performance Building Standards developed by the Utah Division of Facilities Construction and Management. (Ord. 19-40)

**17.170.090: AREA, WIDTH, FRONTAGE AND YARD REGULATIONS:**

The main entry to a building should provide a strong connection to the street, one which is expressive, welcoming and easily located. The following standards for setbacks or facades and entries are intended to contribute to the vibrant, connected,

active, pedestrian oriented streetscape that is envisioned for the district:

A. Proposed development must be designed such that building facades occupy a minimum of fifty percent (50%) of the total linear feet of property frontage on public and streets with setbacks between twelve feet (12') and eighteen feet (18') from the back of curb and gutter; or

B. If greater setbacks are proposed to accommodate site features such as outdoor dining or gathering spaces:

1. All street facing building facades are to be designed so that eighty percent (80%) of the total linear feet are within twenty five feet (25') from the back face of curb and gutter.

2. Municipal, public or quasi-public buildings may have a greater setback as determined through the design review process. The additional setback shall require the development of public plazas, parks or open spaces and comply with the design standards within this chapter. (Ord. 19-40)

**17.170.100: PUBLIC IMPROVEMENTS AND STREET CHARACTER:**

A. Construction of new buildings or renovations of existing buildings where the cost of improvements or renovations to a property or site exceeds fifty percent (50%) of the assessed value of the buildings on the property shall include construction and installation of the adjacent sidewalks, park strips and other landscaping, curbs, gutters, lighting, and street furniture as required in this chapter and as further described in the design guidelines.

B. The improvements within the rights-of-way for public streets shall include, but not be limited to, the following standards:

1. The right-of-way widths within the Murray City Center District vary from one hundred forty feet (140') to seventy feet (70') and respond to the site conditions and traffic volume. There are five (5) primary public streets that run through the Murray City center including State Street, 5th Avenue, Box Elder Street, Hanauer Street, 4800 South, and Vine Street;

2. Within the right-of-way, the drive lanes vary from ten feet (10') to twelve feet (12') with most streets having seven (7) to eight foot (8') on street parallel parking areas. A minimum twelve foot (12') pedestrian sidewalk is included within the right-of-way that includes a seven (7') pedestrian zone along with a five foot (5') furnishing or landscape strip between the sidewalk and edge of curb.

C. Benches and other street furniture shall be provided and spaced as approved by the City through the design review process.

D. All streets and sidewalks shall be available for general public use and access and not gated.

E. District standard street furniture shall be used for public sidewalks, seating areas, and trails to provide visual continuity. Courtyards, pedestrian ways, plazas, and seating areas located on private property should also include furnishings that are compatible with the projects and surrounding areas in which they are located.

[image]

(Ord. 19-40)

**17.170.110: BUILDING DESIGN, SCALING AND DENSITY:**

A. The primary entrance to buildings must be clearly identifiable and must be oriented to face a street, plaza or pedestrian way. Other street facing entries must appear at least once every seventy five feet (75') on average. Alternate designs for public, quasi-public, and commercial buildings may be approved if the Planning Commission finds that there are demonstrated security concerns which cannot be reasonably mitigated without the elimination of multiple entries as required here.

B. The functional entry of new buildings must be oriented to face the public street, public square, park, or plaza, but not a parking lot.

C. The primary entrance to a building shall have a pedestrian scaled facade.

D. Building entries must be covered with canopies/awnings and/or recessed entries.

E. Building entries must meet all local, State, and Americans With Disabilities Act accessibility requirements.

F. For corner buildings, entries are required on both street facades.

G. All front setback areas, if proposed, shall be landscaped or used as pedestrian ways, plazas, courtyards, or for outdoor seating and dining areas.

H. Off-street parking is not permitted in the front setback area and/or between the street and building. Parking shall be located to the side or rear of the building. However, parking associated with municipal, public, or quasi-public buildings may be located between the street and the building provided that the parking serves multiple uses or planned multiple uses.

I. Maintenance buildings, trash collection and recycling areas, storage and service areas, mechanical equipment and loading docks shall not be permitted in the front setback of any building. Single or ganged utility meters or other service equipment may be located in the front setback of any building; provided, there are site constraints which preclude their access in a location elsewhere on site, and they are screened and approved by the City.

J. The side lot area between non-adjointing buildings and the property line shall be developed as parking, plaza, landscaped open space, or a landscaped walkway with access to the sidewalk.

K. Encroachments may project into the public right-of-way provided that the encroachments are between nine feet (9') and seventeen feet (17') above the sidewalk height, subject to City and Utah Department of Transportation approval where applicable. They must not obstruct or prevent the placement of street trees or other improvements within the public right-of-way.

L. Blank walls shall not occupy over fifty percent (50%) of a principal frontage. Non-residential buildings and structures shall not have a section of blank wall exceeding thirty (30) linear feet without being interrupted by a window or glass entry door. All development shall provide ground floor windows on the building facade and adjacent to a public or private street, including private pedestrian only streets, parks, paths, or courts. Darkly tinted windows and mirrored windows which block visibility are prohibited as ground floor windows. Alternate designs for public, quasi-public, and commercial buildings may be approved if the Planning Commission finds that there are demonstrated security concerns that cannot be reasonably mitigated with full compliance to this requirement.

M. Ground level unit entries shall have a finished floor less or equal to twenty four inches (24") above sidewalk grade.

N. Exceptions to these standards are allowed if buildings are located in designated open space area as identified in the design guidelines. Structures located or being relocated into these areas shall be allowed residential setback standards.

O. Commercial uses shall occupy the width of the ground floor of multi-story residential buildings facing a public street for a minimum depth of forty feet (40'). The balance of the ground floor may be occupied by residential uses or parking. A leasing office or lobby allowing access to the upper floors may occupy no more than fifteen percent (15%) of the ground floor or one thousand (1,000) square feet, whichever is less. Horizontal mixed-use projects shall provide a minimum commercial square footage component equal to an area calculated as one hundred percent (100%) of the project frontage on the public street and forty feet (40') in depth. For projects which comprise multiple parcels, square footage shall be calculated based on total project frontage on the public street.

P. A master site plan approved by the Planning Commission is required for horizontal mixed-use developments and mixed-use developments located on a parcel or combination of parcels greater than five (5) acres. In addition to the requirements of the MCCD zone, the Planning Commission shall address the following when considering the master site plan:

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

2. Central Feature: A prominent, centrally located feature such as a park, plaza, or other gathering place should be provided to unify the residential and commercial uses of the project. This location should include features and amenities to encourage public use and activity, with convenient access from both residential and commercial components of the development.

3. Outdoor Spaces: To the extent possible, buildings should be designed to form outdoor spaces such as courtyards, plazas, and terraces that can integrate the components of the development. Pedestrian walkways linking the components of the development with these outdoor spaces and the public streets should be developed. Where possible, the potential linkages to existing and future adjacent developments should be considered.

4. Memorandum Of Understanding: Mixed-use developments that require a master site plan shall be approved in conjunction with a memorandum of understanding (MOU) between Murray City and the developer. The MOU shall govern requirements for the timing of the installation of improvements, performance on construction of critical development components, and shall further memorialize the requirements for development of the several buildings and parcels as contained in the master site plan and other project approvals.

Q. The maximum residential density for a project shall not exceed one hundred (100) units per acre. (Ord. 19-40)

#### **17.170.120: HEIGHT REGULATIONS:**

There are no height restrictions in the district except as provided herein:

A. 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;

B. 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. 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');

C. 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;

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

E. 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. 19-40)

#### **17.170.130: LIGHTING STANDARDS:**

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

B. Illumination levels shall not exceed IESNA recommended standards.

C. Lighting shall be provided for pedestrian ways that is appropriately scaled to walking. Light standards shall not be taller than sixteen feet (16'). However, light standards adjacent to State Street or 4500 South (major arterial roadways), as well as Vine Street and 4800 South (major collector roadways) are allowed up to twenty-three feet (23') in height. Light standard height will be reviewed on a case by case basis by City staff.

D. Lighting shall be shielded and directed downward to prevent any off-site glare.

E. All site lighting luminaires will conform to IESNA "cutoff" or "sharp cutoff" classification. City staff will provide additional details as needed.

F. For property owner installed private lighting, metal halide and induction lamp sources may be used subject to approval by the City Power Department and CED staff. Building facade lighting must be shielded and directed downward to avoid light trespass and illumination of the night sky.

G. Banners may be attached to banner arms on light standards between sixteen feet (16') and twenty three feet (23') in height. A top banner arm is required with a bottom eyelet, or eyebolt for a banner to be attached to a light standard (see chapter 17.48, "Sign Code", of this title). The bottom of a banner must be at least eight feet (8') above a walkway, surfaced area, or ground level below. (Ord. 19-40)

#### **17.170.140: PARKING REGULATIONS:**

This section establishes the standards for the amount, location, and development of motor vehicle parking, standards for bicycle parking, and standards for on-site loading areas in the MCCD. Other titles of this code and guidelines of the MCCD may regulate other aspects of parking and loading.

##### A. General Regulations:

1. General: The regulations of this chapter apply to all parking areas in the MCCD, whether required by this code or constructed for the convenience of property owners or users. Parking areas include those that are accessory to a use, part of a commercial parking use, or for a park and ride facility in the community services use category.

2. Occupancy: All parking areas must be paved, striped and landscaped prior to occupancy of any structure unless a deferral agreement is completed with appropriate security as allowed in section 17.76.110 of this title.

##### 3. Calculations Of Amounts Of Required And Allowed Parking:

a. When computing parking spaces based on floor area, areas inside of structures which are used for parking are not counted;

b. The number of parking spaces is computed based on the primary uses on the site except as stated in subsection B3 of this section. When there are two (2) or more separate primary uses on a site, the required or allowed parking is the sum of the required or allowed parking for the individual primary uses;

c. For joint use parking, see subsection B3 of this section;

d. When more than twenty percent (20%) of the floor area on a site is in an accessory use, parking is calculated separately for the accessory use;

e. On street parking spaces immediately adjacent to the property may not be used to meet the parking requirements set forth herein.

4. Use Of Required Parking Spaces: Required parking spaces must be available for the use of residents, customers, or employees of the use. Fees may be charged for the use of required off street parking spaces. Required parking spaces may not be assigned in any way to a use on another site, except for joint parking situations. See subsection B3 of this section. Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.

5. Proximity Of Parking To Use: Required parking spaces for residential uses must be located on the site of the use or within a tract owned in common by all the owners of the properties that will use the tract or in public parking facilities. Required parking spaces for non-residential uses must be located on the site of the use or in parking areas within five hundred feet (500') of the development site property boundary.

##### 6. Stacked Parking:

a. The requirements for parking spaces and all parking area development standards continue to apply for stacked parking.

b. Stacked (individual mechanical lift), tandem, or valet parking is allowed for non-residential sites if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee or affidavit must be filed with the City ensuring that an attendant will always be present when the lot is in operation.

c. Tandem parking is allowed for residential sites if parking spaces (front and back stalls) are reserved or designated for a single unit. Each stall constitutes a separate stall as counted toward the total required number of parking stalls.

d. Stacked (multiple mechanical lift systems, or other automatic parking where individuals are not required to manually access and control the equipment) may be utilized for all uses without requiring an on-site attendant.

e. Proper equipment safety labels, operational protocols, equipment maintenance and other fire, life and safety issues

must be reviewed and approved by all applicable City departments and meet any International Building Code and any other applicable Plumbing, Electric, or Building Codes.

7. Buildings That Exceed Four (4) Stories: For parking for buildings that exceed four (4) stories in height, at least fifty percent (50%) of the parking shall be located within the exterior walls of the building or in a parking structure that is within seven hundred fifty feet (750') of the main building.

8. Parking And Access Review And Approval: In addition to Community and Economic Development Department review, the Streets Division and Engineering Division shall review the layout of parking areas, curb cut and access restrictions as set forth in chapter 17.72, "Off Street Parking And Motor Vehicle Access Standards", of this title. Parking for projects located along State Street shall also require approval from the Utah Department of Transportation (UDOT) related to access locations, curb cuts, and the like.

**B. Required Parking Spaces:**

1. Purpose: The purpose of required parking spaces is to provide enough on-site parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. Mixed-use sites that are located in close proximity to transit, have good street connectivity, and good pedestrian facilities may need less off-street parking than other types of development. Transit supportive plazas and bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to broad use categories, not specific uses, in response to this long term emphasis. Provision of carpool parking located close to the building entrance will encourage carpool use.

2. Required Parking Spaces For The M CCD: Table A of this section outlines the required number of spaces for each specified use category. The standards of table A of this section apply to the entire M CCD unless specifically superseded by other portions of this code.

TABLE A

**REQUIRED PARKING**

	<b>Required</b>	<b>Maximum</b>
Office	1 space/500 net usable sq. ft.	1 space/350 net usable sq. ft.
Medical/clinic	1 space/500 net usable sq. ft.	1 space/300 net usable sq. ft.
Retail	1 space/500 net usable sq. ft.	1 space/265 net usable sq. ft.
Restaurants	1 space/500 net usable sq. ft.	1 space/265 net usable sq. ft.
Residential (multi-family dwellings)	1 space/unit	1.25 spaces/unit (2 bedrooms or less) 1.4 spaces/unit (more than 2 bedrooms)
Disabled/accessible	See section 17.72.070 of this title. Other requirements as provided by the Americans With Disabilities Act	
Uses not listed	As determined by the Planning Commission based on the nearest comparable use standards	
Parking in excess of maximum	Parking in excess of the maximums outlined above may be approved by the Planning Commission if provided in parking structures or within the envelope of the building	

3. Joint Use Parking: Joint use of required parking spaces may occur where two (2) or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required non-residential parking spaces is allowed if the following documentation is submitted in writing to the City Planning Commission as part of a building or zoning permit application or land use review:

- a. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
- b. The location and number of parking spaces that are being shared;
- c. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
- d. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.

4. Limit On Size: If the total parking area of a project exceeds two (2) acres, it shall be divided into a series of separate lots. No single parking area shall exceed one (1) acre.

5. Carpool Spaces: For new commercial and non-residential portions of mixed-use buildings, the number of carpooling parking spaces equivalent to ten percent (10%) of the total automobile parking for each non-residential and mixed-use building on the site. Signage indicating carpool parking spots must be provided. Carpool parking must be within two hundred

feet (200') of entrances to buildings served.

6. Compact Stalls: Compact stalls may be used within the MCCD and shall not constitute more than fifteen percent (15%) of the total provided spaces for a use or development. In the case of parking structures, compact spaces shall be limited to fifteen percent (15%) of the total spaces in the structure. Minimum dimension for compact spaces shall be eight feet by sixteen feet (8' x 16').

7. Bicycle Parking: Bicycle parking may be substituted for up to ten percent (10%) of required parking. For every five (5) non-required bicycle parking spaces that meet the short or long term bicycle parking standards, the motor vehicle parking requirement may be reduced by one (1) space. Parking existing prior to the effective date hereof may be converted in accordance with this provision. Bicycle parking is required for most use categories to encourage the use of bicycles by providing safe and convenient places to park bicycles. These regulations ensure adequate short and long term bicycle parking based on the demand generated by the different use categories and on the level of security necessary to encourage the use of bicycles for short and long stays. Bicycle racks shall be placed on every development as follows:

- a. The minimum number of bicycle parking spaces for any use shall be five percent (5%) of the vehicular parking spaces required for such use, up to a maximum of twelve (12) spaces;
- b. At least two feet by six feet (2' x 6') per bicycle;
- c. Designed to have sufficient space, to be a minimum of twenty four inches (24"), beside each parked bicycle to allow access. This access may be shared by adjacent bicycles. Racks shall be installed a minimum of twenty four inches (24") from any wall or other obstruction;
- d. Located to prevent damage to bicycles by vehicles and the like;
- e. In a convenient, visible, lighted area;
- f. Located so as not to interfere with pedestrian movements;
- g. Located to provide safe access to and from the street;
- h. Designed to allow each bicycle to be supported by its frame;
- i. Designed to allow the frame and wheels of each bicycle to be secured against theft;
- j. Anchored to resist rust or corrosion, or removal by vandalism;
- k. Designed to accommodate a range of bicycle shapes and sizes and facilitate easy locking without interfering with adjacent bicycles;
- l. Bike lockers designed for long term storage may be substituted for up to half the required bicycle parking spaces;
- m. Except for bike lockers, bicycle parking must be located within fifty feet (50') of a building's primary entrance. (Ord. 19-40)

**17.170.150: LOADING AND SERVICE AREAS:**

Utilities, mechanical equipment placement and screening and service entries shall be considered early on in a project to minimize the impact both visually and acoustically and

to address safety concerns. The visual impacts of utilities and mechanical equipment and any service area canopy shall be minimized using the following techniques:

- A. Service entrances, waste disposal areas and other similar uses shall be located to the side or rear of buildings and shall be oriented toward service lanes and away from major streets;
- B. Service areas shall be positioned to minimize conflicts with other abutting uses;
- C. Screening walls/landscaping shall be provided to minimize visual impact of service and utility areas, using materials consistent with building design to integrate service and utility areas into design;
- D. Screen height shall be sufficient to conceal view from right-of-way and public areas of site;
- E. Screening shall be required for both ground level mounted and rooftop mounted mechanical equipment and utilities;
- F. Height of screening around outdoor/rooftop equipment shall be limited to the minimum height necessary to screen equipment from public view including adjacent properties' circulation routes;
- G. Mechanical equipment, satellite dishes, vents, flues, and associated penetrations shall not be located on a roof slope that faces the public right-of-way;
- H. Mechanical equipment may be screened by extension of the roof parapet if no rooftop equipment is visible from any public right-of-way within five hundred feet (500');
- I. Ground screening materials shall be of the same or complementary material/detailing as that of the main structure. (Ord. 19-40)

**17.170.160: OPEN SPACE/LANDSCAPING:**

- A. Each development shall have a system of pedestrian walkways and sidewalks that provide easy connections between the building entrances, neighboring building entrances, sidewalks, parking areas, open space and public trails. Sustainable landscaping including xeriscape species and innovative water recycling or irrigation systems is encouraged. All landscape plans must be approved by the City.
- B. Water conserving landscape designs shall be used. All landscaping must be irrigated and planted with substantial live plant material or appropriate xeriscape for the purpose of buffering, screening and beautifying the site, and shall comply with applicable landscape requirements found in chapter 17.68 of this title, except lawn shall not be required as stated in subsection 17.68.040A1a of this title. At plant maturity the landscaping shall represent compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.
- C. The preservation of existing trees located at least fifteen feet (15') outside of the building footprint is encouraged wherever possible. Applicants for new construction shall submit tree surveys in conjunction with landscaping plans in order to identify trees that may be preserved.
- D. Trees shall be spaced in order to provide shade for fifty percent (50%) of sidewalk length within five (5) years of planting when combined with shade provided by approved structures.
- E. Where new plant materials are to be used, indigenous species should be included. No more than fifty percent (50%) of the landscaping areas shall be turf. Where turf is specified, an eco-lawn mix shall be used. Appropriate, indigenous species of plant materials and trees will be established by Community and Economic Development staff and the City Forester.
- F. A one hundred foot (100') minimum setback shall be provided from top of bank of Little Cottonwood Creek to any structure. Top of bank shall be located by a licensed surveyor or engineer.
- G. Public spaces that are adjacent to wetlands or watercourse setbacks must have a native planting transition zone that blends into sensitive habitat areas.
- H. Fifteen percent (15%) of the area of each project shall be developed as landscaped setbacks, public plazas, parks open spaces, or walkways. In addition, each project shall have a system of pedestrian walkways and sidewalks that provide connections between building entrances, neighboring building entrances, sidewalks, parking areas, open spaces and walkways. Amenity areas provided in conjunction with multi-family uses will qualify as open space. (Ord. 19-40)

**17.170.170: SIGN REGULATIONS:**

- A. Signage in the MCCD shall be governed by the standards of the City Sign Code found in chapter 17.48 of this title unless modified by the standards below. In calculating allowed sign area for attached signs the standards of section 17.48.200 of this title related to signs in commercial and manufacturing zones shall apply. Residential buildings shall be limited to signage indicating the name and address of the project and required informational and regulatory signs such as lobby hours or parking garage wayfinding.
- B. Signs shall be designed in accordance with the MCCD design guidelines in relation to materials, color and sign type. New signs in the MCCD shall be considered a minor alteration requiring administrative design review approval.
- C. Wayfinding and directional signage related to parking and access up to a maximum of eight (8) square feet may be located on the same building or property or reasonably located elsewhere within the same project if necessity for such locations can be demonstrated through the design review process. (Ord. 19-40)

**17.170.180: NONCONFORMING USES AND DEVELOPMENTS:**

- A. Nonconforming uses shall be allowed to continue and expand in accordance with chapter 17.52 of this title. Establishment of permitted or conditional uses on properties that are nonconforming in relation to building or parking setback, landscaping, or other site development standards shall not be required to bring the site into conformance with the standards of this chapter until the cost of improvements or renovations to a property or site exceeds fifty percent (50%) of the assessed value of the buildings on the property.
- B. Applications for renovations or improvements to properties that are nonconforming in relation to development standards shall include a calculation of the cost of the improvements. (Ord. 19-40)