

## CHAPTER 17.170:

### MURRAY CITY CENTER DISTRICT, MCCD

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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.

**MCCD REVIEW COMMITTEE or COMMITTEE:** The committee established under chapter 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.

**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 MCCD 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 do 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: 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:

i. 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 guidelines.

ii. The proposal shall go before the MCCD Review Committee for its review and recommendation in relation to this chapter and the design review guidelines.

iii. 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:

i. The project is in general conformance with the current Murray City General Plan.

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

iii. The project conforms to the requirements of the applicable sections of the land use ordinance.

iv. The project does not jeopardize the health, safety, or welfare of the public.

v. The project is in harmony with the purpose of the M CCD Zone and adheres to the principles of the M CCD 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:

i. Overall building design including design character, alignment and setback, size, height, proportion, and scale of the building.

ii. Exterior facades including exterior walls and building materials, roof and parapet, storefronts including windows and doors, bulkheads, cornices, ornamental detail, color, and back entrances.

iii. Site landscape including pavement, steps, lighting, trees, and ground cover.

iv. Parking.

v. Lighting and other appurtenant fixtures.

vi. Signs and awnings.

vii. Public improvements.

viii. 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 M CCD Review Committee, which must forward a recommendation to the Commission. Members of the Planning Commission or M CCD 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: PERMITTED, CONDITIONAL, AND PROHIBITED 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. Uses permitted in the Murray City Center District (MCCD) are contained in Table A, below:

<b>Table A: Permitted Uses</b>	
<b>No.</b>	<b>Land Use Classification</b>
1120	Two-family dwelling in conjunction with mixed-use developments
1130	Multiple-family dwelling in conjunction with mixed-use developments
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).
5230	Paint, Glass, and Wallpaper
5250	Hardware and Supplies
5300	General Merchandise
5400	Food stores.

5600	Apparel and accessories.
5700	Furniture, Home Furnishings, and Equipment
5800	Eating and drinking places (except 5813; CUP required for drive-through sales).
5900	Miscellaneous retail trade (except 5935, 5938, 5939, 5980).
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).
6300	Business services, office only (except 6320, 6342, 6345, 6370, 6380, 6393, 6394, 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.
7200	Public assembly.
7300	Amusements.
7410	Bowling alleys.
7420	Playgrounds and athletic areas.
7430	Swimming areas.
7451	Archery range (indoor only).
7492	Picnic areas.
7600	Parks (public and private).
7900	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. Parking structures and other accessory structures and buildings which are used in conjunction with and are incidental to the principal uses and structures, are permitted. Accessory buildings and structures may 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 uses and structures contained in Table B, below, are allowed in the MCCD only after a conditional use permit has been approved by the Planning Commission and subject to the terms and conditions thereof:

<b>Table B: Conditional Uses</b>	
<b>No.</b>	<b>Land Use Classification</b>
3250	Pottery and related products (except 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. 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. Service windows, 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 unless allowed by an approved Master Site Plan.
6513	Hospitals.
6516.1	Assisted living facilities.

G. The following uses are prohibited in the MCCD Zone:

<b>Table C: Prohibited Uses</b>	
<b>No.</b>	<b>Land Use Classification</b>
5510	Motor vehicle sales.
5530	Service stations.
5590	Automotive, marine crafts, aircraft, 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: 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.

A. 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.

B. 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. Curbside Management Plans. New development and renovation projects shall include curbside management considerations with plans for the installation of public and private improvements. Curbside management planning must thoughtfully address:

1. The location of loading and unloading space for public transportation, ride-sharing, and micro-transit.
2. The location of consolidated, easily identifiable space for commercial freight loading and unloading if needed, and the accommodation of delivery for residential and commercial uses in the development.

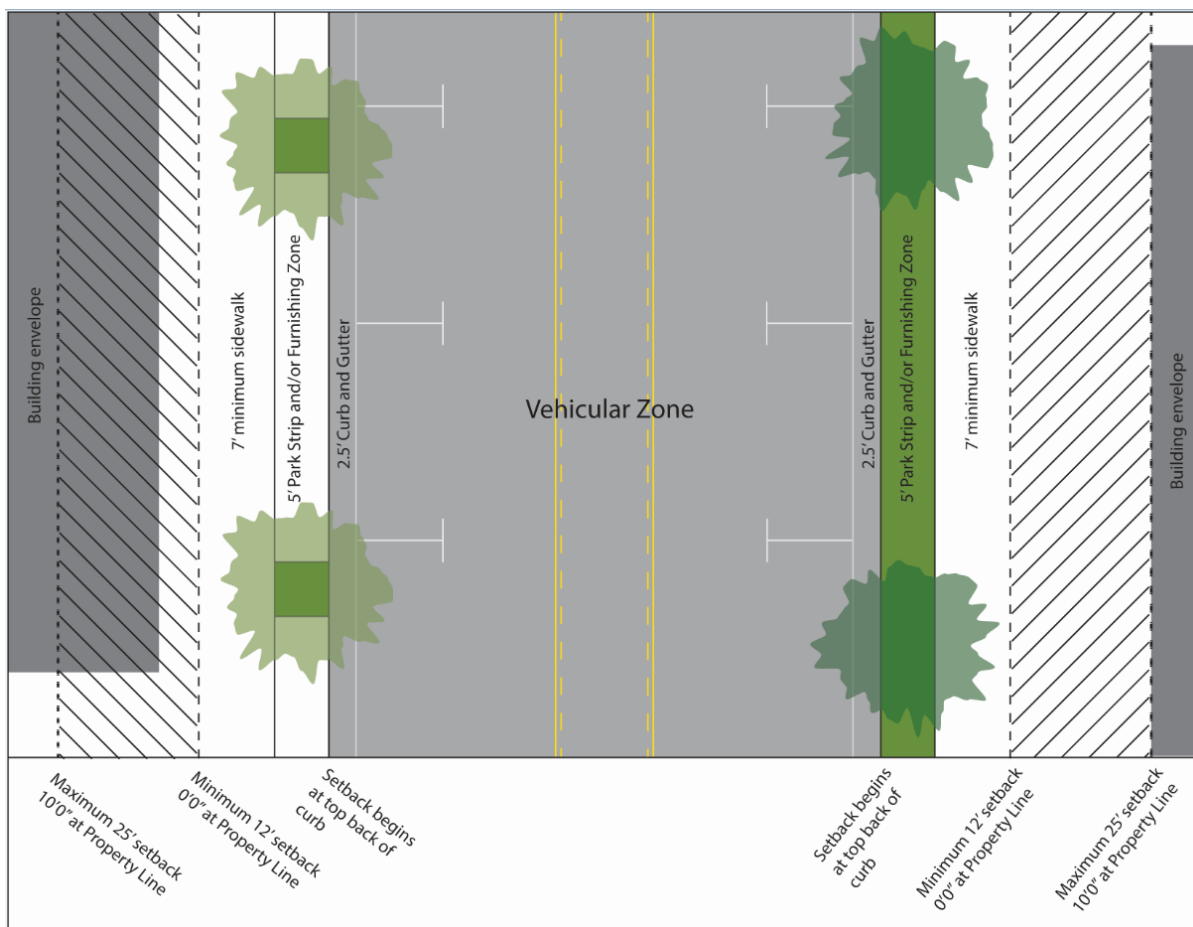
C. The improvements within the rights-of-way for public streets shall include, but not be limited to, the following standards:

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.

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

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

F. 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.



G. Block Length. To facilitate and promote human scale and pedestrian connectivity in development and redevelopment in the MCCD Zone, block lengths should not generally exceed 300'. In no case should a single building front, regardless of block length, exceed three hundred feet (300') with no physical break to allow either vehicular or pedestrian access through the building. Block length may be broken under this section by:

1. Intersection with an alley or pedestrian path. Only pedestrian paths with a minimum width of 15' may be considered to limit block length under this section.
2. Intersection with another interior access or public street.
3. The installation of midblock pedestrian crossings on interior access or public streets. Such crossings should be signalized where possible. Where signalized crossings are not possible the crossing should be signed, striped, or delineated with different colors or paving materials

#### 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 either be landscaped or used as pedestrian ways, plazas, courtyards, or 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-adjoining 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. Principal Streets. Principal streets in the MCCD are identified as Vine Street, 4800 South, State Street, Box Elder Street, and Hanauer Street.

P. Commercial uses shall occupy the width of the ground floor of multi-story residential buildings facing a principal street for a minimum depth of forty feet (40'). The balance of the ground floor may be occupied by residential uses or parking. Leasing offices and lobbies allowing access to the upper residential floors may occupy no more than fifteen percent (15%) of the ground floor or up to 1,800 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 principal street(s) 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.

Q. Live/Work Units. The inclusion of live/work units may be used to meet the requirement for commercial uses subject to the following considerations.

1. Excluding garage space, the entire ground floor of the live/work unit must be designed and used as commercial space.
2. Commercial spaces within the live/work unit that are used to satisfy the minimum commercial square footage or frontage requirements of this chapter may not be used for residential parking or storage.
3. The live/work unit's first story height must be a minimum of twelve feet (12').
4. Parking provided for live/work unit(s) must meet both the residential and commercial requirements of this chapter.
5. For developments on a parcel or combination of parcels greater than two (2) acres, live/work units may comprise no more than ten percent (10%) of the required commercial space.

R. Master Site Plan. 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 three (3) acres or greater. 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 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.** 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. The potential linkages to existing and future adjacent developments should be considered.

4. **Master Site Plan Agreement.** Mixed-use developments that require a Master Site Plan shall be approved in conjunction with a Master Site Plan Agreement between Murray City and the developer. The Master Site Plan Agreement 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.

a. **Required Elements.** The Master Site Plan Agreement must address the following components of the proposed project:

i. Allowed phasing of residential and commercial development components.

ii. Allowed residential densities.

iii. Required parking for all uses.

iv. Buffering of adjacent single-family residential zones.

v. Adequate public facilities and services.

vi. Establishment, maintenance, or enhancement of commercial elements.

5. **Master Site Plan Application Requirements.** When making applications for Master Site Plan approval to the Planning Commission, the applicant shall provide, at a minimum, the following:

a. **Traffic Impact Study.** The study must be prepared by a licensed traffic engineer and analyze the traffic impacts of the proposed development on surrounding public and private transportation facilities.

b. **Parking Analysis.** The applicant must prepare a parking analysis for the proposed mix of uses, demonstrating that the project's parking and circulation needs can be accommodated.

c. **Adequate Public Utilities & Facilities Review.** In order to determine the availability of and impact upon public facilities and services the applicant shall conduct a review of all public utilities including power, water, sanitary sewer, and storm water with the Public Works Department.

d. **Public Services Review.** The City may require review of the project's impact upon services including Police, Fire, Schools, Parks, and others.

S. **Residential Densities in Mixed Use Projects.** Residential uses are allowed only in projects with associated commercial components as required by this chapter. Greater residential density in mixed-use development is allowed where access to public transportation and the availability of on-site and

nearby services limit the need for and impact from vehicle use by residents. Allowed residential densities in the MCCD Zone are categorized by development east and west of State Street.

1. The maximum residential density for a development or redevelopment project located on property in the MCCD Zone west of State Street shall not exceed one hundred (100) units per acre. (Ord. 19-40)
2. The maximum residential density for projects located on property in the MCCD Zone east of State Street shall not exceed 80 units per acre.
3. Adequate Public Facilities & Services Review. In order to determine the availability of and impact upon public facilities and services the applicant shall conduct a review of all public utilities including power, water, sanitary sewer, and storm water with the Public Works Department. Review of a proposed development's impact upon other services including Police, Fire, Schools, Parks, and Community and Family Services may also be required.

17.170.120: HEIGHT REGULATIONS: The following height restrictions shall apply in the MCCD Zone.

- A. Buildings shall not exceed ten (10) stories in height or one hundred thirty-five feet (135') whichever is less. A pedestrian scaled façade must be provided on lower floors.
- B. For new buildings located west of State Street and south of 4800 South, a minimum height of forty feet (40') or four (4) stories, whichever is less, is required.
- C. Buildings located east of State Street are exempt from the minimum height requirement.
- D. The height of a structure located adjacent to a residential zoning district may not exceed fifty feet (50') within sixty feet (60') of a residential zoning district.
- E. On properties located north of Court Avenue that are adjacent to Center Street, buildings shall not be erected to a height greater than thirty five feet (35').
- F. 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. 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.

1. 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.

2. Calculation 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 B4 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 B4 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.

3. 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 B4 of this section. Required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.

4. 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.

5. Buildings That Exceed Four (4) Stories. 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 or structures. 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 17.76.090 of this title, the height limitations shall not apply to architectural screening for mechanical equipment, church steeples, or decorative tower elements.

6. Parking structures and decks should provide the majority of parking in the MCCD Zone.

a. Direct Access Required. Parking decks and structures must provide direct, interior, or weather protected access to the buildings, uses, and projects that they serve.

b. Exception. The Planning Commission may approve parking intended to fill commercial requirements in structures located up to three hundred feet (300') from the commercial location if it can be shown to be necessary.

c. Wayfinding signage and marked pedestrian pathways through structures and sites must be provided in all structured and surface parking.

7. On-street parking adjacent to the development parcel shall not count toward the minimum parking required by this chapter.

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

9. 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. Requirement of Parking Spaces. 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. The MCCD Zone encourages the inclusion of transit supportive plazas and bicycle parking to encourage transit use and bicycling by employees and visitors to the site, reducing the need for off-street vehicle parking over time. 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.

1. Parking Requirements East and West of State Street. The residential and commercial parking requirements for developments and redevelopment of property in the MCCD Zone are contained in Table D, below.

<b>Table D: Parking Requirements</b>	
<b>Land Use</b>	<b>Parking Spaces Required</b>
Residential, Studio	1 space per unit
Residential, 1-bedroom	1.05 spaces per unit
Residential, 2-bedroom	1.5 spaces per unit
Residential, 3-bedroom +	2.5 spaces per unit
Office	1 space per 500 ft <sup>2</sup> net usable floor area
Medical/Dental Offices & Clinics	1 space per 500 ft <sup>2</sup> net usable floor area
Retail/Commercial	1 space per 500 ft <sup>2</sup> net usable floor area
Restaurants / Eating & Drinking Establishments	1 space per 500 ft <sup>2</sup> net usable floor area
Uses not listed	As determined by the Planning Commission based on comparable standards
Disabled / ADA Accessible	See Section 17.72.040 of this title. Other requirements per the Americans with Disabilities Act
Parking in excess of 125% of minimum requirements	Allowed as approved by the Planning Commission if provided within structures or the building envelope

2. 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 Planning Commission:

- 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.
- d. A legal instrument such as a cross-access and parking easement or deed restriction that guarantees continued access to the parking for both uses.

3. 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.

4. Carpool Spaces: Carpool spaces shall be designated for new commercial and non-residential portions of mixed-use buildings at a number 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, and the spaces must be within two hundred feet (200') of entrances to buildings served.

5. 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').

6. Bicycle Parking: 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 provided 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: LANDSCAPING, OPEN SPACE, AND PROJECT AMENITIES:

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.

F. A fifty foot (50') minimum setback shall be provided from top of bank of Little Cottonwood Creek. No buildings, parking facilities, or vehicular accesses may be placed in the required setback. The Planning Commission may approve pedestrian, bicycle, or multi-use paths and trails and other open space improvements or amenities within the setback if they are not disruptive. 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)

I. Project Amenities must be provided in each mixed-use development. Developments with up to one hundred (100) units must provide a minimum of one (1) project amenity. Projects with more than one hundred (100) units must provide one (1) additional amenity for each additional one hundred (100) units or portion thereof. Project amenities can include both indoor spaces such as club houses and exercise facilities, and outdoor spaces such as walking paths, dog parks, playgrounds, pools. For required amenities, selections may be made from the list below. The Planning Commission may consider and approve the use of other amenities not anticipated here.

1. Playing fields.
2. Sport Courts.
3. Playground areas (to include four pieces of playground equipment minimum.)
4. Picnic areas.
5. Tennis courts.
6. Swimming pools.
7. Exercise rooms, gymnasiums.
8. Club rooms.
9. Outdoor patios areas.
10. Gazebos.
11. Walking paths.
12. Multi-purpose trails.
13. Dog parks.
14. Nature paths with improvements.
15. Climbing Walls and Gyms.
16. Amphitheaters and outdoor entertainment areas.
17. Tot-lots (may consist of single playground equipment with seating adjacent.)
18. Community gardens.
19. Interactive fountains and water features.

17.170.170: SIGN REGULATIONS: 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.

A. 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.

B. 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, property, or within the same project. Such signage may also be reasonably located off-site within the same district if the necessity for such locations can be demonstrated through the design review process. (Ord. 19-40)

17.170.180: 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. 19-40)