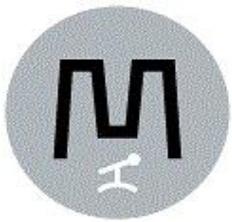




**MURRAY**  
CITY COUNCIL

# Council Workshop

## February 18, 2022



**Murray City Municipal Council**  
**Notice of Meeting**  
**Friday, February 18, 2022**  
**Murray City Center**  
5025 South State Street, Murray, Utah 84107

## **City Council Workshop**

### **Meeting Agenda**

**9:00 a.m.      Council Chambers**

Kat Martinez conducting

1. Introduction and Overview – Kat Martinez
2. Overview and Training on Robert’s Rules – G.L. Critchfield
3. Review of City Terms and Definitions – Jennifer Kennedy
4. Review and Discussion of Mixed-Use Ordinances – Jared Hall
5. Adjournment

On Monday, February 14, 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 Municipal Council



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**Call to Order  
Kat Martinez,  
Council Chair**



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# Overview and Training on Robert's Rules



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# Review of City Terms and Definitions



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# Review and Discussion of Mixed-Use Ordinances



**MURRAY**  
CITY COUNCIL

**July 20, 2021**  
**City Council**  
**Meeting Minutes**

# **Murray City Municipal Council Chambers**

## **Murray City, Utah**

**Tuesday, July 20<sup>th</sup>, 2021**

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The Murray City Municipal Council met on Tuesday, July 20, 2021, at 6:30 p.m. (or as soon as possible thereafter) for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

The public was able to view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>. A recording of the City Council meeting can be viewed [HERE](#).

**Council in Attendance:**

Kat Martinez	District #1
Dale Cox	District #2
Rosalba Dominguez	District #3 – Conducting
Diane Turner	District #4 – Council Chair – Conducting
Brett Hales	District #5 – Council Vice-Chair
Jennifer Kennedy	Council Director

**Administrative Staff in Attendance:**

Blair Camp	Mayor (Excused)
Doug Hill	Chief Administrative Officer
Jennifer Heaps	Chief Communication Officer
GL Critchfield	City Attorney
Brenda Moore	Finance and Administrative Director
Melinda Greenwood	Community & Economic Development Director
Jared Hall	Community Development Supervisor
Danny Astill	Public Works Director
Ben Ford	Wastewater Superintendent
Brooke Smith	City Recorder
Jon Harris	Fire Chief
Travis Bodtcher	Fire Captain
Craig Burnett	Police Chief
Robert White	IT Director

**Others in Attendance:**

Charles Turner	Jann Cox	Pam Cotter	Eliot Setzer
Ridley Griggs	Steve Jones	Earl Fink	Janice Strobell
Clark Bullen	Camron Kollman	Lawrence Horman	Kathryn Lichfield
Corey Brand	Jesse Allen	Tyler Morris	

## **Opening Ceremonies**

Call to Order – Councilmember Dominguez called the meeting to order at 6:45 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Pamela Cotter.

## **Approval of Minutes**

None scheduled.

## **Special Recognition**

### **1. Murray City Council Employee of the Month, Travis Bodtcher, Captain**

Presenting: Brett Hales, Councilmember and Jon Harris, Fire Chief

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

Mr. Bodtcher has worked for the city for the past 11 years and has known Councilmember Hale's family for a long time.

Chief Harris said in July of 2019 a new position was approved for Training Officer. The purpose of this position was to help organize and provide consistency to the training program. Mr. Botcher was promoted to this position and coordinated several classes and drills, many involving several fire departments throughout the valley. During his time as a Training Officer, the new Fire Station 81 was completed. Mr. Botcher helped with the move and was instrumental in helping surplus old equipment from the old station, resulting in thousands of dollars back into the general fund.

Part of the plan for the Training Officer position is that employees only hold this position for 2 years. Mr. Bodtcher has since moved back on shift as a Fire Captain, however, the momentum he has created will ensure the position continues to be successful.

Chief Harris presented Mr. Botcher with a Challenge coin presented from Chief Harris's office.

Captain Bodtcher introduced his family and share how much fun he had in this training position. One of the best things about the position was getting to know other firefighters.

Councilmembers thanked Captain Bodtcher for his service, and they appreciate him being a part of Murray City.

## **Citizen Comments**

No comments were received.

## Consent Agenda

None scheduled.

## Public Hearings

Staff, sponsor presentations, and public comments will be given prior to Council action on the following matter. The Council Meeting Agenda Packet can be found [HERE](#).

### 1. Consider an ordinance on the text amendments to the MCCD, TOD, MU, and new MU Zones.

Presentation: Melinda Greenwood, Director of Community Development and Jared Hall, Community Development Supervisor

PowerPoint Presentation: Attachment A - Lane Use Ordinance Text Amendments, Mixed Use Zoning

A Temporary Land Use Restriction (TLUR) was adopted to allow the City to consider amendments to the mixed-use zones to address concerns about required parking, residential densities, commercial requirements, and design considerations like buffering, landscaping design, and open space. The TLUR will expire on August 1, 2021.

Jared Hale presented the three Existing Mixed-Use zones in the area:

- 1) Murray City Center District (MCCD)
- 2) Transit-Oriented Development (T-O-D), and
- 3) Mixed-Use Zone (MU).

Staff is proposing two new zones:

- 1) Center's Mixed-Use Zones (CMU) and
- 2) Village Mixed-Use Zone (VMU).

These two new zones are considered a lighter version of the traditional Mixed-use zones developed near transit and help fill gaps in coverage which would reduce the number of zoning changes the council would need to consider in the future.

#### Center's Mixed-Use Zones (CMU)

- Parking based on bedroom counts, assumption of good joint-use parking availability
- Base residential densities of 35 units per acre, with possible increases to 40 and 45
- Increased density is tied to several factors, including commercial space beyond the required.

#### Village Mixed-Use (VMU)

- Higher parking requirements than CMU
- The base residential density of 25 units per acre, with possible increases to 30 and 35
- Allowable reduction in commercial requirements, tied to additional amenities, affordable housing, and other considerations
  - There could be a possible reduction of commercial requirements if the

developer made a proposal that created more open space and amenities or built more affordable housing.

Both of these new zones would be considered for three-acre sites or greater. In addition, applications for one of these zones would require a Traffic Impact Study, Parking Analysis, Adequate Public Utilities and Facilities Review, and Public Services Review (may be required) for Police, Fire, Parks, Schools, and other services. These requirements must come in with a Master Site Plan Agreement (formerly the Memorandum of Understanding).

#### **Transit-Oriented Development (TOD)**

- Residential parking requirements have been increased, and are based on bedroom counts
- Residential density remains 100 units per acre
- Ground floor commercial is required at a depth of 40' along principal streets

#### **Murray City Center District (MCCD)**

- Residential parking requirements have been increased, and are based on bedroom counts
- Residential density remains 100 units per acre west of State Street, 80 units per acre east of State Street
- Ground floor commercial is required at a depth of 40' along principal streets

The council discussed with staff residential density and parking requirements due to the housing shortage, increased rents, and additional commercial development.

Ms. Greenwood reported that the city did have an independent parking analysis done and the study results recommended the city use the Urban Land Institute Parking ratios as best practices for the downtown area. After several discussions with staff, the city is proposing an increase to the recommended parking recommendation and feel confident in the unified parking recommendations for each of the mixed-use zones being proposed.

Council asking for a brief explanation on how these zones would affect The Point at 53<sup>rd</sup> project?

Mr. Hall responded that this area is currently zoned commercial, and the new zone (CMU) would allow them to develop residential property in the area. With the proposed zoning changes, the residential density would be cut in half, from what could be developed.

#### **Murray Central Mixed-Use (MCMU) (formerly known as Mixed-Use, M-U)**

- Residential parking requirements have been increased, and are based on bedroom counts
- Residential density ranges from 40 units per acre up to 80 units per acre, based on the distance to the station platform
- Ground floor commercial is required at a depth of 40' only along principal streets. Reduction of the required commercial is allowable within a matrix of additional amenities and open space, affordable housing, and reduced density.

This zone would be divided into two sub-zones: East and West Sub-districts, which will allow mixed-use development in the area west of the I-15 corridor, but at a more limited and appropriate scale.

MCMU East Sub-district and MCMU West Sub-district maximum allowed residential density will be allowed based on the distance to Murray Central Station Platform and parking requirements will be allowed based on the number of bedrooms.

In both these zones, there is an optional reduction of commercial requirements if certain factors are hit. For example: reducing residential density per acre, creating more open space and amenities, or building affordable housing.

The Planning Commission reviewed the framework for the proposed amendments and new zones on July 2, 2021, and a public hearing was held on July 15, 2021. The Commission's recommend approval to the City Council.

The small areas plan map from the 2017 General Plan along with several other identifies these areas of potential change. The 2017 General Plan also identifies the future introduction of residential uses to some commercial zones and areas.

Councilmember Turner asked about the "may" requirement language for Public Services Review (Police, Fire, Parks, School, or other services).

Mr. Hall responded this type of information will be required but the "may" language was added to allow flexibility about when a formal Public Service review will be done.

Ms. Greenwood clarifies that when there is a zone change, all the departments are given an opportunity to weigh in. The "may" requirement would be a more formal request depending on the type of proposal and where it is at in the development stage. The department approval process would not be bypassed instead this allows the ability to require additional reviews if required.

Attorney Critchfield clarifies that we do have an internal review process, the "may" requirement is to create additional review options with a developer if needed.

Councilmember Turner would appreciate more encouragement for green or environmental practices.

Attorney Critchfield and Ms. Greenfield reminded the council that Mr. Hall has taken the council's previous request about density, parking, and affordable housing and drafted an ordinance with those specific provisions. However, with each request mentioned tonight, the city has to look at the entire code again to make sure the ordinance still works, and other areas are updated correctly. Due to the time constraint of the memorandum expiring the goal tonight is to pass something and then work on those additional requirements in a future meeting.

The council appreciates how hard staff has worked on this proposal but would like more time to consider the proposal.

## Citizen Comments

Corey Brand, Galleria Project – In person

Mr. Brand addressed in an e-mail a letter that was sent to staff and council. He represents the owners of the Galleria Project. They own almost all of the land described in MCMU West proposed zoning area (approx. 27 acres). He has concerns with the parking ratio being higher than the national standard, the differences between 3 stories and 35 feet, and the defined use of commercial and the educational aspect.

Janice Strobell, - In-person

Ms. Strobell asked if text amendments will also be a public hearing? She would like the citizen comments to continue if no vote is held tonight. She reminded the council that transitioning to a thriving mixed-use area takes years and asked, what is being done to mitigate the empty commercial spaces now? She also has concerns about public parking downtown, to quote Mr. Hall, “Best investment we could make would be in public parking downtown.” We need to look at MCCD as a whole. All mixed-use development downtown, even if under 3 acres, should have a Master Site Plan. Open space should be a requirement in all mixed-use developments. Fine-tuning revisions need to be done quickly.

Tyler Morris – In person

Mr. Morris spoke specifically about the MCMU Westside. He represents Cottonwood Residential and shared with the council that from an operational point of view, one of the worst things a developer can do is under-park a project. It impacts rents, vacancy, and reputation in the rental market. He believes the staff has done a great job dialing in the parking requirements. He also pointed out that one unintended consequence is if parking is heavy, then developers won’t build them.

Lawrence Horman – In person

Mr. Horman requested new development be stacked in layers. For example, first-level business, second-level parking, third-level residential, and fourth-level open space (on top) to help cool the building. Also, low-income housing is in short supply and anything that can help do this would be appreciated.

Jesse Allen, GSBS

Mr. Allen's comments were related to the letter written by Corey Brand regarding the MCCD-West proposed zoning ordinance. His two main concerns were: 1) 100' setback from single-family residential zone allowed to go to 3 stories' when across a public street; and 2) proposed project provides trail connections and open space. Mr. Allen appreciated the hard work and collaboration with Murray's staff during this time.

The public hearing was closed.

## **Discussion**

Councilmember Hales, Martinez, Cox, and Turner agree and do not want to postpone the vote unless the proposed ordinance can be tweaked. Councilmember Martinez says for the sake of time and getting something on the books she recommends the council move forward tonight and then create a wish list and consider specific text amendments later on. The council agrees that the proposal tonight is very reasonable, and they know that this ordinance is a work-in-progress and not set in stone. In addition, this ordinance is a huge improvement from what was allowed before and can always be changed moving forward.

Councilmember Turner would like a better understanding of the text amendment process.

Mr. Hill recommends council work with Jennifer Kennedy to identify the concerns they have. Ms. Kennedy can then work with city staff and after research is conducted, we can schedule a time during the committee of the whole and consider the request.

Councilmember Cox wants to make sure the council pays attention to the developer's needs as well.

Councilmember Dominguez commends staff for all the work that has been put into this ordinance and thanks to the staff for their hard work. In the future, she would like better communication with administrative staff on big projects like this and recommends one-on-one meetings to have a better understanding of projects like this before the council meeting.

## **MOTION**

Councilmember Cox moved to approve the ordinance. The motion was SECONDED by Councilmember Turner. Effective Immediately upon recording.

### *Council roll call vote:*

*Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox, Councilmember Dominguez*

*Nays: None*

*Abstentions: None*

*Motion passed 5-0*

## **Business Item**

1. Consider a Joint Resolution of the Taylorsville-Bennion Improvement District (TBID) and of the Murray City Municipal Council declaring an intent to adjust their common service area boundary.

Presenting: Danny Astill, Director of Public Works

District: Taylorsville-Bennion Improvement District

The City has worked with Taylorsville-Bennion (TBID) Service District to coordinate water and wastewater services. To make sure fees and taxes are applied appropriately, TBID requested

that the common service boundaries be formalized through a joint resolution. On page 552, of the Council Packet ([HERE](#)) there is a map of the affected service area. The white line is Murray City's boundary and won't change. What will change is the service area highlighted in red and green areas. Currently, Murray City is servicing both water and sewer in the red highlighted area. In the green area, Murray is servicing sewer there but because of the land elevations, Murray city cannot provide water. TBID is moving their boundaries to show that they are servicing the area in green.

Mr. Astill did share that the TBID does charge a tax increment for the areas that they service so once a year after the property taxes are paid, the following quarter, the citizens on their water services will get a rebate for the sewer.

Attorney Critchfield clarified that this is a Public Hearing and not a Business Item. The meeting was open for public comment.

### **Citizen Comments**

No comments were made.

### **MOTION**

Councilmember Martinez moved to approve the Joint Resolution. The motion was SECONDED by Councilmember Hales.

*Council roll call vote:*

*Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox, Councilmember Dominguez*

*Nays: None*

*Abstentions: None*

*Motion passed 5-0*

**2. Consider a resolution approving the Wastewater Master Plan.**

Presenting: Danny Astill, Director of Public Works, and Ben Ford, Wastewater Supervisor

Presentation: Wastewater Collection System Master Plan (A copy of the Master Plan can be found on pages 556-615 on July 20, 2021, Council Meeting Packet-Final [HERE](#))

Mr. Ford shared that earlier in the month (on July 6, 2021), during the Committee of the Whole meeting, he presented the Wastewater Master Plan and tonight they are requesting approval of the Plan.

The Wastewater Collection System Master Plan outlines the history of our system, the methodologies deployed to develop the findings, and identifies any help to set priorities for the next five to 10 years. Hansen Allen Luce Engineers helped create the Master Plan.

### **MOTION**

Councilmember Hales moved to approve the ordinance. The motion was SECONDED by Councilmember Turner.

*Council roll call vote:*

*Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez,*

*Councilmember Cox, Councilmember Dominguez*

*Nays: None*

*Abstentions: None*

*Motion passed 5-0*

**Mayor's Report and Questions**

Doug Hill shared the following update:

- Mayor Camp was excused.
- Four of our firefighters and one of our brush trucks were sent to Oregon for approximately 16 days to assist with the firefighting efforts in that state.
- This Friday (July 23), the outdoor pool will have a Movie in the Pool – Soul Surfer. Registration is required in advance at Parks and Rec. office.
- The city offices will be closed on Friday, July 22 in honor of the Pioneer Day holiday.

Councilmember Martinez reminded the citizens that there were no firework-related fires over the 4<sup>th</sup> of July and hope that citizens maintain the same safety measures over the 24<sup>th</sup>.

Councilmembers shared their appreciation to the mayor, staff, and audience.

**Adjournment**

The meeting was adjourned at 8: 47 p.m.

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Brooke Smith, City Recorder

Attachment A: Land Use Ordinance Text Amendments, Mixed Use Zoning

# Attachment A: Land Use Ordinance Text Amendments, Mixed Use Zoning

## Land Use Ordinance Text Amendments, Mixed Use Zoning

Chapter 17.146, Mixed Use Zone; Chapter 17.168, Transit Oriented Development Zone; Chapter 17.170, Murray City Center District Zone;

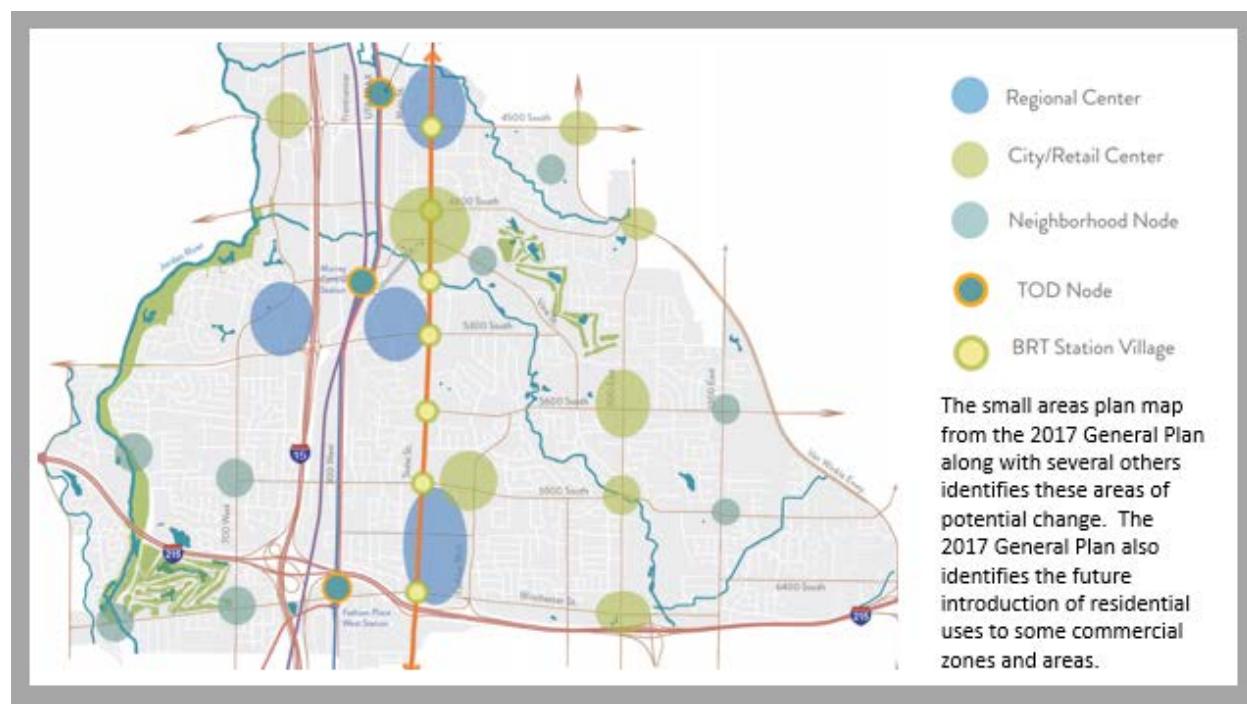
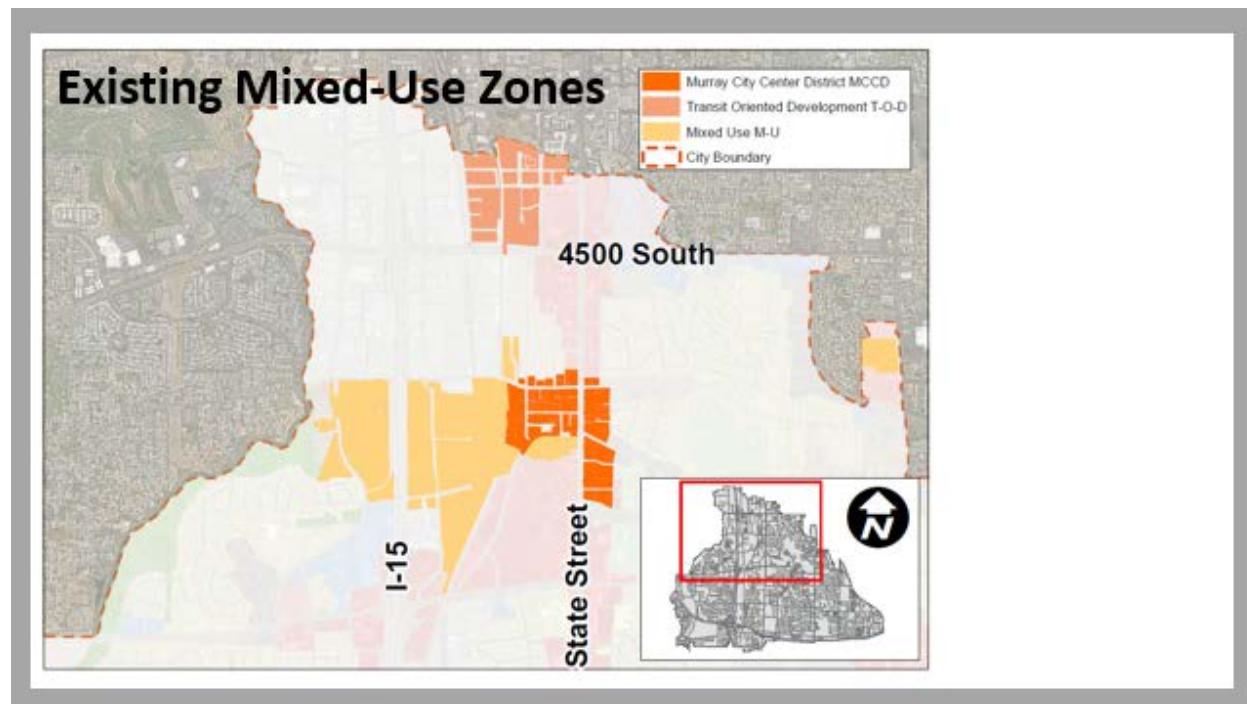
Addition of Chapter 17.162, Centers Mixed-Use and 17.164, Village Mixed Use



## Why are we here?

A Temporary Land Use Restriction (TLUR) was adopted to allow the City to consider amendments to the mixed-use zones to address concerns about required parking, residential densities, commercial requirements, and design considerations like buffering, landscaping, and open space.







## Centers Mixed-Use, CMU

- Parking based on bedroom counts, assumption of good joint-use parking availability
- Base residential densities of 35 units per acre, with possible increases to 40 and 45
- Increased density tied to several factors, including commercial space beyond the required



## Residential Density – CMU Zone

Table C: Residential Density Increase in the CMU Zone

Additional Maximum Residential Density	Open Space & Project Amenities	Affordable Housing	Commercial Space
40 units per acre: meet the requirements for one of the 3 categories	10% increase in total 2 additional project amenities	15% reserved for tenants at <80% AMI (area median income)	13% above required commercial
45 units per acre: meet the requirements for two of the three categories	10% increase in total with public availability of 25% of the total, or: 20% increase in total area 4 additional project amenities	15% reserved for tenants at <80% AMI 10% reserved for tenants at <60% AMI	30% above required commercial



## Village Mixed-Use, VMU

- Higher parking requirements than CMU
- Base residential density of 25 units per acre, with possible increases to 30 and 35
- Allowable reductions in commercial requirements, tied to additional amenities, affordable housing, and other considerations



## Residential Density – VMU Zone

Table C: Residential Density

Additional Maximum Residential Density	Open Space & Amenities	Affordable Housing
30 units per acre: meet the requirements for one of the two categories	2 additional outdoor amenities / 10% increase in total open space	10% of units reserved for household incomes no more than 80% of AMI
35 units per acre: meet the requirements for one of the two categories	4 additional outdoor amenities / 15% increase in total area; or 10% increase with public accessibility of at least 25% of the open space	15% of units reserved for household incomes no more than 80% of AMI



## Reduction of Commercial Requirement, VMU Zone

Table D: Allowance for the Reduction of Required Commercial

Reduction of Required Commercial	Open Space & Amenities	Affordable Housing
80% of required	1 additional outdoor amenity / 5% increase in total open space	10% of units reserved for household incomes no more than 80% of AMI
65% of required	2 additional outdoor amenities / 10% increase in total open space	15% of units reserved for household incomes no more than 80% of AMI
50% of required	3 additional outdoor amenities / 15% increase in total open space – or 10% increase with public availability to 25% or more of the open space	10% of units reserved for household incomes no more than 80% of AMI, 10% of units reserved for household incomes no more than 60% of AMI
40% of required	4 additional outdoor amenities / 20% increase in total open space – or 15% with public availability to 25% or more of the open space	15% of units reserved for household incomes no more than 80% of AMI, 10% of units reserved for household incomes no more than 60% of AMI

## Residential Parking – CMU & VMU

Table D: Required Parking in the CMU Zone

Land Use	Minimum Required Parking
Residential – Studio	1.15 spaces per unit
Residential – 1 bedroom	1.5 spaces per unit
Residential – 2 bedroom	1.85 spaces per unit
Residential – 3+ bedroom	2.5 spaces per dwelling unit

Table E: Required Parking in the VMU Zone

Land Use	Minimum Required Parking
Residential – Studio	1.25 spaces per unit
Residential – 1 bedroom	1.5 spaces per unit
Residential – 2 bedroom	2.15 spaces per unit
Residential – 3+ bedroom	2.65 spaces per dwelling unit



## Where does Mixed-Use Zoning Belong?



## Next? Master Site Plan

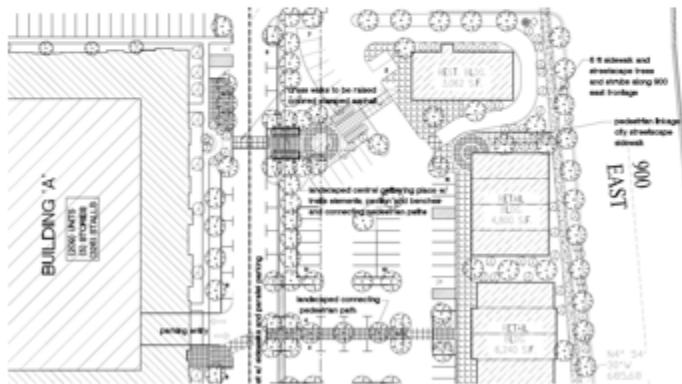
Applicant for Master Site Plan approval **MUST** provide:

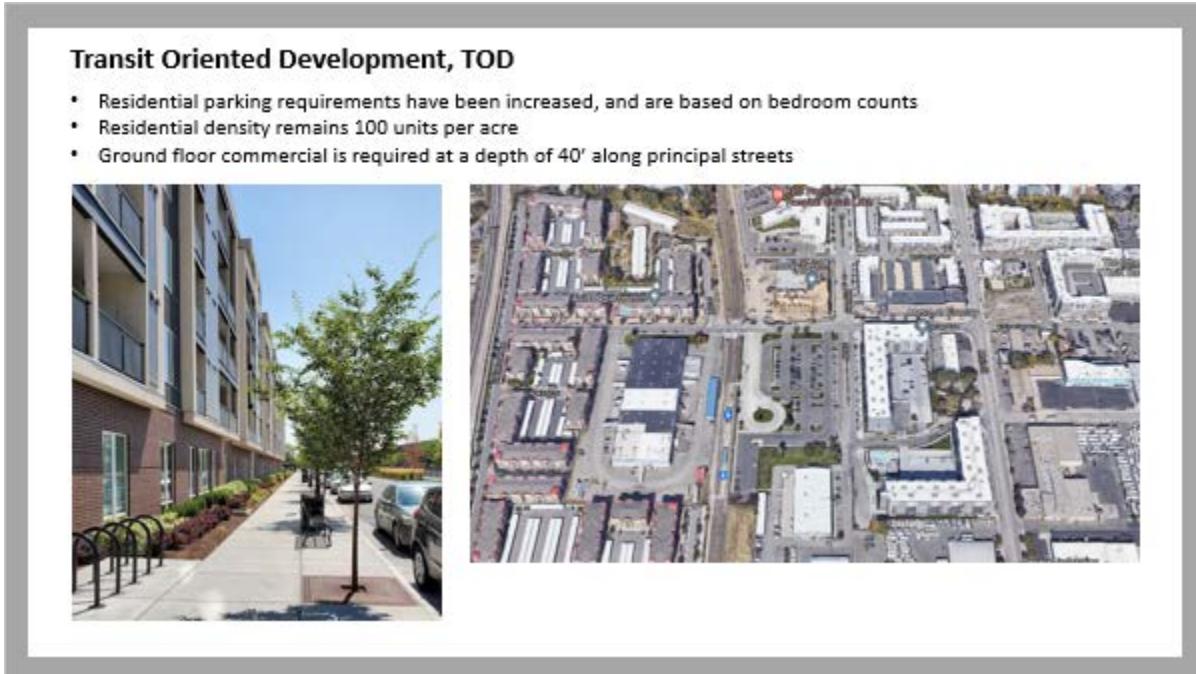
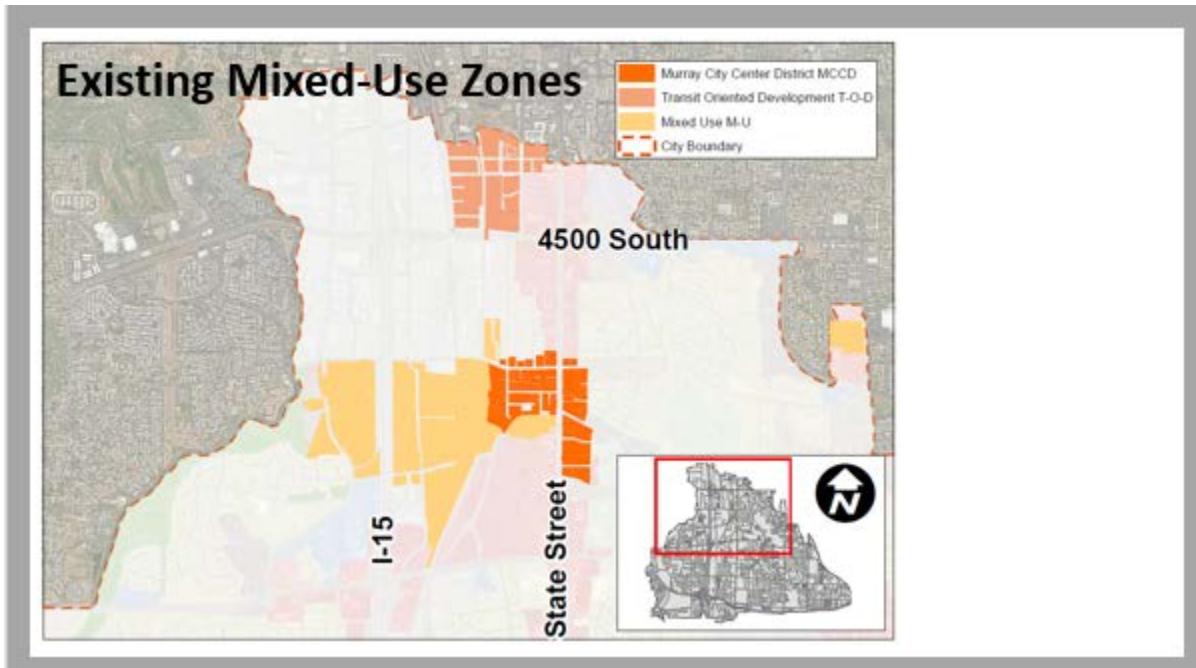
- Traffic Impact Study
- Parking Analysis
- Adequate Public Utilities & Facilities Review
- Public Services Review (may be required) – Police, Fire, Parks, Schools, or other services.



### Master Site Plan, Required Components:

- Building Orientation to private streets and access, not parking lots.
- Provide a Central Feature to unify the commercial and residential.
- Buildings to form outdoor spaces linked by pedestrian walkways.
- Must be approved in conjunction with a Master Site Plan Agreement (formerly the Memorandum of Understanding)





### Murray City Center District, MCCD

- Residential parking requirements have been increased, and are based on bedroom counts
- Residential density remains 100 units per acre west of State Street, 80 units per acre east of State Street
- Ground floor commercial is required at a depth of 40' along principal streets



### Residential Density and Parking – MCCD & TOD

Residential Parking Requirements

	Studio	1 bedroom	2 bedroom	3 bedroom +
TOD	1	1.05	1.5	2.5
MCCD	1	1.05	1.5	2.5

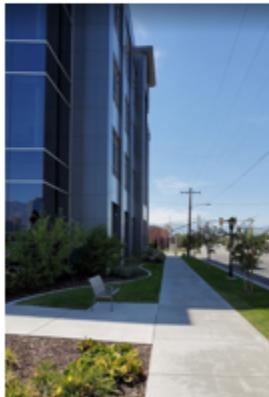
Residential Density in the TOD and MCCD

	TOD	MCCD
Current	unlimited	100 units per acre
Proposed	100 units per acre	100 units per acre west of State Street, 80 units per acre east of State Street



### Murray Central Mixed Use, MCMU (formerly Mixed-Use, M-U)

- Residential parking requirements have been increased, and are based on bedroom counts
- Residential density ranges from 40 units per acre up to 80 units per acre, based on distance to the station platform
- Ground floor commercial is required at a depth of 40' only along principal streets. Reductions of the required commercial are allowable within a matrix of additional amenities and open space, affordable housing, and reduced density



### East and West Subdistricts

All of the area of the current M-U Zone west of Commerce Drive was removed from the "Mixed Use" designation on the Future Land Use Map during the adoption of the 2017 General Plan, recognizing limitations for mixed-use development with strong connections to the TRAX station in that area.

The MCMU Zone is proposed to be divided into East and West Subdistricts, which will still allow mixed-use development in the area west of the I-15 corridor, but at a more limited and appropriate scale.



## Residential Density and Parking – MCMU Zone

Table C: Maximum Allowed Residential Density

Distance to Murray Central Station Platform	1/8 mile	1/4 mile	1/2 mile	>1/2 mile
MCMU East Subdistrict	80	65	50	40
MCMU West Subdistrict	40	40	40	40

\*If the measured walking distance from the project to the station platform is more than 1/2 mile, the maximum allowed residential density is limited to 40 units per acre

Table F: Required Parking in the MCMU Zone

	MCMU East Subdistrict	MCMU West Subdistrict
Residential – Studio	1 spaces per unit	1.25 spaces per unit
Residential – 1 bedroom	1.25 spaces per unit	1.5 spaces per unit
Residential – 2 bedroom	1.5 spaces per unit	2.15 spaces per unit
Residential – 3+ bedroom	2.5 spaces per unit	2.65 spaces per unit

## Reduction of Commercial Requirement, MCMU Zone

Table D: MCMU East Subdistrict, Reduction of Required Commercial

Reduction of Required Commercial	Reduction of Allowed Residential Density per Acre	Open Space & Amenities	Affordable Housing
75% of required commercial: fulfill one (1) option	5-9 units	2 additional outdoor amenities / 5% increase in total open space	10% of units reserved for tenants with household incomes no more than 80% of AMI
60% of required commercial: fulfill two (2) options	10 units	2 additional outdoor amenities / 10% increase in total open space	15% of units reserved for tenants with household incomes no more than 80% of AMI

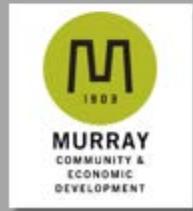
Table E: MCMU West Subdistrict, Reduction of Required Commercial

Reduction of Required Commercial	Reduction of Allowed Residential Density per Acre	Open Space & Amenities	Affordable Housing
75% of required commercial: fulfill one (1) option	5-9 units	2 additional outdoor amenities / 5% increase in total open space	10% of units reserved for tenants with household incomes no more than 80% of AMI
60% of required commercial: fulfill two (2) options	10-14 units	2 additional amenities / 10% increase in total open space	15% of units reserved for tenants with household incomes no more than 80% of AMI
45% of required commercial: fulfill one (1) option	15-19 units	3 additional outdoor amenities / 15% increase in total open space – or 10% increase with public availability to at least 25% of open space	10% of units reserved for tenants with household incomes no more than 80% of AMI
30% of required commercial: fulfill two (2) options	20 units	4 additional amenities / 20% increase in total open space – or 15% with public availability to 25% or more of the open space	15% of units reserved for tenants with household incomes no more than 80% of AMI

## Planning Commission Recommendation

The Planning Commission held a public hearing on July 15, 2021 and voted 5-0 to forward a recommendation of APPROVAL to the City Council for the requested amendments to Chapters 17.146, Mixed-Use, 17.168 Transit Oriented Development, 17.170, Murray City Center District, and the addition of proposed Chapters 17.162, Centers Mixed Use, and 17.164, Village Mixed Use.

# THANK YOU





**MURRAY**  
CITY COUNCIL

# Chapter 17.146

## Murray Central

## Mixed Use District

## CHAPTER 17.146

### MURRAY CENTRAL MIXED USE DISTRICT MCMU

#### SECTION:

**17.146.010: Purpose**

**17.146.020: Definitions**

**17.146.030: Permitted Uses**

**17.146.040: Conditional Uses**

**17.146.050: Establishment Of Subdistricts**

**17.146.060: Site Plan/Master Site Plan Required**

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

**17.146.080: Development Standards**

**17.146.090: Height Regulations**

**17.146.100: Building Requirements**

**17.146.110: Parking Requirements**

**17.146.120: Access Improvements**

**17.146.130: Loading And Service Areas**

**17.146.140: Landscaping, Open Space And Project Amenities**

**17.146.150: Lighting Standards**

**17.146.160: Storage Of Commercial Vehicles**

**17.146.170: Nonconforming Uses And Developments**

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

The purpose of a mixed use district is to encourage pedestrian oriented design, promote development, and protect the public health, safety, and welfare. The Murray Central Mixed Use district is intended to encourage compact, carefully planned mixed use development in the vicinity of the Murray Central Station, including neighborhood oriented commercial and restaurant space to provide increased opportunities for pedestrian activity. The MCMU 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. 21-21: 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:** Public rights-of-way which are classified as collectors or arterials by the Murray City Master Transportation Plan or private streets that would function as collectors or arterials.

**PRIVATE STREET:** 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:** 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. 21-21: 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):

Use No.	Use Classification
Use No.	Use Classification
1100	Household units (except 1110, 1112, 1114, 1115, 1116, 1121, 1122).
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. 21-21: 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:

Use No.	Use Classification
Use No.	Use Classification
1140	Condominium, low rise or garden type.
1150	Condominium, high rise.
1210	Rooming and boarding houses.
2000	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).
3220	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).
3250	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).
3500	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).
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. 21-21: Ord. 19-36 § 2: Ord. 19-20: Ord. 16-41: Ord. 10-04 § 2)

**17.146.050: ESTABLISHMENT OF SUBDISTRICTS:**

A. The Murray Central Mixed Use district is intended for those properties in the vicinity of the Murray Central transit station in order to support vibrant, compact, and pedestrian-oriented development of properties in this area with significant access to transit opportunities.

B. The area is bifurcated by Interstate 15. Murray City recognizes significant differences in the transit access and development opportunities between properties to the east and west of Interstate 15.

1. MCMU EAST: Properties located in the Murray Central Mixed Use Zone east of Interstate 15 are established as the MCMU East Subdistrict.

2. MCMU WEST: Properties located in the Murray Central Mixed Use Zone west of Interstate 15 are established as the MCMU West Subdistrict.

C. Except where specifically stated, the requirements, regulations, and standards of the MCMU Zone shall be applied equally to both subdistricts. (Ord. 21-21)

**17.146.060: SITE PLAN/MASTER SITE PLAN REQUIRED:**

New development and redevelopment of properties in the MCMU Zone shall be reviewed by the Planning Commission for conformance to the requirements of this chapter for site plan approval. A master site plan approved by the Planning Commission is required for all horizontal mixed use Developments and mixed-use developments located on a parcel or combination of parcels greater than three (3) acres. In addition to the requirements of this zone, the Planning Commission shall address the following when considering an application for master site plan approval:

A. 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.

B. 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.

C. 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. Potential linkages to existing and future adjacent developments should be considered.

D. Development 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.

1. Required Elements: The master site plan agreement must address the following components of the proposed project:

- a. Allowed phasing of residential and commercial development components.
- b. Allowed residential densities.
- c. Required parking for all uses.
- d. Buffering of adjacent single-family residential zones.
- e. Adequate public facilities and services.
- f. Establishment, maintenance, or enhancement of commercial elements.

E. 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:

1. 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.

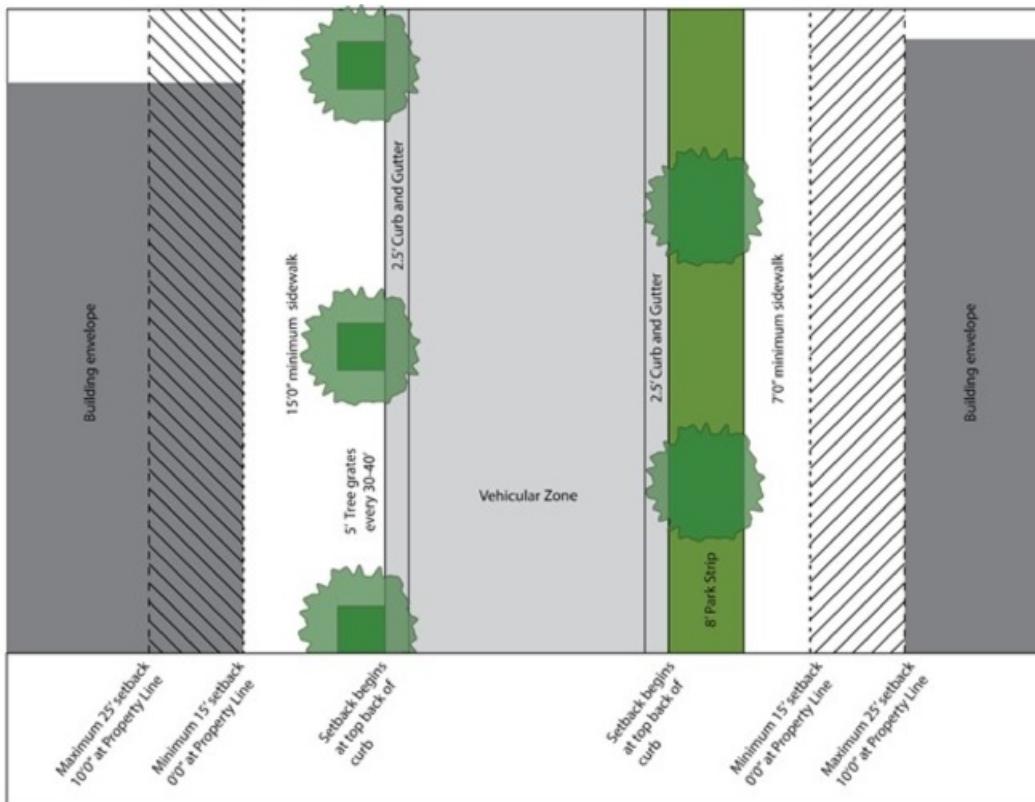
2. Parking Analysis: The applicant must prepare a parking analysis for the proposed mix of uses, demonstrating that the project's parking and circulation needs can be accommodated.

3. Adequate Public Utilities And 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.

4. Public Services Review: The City may require review of the project's impact upon services including Police, Fire, Schools, Parks, and others. (Ord. 21-21)

#### **17.146.070: 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, or to accommodate curbside management planning. Buildings may have detached components within a courtyard or plaza if the uses in the detached component enhance activity on the courtyard or plaza.



- 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, or between the building and the street. Drive-thru lanes 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 MCMU Zone are not negatively impacted.
- F. 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.
- G. The side lot area between non-adjacent 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.
- H. 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.
- I. 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 an adjacent building or buildings.

J. 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. No buildings or parking facilities may be placed in the required setback. The Planning Commission may approve pedestrian and bicycle paths and other open space amenities within the setback if they are not disruptive. Top of bank shall be established by a licensed surveyor or engineer. (Ord. 21-21: Ord. 19-36 § 2: Ord. 10-04 § 2)

**17.146.080: DEVELOPMENT STANDARDS:**

A. Residential Density: Residential uses are allowed only in projects with associated commercial components as required by these development standards.

1. Calculation Of Allowable Density: Residential density in mixed-use projects is allowed based upon the closest distance between the Murray Central Station platform and the development parcel's frontage on a public right-of-way, measured as a straight line. Where a project area has an area of two (2) acres or larger, the project area may be divided for purposes of measuring distances and applying allowed densities to different acreage. Project residential density is allowed according to Table C below.

<b>Table C: Maximum Allowed Residential Density</b>				
<b>Distance to Murray Central Station Platform</b>	<b>1/8 mile</b>	<b>1/4 mile</b>	<b>1/2 mile</b>	<b>&gt;1/2 mile</b>
MCMU East Subdistrict	80	65	50	40
MCMU West Subdistrict	40	40	40	40
*If the measured walking distance from the project to the station platform is more than 1/2 mile, the maximum allowed residential density is limited to 40 units per acre				

2. Notwithstanding measurements made under subsection A1 if the measured walking distance from the closest property line of a development parcel's frontage on the a public right-of-way to the Murray Central Station platform is greater than one-half (1/2) mile, residential density for a proposed project shall not exceed forty (40) units per acre.

B. Required Commercial: Commercial uses are required for all mixed use projects on development parcels with frontage on principal streets. Principal streets are identified as 4800 South, Murray Boulevard, Vine Street, and Commerce Drive.

1. Vertical Mixed Use Projects: In vertical mixed use projects, commercial and retail uses are required on the ground floor of buildings located along principal streets. When located within one-half (1/2) mile of the Murray Central Station platform, commercial and retail uses shall occupy a minimum of seventy five percent (75%) of the width of the ground floor of any building facing a principal street for an extended depth of forty feet (40'). When located more than one-half (1/2) 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 principal street for an extended depth of forty feet (40'). The balance of the ground floor may be occupied by residential uses, and residential related uses, including parking.

2. Horizontal Mixed Use Projects: 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 principal streets, and forty feet (40') in depth. For projects which comprise multiple parcels, required commercial square footage shall be calculated based on total project frontage on principal streets.

3. Reduction of Required Commercial: The Planning Commission may allow a reduction in the required commercial space where projects will meet the requirements outlined for the MCMU East Subdistrict and West Subdistrict in Table D and Table E below. Provide additional project amenities and open space, a mix of housing types, affordable housing, and/or reductions of the residential density according to the following tables. Reductions may be considered by any combination of the allowed methods as presented in the tables below.

<b>Table D: MCMU East Subdistrict, Reduction of Required Commercial</b>			
<b>Reduction of Required Commercial</b>	<b>Reduction of Allowed Residential Density per Acre</b>	<b>Open Space &amp; Amenities</b>	<b>Affordable Housing</b>
75% of required commercial: fulfill one (1) option	5-9 units	2 additional outdoor amenities/5% increase in total open space	10% of units reserved for tenants with household incomes no more than 80% of AMI

60% of required commercial: fulfill two (2) options	10 units	2 additional outdoor amenities/10% increase in total open space	15% of units reserved for tenants with household incomes no more than 80% of AMI
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**Table E: MCMU West Subdistrict, Reduction of Required Commercial**

Reduction of Required Commercial	Reduction of Allowed Residential Density per Acre	Open Space & Amenities	Affordable Housing
75% of required commercial: fulfill one (1) Option	5-9 units	2 additional outdoor amenities/5% increase in total open space	10% of units reserved for tenants with household incomes no more than 80% of AMI
60% of required commercial: fulfill two (2) options	10-14 units	2 additional amenities/ 10% increase in total open space	15% of units reserved for tenants with household incomes no more than 80% of AMI
45% of required commercial: fulfill one (1) option	15-19 units	3 additional outdoor amenities/15% increase in total open space - or 10% increase with public availability to at least 25% of open space	10% of units reserved for tenants with household incomes no more than 80% of AMI, 10% of units reserved for tenants with household incomes no more than 60% of AMI
Reduction of Required Commercial	Reduction of Allowed Residential Density per Acre	Open Space & Amenities	Affordable Housing
30% of required commercial: fulfill two (2) options	20 units	4 additional amenities/ 20% increase in total open space - or 15% with public availability to 25% or more of the open space	15% of units reserved for tenants with household incomes no more than 80% of AMI, 10% of units reserved for tenants with household incomes no more than 60% of AMI

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

- Excluding private, attached garage space, the ground floor of the live/work unit must be designed, constructed, and used as commercial space.
- 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.
- The live/work unit's first story height must be a minimum of twelve feet (12').
- Parking provided for live/work unit(s) must meet both the residential and commercial requirements of this chapter.
- For mixed-use 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 in the MCMU East Subdistrict, and no more than twenty percent (20%) of the required commercial space in the MCMU West Subdistrict.

C. Block Length: To facilitate and promote human scale and pedestrian connectivity in development and redevelopment in the MCMU District, block lengths should not generally exceed three hundred feet (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:

- Intersection with an alley or pedestrian path. Only pedestrian paths with a minimum width of fifteen feet (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.

D. Buffering Required: Buffering measures are required for projects directly abutting single-family residential zones including the following:

1. Building Separation And Landscaped Buffer: Buildings must be separated from property lines adjacent to single-family residential zoning by amenities, interior accesses, surface parking, or open space in addition to a landscaped buffer of not less than ten feet (10') in width and a solid screening fence or wall of not less than six feet (6') in height. The landscape buffer shall include trees planted at no less than two inch (2") caliper and not less than thirty feet (30') on center. Where the landscaped buffer is located between the adjacent residential zone and an interior access or surface parking, the buffer may be reduced to five feet (5').
2. Gradation Of Density: No individual residential building located directly adjacent to the required buffer may contain more than eight (8) attached units. Buildings located directly adjacent to the required buffer shall represent the lowest residential density units in the project.
3. Height: New buildings in mixed use projects developed or redeveloped in the MCMU Zone shall conform to the height regulations established herein.
  - a. The height of a structure located within one hundred feet (100') of the nearest boundary of a residential zone district may not exceed thirty-five (35').
  - b. Number Of Stories: No building within one hundred feet (100') of a single-family residential zone boundary may consist of more than two (2) stories.
  - c. The inclusion of rooftop gardens and rooftop patios located above the highest occupied floor of any residential or mixed-use building is prohibited within one hundred feet (100') of a single-family residential zone boundary.
  - d. Exception: Live/work units without rooftop decks and located at least fifty feet (50') from an adjacent single-family zone boundary may consist of no more than three (3) stories or forty feet (40') in height, whichever is less.
  - e. Commercial Buildings: No new commercial mixed-use building shall be erected to a height less than two (2) stories. (Ord. 21-21)

#### **17.146.110: PARKING REQUIREMENTS:**

The Murray Central Mixed Use District is intended to support development patterns which foster pedestrian activity and reduced dependence on automobiles generally, resulting in less demand for vehicle parking. The parking requirements for residential and commercial uses in this section shall be applied to all new development in the Mixed Use Zone.

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 within parking decks 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.

B. Parking structures and decks should provide the majority of parking in the MCMU Zone.

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

2. 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.

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

C. 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 in this section 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. Development shall comply with off-street parking dimensional standards as found in chapter 17.72 of this title.

G. Shared Parking: Shared parking may be located on parcels within six hundred feet (600') of the use for which it is intended if approved by the Planning Commission. In no case shall parking shared between uses account for more than twenty-five percent (25%) of total required parking for any project.

H. Required Parking For Residential And Commercial Uses: Parking requirements for residential and commercial uses in the MCMU East and MCMU West Subdistricts are contained in Table F, below.

**Table F: Required Parking in the MCMU Zone**

	<b>MCMU East Subdistrict</b>	<b>MCMU West Subdistrict</b>
<b>Table F: Required Parking in the MCMU Zone</b>		
	<b>MCMU East Subdistrict</b>	<b>MCMU West Subdistrict</b>
Residential - Studio	1 spaces per unit	1.25 spaces per unit
Residential - 1 bedroom	1.25 spaces per unit	1.5 spaces per unit
Residential - 2 bedroom	1.5 spaces per unit	2.15 spaces per unit
Residential - 3+ bedroom	2.5 spaces per unit	2.65 spaces per unit
Office uses	1 space per 350 ft <sup>2</sup> net usable	1 space per 300 ft <sup>2</sup> net usable
Medical/Dental Offices and Clinics	1 space per 350 ft <sup>2</sup> net usable	1 space per 300 ft <sup>2</sup> net usable
Retail/Commercial	1 space per 350 ft <sup>2</sup> net usable	1 space per 300 ft <sup>2</sup> net usable
Restaurants/Eating & Drinking Establishments	1 space per 350 ft <sup>2</sup> net usable	1 space per 300 ft <sup>2</sup> net usable
Disabled/Accessible	See section 17.72.040 of this title. Other requirements per the Americans with Disabilities Act	
Uses not listed	As determined by the Planning Commission based on comparable standards	
Parking in excess of 125% of minimums	Allowed as approved by the Planning Commission if provided in structures or within the building envelope	

(Ord. 21-21)

#### **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. 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. For new construction and redevelopment generally, 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 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.

D. Where development will include commercial uses on the ground floor, and sufficient public right-of-way is unavailable for on-street parking, the Planning Commission may approve modifications to the general improvements to accommodate on-street parking as follows:

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.

E. The following public improvement street furnishings are required for all developments within the Murray Central Mixed Use 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. 21-21)

**17.146.130: 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. 21-21: Ord. 10-04 § 2)

**17.146.140: LANDSCAPING, OPEN SPACE AND PROJECT AMENITIES:**

Mixed-use developments require open space and recreation opportunities for residents and visitors. The following regulations shall govern the provision of landscaping, open space, and project amenities for development and redevelopment of properties as mixed-use projects in the MCMU Zone.

A. Fifteen percent (15%) of the land area of each development shall be conserved as natural open space and/or provided as landscaping, courtyards, plazas, or walkways. Areas used for drainage retention with a slope greater than three to one (3:1) will not qualify as open space filling the requirements of this section. Outdoor amenities with significant incorporated landscaping or open space elements may qualify as open space filling the requirement of this section upon review and approval by the Planning Commission.

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 trails.

C. 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 that 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.

D. Project Amenities: Project amenities are indoor and outdoor community improvements, elements, and programmed spaces that are available in common to the residents of the mixed-use development. A minimum of two (2) amenities must be provided in each mixed-use project having between thirty (30) and one hundred fifty (150) residential units. Additional amenities are required at a rate of one amenity for each additional one hundred (100) dwelling units or portion thereof beyond the first one hundred fifty (150) units. Where such amenities are required, they must represent a mix of both indoor and outdoor amenities. Selections may be made from the list below or 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 (4) pieces of playground equipment minimum);
4. Picnic areas;
5. Tennis courts;
6. Swimming pool;
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/or water features. (Ord. 21-21)

**17.146.150: 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. 21-21: Ord. 18-22)

**17.146.160: 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 MCMU Zone, nor shall any contracting and/or earthmoving equipment be stored or parked outdoors on any lot or parcel within the MCMU Zone. (Ord. 21-21: Ord. 18-22)

**17.146.170: 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. 21-21: Ord. 18-22)



**MURRAY**  
CITY COUNCIL

# Chapter 17.162

## Centers Mixed Use

## CHAPTER 17.162

### CENTERS MIXED USE CMU

#### SECTION:

#### **17.162.010: Purpose**

#### **17.162.020: Establishment**

#### **17.162.030: Findings Required**

#### **17.162.040: Permitted Uses**

#### **17.162.050: Conditional Uses**

#### **17.162.060: Master Site Plan Required**

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#### **17.162.080: Development Standards**

#### **17.162.090: Parking Requirements**

#### **17.162.100: Access Improvements**

#### **17.162.110: Loading And Service Areas**

#### **17.162.120: Landscaping, Open Space, And Project Amenities**

#### **17.162.010: PURPOSE:**

The Centers Mixed Use Zone is established to provide an opportunity for the measured, context sensitive addition of residential housing to existing commercial properties and developments along major transportation corridors and in and around retail and commercial centers identified by the 2017 Murray City General Plan. Allowing the introduction of residential uses to these areas is intended to support the goals and principles of mixed-use development by facilitating a more compact, sustainable, and pedestrian oriented land use pattern as these existing commercial centers and corridors redevelop over time. (Ord. 21-21)

#### **17.162.020: ESTABLISHMENT:**

The Centers Mixed Use Zone should be considered for application to a property or properties within an established development having a minimum area of three (3) acres or more, and to those properties which are currently zoned or used for non-residential uses. (Ord. 21-21)

#### **17.162.030: FINDINGS REQUIRED:**

The Centers Mixed Use (CMU) Zone should only be considered where Murray City officials find that mixed-use zoning will result in land use patterns and development that will meet a minimum of five (5) of the following goals. The application of the CMU Zone should foster development proposals that:

- A. Result in high-quality redevelopment of commercial properties.
- B. Retain and/or rehabilitate the commercial use of a significant portion of the property area.
- C. Facilitate the adaptive re-use of existing commercial structures.
- D. Increase local access to commercial services for in-project residents as well as for the residents of the immediately surrounding and nearby neighborhoods.
- E. Promote a greater variety of housing options within Murray neighborhoods.
- F. Promote opportunities for life-cycle housing, and housing for moderate income households.
- G. Provide increased walkability on the project site and result in walkable connections to the surrounding residential neighborhoods.
- H. Create and contribute to a sense of place and community.
- I. Result in improved conditions for buffering and transition between the project site and adjacent residential uses. (Ord. 21-21)

#### **17.162.040: PERMITTED USES:**

Residential and non-residential land uses in the CMU Zone should complement one another and foster the creation of a mixed-use center with commercial uses that are utilized by the residents on the same site, and which contribute to the commercial and retail viability of the larger area. No outside storage will be allowed in the CMU Zone. The following are permitted uses in the CMU Zone. Any use not listed shall be prohibited.

**Table A: Permitted Uses**

No.	Land Use Classification
<b>Table A: Permitted Uses</b>	
No.	Land Use Classification
1120	Two-family dwelling in conjunction with mixed use developments subject to subsection 17.162.080A.
1130	Multiple-family dwelling in conjunction with mixed use developments subject to subsection 17.162.080A.
1150	Apartment high rise (subject to requirements for ground floor commercial uses).
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).

(Ord. 21-21)

**17.162.050: CONDITIONAL USES:**

The following land uses require conditional use permit review and approval by the Planning Commission. The Commission must find that the proposed use will contribute to the creation of a mixed-use center, which will complement and encourage use by on-site residents while contributing to the commercial and retail viability of the larger area. No outside storage will be allowed for use in the CMU Zone. Any use not listed shall be prohibited.

<b>Table B: Conditional Uses</b>	
<b>No.</b>	<b>Land Use Classification</b>
<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.

(Ord. 21-21)

**17.162.060: MASTER SITE PLAN REQUIRED:**

Development of a new mixed-use project, including redevelopment of an existing site to include new residential uses, requires master site plan review and approval by the Planning Commission in a public meeting. Applications for master site plan approval must be made on forms provided by the Community and Economic Development Department. In addition to the requirements of this zone, the Planning Commission shall address the following when considering an application for master site plan approval:

A. Building Orientation: Commercial and residential buildings in the same project should be oriented primarily 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.

B. Central Feature: A prominent, centrally located feature such as a park, plaza, or gathering place shall 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.

C. 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. Potential linkages to existing and future adjacent developments must be considered.

D. Master Site Plan Agreement: Mixed-use developments that require master site plan approval 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 phasing of the project, 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.

1. Required Elements: The master site plan agreement must address the following components of the proposed project:

- a. Allowed phasing of residential and commercial development components.
- b. Allowed residential densities.
- c. Required parking for all uses.
- d. Buffering of adjacent single-family zones.
- e. Adequate public facilities and services.
- f. Establishment, maintenance, or enhancement of commercial elements.

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

1. 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.

2. 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.

3. Adequate Public Utilities And Facilities: In order to determine the availability of an 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.

4. Public Services Review: The City may require review of the project's impact upon services including police, fire, schools, parks, and others. (Ord. 21-21)

#### **17.162.070: AREA, WIDTH, FRONTAGE, AND YARD REGULATIONS:**

The following standards for setbacks or facades and entries are intended to contribute to the active, pedestrian-oriented streetscape that is envisioned for mixed-use development in the CMU Zone.

A. Building facades will occupy a minimum of fifty percent (50%) of the total linear feet of property frontage on public streets with setbacks between twelve feet (12') and eighteen feet (18') from the back of curb and gutter.

1. Exception: Existing buildings in new developments in the CMU Zone are exempt from this requirement.

B. Greater setbacks can be proposed in order to accommodate site features such as outdoor dining or gathering spaces. If greater setbacks are approved under this provision, development should be designed such that building facades occupy a minimum of sixty-five percent (65%) of the total linear feet of property frontage on public streets within twenty-five feet (25') of the back face of curb and gutter.

C. Parking and/or driveways are not permitted in the front setback area of any building, or between the building and the street. Drive-thru lanes 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 CMU Zone are not negatively impacted. (Ord. 21-21)

#### **17.162.080: DEVELOPMENT STANDARDS:**

The following development standards are established for all applications in the Centers Mixed Use (CMU) Zone. Residential uses are allowed only in projects with associated commercial components as required herein. The intent of the CMU Zone is to allow residential uses as additions to otherwise commercial properties and to thereby foster the redevelopment of commercial zones as mixed-use center. The master site plan should reflect this intent visually and functionally.

A. Residential Density: Mixed-use development or redevelopment of property in the CMU Zone is allowed a residential density of thirty-five (35) units per acre. Density per acre is calculated by the total project area. The Planning Commission may approve increases in residential density where a project provides additional commercial space, additional open space and amenities, or affordable housing according to Table C, below.

**Table C: Residential Density Increase in the CMU Zone**

Additional Maximum Residential Density	Open Space & Project Amenities	Affordable Housing	Commercial Space
40 units per acre: meet the requirements for one of the 3 categories	10% increase in total 2 additional project amenities	15% reserved for tenants at <80% AMI (area median income)	15% above required commercial
45 units per acre: meet the requirements for two of the three categories	10% increase in total with public availability of 25% of the total, or: 20% increase in total area 4 additional project amenities	15% reserved for tenants at <80% AMI 10% reserved for tenants at <60% AMI	30% above required commercial

**B. CMU Commercial Requirements:** Commercial uses are required for all mixed-use projects approved under this section. In the CMU, commercial uses are required along a project's frontage on principal streets. Principal streets are public rights-of-way identified as collectors and arterials in the CMU Zone. Where possible, existing commercial buildings should be maintained, enhanced, or rehabilitated to provide or contribute to the required commercial. Minimum commercial requirements under this section may be met by any combination of new and existing commercial buildings and uses.

1. **Vertical Mixed-Use Projects:** In vertical mixed-use buildings, commercial and retail uses are required on the ground floor of buildings located along the principal streets. Commercial uses shall occupy a minimum of seventy percent (70%) of the width of the ground floor of buildings adjacent to a principal street for an extended depth of forty feet (40'). The balance of the ground floor may be occupied by residential uses, project amenities, and parking.

2. **Horizontal Mixed-Use Project:** Horizontal mixed-use projects shall provide a minimum commercial square footage component equal to an area calculated as seventy percent (70%) of the project frontage on a principal street and forty feet (40') in depth. For projects which comprise multiple parcels, square footage shall be calculated based on total project frontage on principal streets.

3. **Live/Work Units:** The inclusion of live/work units may be used to meet the requirement for commercial uses in mixed-use development subject to the following considerations:

a. Excluding private garage space, the entire ground floor of the live/work unit must be designed, constructed, and used as commercial space.

b. 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.

c. The live/work unit's first story height must be a minimum of twelve feet (12').

d. Parking provided for the live/work unit(s) must meet both the residential and commercial requirements of this chapter.

e. Live/work units may provide no more than fifteen percent (15%) of the commercial space required under this section.

**C. Buffering Required:** Buffering measures are required for projects directly abutting single-family residential zones, including the following:

1. **Building Separation And Landscaped Buffer:** Buildings must be separated from property lines adjacent to single-family zoning by amenities, interior accesses, surface parking, or open space in addition to a landscaped buffer of not less than ten feet (10') in width and a solid screening fence or wall of not less than six feet (6') in height. The landscape buffer shall include trees planted at no less than two-inch (2") caliper and not less than thirty feet (30') on center. Where the landscape buffer is located between the adjacent residential zone and an interior access or surface parking, the buffer may be reduced to five feet (5').

2. **Gradation Of Density:** No individual residential building located directly adjacent to the required buffer may contain more than eight (8) attached units. Buildings located directly adjacent to the required buffer shall represent the lowest residential density units in the project.

**D. Height:** New buildings in mixed-use projects developed or redeveloped in the CMU Zone shall conform to the height regulations established herein.

1. The height of a structure located within one hundred feet (100') of the nearest boundary of a single-family residential zone may not exceed thirty-five feet (35').

2. **Number Of Stories:** No building within one hundred feet (100') of a single-family residential zone boundary may consist of more than two (2) stories.

3. The inclusion of rooftop gardens and rooftop patios located above the highest occupied floor of any residential or mixed-use building is prohibited within one hundred feet (100') of a single-family zone boundary.

4. Live/work units without rooftop decks and located at least fifty feet (50') from an adjacent single-family zone boundary may consist of no more than three (3) stories or forty feet (40') in height, whichever is less.

5. Commercial Buildings: New commercial mixed-use buildings shall be erected to a minimum height of two (2) stories.

E. Block Length: To facilitate and promote human scale and pedestrian connectivity in development and redevelopment in the CMU Zone, block lengths should not exceed three hundred feet (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 fifteen feet (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 crossing on interior accesses 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.

F. Building Requirements: To promote human scale and pedestrian activity, the Planning Commission shall consider the following when reviewing new and redeveloping buildings and structures in the CMU Zone:

1. 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.

2. 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, 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.

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

4. 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.

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

6. 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 aesthetic considerations as it deems proper to mitigate or modify the visual impact of the height of buildings upon surrounding land uses. (Ord. 21-21)

#### **17.162.090: PARKING REQUIREMENTS:**

The CMU Zone is intended to support compact, pedestrian-oriented, mixed-use designs, and to encourage redevelopment of important commercial nodes. The following regulations shall apply to development and redevelopment of projects and properties in the CMU Zone.

A. The use of parking decks and structures is encouraged. Parking structures and decks should provide the majority of parking in developments made in the CMU Zone.

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

2. 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.

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

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

C. Minimum Parking Requirements: The parking requirements contained in Table D below are to be applied for mixed-use development and redevelopment within the CMU Zone.

<b>Table D: Required Parking in the CMU Zone</b>	
<b>Land Use</b>	<b>Minimum Required Parking</b>
<b>Table D: Required Parking in the CMU Zone</b>	
<b>Land Use</b>	<b>Minimum Required Parking</b>
Residential - Studio	1.15 spaces per unit

Residential - 1 bedroom	1.5 spaces per unit
Residential - 2 bedroom	1.85 spaces per unit
Residential - 3+ bedroom	2.5 spaces per dwelling unit
Office uses	1 space per 350 ft <sup>2</sup> net usable
Medical/Dental Offices and Clinics	1 space per 350 ft <sup>2</sup> net usable
Retail/Commercial	1 space per 300 ft <sup>2</sup> net usable
Restaurants/Eating & Drinking Establishments	1 space per 300 ft <sup>2</sup> net usable
Disabled/Accessible	See section 17.72.040 of this title. Other requirements per the Americans with Disabilities Act
Uses not listed	As determined by the Planning Commission based on comparable standards
Parking in excess of 125% of minimums	Allowed as approved by the Planning Commission if provided in structures or within the building envelope

(Ord. 21-21)

**17.162.100: ACCESS IMPROVEMENTS:**

A. Application for new mixed-use development or redevelopment of existing sites in the CMU Zone shall include construction and installation of the adjacent sidewalks, park strips, and other landscaping, curbs, gutters, lighting, and street furniture as required in this section.

B. Curbside Management Plans: New development and redevelopment projects reviewed in the CMU Zone 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. Public Improvements: For new construction and redevelopment generally, dedication of additional right-of-way to accommodate the improvements will be required in conjunction with the application for development. 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') wide paved sidewalk with five foot (5') tree wells adjacent to the curb as approved by 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.

D. The following public improvement street furnishings are required for mixed-use developments in the CMU Zone:

1. Benches shall be placed on every development at two benches per one hundred (100) linear feet of street frontage.
2. Trash cans shall be placed on every development at one can per one hundred (100) linear feet of street frontage.
3. Bicycle racks shall be placed on each 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 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.

(4) Located 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. 21-21)

#### **17.162.110: 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. Where possible, loading and service areas should be combined for multiple users. No single use may have more than one (1) loading dock, and no single building may have more than two (2) loading docks directly adjacent to one another. Loading docks are not to be located in building frontage. (Ord. 21-21)

#### **17.162.120: LANDSCAPING, OPEN SPACE, AND PROJECT AMENITIES:**

Mixed-use developments require open space and recreation opportunities for residents and visitors. Development and redevelopment of properties as mixed-use projects in the CMU Zone shall require the following.

- A. Fifteen percent (15%) of the land area of each development shall be conserved as natural open space and/or provided as landscaping, courtyards, plazas, or walkways. Areas used for drainage retention with a slope greater than three to one (3:1) will not qualify as open space filling the requirements of this section. Outdoor amenities with significant incorporated landscaping or open space elements may qualify as open space filling the requirement of this section upon review and approval by the Planning Commission.
- 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. Sustainable landscaping including xeriscape species and innovative water recycling is encouraged.
- C. 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 that 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.
- D. Project Amenities: Project amenities are indoor and outdoor community improvements, elements, and programmed spaces that are available in common to the residents of the mixed-use development. A minimum of two (2) amenities must be provided in each mixed-use project having between thirty (30) and one hundred fifty (150) residential units. Additional amenities are required at a rate of one (1) amenity for each additional one hundred (100) dwelling units or portion thereof beyond the first one hundred fifty (150) units. Where such amenities are required, they must represent a mix of both indoor and outdoor amenities. Selections may be made from the list below, or the Planning Commission may consider and approved the use of other amenities not anticipated here.

1. Playing fields.
2. Sport courts.
3. Playground areas (to include four (4) pieces of playground equipment minimum).
4. Picnic areas.
5. Tennis courts.
6. Swimming pools.
7. Exercise rooms, gymnasiums.
8. Club rooms.
9. Outdoor patio 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 adjacent seating).
18. Community gardens.
19. Interactive fountains. (Ord. 21-21)



**MURRAY**  
CITY COUNCIL

# Chapter 17.164

## Village Mixed Use

## CHAPTER 17.164

### VILLAGE MIXED USE VMU

#### SECTION:

**17.164.010: Purpose**

**17.164.020: Establishment**

**17.164.030: Findings Required**

**17.164.040: Permitted Uses**

**17.164.050: Conditional Uses**

**17.164.060: Master Site Plan Required**

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

**17.164.080: Development Standards**

**17.164.090: Parking Requirements**

**17.164.100: Access Improvements**

**17.164.110: Loading And Service Areas**

**17.164.120: Landscaping, Open Space, And Project Amenities**

#### **17.164.010: PURPOSE:**

The Village Mixed Use Zone is established to provide an opportunity for the measured, context sensitive addition of residential housing to existing commercial properties in and around areas identified as commercial and neighborhood nodes in the 2017 Murray City General Plan. Allowing the introduction of residential uses to existing commercial areas is intended to support the goals and principles of mixed-use development by facilitating a more compact, sustainable, and pedestrian oriented land use pattern as existing commercial nodes redevelop over time. (Ord. 21-21)

#### **17.164.020: ESTABLISHMENT:**

The Village Mixed Use Zone should be considered for application to a property or properties within an established development having a minimum area of three (3) acres or more, and to those properties which are currently zoned or used for non-residential uses. (Ord. 21-21)

#### **17.164.030: FINDINGS REQUIRED:**

The Village Mixed Use (VMU) Zone should only be considered where Murray City officials find that mixed-use zoning will result in land use patterns and development that will meet a minimum of five (5) of the following goals. The application of the VMU Zone should foster development proposals that:

- A. Result in high-quality redevelopment of commercial properties.
- B. Retain and/or rehabilitate the commercial use of a significant portion of the property area.
- C. Facilitate the adaptive re-use of existing commercial structures.
- D. Increase local access to commercial services for in-project residents as well as for the residents of the immediately surrounding and nearby neighborhoods.
- E. Promote a greater variety of housing options within Murray neighborhoods.
- F. Promote opportunities for life-cycle housing, and housing for moderate income households.
- G. Provide increased walkability on the project site and result in walkable connections to the surrounding residential neighborhoods.
- H. Create and contribute to a sense of place and community.
- I. Result in improved conditions for buffering and transition between the project site and adjacent residential uses. (Ord. 21-21)

#### **17.164.040: PERMITTED USES:**

Residential and non-residential land uses in the VMU Zone should complement one another and foster the creation of a village node with commercial uses that are utilized by the residents on the same site and by residents of the surrounding area. No outside storage will be allowed in the VMU Zone. The following are permitted uses in the VMU Zone. Any use not listed shall be prohibited.

**Table A: Permitted Uses**

No.	Land Use Classification
<b>Table A: Permitted Uses</b>	
No.	Land Use Classification
1120	Two-family dwelling in conjunction with mixed use developments subject to subsection 17.164.080A.
1130	Multiple-family dwelling in conjunction with mixed use developments subject to subsection 17.164.080A.
1150	Apartment high rise (subject to requirements for ground floor commercial uses).
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).

(Ord. 21-21)

**17.164.050: CONDITIONAL USES:**

The following land uses require conditional use permit review and approval by the Planning Commission. The Commission must find that the proposed use will contribute to the creation of a village node, complementing and encouraging use by the on-site residents and fostering connection to and use by residential uses in the surrounding area. No outside storage will be allowed for use in the VMU Zone. Any use not listed shall be prohibited.

**Table B: Conditional Uses**

No.	Land Use Classification
<b>Table B: Conditional Uses</b>	
No.	Land Use Classification
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.

(Ord. 21-21)

**17.164.060: MASTER SITE PLAN REQUIRED:**

Development of a new mixed-use project, including redevelopment of an existing site to include new residential uses, requires master site plan review and approval by the Planning Commission in a public meeting. Applications for master site plan approval must be made on forms provided by the Community and Economic Development Department. In addition to the requirements of this zone, the Planning Commission shall address the following when considering an application for master site plan approval:

- A. Building Orientation: Commercial and residential buildings in the same project should be oriented primarily 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.

- B. Central Feature: A prominent, centrally located feature such as a park, plaza, or gathering place shall 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.

C. 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. Potential linkages to existing and future adjacent developments must be considered.

D. Master Site Plan Agreement: Mixed-use developments that require master site plan approval 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 phasing of the project, 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.

1. Required Elements: The master site plan agreement must address the following components of the proposed project:

- a. Allowed phasing of residential and commercial development components.
- b. Allowed residential densities.
- c. Required parking for all uses.
- d. Buffering of adjacent single-family zones.
- e. Adequate public facilities and services.
- f. Establishment, maintenance, or enhancement of commercial elements.

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

1. 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.

2. 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.

3. Adequate Public Utilities And Facilities: In order to determine the availability of an 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.

4. Public Services Review: The City may require review of the project's impact upon services including police, fire, schools, parks, and others. (Ord. 21-21)

#### **17.164.070: AREA, WIDTH, FRONTAGE, AND YARD REGULATIONS:**

The following standards for setbacks or facades and entries are intended to contribute to the active, pedestrian-oriented streetscape that is envisioned for mixed-use development in the VMU Zone.

A. Building facades will occupy a minimum of fifty percent (50%) of the total linear feet of property frontage on public streets with setbacks between twelve feet (12') and eighteen feet (18') from the back of curb and gutter.

1. Exception: Existing buildings in new developments in the VMU Zone are exempt from this requirement.

B. Greater setbacks can be proposed in order to accommodate site features such as outdoor dining or gathering spaces. If greater setbacks are approved under this provision, development should be designed such that building facades occupy a minimum of sixty-five percent (65%) of the total linear feet of property frontage on public streets within twenty-five feet (25') of the back face of curb and gutter.

C. Parking and/or driveways are not permitted in the front setback area of any building, or between the building and the street. Drive-thru lanes 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 VMU Zone are not negatively impacted. (Ord. 21-21)

#### **17.164.080: DEVELOPMENT STANDARDS:**

The following development standards are established for all applications in the Village Mixed Use (VMU) Zone. Residential uses are allowed only in projects with associated commercial components as required herein. The intent of the VMU Zone is to allow residential uses as additions to otherwise commercial properties which currently serve local residential areas, and to thereby foster the development of a commercial node or village. The master site plan should reflect this intent visually and functionally.

A. Residential Density: Projects for development or redevelopment of property in the VMU Zone are allowed a residential density of twenty-five (25) units per acre. Density per acre is calculated by the total project area. The Planning Commission may allow an increase in residential density where projects will provide additional open space and project amenities or affordable housing according to the requirements of Table C, below.

**Table C: Residential Density Increase in the VMU Zone**

<b>Additional Maximum Residential Density</b>	<b>Open Space &amp; Amenities</b>	<b>Affordable Housing</b>
30 units per acre: meet the requirements for one of the two categories	2 additional outdoor amenities/ 10% increase in total open space	10% of units reserved for household incomes no more than 80% of AMI
35 units per acre: meet the requirements for one of the two categories	4 additional outdoor amenities/ 15% increase in total area; or 10% increase with public accessibility of at least 25% of the open space	15% of units reserved for household incomes no more than 80% of AMI

B. VMU Commercial Requirements: Commercial uses are required for all development and redevelopment projects approved under this section. In the VMU, commercial uses are required along a project's frontage on principal streets. Principal streets are public rights-of-way identified as collectors and arterials in the VMU Zone. Where possible, existing commercial buildings should be maintained, enhanced, or rehabilitated to provide or contribute to the required commercial. Minimum commercial requirements under this section may be met by any combination of new and existing commercial buildings and uses.

1. Vertical Mixed-Use Projects: In vertical mixed-use buildings, commercial and retail uses are required on the ground floor of buildings located along the principal streets. Commercial uses shall occupy a minimum of seventy percent (70%) of the width of the ground floor of buildings adjacent to a principal street for an extended depth of forty feet (40'). The balance of the ground floor may be occupied by residential uses, project amenities, and parking.

2. Horizontal Mixed-Use Project: Horizontal mixed-use projects shall provide a minimum commercial square footage component equal to an area calculated as seventy percent (70%) of the project frontage on a principal street and forty feet (40') in depth. For projects which comprise multiple parcels, square footage shall be calculated based on total project frontage on principal streets.

3. Reduction Of Required Commercial: The Planning Commission may allow a reduction in the required commercial space where projects will provide additional open space and project amenities or affordable housing according to the requirements of Table D, below.

**Table D: Allowance for the Reduction of Required Commercial in the VMU Zone**

<b>Reduction of Required Commercial</b>	<b>Open Space &amp; Amenities</b>	<b>Affordable Housing</b>
80% of required	1 additional outdoor amenity/ 5% increase in total open space	10% of units reserved for household incomes no more than 80% of AMI
65% of required	2 additional outdoor amenities/ 10% increase in total open space	15% of units reserved for household incomes no more than 80% of AMI
50% of required	3 additional outdoor amenities/ 15% increase in total open space - or 10% increase with public availability to 25% or more of the open space	10% of units reserved for household incomes no more than 80% of AMI, 10% of units reserved for household incomes no more than 60% of AMI
40% of required	4 additional outdoor amenities/ 20% increase in total open space - or 15% with public availability to 25% or more of the open space	15% of units reserved for household incomes no more than 80% of AMI, 10% of units reserved for household incomes no more than 60% of AMI

4. Live/Work Units: The inclusion of live/work units may be used to meet the requirement for commercial uses in mixed-use development subject to the following considerations:

a. Excluding private garage space, the entire ground floor of the live/work unit must be designed, constructed, and used as commercial space.

b. 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.

- c. The live/work unit's first story height must be a minimum of twelve feet (12').
- d. Parking provided for the live/work unit(s) must meet both the residential and commercial requirements of this chapter.
- e. Live/work units may provide no more than twenty percent (20%) of the commercial space required under this section.

C. Buffering Required: Buffering measures are required for projects directly abutting single-family residential zones, including the following:

- 1. Building Separation And Landscaped Buffer: Buildings must be separated from property lines adjacent to single-family zoning by amenities, interior accesses, surface parking, or open space in addition to a landscaped buffer of not less than ten feet (10') in width and a solid screening fence or wall of not less than six feet (6') in height. The landscape buffer shall include trees planted at no less than two-inch (2") caliper and not less than thirty feet (30') on center. Where the landscape buffer is located between the adjacent residential zone and an interior access or surface parking, the buffer may be reduced to five feet (5').
- 2. Gradation Of Density: No individual residential building located directly adjacent to the required buffer may contain more than eight (8) attached units. Buildings located directly adjacent to the required buffer shall represent the lowest residential density units in the project.

D. Height: New buildings in mixed-use projects developed or redeveloped in the VMU Zone shall conform to the height regulations established herein.

- 1. The height of a structure located within one hundred feet (100') of the nearest boundary of a single-family residential zone may not exceed thirty-five feet (35').
- 2. Number Of Stories: No building within one hundred feet (100') of a single-family residential zone boundary may consist of more than two (2) stories.
- 3. The inclusion of rooftop gardens and rooftop patios located above the highest occupied floor of any residential or mixed-use building is prohibited within one hundred feet (100') of a single-family zone boundary.
- 4. Live/work units without rooftop decks and located at least fifty feet (50') from an adjacent single-family zone boundary may consist of no more than three (3) stories or forty feet (40') in height, whichever is less.
- 5. Commercial Buildings: New commercial mixed-use buildings shall be erected to a minimum height of two (2) stories.

E. Block Length: To facilitate and promote human scale and pedestrian connectivity in development and redevelopment in the VMU Zone, block lengths should not exceed three hundred feet (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 fifteen feet (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 crossing on interior accesses 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.

F. Building Requirements: To promote human scale and pedestrian activity, the Planning Commission shall consider the following when reviewing new and redeveloping buildings and structures in the VMU Zone:

- 1. 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.
- 2. 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, 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.
- 3. All buildings fronting on a public street shall have at least one public entrance per use or business which fronts on the street.
- 4. 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.
- 5. All buildings and structures shall be maintained in good condition.
- 6. 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 aesthetic considerations as it deems proper

to mitigate or modify the visual impact of the height of buildings upon surrounding land uses. (Ord. 21-21)

#### **17.164.090: PARKING REQUIREMENTS:**

The VMU Zone is intended to support compact, pedestrian-oriented, mixed-use designs, and to encourage the development of commercial, neighborhood, and village nodes. The following regulations shall apply to mixed-use development and redevelopment of projects and properties in the VMU Zone.

A. The use of parking decks and structures is encouraged. Parking structures and decks should provide the majority of parking in developments made in the VMU Zone.

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

2. 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.

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

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

C. Minimum Parking Requirements: The parking requirements contained in Table E below are to be applied for mixed-use development and redevelopment within the VMU Zone.

<b>Table E: Required Parking in the VMU Zone</b>	
<b>Land Use</b>	<b>Minimum Required Parking</b>
<b>Table E: Required Parking in the VMU Zone</b>	
<b>Land Use</b>	<b>Minimum Required Parking</b>
Residential - Studio	1.25 spaces per unit
Residential - 1 bedroom	1.5 spaces per unit
Residential - 2 bedroom	2.15 spaces per unit
Residential - 3+ bedroom	2.65 spaces per dwelling unit
Office uses	1 space per 350 ft <sup>2</sup> net usable
Medical/Dental Offices and Clinics	1 space per 350 ft <sup>2</sup> net usable
Retail/Commercial	1 space per 300 ft <sup>2</sup> net usable
Restaurants/Eating & Drinking Establishments	1 space per 300 ft <sup>2</sup> net usable
Disabled/Accessible	See section 17.72.040 of this title. Other requirements per the Americans with Disabilities Act
Uses not listed	As determined by the Planning Commission based on comparable standards
Parking in excess of 125% of minimums	Allowed as approved by the Planning Commission if provided in structures or within the building envelope

(Ord. 21-21)

#### **17.164.100: ACCESS IMPROVEMENTS:**

A. Application for new mixed-use development or redevelopment of existing sites in the VMU Zone shall include construction and installation of the adjacent sidewalks, park strips, and other landscaping, curbs, gutters, lighting, and street furniture as required in this section.

B. Curbside Management Plans: New development and redevelopment projects reviewed in the VMU Zone 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. Public Improvements: For new construction and redevelopment generally, dedication of additional right-of-way to accommodate the improvements will be required in conjunction with the application for development. 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') wide paved sidewalk with five foot (5') tree wells adjacent to the curb as approved by 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.

D. The following public improvement street furnishings are required for mixed-use developments in the VMU Zone:

1. Benches shall be placed on every development at two (2) benches per one hundred (100) linear feet of street frontage.
2. Trash cans shall be placed on every development at one can per one hundred (100) linear feet of street frontage.
3. Bicycle racks shall be placed on each 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 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) Located 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. 21-21)

#### **17.164.110: 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. Where possible, loading and service areas should be combined for multiple users. No single use may have more than one (1) loading dock, and no single building may have more than two (2) loading docks directly adjacent to one another. Loading docks are not to be located in building frontage. (Ord. 21-21)

#### **17.164.120: LANDSCAPING, OPEN SPACE, AND PROJECT AMENITIES:**

Mixed-use developments require open space and recreation opportunities for residents and visitors. Development and redevelopment of properties as mixed-use projects in the VMU Zone shall require the following.

- A. Fifteen percent (15%) of the land area of each development shall be conserved as natural open space and/or provided as landscaping, courtyards, plazas, or walkways. Areas used for drainage retention with a slope greater than three to one (3:1) will not qualify as open space filling the requirements of this section. Outdoor amenities with significant incorporated landscaping or open space elements may qualify as open space filling the requirement of this section upon review and approval by the Planning Commission.
- 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. Sustainable landscaping including xeriscape species and innovative water recycling is encouraged.

C. 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 that 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.

D. Project Amenities: Project amenities are indoor and outdoor community improvements, elements, and programmed spaces that are available in common to the residents of the mixed-use development. A minimum of two (2) amenities must be provided in each mixed-use project having between thirty (30) and one hundred fifty (150) residential units. Additional amenities are required at a rate of one (1) amenity for each additional one hundred (100) dwelling units or portion thereof beyond the first one hundred fifty (150) units. Where such amenities are required, they must represent a mix of both indoor and outdoor amenities. Selections may be made from the list below, or the Planning Commission may consider and approved the use of other amenities not anticipated here.

1. Playing fields.
2. Sport courts.
3. Playground areas (to include four (4) pieces of playground equipment minimum).
4. Picnic areas.
5. Tennis courts.
6. Swimming pools.
7. Exercise rooms, gymnasiums.
8. Club rooms.
9. Outdoor patio 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 adjacent seating).
18. Community gardens.
19. Interactive fountains. (Ord. 21-21)



**MURRAY**  
CITY COUNCIL

# Adjournment