

Jack Rose
Mayor



City of Murray



March 7, 2016

Dear Business Owner:

Thank you for choosing our community for your business endeavors. I would like to take this opportunity to welcome you to the city of Murray, Kentucky, the Friendliest Small Town in America and one of our nation's most Playful Cities. We are eager to help and hope we can make this process as smooth as possible. With every new business come new faces with new insights and ideas. I hope you take an active part in our community and come to think of Murray as not just your place of business, but your home.

Murray is a progressive community and city government continually strives to improve services for both citizen and business owner alike. Our municipal utilities are city owned and operated, and provide efficient service at the lowest possible cost. Excellent fire and police protection are provided through well-trained departments, which are always available to respond to your emergency needs. Murray State University, founded in 1923, is located in the heart of our City and not only offers a wide range of educational and cultural programs, but also delivers a unique opportunity for business entrepreneurs like you.

Let me again welcome you and your business to Murray. If we can be of any assistance to you, please feel free to contact us through our website at www.murrayky.gov, by phone at 762-0350, or by visiting City Hall.

Sincerely,

Jack Rose

TELEPHONE (270) 762-0300

104 North 5th Street, Suite B
Murray, Kentucky 42071
FAX (270) 762-0306

Website: www.murrayky.gov

TDD (270) 753-1621





Welcome to Murray!

Welcome to the City of Murray, Kentucky. We are excited that you have chosen our community for your new business and/or development project. This packet will help you through your new project. It is our wish to streamline this process in order to make it a painless and enjoyable experience.

Before you open your business we wanted to do our very best in explaining the specific steps needed to take in order to open successfully. There are six (6) essential areas every new business experiences before opening, these areas consist of Zoning Compliance, Business Licensing, Building Permitting, Fire Safety Inspection, Establishing Utilities, and Sign Permitting. We have compiled necessary information from each of the above mentioned areas, this information will be helpful as you begin to launch your project.

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- Mayor Jack Rose

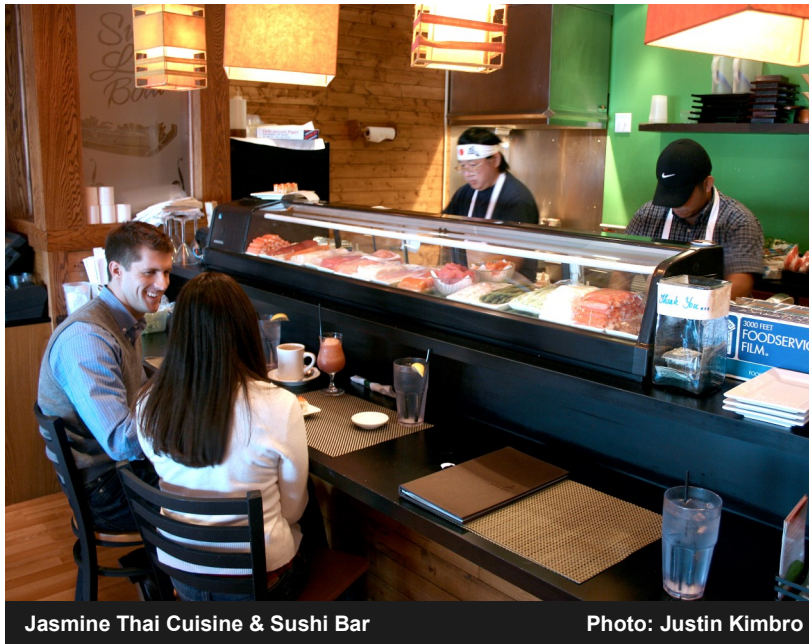


Murray Court House

Photo: Murray CVB

In This Packet

- Zoning Compliance
- Business Licensing
- Building Permitting
- Fire Safety Inspection
- Establishing Utilities
- Sign Permitting



Jasmine Thai Cuisine & Sushi Bar

Photo: Justin Kimbro

Zoning Compliance

There are four business zoning districts located within the city limits, there are permitted principle uses in each zoning district. The type of business you desire to open will need to be listed as a permitted use in order to open in the specific area. If the business type is not listed as a permitted principle use, it may be listed as a conditional use. If so, you have the opportunity to have this business type approved through a conditional use permit. This request is brought before Board of Zoning Adjustments, this is a Board made up of members from the local community tasked with reviewing conditional use permits and other variances relating to the City of Murray Zoning Ordinance. The Board will review the request and approve or deny the conditional use permit. There is a \$100 application fee associated with this request, as well as a \$16 recording fee made payable to the Calloway County Clerk's office.

If the current zoning of a desired location does not list your business type as a permitted or conditional use, you have the option to either find a new location in an appropriate zoning district or to attempt to rezone the current zoning district to one that would allow you business to operate at the desired location. This is called a Zoning Map Amendment. A request for a zoning map amendment may be initiated by the Property Owner, the Planning Commission, the City Council, or a person having written authorization from the owner of the subject property. The Planning Commission will hold a public hearing to review all requests. The final authority to approve or disapprove a zoning map amendment rests with the City Council. Before any map amendment is granted, the Planning Commission must find that the request is in agreement with the Comprehensive Plan. The Comprehensive Plan serves as a guide to the planning of land use as the city continues to grow and develop. If such a finding isn't available, one or more of the following will need to apply to the request:

- That the original zoning classification given to the property was inappropriate or improper.
- That there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the community's comprehensive plan and which have substantially altered the basic character of such area.

Before beginning any project with the City of Murray, all applicants will communicate and discuss with the Planning Department his/her desired project. Planning Staff will collect any preliminary project plans, drafts, and/or information. At this point the complexity and summary of the project will be known. Staff will then schedule the Preliminary Site Plan Meeting with the appropriate departments (i.e. Planning, Building, Stormwater, Fire, Utilities, and Street Departments).



Downtown Murray

Photo: Justin Kimbro

Your first and only point of contact:

The City of Murray understands that opening a new business is not an easy task and only becomes more difficult once you are passed along to each city department. That is why we've developed the Business Liaison position. We will be with you every step of the way. Every application involved in the process will only need to be given to the Business Liaison, whether it be for a sign permit, business license, or utilities.

Business Zoning Districts:

- B-1 Neighborhood Business District
- B-2 Highway Business District
- B-3 Central Business District
- B-4 Medium Density Business District



City Hall

Photo: Tina Sexton

Following the Preliminary Site Plan Meeting, a completed application will need to be submitted to the Planning Department with the following information:

- Legal description of the property and three (3) copies of the survey plat prepared by a registered land surveyor.
- Current names and mailing addresses of all adjoining property owners, including those located across any road, street or alley. (Obtained from the Calloway County Property Valuation Administration.)
- Property Owner's signature on the application or statement of authorization for applicant to act as agent.

Filing fees of \$450.00 must be submitted with the application.

The application must be submitted three (3) weeks prior to the meeting date.

Planning Commission meets every third Tuesday of each month at 5:00 p.m. in the Council Chambers of City Hall located at 104 North 5th Street, Murray, KY 42071.

Applicants, or representatives, must attend the public hearing to address any questions regarding the map amendment.

Once the completed application is submitted, Planning Staff will post signs on the property, run a public notice in the local newspaper, and send notification letters describing the date, time, and location of the meeting to all applicants and adjoining property owners.

Planning staff will review the request and write recommendations to the Planning Commission members. During the public hearing the applicant and opponent(s) will have the opportunity to present evidence and statements. After opening and closing statements, the Commission will review and discuss the presented information. The decision of the Planning Commission will then be forwarded to the City Council as a recommendation.

The City Council has final authority to approve or disapprove the request.

To be official, action by the City Council requires adoption of an ordinance that must be read into the record at two legislative meetings and then published.

If the applicant wishes to appeal the decision of the City Council an appeal must be filed with the Calloway County Circuit Court within 30 days of final action as defined in KRS 100.347-5.

Business Licensing

A business license will need to be issued before you can operate your business within the city limits. A business is defined as a *classification meaning all services, activities, occupations, vocations, pursuits, trades, callings or professions located and/or performed within the city with the object of pecuniary gain, benefit, or advantage to the person, or to another person or class, directly or indirectly, whether part-time or full-time. This definition includes, without limitation, home occupations, peddlers, including, but not limited to, owners and renters of booth space, rooms or areas (occupied or unoccupied) located within a structure, whether occupied or unoccupied and the rental of commercial and residential real property. It also included activities of businesses that are located outside the city where sales or services are performed by the physical presence of business representatives inside the city, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.* (City of Murray Code of Ordinances §110.02).

A business license application can be found at our website or on location at City Hall located at 104 North 5th Street. Information needed when completing this application includes: Business Name, Physical Address, Mailing Address, Ownership Type (Sole Proprietor, Partnership, LLC, etc.), Business Identification (Tax ID, EIN #, Social Security #), and an estimate of your yearly net income. A brief description of the type of business will need to be included on the application, this will assist in qualifying for the most appropriate business classification. If all applicable information is available and the application fee is submitted with the application, a business license will be issued and printed the same day. The City Planning Staff will review the application to ensure the business is opening in the appropriate zoning district. The annual cost for a business license ranges from \$75 to \$600. Business licenses are renewed every May.



Downtown Farmers Market

Photo: Kyser Lough

Building Permitting

Two examples which would require a building permit are: building a new structure and changing the use of an existing structure. Both examples require a building permit application to be completed and returned to the building department. A site plan, subcontractors list, worker's compensation insurance form or signed affidavit, 2 full sets of plans, and mechanical calculations will need to be submitted with the application. The building permit fee is based on the size of the project and will be calculated by the Building Official.

Fire Safety Inspection

When a new business opens or an existing business changes ownership, a fire inspection is needed to be performed on the property. The Fire Marshall will perform this inspection. Once completed, the cost for the inspection will be included in the price for the new business license.

Setting Up Utilities

When opening in an existing structure, an Application for Commercial or Industrial service will need to be completed. When building a new structure, a Murray Public Works and Utilities Application for Service will need to be completed. Information needed when completing these applications include: Business Name, Owner/Applicant Name, Service Address, Business Type, Date Service Requested, Type of Service(s), and a brief description of business operations. A meter deposit will be required for commercial gas and water meters. Tap on fees are required for new construction, prices vary based on the complexity and location of the project.

Sign Permit

A sign permit is required by all businesses who wish to advertise by either permanent wall and/or free-standing sign. A sign permit application can be found at our website or on location at City Hall. Information needed when completing this application includes: business name, address, distance from building to right-of-way, street frontage, face of building dimensions, and the dimensions for the proposed signage. The cost associated with a new sign permit is \$50. The following regulations are in place for permanent signage:

Wall Sign—5% of face of building to be used as signage.

Free-standing—0.5 square feet per lineal foot of street frontage not to exceed 80 sq. ft. Shall not exceed 24 feet in height.

Monument Sign—required along 12th Street & KY 121 North Bypass. 0.5 sq. ft. per lineal foot of street frontage not to exceed 55 sq. ft. Shall not exceed 10 feet in height.

Business announcement signs also require a sign permit, business announcement signs may include temporary wall signs, banners, and similar signs. Each sign cannot exceed 32 square feet and are limited to two (2) per proprietor. Temporary signs advertising a

special sale, or under new management and similar may be displayed for a total of fourteen (14) consecutive days and once every three months. Signs advertising “going out of business” or “grand opening” may be displayed for a total of 30 days and only once per year per proprietor.



Downtown Farmers Market

Photo: Justin Kimbro

Do you operate more than one business?

Any person who maintains multiple separate businesses while operating under the same tax ID number (EIN, SSN, TIN, etc.) for those businesses, shall be required to purchase a business license for the business which requires the largest license fee. A license shall be purchased for each additional business for the cost of \$5 each. (Code of Ordinances §110.04 B)

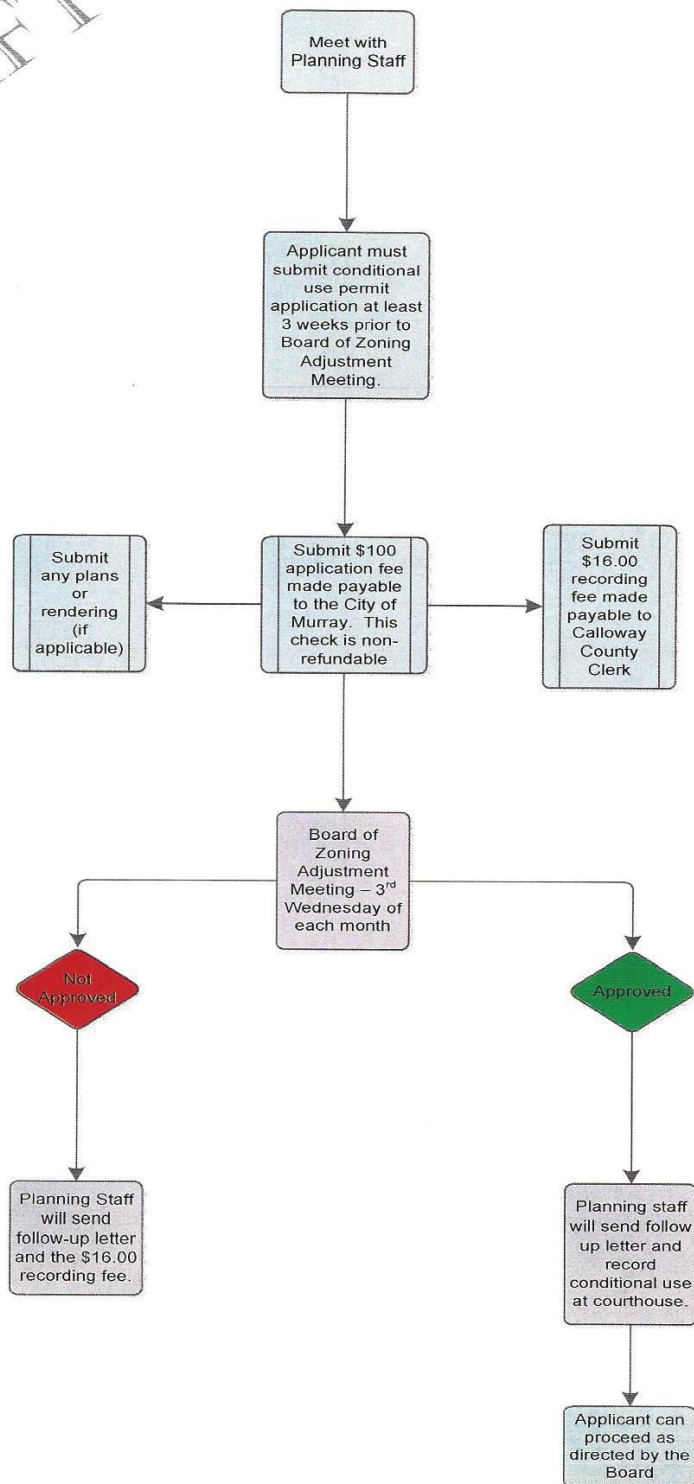
Am I required to have a monument sign?

Monument type signage shall be required in place of free standing signage along the Twelfth Street corridor from the southern city limits to the northern city limits and along KY 121 North Bypass at the intersection of Twelfth Street, a/k/a US Highway 641, to the western city limits... (Code of Ordinances §156.050 C, 2, e)

Flow Chart for
Conditional
Use Permit
Process:

Conditional Use Permit – Legal authorization to undertake a conditional use which has been authorized in conformance with the zoning ordinance.

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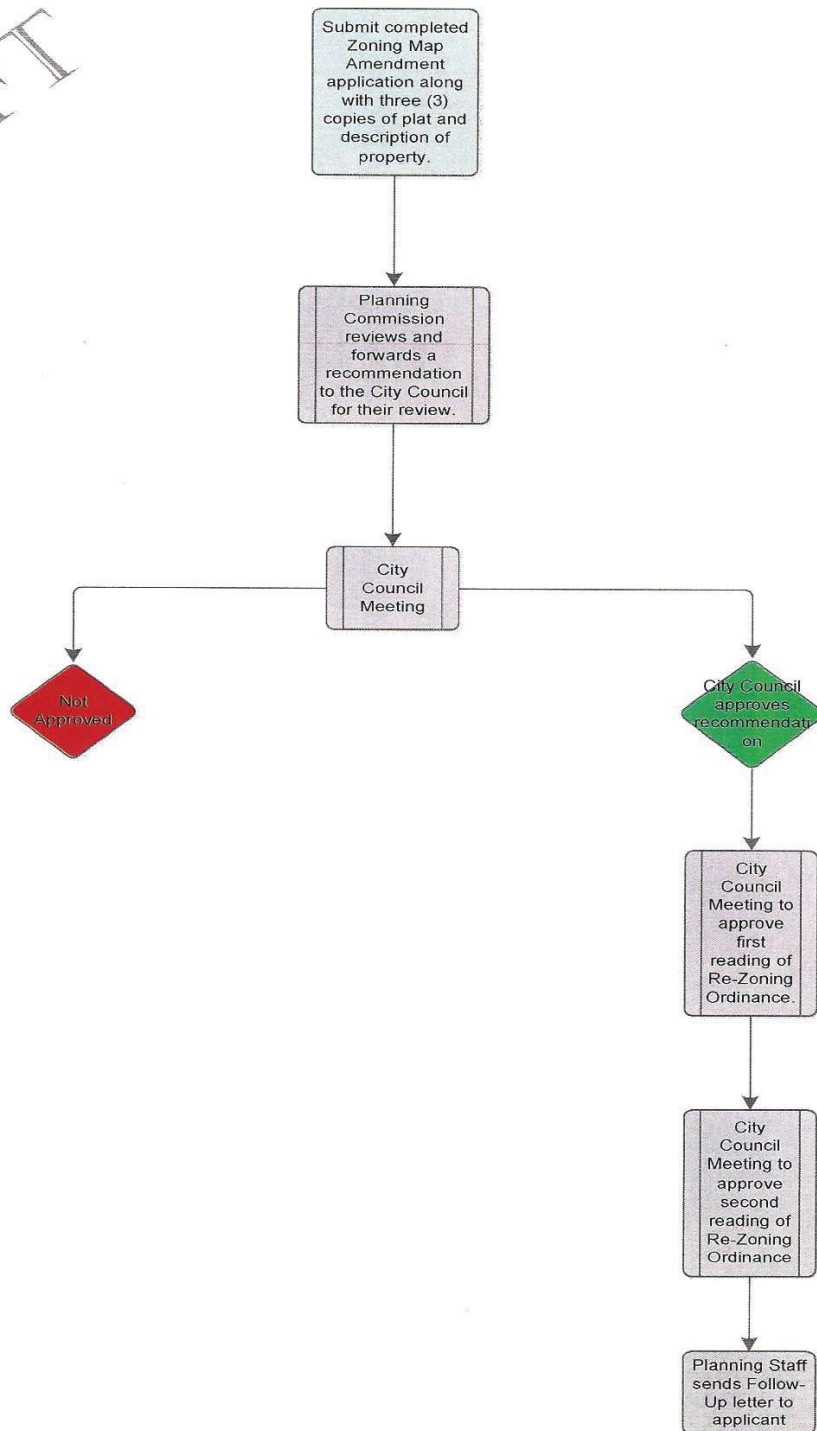
Time Frame – Minimum 3 weeks, maximum 60 days

Disclaimer:

Since every business and piece of property is unique, there may be some variations in a particular process. This sample flowchart is intended only to be used as an example of the planning process. Please contact the Planning Staff for detailed information that may pertain to your particular situation.

Zoning Map Amendment – A proposal to change the zoning district. A proposal may originate from the Planning Commission, City County, Property Owner or a Government body.

Flow Chart for Zoning Map Amendment Process:



Time Frame
Approved by Planning Commission and City Council – 60 days to 120 days

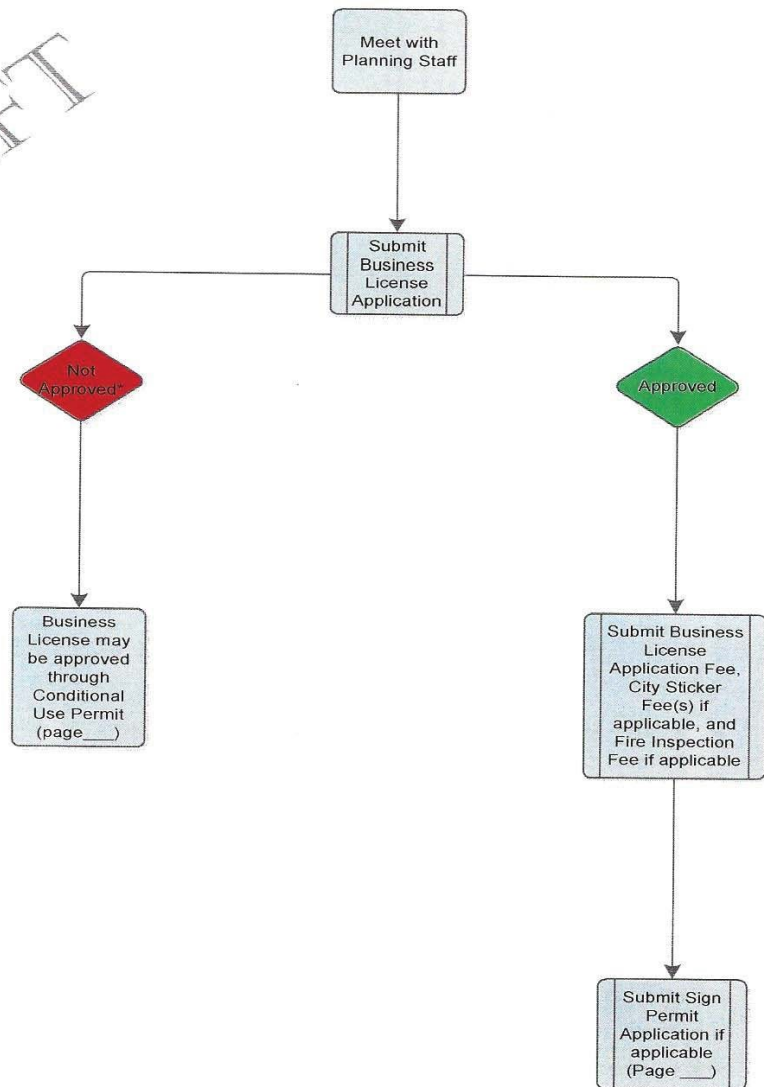
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Flow Chart
for Business
License
Process:

Business License – A business license is required for anyone who operates a business or performs work within the Murray City Limits. This includes out-of-town contractors who perform work within the city limits. The annual business license expires May 1st of each year.

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Time Frame

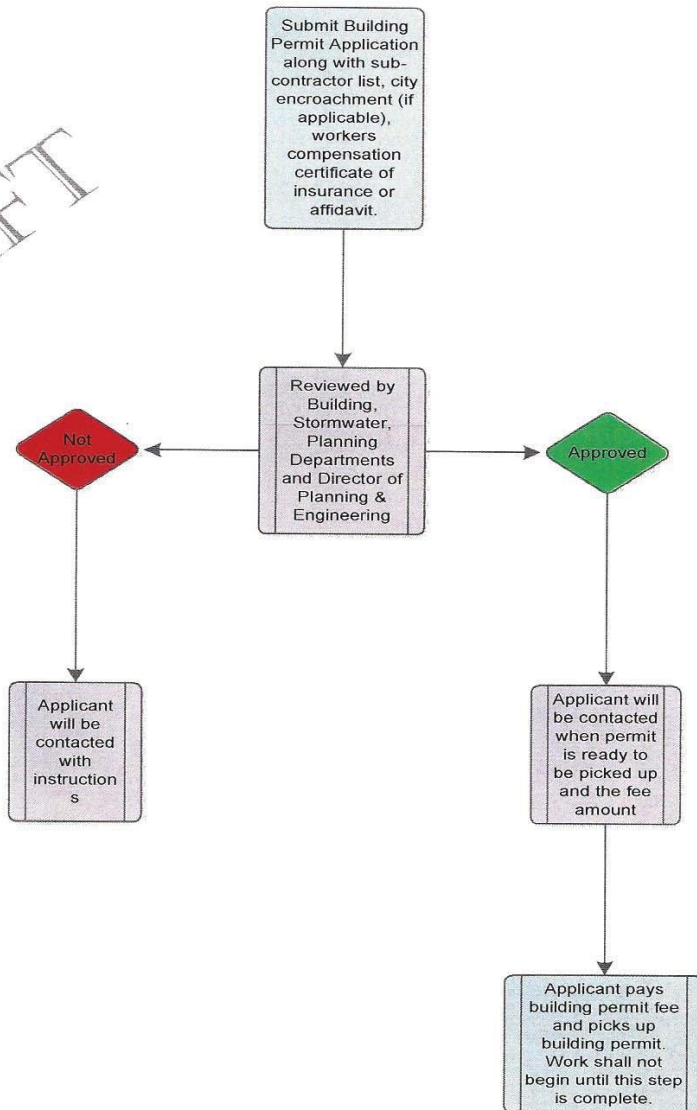
Approved by Planning Staff – same day or up to 3 days
Approved by Board of Zoning Adjustments through conditional use – 3 weeks to 60 days

Disclaimer:

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Building Permit Commercial – The purpose of the building permit is to facilitate the process of proper construction practices in accordance with the Kentucky Building Code.

Flow Chart for Building Permit Process:



Inspection Requirements

A minimum 24 hour notice is suggested prior to any inspection.

Footer Inspection
Framing Inspection
Other Inspections (if applicable)
Final Inspection

More information about each inspection will be inside the building permit application.

Certificate of Occupancy – No building or structure shall be used or occupied until the building official has issued a certificate of occupancy. A certificate will be issued when all final inspections have been completed and/or approved.

Time Frame

Depends on size of development, availability of personnel, utilities, etc.

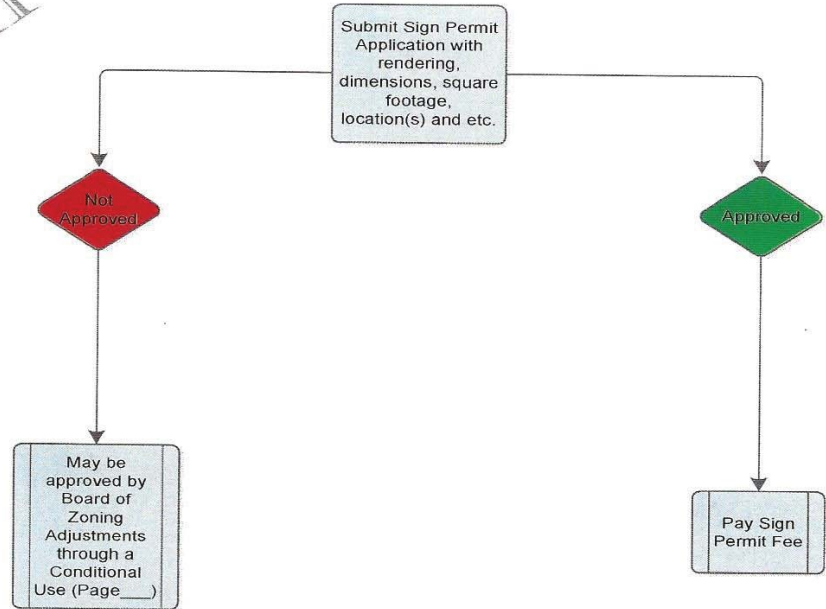
Disclaimer:

Since every business permit application is unique, there may be some variations in a particular process. This sample flowchart is intended only to be used as an example of the building process. Please contact the Building Staff for detailed information that may pertain to your particular situation.

Flow Chart for Sign Permit Process:

Sign Permit Application (Permanent) – Any name, identification, description, display, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure or land, in view of the general public, and which directs attention to a product, place, activity, person, institution or business.

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Time Frame

All items submitted and approved by Planning Staff – same day or up to 3 days

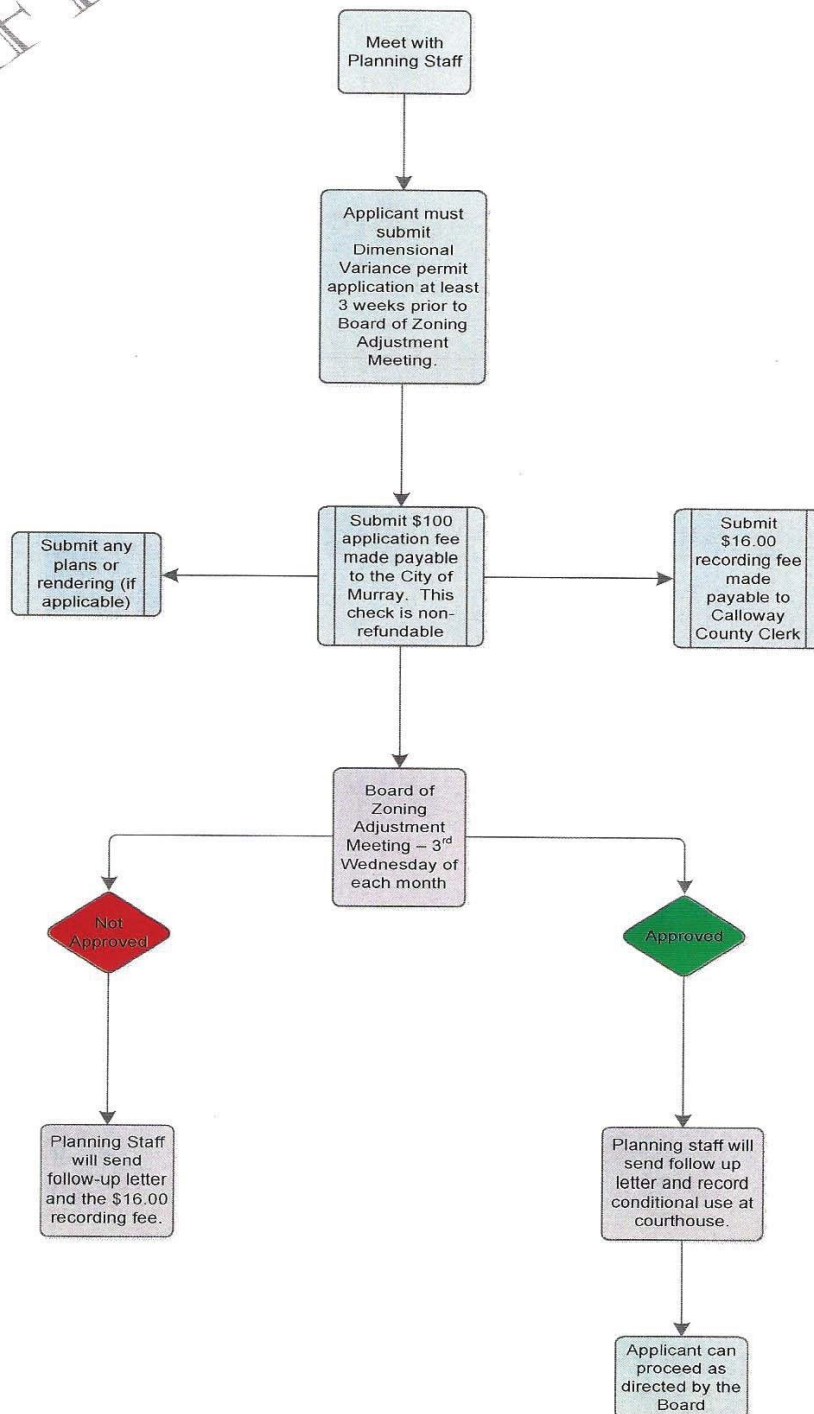
Approved by Board of Zoning Adjustments through conditional use – 3 weeks to 60 days

Disclaimer:

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Dimensional Variance –A departure from the terms of the zoning ordinance pertaining to height or width of structures and size of yards and open spaces, where such departure will not be contrary to the public interest, and where owing to conditions peculiar to the property because of its size, shape or topography and not as a result of the actions of the applicant, the literal enforcement of the zoning ordinance would result in unnecessary and undue hardship

Flow Chart for Dimensional Variance Process:



Time Frame – Minimum 3 weeks, maximum 60 days

Disclaimer:

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If a business cannot meet regulations in place concerning dimensional requirements (i.e. building setbacks, size dimensions/location), the business has the opportunity to apply for a dimensional variance allowing them to vary from the regulations in place. The Board of Zoning Adjustments will review the request and approve or deny application. There is a \$100 application fee associated with this request, as well as a \$16 recording fee made payable to the Calloway County Clerk's office.

All applications are given to the City's Business Liaison located at City Hall. Please see website for more information.



Contact Us

Please feel free to reach out to us for more information.

City of Murray
Planning Department
104 North 5th Street
Murray, KY 42071

(270) 762-0300

Planning.department@murrayky.gov

Visit us on the web at
www.murrayky.gov