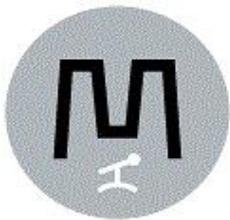




MURRAY
CITY COUNCIL

Council Meeting October 19, 2021



Murray City Municipal Council Notice of Meeting

October 19, 2021

Murray City Center

5025 South State Street, Murray, Utah 84107

Meeting Agenda

5:15 p.m. Committee of the Whole – Council Chambers
Diane Turner conducting

Approval of Minutes

Committee of the Whole – September 21, 2021

Discussion Items

1. Discussion on a Land Use Text amendment on Short Term Rentals. – Melinda Greenwood (30 minutes)
2. Discussion on the proposed Zone Map Amendment for 5829 and 5837 South Majestic Pine Drive. – Melinda Greenwood and Jared Hall (15 minutes)

Announcements

Adjournment

The public may view the Council Meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>.

6:30 p.m. Council Meeting – Council Chambers
Kat Martinez conducting.

Opening Ceremonies

Call to Order
Pledge of Allegiance

Approval of Minutes

Council Meeting – September 21, 2021
Council Meeting – October 5, 2021

Special Recognition

1. Murray City Council Employee of the Month, Kaye Astill, Office Administrator II – Brett Hales and Danny Astill presenting.
2. Report from 2021 Miss Murray Kyleigh Cooper and welcome 2022 Miss Murray Morgan Workman – Mayor Camp presenting.
3. Consider a proclamation for Lung Cancer Screening Month – Diane Turner presenting.

Citizen Comments

Comments will be limited to three minutes, step to the microphone, state your name and city of residence, and fill out the required form.

Consent Agenda

None scheduled.

Public Hearings

Staff, sponsor presentations and public comment will be given prior to Council action on the following matters.

1. Consider a resolution adopting the 2021 Parks, Trails and Recreation Facilities Plan – Kim Sorensen presenting.
2. Consider an ordinance repealing Sections 13.08.050, 13.22.280, 13.48.055, and 15.22.110 of the Murray City Municipal Code; and amending and renumbering Chapter 13.06 of the Murray City Municipal Code to Chapter 3.14, related to Impact Fees and including the enactment of a Parks, Trails and Recreation Impact Fee – Kim Sorensen presenting.
3. Consider an ordinance related to Land Use; amends the General Plan, Chapter 5 – Land Use and Urban Design, to include “Village Mixed Use” and “Centers Mixed Use” Zones – Melinda Greenwood and Jared Hall presenting.

Business Items

1. Consider an ordinance amending Chapter 15.08 of the Murray City Municipal Code, relating to Building Permits – Melinda Greenwood and Don Steffenson presenting.
2. Consider an ordinance amending Chapter 2.68 of the Murray City Municipal Code, relating to the Murray City Center District Design Review Committee – Melinda Greenwood and Jared Hall presenting.

Mayor's Report and Questions

Adjournment

NOTICE

Supporting materials are available for inspection on the Murray City website at www.murray.utah.gov.

Special accommodations for the hearing or visually impaired will be made upon a request to the office of the Murray City Recorder (801-264-2663). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speaker phone. The speaker phone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

On Friday, October 15, 2021, at 9:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov, and the state noticing website at <http://pmn.utah.gov>.





MURRAY
CITY COUNCIL

Committee of the Whole



MURRAY
CITY COUNCIL

Committee of the Whole Minutes



MURRAY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

Meeting Minutes

Tuesday, September 21, 2021
Murray City Center

5025 South State Street, Conference Room #107, Murray, Utah 84107

Attendance: Council Members and others:

Diane Turner – Chair	District #4
Brett Hales – Vice Chair	District #5
Kat Martinez	District #1
Dale Cox	District #2
Rosalba Dominguez	District #3

Blair Camp	Mayor	Jennifer Kennedy	City Council Director
Doug Hill	Chief Administrative Officer	Brenda Moore	Finance Director
Rob White	IT Director	Brooke Smith	City Recorder
G.L. Critchfield	City Attorney	Zac Smallwood	CED Associate Planner
Jared Hall	CED Division Supervisor	Melinda Greenwood	CED Director
Residents			

Conducting: Ms. Turner called the meeting to order at 4:30 p.m.

Approval of Minutes: Committee of the Whole – August 24, 2021. Mr. Hales motioned approval. Ms. Martinez seconded the motion. (All in favor 5-0)

Discussion items:

- **Fraud Risk Assessment:** Ms. Moore presenting. Ms. Moore said each year the City is required by the State auditor to complete a fraud risk assessment. The discussion would help Council Members be aware of related risk matters since they are responsible for the finances of the City; but no future action would be required.

Ms. Moore highlighted items from the assessment and noted various questions related to basic separation of duties. She explained that all finance and administration staff are required to read and certify in writing that they will abide by the City's ethics ordinance. All online training was completed, but newly elected or re-elected officials would be encouraged to take the training again next year. The total number of points earned was 355, which placed the City in the "Very Low Risk" category.

- **Ordinance amendment, adding section 3.04.095, pertaining to utility payment assistance:** Ms. Moore presenting. Ms. Moore read the Preamble of the proposed draft ordinance to explain the amendment: *Murray City is aware that households with the lowest incomes often pay a higher proportion of their household income for home utilities including electricity, water, and sewer services.*

The City seeks to help promote the general health and welfare of its citizens by facilitating utility service for those who qualify for government and nonprofit payment assistance.

The purpose of modifying the ordinance was to waive utility deposits when a customer is working with entities like the Road Home, HEAT (Home Energy Assistance Target) program or other nonprofit agencies that help low-income individuals set up utility services in apartments or homes. Ms. Moore explained utility deposits are required by ordinance but there was nothing in the existing ordinance allowing for a deposit to be waived. The proposed amendment would make that allowance only for qualified customers who request it. The proposed amendment also authorizes the mayor to sign contracts and enter into agreements to work with organizations and allow the finance director to waive the deposit requirement.

Ms. Dominguez asked who was currently signing contract waiver agreements. Ms. Moore said because this type of contract was not like an official Interlocal Agreement approved only by the City Council, Mayor Camp has been authorizing waivers without Council consent. She noted when many requests come through agencies like the Red Cross or HEAT that also offer financial relief for water bills and rent payments, utility bills are paid for with CARES (Coronavirus Aid, Relief, and Economic Security) Act, or ARPA (American Rescue Plan Act) stimulus money. Ms. Dominguez wondered if there was an issue with the Council approving contract waivers. Ms. Moore said no.

Mr. Critchfield agreed circumstances are limited when Mayor Camp signs agreements of this nature that are usually a rare occurrence. He clarified the proposed amendment came about due to State programs that now require cities to waive utility deposits for specific low-income customers. Because the City Council oversees the City Budget, and utility deposit revenue is budget related, the Council was informed and would need to approve the amendment, as other governmental agencies or nonprofit programs would be paying utility costs for specific residents.

Mr. Hales verified that the administration would not have to come to the Council every time a request was made. Mr. Critchfield stated that was correct. The Council would consider the amendment during the October 5, 2021 council meeting.

- **Revised MCCD Design Guidelines:** Mr. Hall presenting. Revised MCCD (Murray City Center District) Design Guidelines would repeal and replace the existing MCCD Design Guidelines if approved by the Council. Mr. Hall provided the draft revisions and gave a slide show. He explained guideline language adopted in the previous City Code needed to be changed. He said changes made to the MCCD zone in 2019 anticipated future revisions like this.

Mr. Hall read current language: *Guidelines shall be consulted during the review of the proposed development in order to provide guidance, direction, and options which will further the stated purposes of the MCCD. Wherever practicable the developments should adhere to the objectives and principals contained in the Design Guidelines.*

He said confusion was created in the current language because conformance to existing design guidelines was mixed together with development standard conformance. He clarified that design guidelines are a set of discretionary statements, concepts and ideas that should be followed and reinforced through the actions of development; and development standards are a set of thresholds

that are actual required elements. Various examples of each were reviewed.

He explained that because the two ideas were meshed together staff felt they could come up with simple guidelines by repealing and replacing the existing guidelines. For that process they reevaluated concepts, objectives, and goals from the General Plan (GP), and specifically the *Five Key Initiatives* to come up with *Five Shared Values*. All together these values support the proposed guidelines. Mr. Hall noted since the current guidelines are very complicated with various tables, hard thresholds, and elements not appropriate as guidelines, their goal was to make each one a simple one-page, easy to understand design with values linked back to the GP. Issues would be addressed more clearly, and different actions would be recommended to support a specific guideline.

The pre-application conference to request development in the MCCD would not change, nor would the application process for design review approval. A project would be reviewed and recommended by the MCCD Review Committee, followed by a design review by the planning commission in a public meeting. To ensure that specific development requirements are met, and projects are thoroughly reviewed, written changes for the MCCD zone also propose a *Standard of Review* process. For example, projects must conform with the current GP and any specific area plan that might be in place. Projects must conform with the requirements of those sections of land use ordinances; they must not jeopardize public health, safety, or welfare, and must be in harmony with the purpose of the MCCD zone that adheres to the principals of the design guidelines.

Revised MCCD Design Guidelines are broken into two overarching sections:

- *Five Shared Values: Authentic, Active, and Inclusive, Multi-modal, and Connected.* These values must be established as a compass to provide directions for the guidelines.
- *Actual Guidelines:* Separated into four distinct categories: *District Wide, Public Spaces and Streetscape; Development Site and Architectural.* Mr. Hall highlighted various guidelines and discussed several strict development standards within each category.

Mr. Hall discussed the deterrent approach to historic preservation that occurred in the previous MCCD development standards and guidelines. In 2019 that approach was changed to an incentive-based approach, which is why a *Historic Preservation* guideline is not seen in the new proposed guidelines.

The planning commission reviewed the proposed MCCD Design Guidelines in November of 2021 and recommended approval to the City Council; staff also recommends that the City Council approve the text amendment to repeal and replace the MCCD Design Guidelines as proposed.

Mr. Hill commented about a recent meeting with Edlen Developers and Co-founder Ms. Sherman who agreed to make changes to the design of their proposed project on Block One, which is located within the MCCD. They also indicated that if the City Council voted to change the ordinance for the MCCD to allow a shorter building, they were open to those changes too. He asked if the revised design guidelines were flexible enough that it would not make a difference to the proposed Edlen project. Mr. Hall stated no, the broadly written changes would not affect their proposed project.

Ms. Dominguez led a discussion about incentives to get new businesses to locate to Murray. She wondered if they could be specified in the design guidelines. Ms. Greenwood noted two existing incentives pertaining to the MCCD, which are sustainable projects, and if a business owner wants to

keep a historic building, the building permit fee would be waived. Anything else is State regulated and not through local governments. Other incentives occurred through the development process with Redevelopment Agency project areas and development agreements.

Ms. Turner felt the proposal was a good reflection of what Murray residents want to see developed in the downtown area. Mr. Hall believed the current application process was effective, and staff worked hard to revise the MCCD Design Guidelines to create a great downtown.

Ms. Dominguez asked the reason for changing the MCCD Design Guidelines. Mr. Hall said updated language would remove certain standards and thresholds and change specific elements into true guidelines. Mr. Smallwood agreed some current guidelines were no longer in City Code, which needed updating to avoid conflict and simplify the language. Ms. Greenwood added that when the Temporary Land Use Restriction was put into place in February of 2020, staff decided to hold off on updating the MCCD guidelines knowing conceivable changes were possible to City Code that could impact guidelines.

Mr. Hales suggested a design guideline walking tour would be beneficial. Mr. Hall agreed. There was a consensus among Council Members that more time was needed to review the draft MCCD Design Guidelines packet. The item would be placed on hold for further review. Both the existing and the proposed guidelines can be viewed on the MCCD page of the Murray City website. Mr. Hall said the Council will have ample time to review the document.

Announcements: None

Adjournment: 5:27 p.m.

Pattie Johnson
Council Office Administrator III



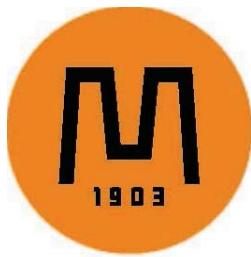
MURRAY
CITY COUNCIL

Discussion Items



MURRAY
CITY COUNCIL

Discussion Item #1



MURRAY

Council Action Request

Community & Economic Development

Proposed Short Term Rental Ordinance

Committee of the Whole

Meeting Date: October 19, 2021

Department	Purpose of Proposal
Director	Approval of the proposed short term rental ordinance, Chapter 17.77 of the Land Use Ordinance.
Melinda Greenwood	
Phone #	Action Requested
801-270-2428	Approval of the proposed short term rental ordinance, Chapter 17.77 of the Land Use Ordinance.
Presenters	Attachments
Melinda Greenwood	Presentation Slides
Jared Hall	
Zac Smallwood	
Budget Impact	Description of this Item
None.	BACKGROUND
Required Time for Presentation	During a code enforcement case, a resident came forward to the City Council and asked that short-term rentals be re-evaluated as they have not been allowed within residential zones in Murray. Since that time, staff has researched best practices within Utah and outside of the state and attended webinars on how best to regulate short-term rentals.
20 minutes	
Is This Time Sensitive	
No	
Mayor's Approval	
	
Date	
October 5, 2021	

Continued from Page 1:

CITY DEPARTMENT REVIEW

The proposed ordinance was made available for review by City Staff from various departments on August 2, 2021. No concerns were noted.

PLANNING COMMISSION

Notice of the public hearing for the requested text amendment was sent to affected entities and posted on the State's public notice website. During the public hearing, one citizen voiced support for implementing short term rentals.

FINDINGS

1. The proposed changes are in harmony with objective 11 of the Land Use and Urban Design Element of the 2017 Murray City General Plan to "stimulate reinvestment in deteriorating areas of the city to support growth and enhance the image of the community." Hosts of short-term rentals are often encouraged to market their property, by reinvesting in their homes they help the imageability of the neighborhood.
2. The proposed changes support objective 3 of the Neighborhoods & Housing Element of the 2017 Murray City General Plan to "encourage housing options for a variety of age, family size and financial levels." The proposed changes allow residents that own a home and that may be struggling to pay their mortgage an opportunity to rent out a portion or all of their home for less than thirty days.
3. Objective 1 of the Moderate Income Housing Element advises the city to "ensure housing affordability targets are achievable using a range of strategies." Staff finds that the proposed code furthers this objective by making it easier for a homeowner to stay in their home by renting out a portion of their dwelling.

RECOMMENDATION

The Planning Commission recommended with a vote of 4-3 that the City Council **DENY** the proposed text amendment adding Chapter 17.77 "Residential Short-Term Rentals" to the Murray City Land Use Ordinance.

Apart from the Planning Commission recommendation, staff feels having regulations on short term rentals would create opportunities for better outcomes on code enforcement cases. Based on the background, staff review, and findings, staff recommends the City Council **APPROVE** the proposed text amendment adding Chapter 17.77 "Residential Short-Term Rentals" to the Murray City Land Use Ordinance.

3. Meet all requirements of Section 17.100 of the Murray Land Use Ordinance for the R-1-8 Zone.

Seconded by Lisa Milkavich.

Call vote was recorded by Ms. Nixon.

A Maren Patterson
A Ned Hacker
A Lisa Milkavich
A Travis Nay
A Jake Pehrson
A Jeremy Lowry
A Sue Wilson

Motion passed 7-0.

LAND USE ORDINANCE AMENDMENT - Section 17.77, Adding Short Term Rentals - #21-086

The Murray City Planning Division proposes the creation of Chapter 17.77, Short Term Rentals, in the Murray City Land Use Ordinance. Mr. Smallwood presented the proposal. The city has received a number of requests to re-evaluate the city's stance on Short Term Rentals (STR). There was a citizen survey conducted in December of 2020 with over 600 responses. Short Term rentals are any dwelling or portion thereof that is available for use or is used for accommodations for less than 30 days. The proposed ordinance will have three types of short-term rentals:

1. Hosted Sharing: means renting out a portion of the dwelling out while the homeowner resides on property at the same time.
2. Unhosted Sharing: means renting out a portion or the entire dwelling while the homeowner is NOT residing on property, but still uses the property as their primary residence.
3. Dedicated Vacation Rental: means that the homeowner does not reside on the property and rents out the dwelling.

Dedicated Vacation Rental are not recommended, due to having the homeowner accountability and on property or there a majority of the time. Hosted Sharing would be allowed for 365 nights a year as long as it is less than 30 days at a time. Unhosted Sharing would be allowed for up to 182 nights per year, allowing up to 6 months and the owner would have to prove that they live there 183 nights per year. After obtaining public input and reviewing successful codes in other cities staff is asking for a recommendation to the City Council to approve the ordinance.

Ms. Patterson asked how an owner would prove that they live there 183 nights per year. Mr. Smallwood stated there is software that monitors how many available nights are listed and will be added to the permit fees to obtain a short-term rental license. The commissioners asked a variety of questions about the efficacy of the software and how this allowance would impact the home prices in the area.

Mr. Lowry stated that he writes condo hotel mortgage loan programs at Zions Bank. A condo hotel is a condominium that is in a resort area, must be in a resort market with covered parking. They are in a geographically defined area where there is naturally imbalance that will remain in place if the real estate supply and demand is never going to get better. Historically, in a boom economy they pop up and work really well, but when the market cools the real estate values go down. He stated that the market is out of balance because of Covid-19 and the technology to monitor the frequency of available nights is not reliable and has no data integrity for the long term this won't be a great idea. Ms. Milkavich asked if this type of rental is beneficial to the community. Ms. Patterson asked if the home is part of an HOA and the affidavit to be signed to not violate any CC&Rs and if any violations occur then the HOA gets involved as well. Mr. Smallwood agreed. Mr. Hacker asked Mr. Lowry whether these only work in recreational areas or resort areas. Mr. Lowry stated the projects that have consistently worked well in all economic environments and have been in high demand resort areas and the properties themselves are a destination resort that people want to go to. Mr. Hacker relayed his experience of people who come to Utah for skiing often want to go to many resorts and thus choose to stay in the valley, adding the accommodations at the resorts are limited and is more affordable in the valley. Mr. Smallwood relayed his experience as a hotel booking agent stating that the capacity was 95% every night from November through April with skiers in the valley. Mr. Lowry expressed his concern from a macro-economic perspective as people start relying on those funds it can have negative consequences. Ms. Wilson stated there are short term rentals happening and this ordinance would give us a way to regulate them and asked if we capture any sales tax revenue. Mr. Smallwood verified that the sales tax would be collected for the city.

Mr. Smallwood continued with his presentation commenting that as part of the permit process, the owner has to stipulate the number of rooms they will be renting out which will dictate the number of parking spaces they need. For two bedrooms, two additional off-street parking spaces will be required for hosted or non-hosted sharing. The host is allowed to park on the street. For urgent response purposes they will be required to provide contact information of a representative that is available all year, day and night who is able to respond within 1 hour of being contacted and is posted on a name plate to be displayed by the entry door of the rental. Noticing and posting in a packet for guests inside the unit is also required. If one is operating or listing without a license each day constitutes a new offense; first offense is \$500.00, second is \$750.00, third is \$750.00 and you are unable to pursue a license for two years, fourth is a misdemeanor with up to \$1000 fine and then you are banned from obtaining a license in Murray City.

Mr. Nay asked if they can be enforced by liens on the property. Mr. Smallwood stated there would not be liens. The process to operate a short-term rental will require a staff level approval, provide an application with the type of rental, site plan, floor plan, parking plan, proof of owner occupancy, proof of non-conflict with HOAs. Staff is recommending the Planning Commission forward a recommendation to the City Council for the request to amend the Murray City Land Use Ordinance adding proposed Chapter 17.77.

Mr. Nay suggested that the Planning Commission review the applications rather than have only staff approval. Mr. Smallwood responded that this could tamper with authenticity because as a public administrative body the commission would be obligated to say yes regardless of public outcry. Ms. Patterson verified that the process that has been set is fairly extensive. Mr. Nay asked if the affidavit would need to be signed annually. Mr. Smallwood stated it would be signed initially unless there is a vote to make it an annual requirement. The commissioners

asked several questions about potentially making it an annual requirement and requested more objective data.

Mr. Lowry proposed a study be analyzed on how these types of rentals work in some similar areas. Ms. Patterson stated that there have been many comments about Sandy City adopting this with success. Mr. Nay stated it is Housing Policy in general. He added it doesn't do anything to stabilize the neighborhood properties. Mr. Smallwood verified that hosted sharing does help give that stabilization. Mr. Nay commended Mr. Smallwood and stated it has been well researched and written. Mr. Pehrson asked about occupancy load. Mr. Smallwood verified that the fire department does inspect for the business license and would determine the occupancy for the room or home. Mr. Pehrson added that according to research property maintenance is better with short term rentals.

Ms. Patterson opened the item for public comment.

Alexander Teemsma, 10 West Miller Street, indicated that this proposal has been under review for a long time and staff has been taking his frequent calls. The time and effort Mr. Smallwood he has put into this ordinance is more than adequate to provide the commission with all the information they need to make an informed decision in the best interest for the city. The survey produced 51% were in favor and 41% were not in favor. He stated he was operating an AirB&B and he and his wife bought the property because it lended itself well for a short-term rental. Once they started raising a family, they found that it was not conducive and are now selling the home. He stated that a complaint came into code enforcement which forced them to discontinue operation. As it stands the State has a law that disallows municipalities of enforcing ordinances that disallow short term rentals. He stated he is aware that the city has an ordinance on the record that does not permit AirB&Bs and the State has tied the city's hands so the City's ordinance is wholly reactive and can only act on complaints received from citizens. It would be only proactive for the City to put forth standards and expectations for operating short term rentals so then residents who wish to do so have an understanding and that would encourage transparency as opposed to try to fly under the radar. He stated that they approached their neighbors on both sides to let them know their intentions and asked if there were issues they would like to know about it so they can address any issues to make sure they are not disrupting them or cause them to have a negative experience. He stated they were in operation for a several months and did not receive any complaints from our neighbor until one of their guests' children who is non-verbal autistic let himself out of the house and started down the street. their neighbor noticed this child was unaccompanied and did not recognize him so she restrained him to find the parents, but she was unaware that he was non-verbal autistic. She called the police and their report reads:

"August 26th, 2018 I was dispatched to 6 West Miller Street on a found person the complainant stated there was a small boy that would not talk walking around on the street, the boy's father who lives next door to redacted as we know now he did not live there he was staying as a guest of the AirB&B came out and picked up his son, child seemed to be in good health and in no danger. The child was returned. The case was closed."

The complaint became convoluted by their neighbors who began to use the verbiage that there was an issue where the police had to be called. The child also bit the neighbor who restrained him and so the neighbor began saying she was attacked by a guest. If the ordinance goes into effect the expectations would be set for STR's therefore less need for reactive enforcement. the

penalties are meant to dissuade anybody from operating outside of those expectations. There were a few points about enforceability and stated that the IRS would know by an individuals' tax returns if somebody isn't paying their taxes. The government relies on citizens to report their neighbors if they are dodging their taxes. If there were issues with the minutia of this ordinance and someone does operate in their home as an STR if it's bothering the neighbors, they would take it to the city. I made 300 flyers with a custom QR code and URL and posted them to doors of single-family homes in my neighborhood and distributed a few to local businesses because he wanted to know what the response rate would be and if that would differ from what the efforts of the city in marketing the same survey. His personalized QR code received 6 unique hits out of 300 flyers which is a 2% response rate. He commented that STR's don't result in higher crime in the neighborhoods where they are allowed. The majority of violent and sexual crime are perpetrated by people that the victim already knows, not total strangers.

Sandy's STR's are strictly unshared hosting where they do 183 days of occupancy 182 days of unoccupancy but their code is very convoluted. I think if they were to do away with unshared hosting in Murray but kept the shared hosting it would be a fair concession. Also, ADUs being used as STR's would not take away from the long-term housing supply and would be cases for example where a widow would be able to rent out a room in her home to subsidize her fixed income or a young couple buying their first home could rent out their basement that doesn't have a kitchen. This proposal would set expectations and passing this ordinance would be a step in the right direction.

No additional comments were made. The public comment portion was closed.

Ms. Milkavich asked why nightly rentals are better than 30-day rentals. Ms. Patterson added one is not necessarily better than the other it is just fulfilling a different need. Mr. Smallwood stated it is just allowing it for residents and residents feel it's their property and should be able to do what they want there. Mr. Pehrson stated it is almost impossible to have STR listed on VRBO if you are going to require a 14 day stay. Ms. Patterson expressed how the ordinance does address the concerns the residents had in the survey and that the city does not currently have an ordinance and don't have a way to enforce it. With short term rentals the person that is renting is vetted on those websites and so is the property owner. There is a process to it that includes some accountability. Short term rentals are a different market than the resort market and they are two different worlds serving different purposes. Ms. Patterson expressed her preference to stay in a neighborhood that can house her family and have access to a kitchen and is not in a hotel or resort area for a much more affordable price. By allowing our residents the right to do that with their own property within the parameters of this ordinance there is no reason not to allow this. Mr. Lowry reiterated that in a down economy people travel less and the people that have relied on STR income are very negatively impacted which is bad public policy.

Mr. Smallwood mentioned that regardless of how this is voted it will still go to City Council.

Jeremy Lowry made a motion to recommend denial of the proposed chapter 17.77 Short Term Rentals to the City Council. Seconded by Travis Nay.

Call vote recorded by Mr. Smallwood.

N Maren Patterson
A Ned Hacker
A Lisa Milkavich

Planning Commission Meeting

August 19, 2021

Page 15

A Travis Nay
N Jake Pehrson
A Jeremy Lowry
N Sue Wilson

Motion passed 4-3, recommending denial of the proposed ordinance.

OTHER BUSINESS

The RDA is having an open house at the Senior Center on Wednesday August 25, 2021 for the project at 4800 South State.

There was no other business.

Sue Wilson made a motion to adjourn. Motion seconded by Travis Nay. A voice vote was made, motion passed 7-0. The meeting was adjourned at 9:30 p.m.



Jared Hall, Planning Division Manager



AGENDA ITEM # 11			
ITEM TYPE:	Text Amendment		
ADDRESS:	City Wide	MEETING DATE:	August 19, 2021
APPLICANT:	Planning Division Staff	STAFF:	Zachary Smallwood, Associate Planner
PARCEL ID:	Not Applicable	PROJECT NUMBER:	21-086
PROPOSED AMENDMENT	Chapter 17.77, Short Term Rentals		
REQUEST:	The Murray City Planning Division proposes the creation of Chapter 17.77, Short Term Rentals, in the Murray City Land Use Ordinance.		

I. BACKGROUND & STAFF REVIEW

Background

Murray City Planning Division staff have been researching short-term rentals for over year. During a code enforcement case, a resident came forward to the City Council and asked that short-term rentals to be re-evaluated as they have not been allowed within residential zones in Murray. Since that time, staff has conducted research among other communities both within and outside of Utah. Staff has also attended webinars on how best to regulate short-term rentals in a community.

In April of 2021, Planning Division Staff attended the Committee of the Whole with the City Council to present and discuss the results of the community survey that was conducted between December 10 and December 31, 2020 regarding short-term rentals. This was an online survey in which over 600 respondents participated. The results of the survey are included as an attachment to this report. As a result of the discussion at Committee of the Whole, the Planning Division moved forward with a draft ordinance.

The draft proposal was presented to the Committee of the Whole in June of 2021. The City Council were largely receptive to the broad topics that were discussed, and few changes have been made to the proposed ordinance. Staff has worked with the City Attorney's office to

prepare the text of the proposed ordinance for review and consideration. The following subsections review aspects of the code that are being proposed. A full draft of the ordinance is also provided as an attachment to this report for the Planning Commission to review.

Proposed Code

The Murray City Planning Division has been working on a draft ordinance since the beginning of the year. After obtaining input from residents via a public survey, reviewing successful codes in other cities, and discussing the proposed code with the City Council staff believes that the proposed code will successfully implement a framework to appropriately allow and regulate short-term rentals (STRs) in the city.

Definitions:

It is necessary to define the three main types of short-term rentals.

1. *Hosted Sharing*: means renting out a portion of the dwelling out while the homeowner resides on property at the same time.
2. *Unhosted Sharing*: means renting out a portion or the entire dwelling while the homeowner is NOT residing on property, but still uses the property as their primary residence.
3. *Dedicated Vacation Rental*: means that the homeowner does not reside on the property and rents out the dwelling.

During research it was clear that Murray's citizens wanted to make sure that any short-term rental had accountability by the property owner. To respond to that concern, Planning Division Staff recommends that dedicated vacation rentals as defined above be prohibited within the city, and further that unhosted sharing be limited to no more than 182 nights per calendar year.

Where Allowed:

Planning Division staff recommends that short-term rentals be allowed in all primarily residential districts. These are typically classified as zones beginning with "R". This allows citizens additional opportunity to more fully enjoy the use of their property. Murray City staff would review a land use permit (see the "permitting" section that follows) in order to verify whether an applicant would be able to meet all the requirements allowing STRs.

Permitting:

Proposed Section 17.77.030 states that "An STR is allowed in all primarily residential districts after obtaining both an STR land use permit and a business license." Planning Division staff

recommends that the STR Land Use Permit be an administrative permit, approved at the staff level. This would allow residents to apply and be approved relatively quickly if requirements can be met as opposed to going through a Conditional Use Permit process with the associated delays of required noticing and a public meetings.

Standards and Requirements:

Any request to operate an STR will require an application on a form that is provided by the city. The application will cover what is needed in order to get approved for an STR permit. Requirements will include a site plan showing the layout of the property including setbacks and entrances to the dwelling and/or STR. The site plan is also where the proposed parking will be shown.

Parking will be required at one-half (1/2) space per bedroom that will be used as a short-term rental and in no case shall this be less than one (1) additional space. This is in addition to the two (2) spaces that are required for most dwellings. As an example, a property owner that intends to use one (1) bedroom out of a total four (4) bedrooms in their home for an STR would be required to demonstrate the availability of at least three (3) off-street parking spaces.

Floorplans will be required for hosted sharing to show the areas to be used as an STR. Only one designated area for STRs will be allowed. This language means that a property owner could not rent out multiple bedrooms to multiple groups. Planning Division staff finds this to be the most reasonable and fair approach; a property owner is allowed an STR, but the residential character of the area is less impacted with only one group in a dwelling at any time, and the use of the STR will have less of an impact to neighboring property owners.

The property owner will be required to provide proof of occupancy of the proposed STR. They must be a fee title owner, or part of a family trust that owns a minimum of fifty percent of the dwelling. Additionally, the property will need to document that the property is their primary residence by providing a government issued ID and by signing an affidavit affirming that they reside on the property a minimum of 183 days per calendar year.

If the property owner is part of an HOA, they will need to sign an affidavit that certifies that the property owner will not be violating any CC&Rs prohibiting short-term rentals. As part of the application process the applicant will need to provide contact information for someone that will be available 24/7/365 in case of any potential violations. This contact information must be provided on the nameplate sign and in the guest packet as well.

A nameplate sign will be required to be placed at the entrance of the STR. This is to assist in any neighbors that may have a concern with the STR and how to contact the property owner to resolve any issues.

Although most short-term rental companies require their hosts to provide a Guest Packet, it is important that the city require this as well. This packet will need to include everything that is listed in the proposed ordinance.

All STRs are required to follow city ordinances relating to property maintenance, noise, and nuisances. If the guests do not follow these rules the property owner may be subject to a violation and/or the guest may be evicted.

Violations and Penalties:

It is vital that there be consequences for not following the ordinance regarding short-term rentals. Planning Division staff worked with the City Attorney's office to craft a violations and penalty section that is firm and effective, yet fair.

If a property owner is found operating a short term rental without approval by the city or is in violation of the standards in their permit, the first level would be a penalty of \$500. The property owner would need to cease all operations of the short-term rental and if able go through the permitting process to allow a short-term rental or come back into compliance. If the property owner does not cease operations or continues out of compliance, every additional day in operation would constitute a separate offense. For a second offense within a 12-month period the penalty would be \$750. The third offense in a 12-month period would be an additional \$750 and the property owner would not be allowed to obtain a land use permit or a business license with the city for two years from the date of the violation. Lastly, if there are any additional violations within the 12-months from the first violation the city may issue a citation for class B misdemeanor which includes a fine of \$1,000 and the property owner would be permanently banned from operating a short-term rental within the city.

Summary

The proposed code is intended to help people in two distinct ways. The first by allowing for homeowners to supplement their income by providing an opportunity for them to rent out a portion or the entirety of the dwelling in which they reside. Allowing short-term rentals has the potential to provide economic relief for a homeowner who may not be able to afford their home otherwise, thus stabilizing the neighborhood from turnover of new residents. Requiring that the property owner reside on the property alleviates one of the main concerns of STRs:

that the property will become a party house, or that the property will fall into disrepair by absentee landlords.

The second, which is more complex is to allow these short term rentals with as little impact to the neighborhood as possible. The nature of short-term rentals will create small impacts to the immediate neighbors and the Planning Division has worked diligently to make sure that the requirements to obtain a permit and the penalties for not having or violating the conditions of a permit will reduce those impacts. Planning Division staff believes this proposal will provide the greatest good, for the greatest number of the residents of Murray City.

II. CITY DEPARTMENT REVIEW

The proposed ordinance was made available for review by City Staff from various departments on August 2, 2021. One comment was provided by the Fire Department requesting that interconnected fire detectors be provided throughout the dwelling in approving an STR permit. Staff has revised the proposed code and placed the requirement in Section 17.77.040. No additional issues or comments were received.

III. PUBLIC COMMENTS

Notice of the public hearing for the requested text amendment was sent to affected entities and posted on the State's public notice website. No comments have been received as of the writing of the Staff Report.

IV. FINDINGS

1. The proposed changes are in harmony with objective 11 of the Land Use and Urban Design Element of the 2017 Murray City General Plan to "stimulate reinvestment in deteriorating areas of the city to support growth and enhance the image of the community". Hosts of short-term rentals are often encouraged to market their property, by reinvesting in their homes they help the imageability of the neighborhood.
2. The proposed changes support objective 3 of the Neighborhoods & Housing Element of the 2017 Murray City General Plan to "encourage housing options for a variety of age, family size and financial levels". The proposed changes allow residents that own a home and that may be struggling to pay their mortgage an opportunity to rent out a portion or all of their home for less than thirty days.
3. Objective 1 of the Moderate Income Housing Element advises the city to "ensure housing affordability targets are achievable using a range of strategies". Staff finds

that the proposed code furthers this objective by making it easier for a homeowner to stay in their home by renting out a portion of their dwelling.

V. STAFF RECOMMENDATION

Based on the background, staff review, and the findings in this report, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the request to amend the Murray City Land Use Ordinance adding proposed Chapter 17.77, Short Term Rentals, as presented in the Staff Report.

MURRAY CITY CORPORATION
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19th day of August 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City. The Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to a new Land Use Ordinance Text Amendment for Section 17.77, Short Term Rentals. You may attend the meeting or submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting only you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

Jared Hall, Manager
Planning Division

CHAPTER 17.77: RESIDENTIAL SHORT-TERM RENTAL (STR):

SECTION:

- 17.77.010: PURPOSE
- 17.77.020: APPLICABILITY
- 17.77.030: DEFINITIONS
- 17.77.040: STANDARDS AND REQUIREMENTS
- 17.77.050: VIOLATIONS
- 17.77.060: ENFORCEMENT
- 17.77.070: FINES

17.77.010: PURPOSE:

This chapter is established to provide regulations for residential short-term rentals (STRs) related to single family and multi-family neighborhoods. These standards seek to allow for STRs while also protecting the safety and general welfare of residents and preserving the residential character of neighborhoods. Allowing STRs, is intended to provide economic relief to existing property owners who might otherwise be forced to leave a neighborhood, thus promoting, and preserving stable and affordable housing in the city. This chapter also intends to stabilize neighborhoods by promoting home ownership and preserving long term rental housing in the market.

17.77.020: DEFINITIONS:

The following words and phrases when used in this chapter shall be construed as defined in this section:

- A) DEDICATED VACATION RENTAL: Renting an entire dwelling where there are no owner occupants.
- B) HOSTED SHARING: Renting a portion of the dwelling while the owner occupants of a residence remain on-site with guests.
- C) INCIDENT: A violation or series of violations that have occurred in a time period of 24 hours.
- D) RENTER: a single person or group of people who provide compensation, in any form, in exchange for occupancy of a dwelling unit, or portion thereof, under one lease or rental agreement.
- E) STR LAND USE PERMIT: An administrative permit issued to the property owner seeking to use property as an STR after Community and Economic Development staff have determined that the owner's property qualifies under the requirements of this chapter.
- F) SHORT-TERM RENTAL (STR): Any dwelling or portion thereof that is available for use or is used for accommodations or lodging of guests paying a fee or other compensation for a period of less than 30 consecutive days.
- G) UNHOSTED SHARING: Renting an entire dwelling unit where the owner occupants of a residence vacate the unit while it is rented to short-term guests.

17.77.030: APPLICABILITY:

- A) An STR is allowed in all primarily residential districts after obtaining both an STR land use permit and a business license.
- B) The following are exempt and shall not be subject to the provisions of this chapter:
 - 1) A residential lease of thirty (30) or more consecutive days.

**CHAPTER 17.77:
RESIDENTIAL SHORT-TERM RENTAL (STR):**

2) RV parks, campgrounds, hotels, and motels, as described and regulated in Title 17.

17.77.040: STANDARDS AND REQUIREMENTS:

An STR may be allowed within any existing legal conforming residential dwelling by obtaining an STR land use permit from the Community and Economic Development Department, wherein the applicant demonstrates compliance with requirements found in Title 17 and all of the following standards and requirements:

- | A) Application: A completed application form and payment of all fees. -Application form provided by the City.
- | B) Property Information:
 - 1) A detailed written description of the proposed use.
 - 2) A basic site plan of the property including locations of accessory structures, setbacks, parking, and entrances to the dwelling and STR.
 - 3) A floorplan drawing of the dwelling that identifies the portions of the dwelling to be used for the STR.
 - 4) Only one designated STR or STR area is allowed per dwelling.
- | C) Parking Plan: A detailed drawing of an off-street parking plan must be provided to ensure that all occupants of the primary dwelling and STR can be accommodated on-site at all times.
 - 1) Parking may not include any on-street parking, and shall be limited to the existing garage, driveway, and dedicated parking spots of the residential unit.
 - 2) Shared guest parking as part of a multi-family dwelling shall only be permitted upon express written approval of the HOA or property management, as applicable.
 - 3) Any proposed parking improvements shall also be included in the off-street parking plan and must be completed prior to issuance of a business license.
 - 4) All elements of the parking plan must comply with all other requirements of this chapter.
 - 5) The applicant shall provide the maximum renter occupancy proposed and demonstrate that sufficient parking has been provided off street at a rate of one-half ($\frac{1}{2}$) space per bedroom or sleeping area and in no case shall the parking be less than one (1) space.
- | D) Owner Occupancy: The owner shall live in the dwelling in which an STR is desired and must reside as their primary residence.
 - 1) The owner shall prove ownership of the property as evidenced by a copy of a transfer deed listing the applicant as the fee title owner.
 - a) Fee title owner may be an individual or trustor of a family trust that possesses fifty percent (50%) or more ownership of the proposed STR.
 - b) Fee title owner may not be a corporation, partnership, limited liability company, or similar entity.
 - 2) To establish that the property is the owner's primary residence, the owner shall:
 - a) Present a government issued identification document listing the address of the property as the address of the owner; and
 - b) A signed affidavit sworn before a notary public shall be provided by the owner stating that the proposed property is the primary residence of the owner, wherein they reside at least one hundred eighty-three (183) days per calendar year.
- | E) Occupancy During Rental Period: The owner shall comply with the following occupancy restrictions:

CHAPTER 17.77:
RESIDENTIAL SHORT-TERM RENTAL (STR):

- 1) The property shall not be rented to more than one party at any given time, and the owner shall not divide and rent out portions of the dwelling to multiple parties at the same time.
- 2) Hosted sharing is allowed 365 days a year.
- 3) Unhosted sharing shall not be conducted for more than one hundred eighty-two (182) nights per year.
 - a) The property shall only be rented for a minimum duration of one night and a maximum of thirty (30) nights.
- 4) Dedicated Vacation Rentals are not allowed.

F) No Conflict with Private Restrictions: The property owner shall sign an affidavit sworn before a notary public that certifies to the City that the subject property has no existing private covenants, conditions, or restrictions prohibiting STRs.

G) Urgent Response: The owner, or a designated representative, shall be available to immediately respond twenty-four (24) hours a day, three hundred sixty-five (365) days a year by telephone.

- 1) When necessary, the owner, or a designated representative be able to physically respond within one hour of an inquiry or request by the City.
- 2) If the owner or designated representative is unreachable after three (3) attempted contacts by Murray City within one hour, a citation may be issued.
- 3) If the owner or designated representative is not able to respond within an hour a citation may be issued.

H) Nameplate Sign: One nameplate sign shall be permanently attached to the building in a conspicuous location near the front entrance of the STR. The nameplate sign shall:

- 1) Provide the name and telephone number of the owner or designated representative that can be contacted twenty-four (24) hours a day;
- 2) Contain the occupant load of the building as allowed by the International Building Code;
- 3) Be made of durable, weather resistant material;
- 4) Not exceed three inches by five inches in dimension; and
- 5) Contain no advertising.

I) Noticing and Posting Requirements: A guest informational packet must be maintained in a clearly visible location within the STR area, and must include all of the following:

- 1) STR permit and business license.
- 2) 24/7 contact information for owner or a designated representative.
- 3) Parking requirements, including site map of approved designated parking areas.
- 4) Maximum occupancy.
- 5) Sign indicating no excessive or undue noise between 10 p.m. and 7:00 a.m.
- 6) Garbage pick-up dates, and a written description of where garbage receptacles must be placed for pick-up and retrieval All garbage must be retrieved and disposed of on a regular basis and in a timely and appropriate manner.
- 7) Numbers for 911 and Non-emergency dispatch.
- 8) Other contact information or information related to other regulations or conditions of an approval through the land use permit process, as required by the Community and Economic Development Department.

J) Fire Detectors: All dwellings shall have interconnected smoke detectors.

K) Property Maintenance Requirements: All STRs shall adhere to all City ordinances relating to the maintenance and management of property.

CHAPTER 17.77:
RESIDENTIAL SHORT-TERM RENTAL (STR):

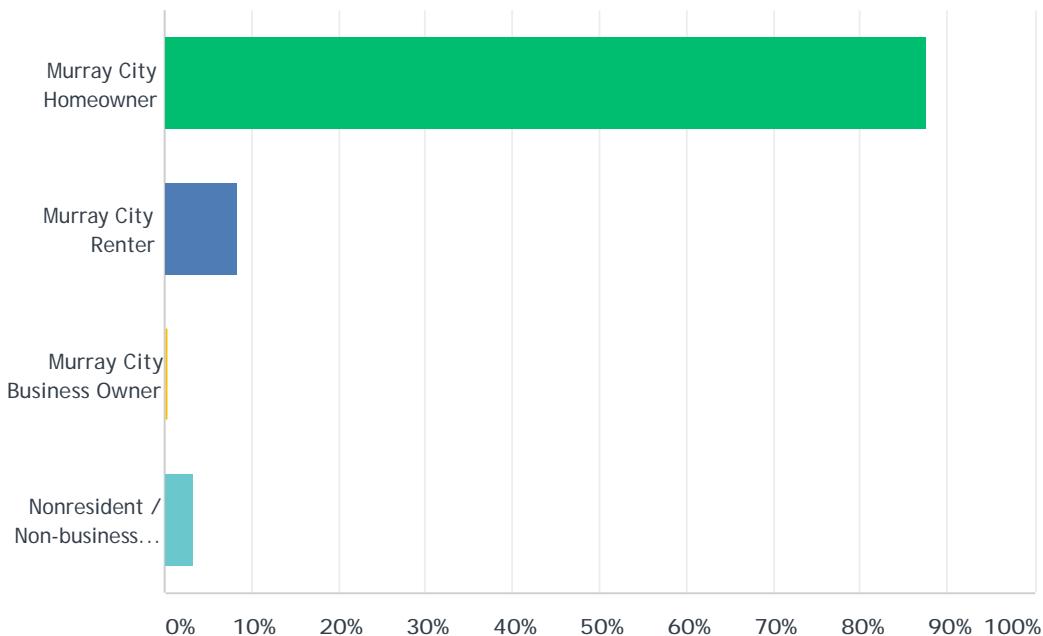
L) Noise and Nuisance Control: The owner shall ensure that the guests adhere to the noise control in section 8.16 of the Murray City Code, as amended. Should a renter violate the noise control chapter more than once in any given 48-hour period they shall be immediately evicted from the property by the owner.

17.77.050: VIOLATIONS AND PENALTIES:

- A. Failure to comply with this chapter shall constitute a violation for which the City may issue a citation and impose penalties.
- B. Each day that a violation occurs or continues is a separate violation.
- C. Operation of a property in the city for short-term rental purposes without an STR Land Use Permit or a business license shall be a violation of this code for which the City may issue a citation and impose penalties, with each day of unpermitted or unlicensed operation constituting a separate offense.
- D. It shall be a violation for any person to operate an STR in violation of any federal, state or local law, rule or regulation.
- E. For noncompliance with this chapter, the issuing officer shall issue a written citation to the owner or operator, specifying the violation.
- F. Except as otherwise provided in this chapter, the penalty for violation of this chapter shall be as follows:
 1. The first violation within any 12-month period is an infraction, the penalty of which shall be no less than \$500;
 2. The second violation within any 12-month period is an infraction, the penalty of which shall be no less than \$750; and
 3. The third violation within any 12 month period is an infraction, the penalty of which shall be no less than \$750 and revocation of the STR Land Use Permit and the business license for the short-term rental for the subject property; provided, however, that the operator may not re-apply for any available STR Land Use Permit or short-term rental business license for such property for two years from the date of such revocation.
 4. Any violation following the third violation within 12 months is a class B misdemeanor, the penalty of which shall include a fine of no less than \$1,000, and the owner shall be ineligible for an STR Land Use Permit or business license related to an STR for any property within the City.

Q1 Please select the option that best describes you.

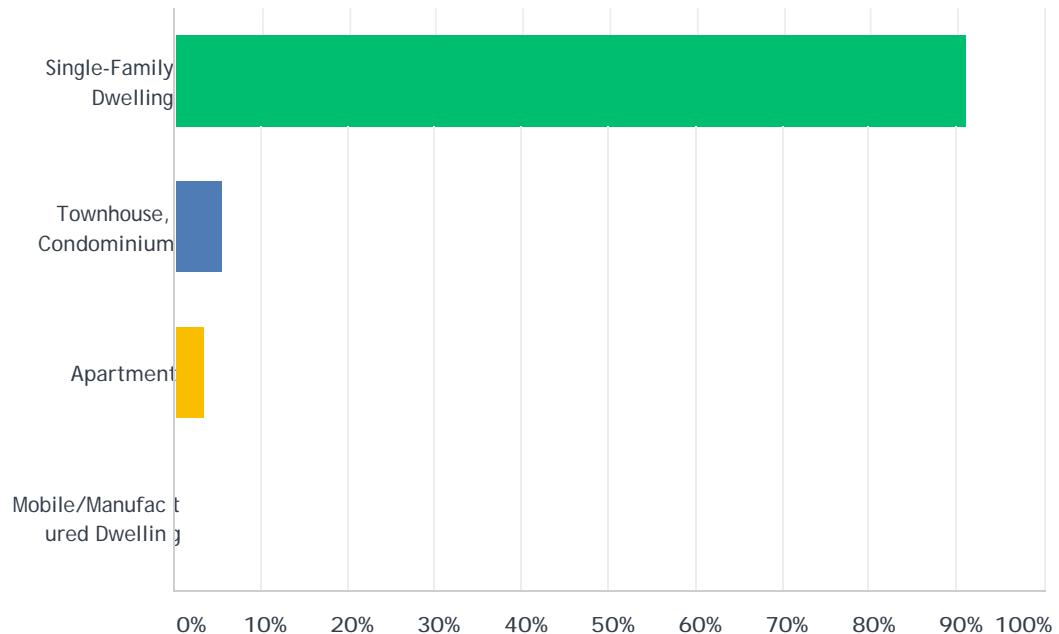
Answered: 611 Skipped: 0



ANSWER CHOICES	RESPONSES
Murray City Homeowner	87.73%
Murray City Renter	8.35%
Murray City Business Owner	0.49%
Nonresident / Non-business Owner	3.44%
TOTAL	611

Q2 What type of home do you live in?

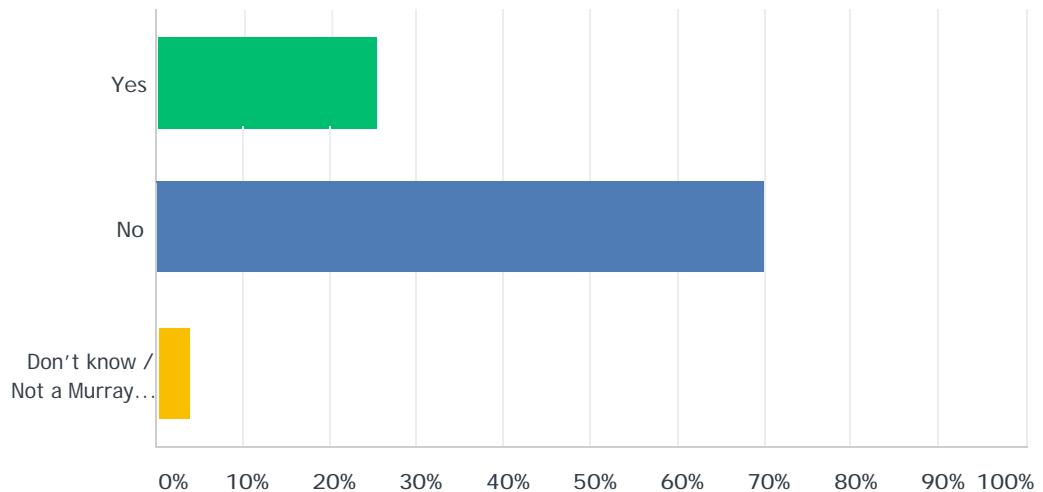
Answered: 610 Skipped: 1



ANSWER CHOICES	RESPONSES
Single-Family Dwelling	90.98%
Townhouse, Condominium	5.41%
Apartment	3.44%
Mobile/Manufactured Dwelling	0.16%
TOTAL	610

Q3 As a resident of Murray City, are you aware of short-term rentals operating in your neighborhood?

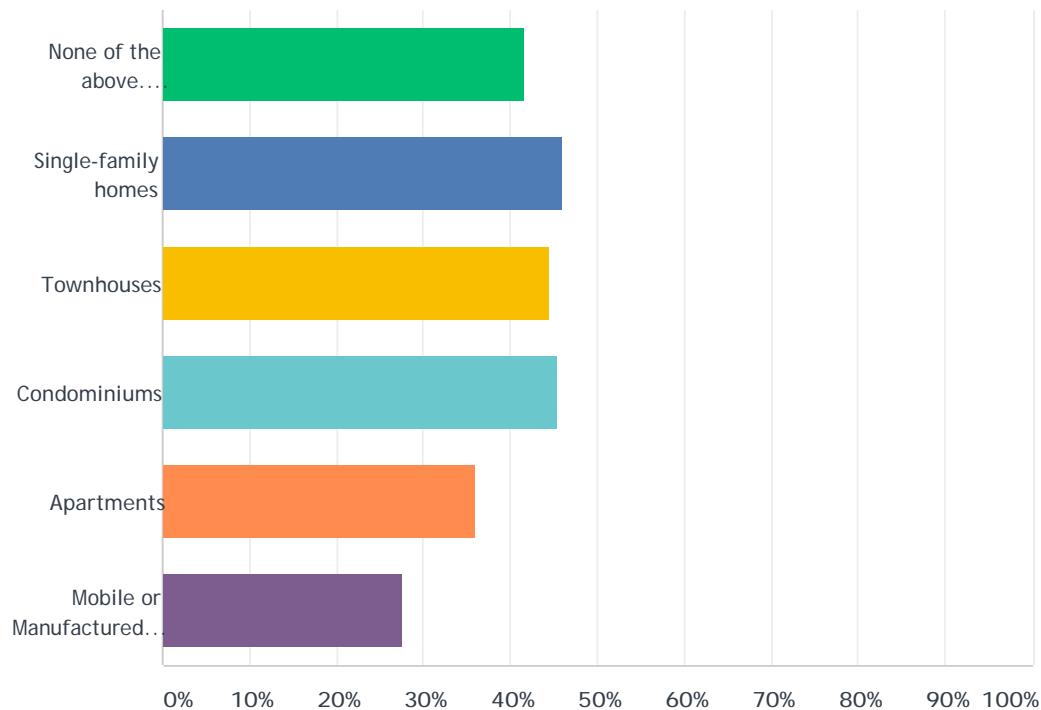
Answered: 610 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	25.41%	155
No	70.82%	432
Don't know / Not a Murray resident	3.77%	23
TOTAL	610	

Q4 Murray City should allow short-term rentals in (select all that apply):

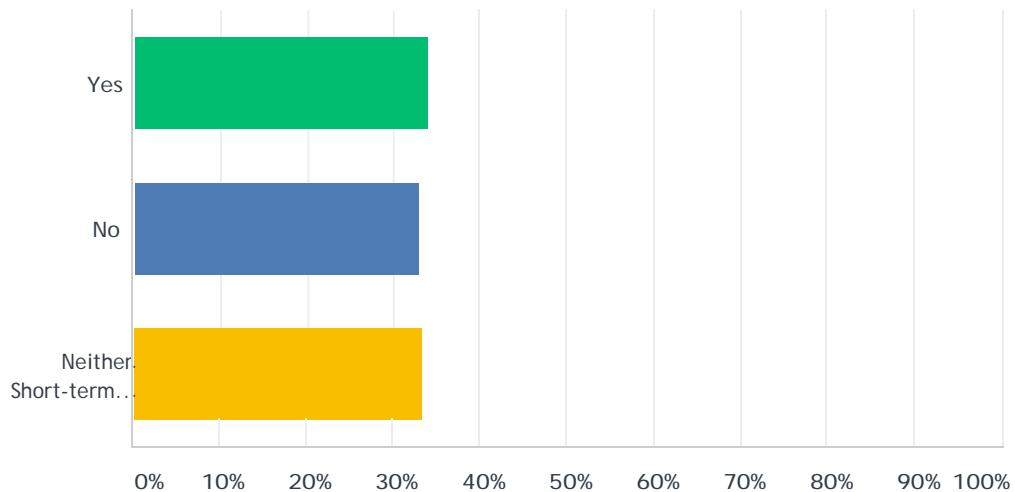
Answered: 609 Skipped: 2



ANSWER CHOICES	RESPONSES	
None of the above. Short-term rentals should not be allowed.	41.54%	253
Single-family homes	45.98%	280
Townhouses	44.66%	272
Condominiums	45.48%	277
Apartments	35.96%	219
Mobile or Manufactured dwellings	27.59%	168
Total Respondents: 609		

Q5 Should short-term rentals only be allowed if they are owner occupied?

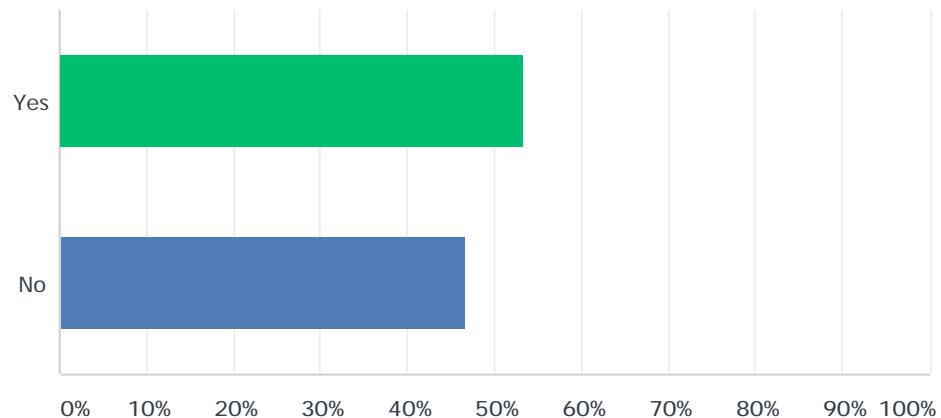
Answered: 608 Skipped: 3



ANSWER CHOICES	RESPONSES	
Yes	33.88%	206
No	32.89%	200
Neither. Short-term rentals should not be allowed.	33.22%	202
TOTAL		608

Q6 Should Murray City limit the maximum number of nights per year a dwelling may be rented as a short-term rental?

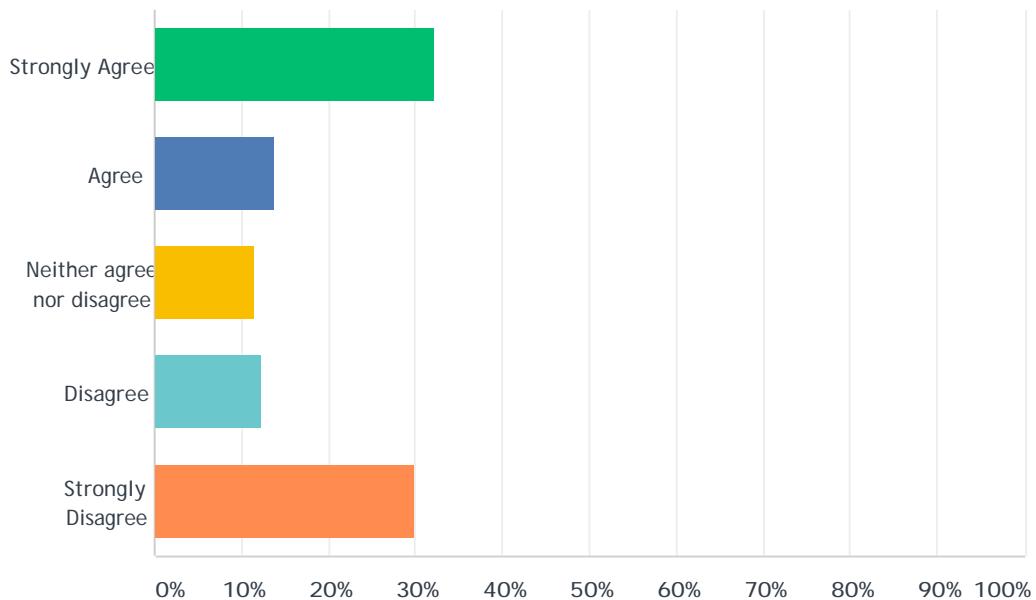
Answered: 595 Skipped: 16



ANSWER CHOICES	RESPONSES	
Yes	53.28%	317
No	46.72%	278
TOTAL		595

Q7 Short-term rentals should be allowed, but the city should require a permit.

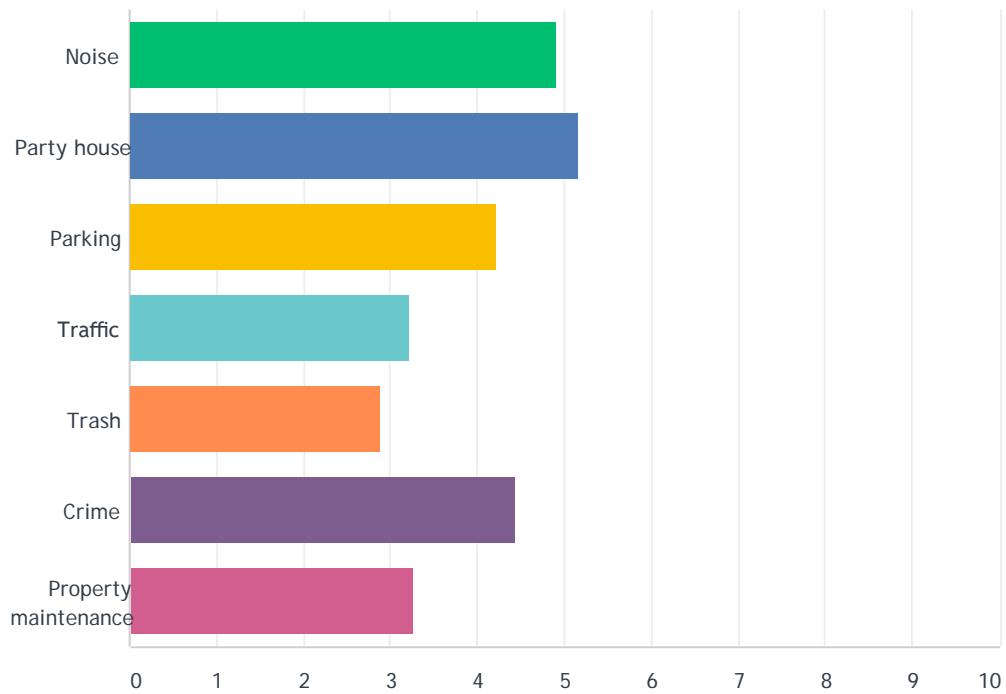
Answered: 604 Skipped: 7



ANSWER CHOICES	RESPONSES	
Strongly Agree	32.28%	195
Agree	13.74%	83
Neither agree nor disagree	11.59%	70
Disagree	12.42%	75
Strongly Disagree	29.97%	181
TOTAL		604

Q8 With 1 being most important and 7 the least important, please rate each potential short-term rental related issue based on how you perceive them to affect your quality of life.

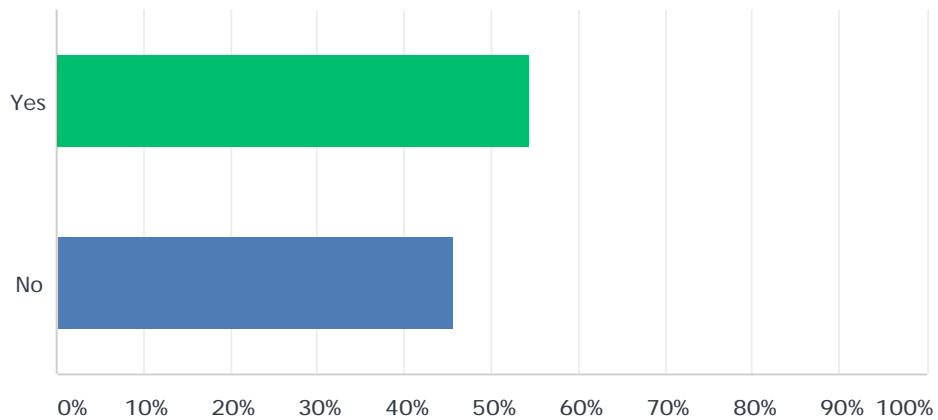
Answered: 603 Skipped: 8



	1	2	3	4	5	6	7	TOTAL	SCORE
Noise	14.64% 83	30.16% 171	22.05% 125	12.52% 71	10.41% 59	6.70% 38	3.53% 20	567	4.92
Party house	28.77% 166	26.34% 152	16.29% 94	9.01% 52	6.76% 39	6.41% 37	6.41% 37	577	5.16
Parking	12.17% 70	11.30% 65	21.57% 124	21.22% 122	15.83% 91	10.78% 62	7.13% 41	575	4.22
Traffic	3.81% 22	9.19% 53	10.05% 58	18.20% 105	20.28% 117	18.89% 109	19.58% 113	577	3.23
Trash	1.39% 8	4.34% 25	9.55% 55	15.10% 87	23.78% 137	27.78% 160	18.06% 104	576	2.89
Crime	30.17% 175	9.66% 56	12.07% 70	10.69% 62	11.21% 65	12.41% 72	13.79% 80	580	4.44
Property maintenance	11.30% 67	9.11% 54	8.77% 52	13.32% 79	11.47% 68	15.68% 93	30.35% 180	593	3.27

Q9 Would having contact information for an owner/manager who would be available 24 hours a day, and on-site within one hour, ease your concerns about short-term rentals?

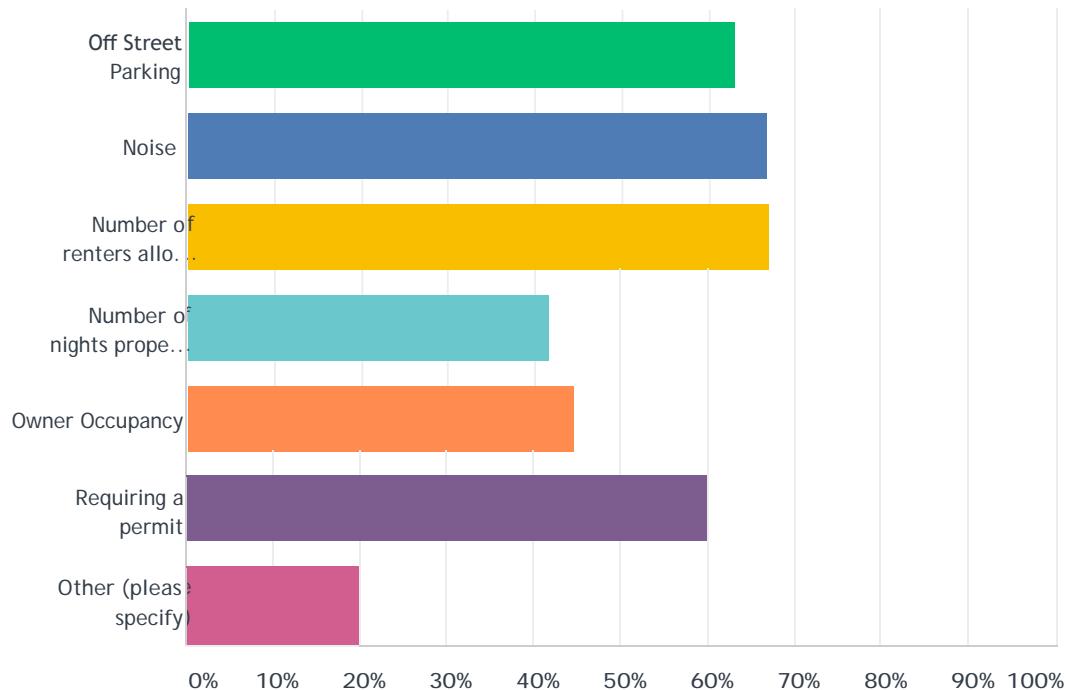
Answered: 607 Skipped: 4



ANSWER CHOICES	RESPONSES	
Yes	54.37%	330
No	45.63%	277
TOTAL		607

Q10 When drafting regulations for short term rentals, what issues should Murray City focus on? (select all that apply)

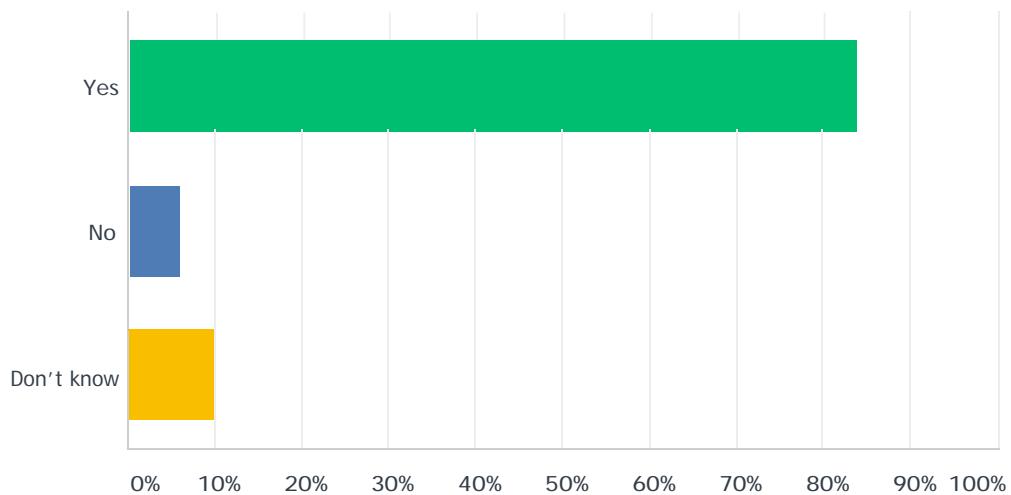
Answered: 608 Skipped: 3



ANSWER CHOICES	RESPONSES
Off Street Parking	62.99% 383
Noise	66.78% 406
Number of renters allowed at a time	66.94% 407
Number of nights property is rented	41.61% 253
Owner Occupancy	44.57% 271
Requiring a permit	59.54% 362
Other (please specify)	19.57% 119
Total Respondents: 608	

Q11 If the City receives a certain number of valid code complaints about a permitted short-term rental unit, should the owner have their permit revoked?

Answered: 601 Skipped: 10



ANSWER CHOICES	RESPONSES	
Yes	83.69%	503
No	5.82%	35
Don't know	10.48%	63
TOTAL		601

Q12 What other comments or concerns do you have related to short-term rentals in Murray City?

Answered: 353 Skipped: 258

Murray City

#	RESPONSES	DATE
1	Don't degrade our neighborhoods. No short term rentals. Too many problems with crime and noise.	1/2/2021 10:47 PM
2	Haven't you ruined Murray enough with all the hotels and now the dense housing apartments being built in our city?? Stop with the greed you are ruining what is best about Murray and why we built here.	1/2/2021 4:44 PM
3	From what I know of it, Airbnb rental standards are high for both the renters and the people renting their property because both sides are rated and they basically pre-screen each other. That's more than you get with long-term rentals. Even hotels and motels don't get to pre-screen and rate who they rent to.	1/1/2021 12:22 PM
4	Don't turn this city into West Valley. Do your job as elected officials and protect the residents of this city from the problems associated with renting properties to mobile riff raft.	1/1/2021 9:47 AM
5	I'm middle aged, as a traveler who must share for economy of scale, this is a hindrance and unmerited. Travelers, generally, are out all day and only sleep at the rental. This is not necessary.	1/1/2021 8:35 AM
6	Make sure to inform all residents in area (1000 feet minimum) of the short term rentals.	12/31/2020 10:01 PM
7	That the city gets too involved and will charge fees that aren't necessary.	12/31/2020 2:41 PM
8	I worry about the crime increasing. We all ready have an up tick in crime due to the increase of homeless population. I don't foresee that getting better with short term rentals.	12/31/2020 12:04 PM
9	Seems most of these questions are related to AFTER they are permitted. What part of NO is not understood?	12/31/2020 11:42 AM
10	This is not what Murray is about. We are a close-knit community who watches out for each other.	12/31/2020 10:02 AM
11	Neighbor support is another idea with the permit. Other cities require this	12/31/2020 9:19 AM
12	Dont allow short term rentals! They are a disaster!! Other owners in the neighborhood have no idea who belongs and who doesn't. The crime rate in surrounding homes skyrockets as well.	12/31/2020 8:43 AM
13	Keep Murray the family oriented city it should be.	12/31/2020 6:58 AM
14	Please do not let my neighborhood turn into a In Town Suites or Motel 6. Just look what is happening over there on 7200 south. We do not need more transient crime in our neighborhood	12/30/2020 11:05 PM
15	If it was for the Olympics or another short term event, maybe I'd agree.	12/30/2020 9:34 PM
16	Most other cities around us allow short term rentals. Because of freeway access, we are the best location for short term ski rentals. Why are we being denied the right to make money in this ideal situation? Is there any evidence of increased crime or noise with other cities rentals. Please don't let peoples fear get the best of us.	12/30/2020 9:09 PM
17	I do not support short term rentals in Murray's residential zones.	12/30/2020 8:13 PM
18	Owner of rental must live in Murray	12/30/2020 7:37 PM
19	Destroys the neighborhood integrity	12/30/2020 6:33 PM
20	Oh my freaking gosh. Can we please evolve to the modern times and allow short term rentals? Please, ignore the old-school NIMBYs who complain about everything. The reality is, rentals of all kinds are needed. Who needs a short-term rental: 1. Short term ski resort employees 2. Traveling nurses 3. Individuals seeking medical care at Murray Intermountain Healthcare who need a short term place. 4. Business men and women who travel. 5. People who come to Utah to enjoy the recreation. Let's stop assuming that short-term rentals mean trash, crime, and a dirty property. Most property owners care deeply about the condition of their property. If anything, short term rentals are in BETTER condition than traditional rentals. This is because the property is rated on the platform that lists the short term rental. The property owner will be rated low if the property is in poor condition. Regardless, there should be a way to report dilapidated property even if it is a traditional long-term rental or short-term rental. We need to evolve as a community and adapt to the needs of people who are only needing a short term rental. Personally, I am so, so sick of NIMBY residents who complain about every new	12/30/2020 5:19 PM

Murray City

construction plan and want Murray to be stuck in the 1950's. Please, please consider allowing short-term rentals!

21	Just two houses on my street have a combined 16 vehicles. Our street is very narrow and can't handle any more.	12/30/2020 5:18 PM
22	I think short-term rentals are fine for the most part. It can help those that need extra income. There are always unforeseen issues that come up and I hope the City would be willing to work with neighbors to get those resolved.	12/30/2020 4:02 PM
23	The city ADU is already an issue in our neighborhoods. They shouldn't be allowed either. Most criminal use motels as a source of crime or crime related activities. If you allow these short term uses, you will be inviting criminals into residential neighborhoods and Murray is already having issues with blatant crimes to the point this will only make it worse. Please don't allow this.	12/30/2020 3:57 PM
24	Protect single family zoning areas from excessive rentals of any kind. This is what is causing most of the crime in our neighborhoods. We are tired of it all.	12/30/2020 3:57 PM
25	Don't do it. Just don't.	12/30/2020 3:02 PM
26	We had a neighbor air b n b their house and rent it out - they didn't care how many people were there. There would be 50 kids for a youth conference and tons of cars. So disruptive to our neighborhood! And they didn't even care how it affected the neighborhood. So rude!	12/30/2020 2:24 PM
27	Proper evaluation of other areas with short-term rentals; specifically evaluating negatives not just positive aspects (crime; traffic, etc.). Who is responsible if renters damage neighboring properties? Will homeowner be required to provide proof of insurance?	12/30/2020 2:14 PM
28	I disagree with any short term rentals	12/30/2020 11:56 AM
29	None	12/30/2020 11:21 AM
30	Hours the renters can have non staying guests.	12/30/2020 11:07 AM
31	Residential areas should be just that. They should not be turned into commercial rental areas.	12/30/2020 9:49 AM
32	These are up kept properties because people won't pay to rent them otherwise. They are much better than long-term rentals. The people renting them are usually respectful and owners want to attract people so they keep the property maintained	12/30/2020 9:42 AM
33	It is already happening, so getting regulations and control around this would be beneficial. Responsible property owners is really the key to allowing rentals, whether long term single family, duplex rentals, or short-term rentals. There is a housing shortage all over. Don't restrict rental types, but rather hold property owners to a high standard so that we eliminate slum landlords whose tenants have terrible living conditions and neighborhoods that look in disrepair.	12/30/2020 8:51 AM
34	It's already happening. The city should address this as there are a number of horrible short-term rentals. Sandy;City implemented an excellent model that Murray City should examine.	12/30/2020 8:49 AM
35	None. Would love to see them allowed	12/30/2020 8:41 AM
36	None	12/30/2020 7:55 AM
37	The city has plenty of hotels we do not need these short term rentals	12/30/2020 7:41 AM
38	None	12/30/2020 7:38 AM
39	NA	12/30/2020 12:25 AM
40	If people need to make extra money for their family they should have short term rentals as an option	12/29/2020 11:33 PM
41	Don't let a bad few examples set a precedent for all the good that potentially comes with vacation rentals (or more revenue to City in permit fees and taxes, income source for struggling owners, cheaper stays for guests, etc).	12/29/2020 11:26 PM
42	We had a neighbor do this for a year while they lived elsewhere and it was a nightmare.	12/29/2020 11:25 PM
43	I like knowing my neighbors and who is coming and going in my neighborhood. Would be afraid of pop up drug houses.	12/29/2020 11:03 PM

Murray City

44	Shady dealings	12/29/2020 10:51 PM
45	There's a potential problem of increased crime as well as noise and parking issues	12/29/2020 10:48 PM
46	If there is numerous issues with a rented house the neighbors need some recourse. We can't all keep moving out of Murray to have a nice peaceful neighborhood. Crime is already crazy and increasing.	12/29/2020 10:47 PM
47	I think short term rentals with out permits should be allowed	12/29/2020 10:44 PM
48	the houses on atwood and 4500 has been an issue	12/29/2020 10:42 PM
49	Should not need a permit. Or permission.	12/29/2020 10:36 PM
50	Short term renters usually have no respect for others property and will use neighbors things if it is something that they need. I have also seen blatant disregard for safety, rules and fire regulations by short term renters.	12/29/2020 10:33 PM
51	Would be a great opportunity for the city	12/29/2020 10:16 PM
52	It is Not good for Murray Residents. There has been a rise in crime in Murray. As a result residents have had to form neighborhood watch groups to help look out for each other. It helps us to know who is supposed to be in the neighborhood and who might be someone that doesn't belong. When adding short term rentals it brings in a lot of outside groups that makes it harder for residents to look out for each other. Not to mention people unfamiliar with the area driving through our neighborhood's putting our kids at risk because they just don't know where they're going. Add parking issues and there is very little benefit for Murray residence as a whole. I feel like it should be the responsibility of our city to protect the residence has a hole and not help the few people looking to make a buck.	12/29/2020 10:09 PM
53	None	12/29/2020 10:09 PM
54	We have experienced a rental across the street. It is very unnerving having different people in and out of a house and they don't care. Committee would you like a vacation rental living next to your HOME?	12/29/2020 10:01 PM
55	The idea that neighborhoods zoned for private housing can be turned into "motel row" is appalling. Might as well open the city to anything any place zoning. Murray is quickly losing its hometown feel anyway, now we will consider the demise of all traditional single family housing ?	12/29/2020 10:00 PM
56	Murray is having traffic and crime issues but nobody seems to want to address those.	12/29/2020 9:59 PM
57	Na	12/29/2020 9:54 PM
58	Short term rentals are only a problem when the land lord/owners are not held accountable. Strict coeds, licensing may help. Please give some kind of power to the neighbors. We rent vacation homes quite often and we are held accountable to the house rules. Owners need rules as well.	12/29/2020 9:48 PM
59	None	12/29/2020 9:40 PM
60	.	12/29/2020 9:36 PM
61	I like the policy that Murray has in place that renting is a one month minimum.	12/29/2020 9:29 PM
62	none	12/29/2020 9:27 PM
63	COVID-19 spread	12/29/2020 9:23 PM
64	None	12/29/2020 9:21 PM
65	Let people do what they want with Their property. Quit governing everything. Some people need additional income. If they are taking care of the home, no complaints them leave them alone.	12/29/2020 9:15 PM
66	Compliance contract with owners for: Building Occupancy codes (determine max. tenants per property per zoning/state/pervailing rental laws, and provide enough off-street parking per zoning regs. Owners property to qualify for and meet all IBC/IRC building codes for fire safety, exiting, as per landlord-tenant laws, as a rental property, provide owners an application for short term rentals ,a check-off list, and inspection to clear/approve property for such use. Mandate required property insurance riders for short term tenants. Mandate owner to obtain a	12/29/2020 9:06 PM

Murray City

business license for operations, to register property as a legit income business for profit (which it is), whereby owner pays applicable city/county/state and hospitality taxes, and reports income on taxes as a business. Stop allowing under the radar operations! Create penalties that stick for those that skirt laws. Application and permit process should cover 'revoking clause' - city has right to terminate operations in event of too many unresolved complaints on property.

67	N/A	12/29/2020 8:59 PM
68	None	12/29/2020 8:56 PM
69	People that have short term rentals have an incentive to keep their homes clean and well maintained they want the home to rent well and they want the home to last. They are going to keep them maintained and will want their neighbors to have their homes cleaned up as well	12/29/2020 8:50 PM
70	Parking, traffic are concerns Murray city overlooks. They allowed rental next door and these issues were overlooked and continue to be bothersome.	12/29/2020 8:50 PM
71	Call me I would be more than happy to discuss. 801-747-9018	12/29/2020 8:44 PM
72	I feel it's the homeowner's business but if the renters are disrespectful and loud they should be evicted.	12/29/2020 8:30 PM
73	We dont want short term rentals in our Murray neighborhoods!	12/29/2020 8:29 PM
74	Having stayed at many short term rentals, I have found them to be nicer and more well-maintained than regular rentals. Plus the renters are more respectful, generally either families or working professionals. Everyone "rates" or reviews each other, both the rents& the landlines & everone wants good reviews, so lots of motivation for good behavior & respect each way.	12/29/2020 8:23 PM
75	Crime will come with this type of rental.	12/29/2020 8:16 PM
76	None	12/29/2020 8:12 PM
77	No permits!! Permits are a way to take more money from the citizens of the city. Why are we worried about what people are doing with their private property. If a property owner becomes a nuisance their neighbors have other legal pathways to get the situation resolved	12/29/2020 8:10 PM
78	There is such limited housing in Murray already, it would be nice to see homes rented as rentals versus VRBO or Air BNB.	12/29/2020 8:09 PM
79	We don't need strangers taking up short term residency in our neighborhoods. Keep our communities safe for our residents and children. NO THANKS to short term rentals	12/29/2020 8:05 PM
80	N/A	12/29/2020 8:03 PM
81	They should not be allowed in Murray. At all. Period.	12/29/2020 7:57 PM
82	I have had 2 horrendous experiences with neighbors that have rented their houses to others. It is never a positive situation. When people don't own the property they don't take any pride in it or care about the neighbors/neighborhood. This disgusts me that Murray is even considering doing short term rentals! This is a small family community. Please, can we take steps to keep it that way? I don't understand this.	12/29/2020 7:52 PM
83	Have heard horror stories about short term renters being loud, parking anyplace, and property owners being unwilling to work with neighbors.	12/29/2020 7:44 PM
84	There are plenty of hotels in Murray, SLC and ski areas. LONG TERM RENTALS are already ruining our property values. Unkept yards, dead or overgrown lawns, cars parked everywhere. NO THANKS to short term rentals. Leave our neighborhoods and communities alone !!!	12/29/2020 7:42 PM
85	Drug use not to be permitted	12/29/2020 7:40 PM
86	Do not allow. You are asking for trouble.	12/29/2020 7:39 PM
87	I think it will hurt the value Murray city is and hurt long time residents.	12/29/2020 7:36 PM
88	I think homeowners should be allowed to have who ever they want rent their house for as long or short as they like. It is their house. It is no different than long term renters. If anything, short term renters are often better because they are rated on the websites on every place they stay. They have to be clean, quiet, responsible people to be able to rent on vrbo and Airbnb.	12/29/2020 7:31 PM
89	We already have seen our city go down the hole, we don't need more people that would	12/29/2020 7:29 PM

Murray City

contributing to it

90	They increase property values and give options to people who may want to make more money from their house. They also allow people to come to the Murray to use its businesses. I am for them	12/29/2020 7:20 PM
91	Do not want them allowed. I do not want my neighborhood to be a vacation destination with tenants who are not vested or interested in the long-term care or best interest in the property.	12/29/2020 6:51 PM
92	It will only bring in crime! DO NOT do it!!!	12/29/2020 6:50 PM
93	Murray is turning in to an extension to down town, just like everyone wanted. With that comes all of the crazy that comes with downtown. Sad	12/29/2020 6:41 PM
94	None	12/29/2020 6:32 PM
95	None	12/29/2020 6:25 PM
96	Rentals if approved should only be allowed within 1 - 2 streets away from commercial store developments so that short term renters contribute to the city economy and to not interfere with homeowners who want privacy and steady development of neighborhoods.	12/29/2020 6:20 PM
97	N/A	12/29/2020 6:09 PM
98	I feel crime will go up	12/29/2020 5:47 PM
99	We don't need party house. I worry about crime, but some needed short term when building houses etc	12/29/2020 5:33 PM
100	Make Murray Murray again	12/29/2020 5:33 PM
101	please don't allow this. It would be terrible for murray	12/29/2020 5:09 PM
102	Should be allowed	12/29/2020 5:06 PM
103	This is quite a controversy, having short-term rentals. I don't see a problem with it. In the long run, people make some money and the city will too with permits, and people have somewhere to stay. Kind of a win-win-win. Stay cool, Murray.	12/29/2020 5:01 PM
104	Crime and traffic are already a big problem.	12/29/2020 4:54 PM
105	Why isn't it legal today?	12/29/2020 4:53 PM
106	We don't need to have permits for every little thing. If a home owner wants to Air B&B their personal property who cares! Stop hindering our freedom with permits for everything.	12/29/2020 4:51 PM
107	We already have a housing shortage and short-term rentals add to the problem of scarcity. Let's take care of our residents first. I do not support this measure.	12/29/2020 4:40 PM
108	I am concerned that Murray city is seeking to destroy the fundamental rights that created the wealth of the the average US citizen, property rights	12/29/2020 4:27 PM
109	Please do not allow short term rentals. We have had some in our neighborhood that were "quietly" advertised and I hated them. I have a family member who worked really hard to limit short term rentals in St. George and it was a nightmare! They had one across the street from them that was being rented out to baseball teams and obviously more rentals around them and the traffic and crime rates soared in their quiet neighborhood. People do not take care of rentals and I even have issues with people who are renting their homes long term because they go to pot and are such an eyesore on the neighborhood. Even having the landlord's info does not help. Please! Please for the love of Pete, Do NOT allow short term rentals. It seems no one listens to these surveys but I keep hoping someone will. PLEASE please do NOT allow them!	12/29/2020 4:26 PM
110	None	12/29/2020 4:22 PM
111	I am against it. If you do go forward, the neighbors should be notified if someone is operating one	12/29/2020 4:21 PM
112	They should be allowed and should be permitted to minimize unwanted impact on the neighborhoods	12/29/2020 4:15 PM
113	I didn't buy a home in a residential area only to find it turn into a motel, hotel, rental situation.	12/29/2020 4:12 PM

Murray City

There are plenty of "short term rentals" in existence already. I don't see the need for them in a residential area. I'm am STRONGLY opposed to the thought of such a plan. I also feel that this issue should be voted upon by the entire residents of Murray city such as in a ballot type situation. I also think this concept should be heavily advertised to the residents. In talking with many of my neighbors, they aren't aware that short term leasing is being considered by Murray City. There just hasn't been enough information provided by the residents.

114	Crime.	12/29/2020 4:09 PM
115	Uses housing stock that might otherwise be available as long term housing. Increases rents overall for the city. Impacts long term stability of residential zones.	12/29/2020 3:53 PM
116	Permits. Fines for violations.	12/29/2020 3:09 PM
117	None	12/29/2020 2:46 PM
118	The house across the street from us had rooms being rented out on a nightly basis in a neighborhood of expensive homes. It brought a very undesirable, transient group of people in and out constantly in our quiet neighborhood; using our amenities, and letting the property go unmaintained. It was a very bad experience for all of us neighbors.	12/29/2020 2:26 PM
119	Na	12/29/2020 2:23 PM
120	Stop trying to regulate every last thing. People should be able to use their house as they want. It's their property!	12/29/2020 2:03 PM
121	People who come and rent have no respect for other property owners. Theft and crime are significant on the rise. This year from a street perspective crime is catastrophic.	12/29/2020 2:03 PM
122	Murray should not regulate short term rentals.	12/28/2020 6:07 PM
123	Perhaps inform us more about this as it goes on. If and when rentals are permitted and for what areas.	12/28/2020 4:20 PM
124	None whatsoever providing renters follow rules and common courtesy of property.	12/28/2020 4:19 PM
125	i'm for it and will support it it will be good for our community	12/28/2020 4:16 PM
126	A limited number of short-term rentals are good for neighborhoods and communities as they require high standards to be met by the property owners and their tenants (standards not required with traditional long-term rental properties). Rental services use rating systems that both the property owners or "hosts" and the tenants or "guests" MUST be judged by in order to use the service - a host rates each guest and each guest rates the host and property - and each party is striving for positive, high ratings. As a result, the cleanliness, attractiveness, and best use of a home/property are top priority and the quality of these factors is renewed over and over again with each new guest. Even first-time guests without ratings must have their identities verified in order to rent a property thereby drastically reducing the possibility of any major problems they could cause because they will be held accountable.	12/26/2020 1:20 PM
127	We have even had to deal with drug paraphernalia left near our property after wild parties (the police were contacted), as well as renters using, disturbing and wandering on our property. While many renters are respectful, there are enough who aren't that these types of rentals are a real concern in regular neighborhoods.	12/23/2020 3:53 PM
128	Short term rentals put unknown persons into a neighborhood, which tends to make residents feel less secure. It creates extra cars and traffic that residents and code enforcement have to deal with. As often happens when many homes in the neighborhood turn into long term rentals it can change the community of neighbors and property care which leads to neighborhood degradation. Murray is such a wonderful community and city it would be a shame to see the degradation. I love Murray and have lived here for 40 years but if my neighborhood and surrounding community had short term rentals I would leave Murray.	12/22/2020 10:13 AM
129	Na	12/21/2020 8:52 PM
130	They should be allowed.	12/19/2020 8:16 PM
131	There needs to be a way to allow short term rentals within murray. All of the concerns are framed that that is the norm. I think a question not included is how frequently do you use a STR. Likely most of us use them! When traveling or vacationing	12/19/2020 12:15 PM

Murray City

132	I don't believe that short term rentals are a considerable issue currently. There are likely more substantial issues with current owners who don't take care of their properties, excessively party, have loud dogs that they don't control, etc. and are not subject to permits or harsh regulations. Long term rentals are also subject to the same issues that short term rentals may create.	12/18/2020 6:44 PM
133	This needs to be reviewed very carefully. It can further push up home prices as people can afford to pay more if they can rent out a basement or an entire house. This could have the opposite effect of affordability. Homeowners buy a mortgage. If they can offset the mortgage by renting out a portion (or all of it) then they can pay more. It absolutely can push the price of housing even higher. Don't overlook this concern.	12/18/2020 9:48 AM
134	I have stayed in short term rentals and have had very good experiences. As a single woman I would / could be very vulnerable. The fact that there are rating systems ensures I have a good experience and I am considering having one in my home. I wouldn't rent to someone without an appropriate previous rental score and rating. A licensee is ridiculous. That is only an Avenue for revenue generation. Property owners are not going to allow their property to be destroyed. Also there are strict guidelines you can impose on tenants as far as parties and number of people.	12/17/2020 6:38 PM
135	Do not allow them.	12/17/2020 2:27 PM
136	They already exist all over the city. Which I think contributes to a vibrant economy. Making them legal and legitimate and regulated would be a positive for the city.	12/17/2020 12:51 PM
137	I think people should be able to do what they wish with their own home regarding rentals.	12/17/2020 12:40 PM
138	There is some evidence that short term rentals put stress on the affordability of housing. I think the affordability of housing should be of greater concern than getting vacation rental dollars for investors. Homeowners who want additional rental income can use ADUs in Murray, which help instead of hurt the affordability of housing.	12/17/2020 11:57 AM
139	The owner should have the same rights as if they rent out their property long term. Why treat it like a negative? This survey is very slanted. Living in a neighborhood with older homes I see short term rentals as a positive where property owners would need to improve their home for short term whereas long term rentals can get to looking very sad and run down.	12/17/2020 7:52 AM
140	Property rights of owners should prevail.	12/16/2020 10:35 PM
141	Some of these questions seem misleading and geared toward allowing short term rentals.	12/16/2020 7:37 PM
142	People should be allowed to do what they want, with property they own, and not fear retribution from authority unless their behavior is affecting others.	12/16/2020 1:04 PM
143	It's a terrible idea. We have so many hotel available in Murray.	12/16/2020 12:52 PM
144	None	12/16/2020 10:59 AM
145	None	12/16/2020 9:59 AM
146	If Murray City is able to continue to build rental properties and build out downtown in the hideous manner they are, then short term rentals should be allowed. Not your property to have a say over.	12/15/2020 4:44 PM
147	no short term at all. .or have everyone move then you can do as you please you will anyhow	12/15/2020 3:42 PM
148	None	12/15/2020 3:11 PM
149	I think people can rent a bedroom etc in their own home. Do not need government control. Times are hard and some need the additional income.	12/15/2020 2:52 PM
150	Most harm done to neighbors by short-term rentals are addressed by other ordinances such as noise ordinances. I think property owners should have the right to do with their property as they want, provided it does not do harm to others. I am in favor of an ordinance if it allows property owners to use their property as a short-term rental. However, the ordinance should not duplicate other ordinances, and should only contain requirements that the city has the ability to enforce, and intends to enforce equitably.	12/14/2020 9:41 PM
151	Short term rentals should not be allowed. Rentals of any kind seem to be problematic. Short term rental allow for here today gone tomorrow with little recourse. Especially for neighbors	12/14/2020 5:51 PM

Murray City

who purchased and live in single family dwellings, trusting that rentals would not occur. Murray already allows short term rentals in properties that were zoned single family only, by making a couple of small modifications to a basement or other space. That was ridiculous. If short term rentals are allowed place them in high density rental property areas (zones) only.

152	We dont need this. It will automatically degrade our neighborhoods. Please don't let cash or pressure let this happen.	12/14/2020 5:19 PM
153	Adequate parking is a concern.	12/14/2020 5:17 PM
154	Occupants breaking the ordinances that should be enforced by the City, and the City and Police not enforcing the STR ordinances set by City.	12/14/2020 4:09 PM
155	Neighborhood should be aware of these rentals to minimize confusion and conflict if issues arise	12/14/2020 4:00 PM
156	Property Rights are the biggest issue here. Of the short term rentals that I have been associated with, it is maybe 1 in 100 renters who can cause a disturbance, which could be arguably less likely than a long term renter. STR properties are more likely to be maintained better than a long term rental property. Murray could use more revenue from the state's tourism.	12/14/2020 3:31 PM
157	I think it is absolutely necessary with the lack of accommodations we have near the cottonwoods.	12/14/2020 2:44 PM
158	Private property should be just that. If renting it to someone for a day, month, year or whatever it should be the property owners right and should not be regulated by government.	12/14/2020 2:26 PM
159	Drugs / meth lab potential. Potential issues regarding renters, i.e. registered sex offenders, etc.	12/14/2020 10:28 AM
160	Decline in the neighborhoods. Renters don't usually care about the property. I have a rental behind me and we share a chainlink fence. They only cut the grass twice last summer and the dandelions are out of control.	12/14/2020 10:19 AM
161	I think in our county we have people who would like to rent to skiers, people here for Sundance and LDS conference. We have many activities in our county that bring in tourists and prefer not to rent a hotel especially with covid. I don't have a big problem with it as long as codes and ordinances are followed and enforced	12/14/2020 9:40 AM
162	I believe that allowing these types of rentals is a step toward income-based rather than family-based neighborhoods.	12/14/2020 9:14 AM
163	People are going to rent out their homes with Airbnb or vrbo, whether the city allows it or not. I think it's better to allow it and regulate it than to ban it.	12/14/2020 8:55 AM
164	With housing becoming so expensive in SLC, this is a very viable option for some to be able to keep their homes and survive. We have used VRBO many times. My belief is most people just want a nice place to stay with a kitchen. They aren't trying to trash the place they just paid a lot of money for or throw big parties. As a homeowner I would not allow that either so I don't see it as a big issue.	12/14/2020 8:36 AM
165	We already have an Airbnb in our neighborhood, and it's a party house. The owners live out of state and do not respond to complaints. We have had drunk teenagers in other people's backyards. Party goers making out on people's lawns. Car races on Greenwood. It's a free for all over there.	12/14/2020 8:36 AM
166	None	12/14/2020 8:33 AM
167	Short term rentals should not be allowed	12/14/2020 7:11 AM
168	Murray City needs to spend more time and money doing code enforcement of street parking, parking on dirt, keeping junk cars off their property, painting houses purple, dilapidated houses with rats. I could go on but it clearly isn't a priority to keep neighborhoods kept, just build more tax income multiple family dwellings. Murray City has become less interested in neighborhoods that attract crowds.	12/14/2020 7:01 AM
169	rising house prices	12/14/2020 6:46 AM
170	We've done enough to degrade Murray, let's not allow any more.	12/14/2020 5:53 AM

Murray City

171	One infraction and permit is revoked. (One strike and you are out!)	12/14/2020 5:47 AM
172	The safety of these rentals.	12/13/2020 11:27 PM
173	<p>I operate 2 short term rentals in 2 different cities. Both are located in salt lake county. However, due to current short term restrictions I'm not "allowed" to operate them. Although this is the case, my family and I have decided to move forward with the business. We have had an incredible experience running our short term rentals. We take additional steps to ensure that our neighbors are aware of our business, we weren't disruptive to the neighborhood, and screen guests before they arrive. None of our neighbors have complained due to the steps we have taken. We have also found that we cater extremely well to mid term tenants, meaning they stay for more than 30 days but less than 1 year. We meet people who are transitioning to utah or are needed special circumstances filled. Our most rewarding experience was a family from cleveland utah. They stayed with us for 3 months while their 8 year old daughter received life saving treatment from primary children's hospital. Due to the nature of her treatment, they were required to be within a certain distance to the hospital. Along with this, they didn't feel comfortable signing a long term lease or commitment not knowing how long the treatment would be. It was actually the family case worker who recommended AirBNB as an option. They connected with us and we felt extremely blessed to have them. Not only were we able to help them, but they were a blessing to us in a time that we needed it as well. The story doesn't end here, 2 months into staying with us we were contacted by AirBNB. They learned about the situation via the family reaching out and describing their situation (as recommended by their case worker). Airbnb then proceeded to inform me about their AirBNB open homes program. A program i was completely unaware of as a new host. Please look into this program!!! In the end, the family received a grant from the airbnb open homes program. The FULL stay they had was paid for by Airbnb. They refunded what had been paid and told the family they could continue using the space as long as needed and would pay us for hosting them. This changed my whole perspective on short term rentals. I'm grateful i had that experience writhing my first 2 months of becoming a host. Since then, I've become passionate about the gap short term rentals can fill for families and those needing the temporary housing. Although i know my situation and story may be rare, i believe when the cities seeks well educated, strong, kind, caring, community hosts. Everyone wins! We bring business to our communities, help those in need, and provide travellers a safe haven that feels more like home than any hotel room ever could! I hope this helps your city see more value in PARTNERING with good people. I won't lie to you and say it will always be perfect or that their won't be complaints from time to time. But aren't all businesses that way? The goal should be to do it in a reasonable fashion that fosters growth for our communities. Including the owners who choose to become hosts. Please feel free to share my story. I apologize for not leaving contact information. I gladly would if the state, county, and cities i operate in were as open to discussion as Murray is. Unfortunately, you may not get to hear the good because of this same type of fear from other great hosts. I wish you the best of luck and support you in making a change for the better not only in your city but the entire state.</p>	12/13/2020 11:13 PM
174	Drug, alcohol use; CRIME	12/13/2020 10:46 PM
175	Residential neighborhoods are for residents, not hotels!	12/13/2020 10:46 PM
176	We have so many single residential home owners renting out their basements now, and no parking for them, but the street. Our once single dwelling home owners is no longer. Why do we have to add more renters?	12/13/2020 10:43 PM
177	Murray city should not over regulate. Only homeowners should be permitted to authorize their property for short term rental.	12/13/2020 10:03 PM
178	Please, please, please do not allow this to happen in Murray. Our crime is already ridiculous, let's not add other opportunities for crime to get worse. Rather than debating this issue, can we address the crazy crime in our Murray community?	12/13/2020 9:57 PM
179	NA	12/13/2020 9:42 PM
180	Just let people do what they want with their property. Don't shut it all down like St George.	12/13/2020 9:38 PM
181	None at this time	12/13/2020 9:36 PM
182	Any short term rentals should have to apply for a zoning change applicable to the use. Residential neighborhoods should not become business districts.	12/13/2020 9:34 PM
183	Maybe I put them in the wrong place, but I think it's time to show a little respect for people who	12/13/2020 9:18 PM

Murray City

have lived and supported Murray for a long time. I had the worst experience with an Airb&b. Fought for a long time to get it shut down, only to get an illegal landscaping home business approved by the planning commission because I wouldn't sign. I was given no notice of this happening!!!! We built our home in 1956 after my husband served 23 years in the military. It was and still is zoned as single family.

184	Murray has become a very desireable area to live. Home values are increasing exponentially as a result. However, crime is rising significantly as more and more rentals are popping up. For instance, the home next to me of 15 years was a rental. The owner/landlord passed away and the property passed to siblings. They decided to sell and the house tested positive for meth manufacturing. The prior rentals brought crime and scumbags to our quiet street. Now the house is contaminated and i have children that play outside. Rentals should be banned in general because they devalue the rest of our homes.	12/13/2020 8:46 PM
185	This is challenging issue. I appreciate the city looking for input. We own several legal short term rentals in Cottonwood Heights and one in Kane county. Both cities handle rentals differently. I am a utah real estate broker and the vacation rental business is my prime source of income. I have been in the business for 30 years! I was also on a Salt Lake County Tourist Home Task Force in the 90's. We live in a nice area of Murray and I know of a few owners renting their basements through Airbnb. I'm happy to assist the city in any way to offer my experience in the matter. Cottonwood Heights has a very difficult time policing and enforcing their current short term rental policy. It is quite frustrating as we pay a \$470/year for our license and there are many that rent without a license. Sales and lodging taxes are another interesting matter as the state of Utah requires VRBO and Airbnb to submit taxes on behalf of the owners. Jennifer Young 5349 Kenwood Drive Jenniferyoung07@yahoo.com	12/13/2020 8:45 PM
186	This will help Murray's economic growth, revenue from taxes , and can somewhat assist with the housing shortage. It must be regulated and a committee must be created. I want to volunteer to be part of it.	12/13/2020 8:39 PM
187	Murray has enough problems with crime skyrocketing. We see no businesses being built but you want our neighbors to be strangers we have to deal with? The police do not have time to enforce the ordinances that are already in place. If a party house moves in next door we are helpless to do anything about it.	12/13/2020 8:28 PM
188	This will help many residents as well. I currently operate a short term rental under the wraps but I send all the taxes collected to the city. Many occupantes are people moving to Utah and working remotely. In all the 5 years I have been operating, only two incidents occurred, which didn't affect the neighbors or the city, but only myself. Parties should be totally forbidden when creating regulation for short term rentals. They are the #1 issue that makes short term rentals look bad. Please form a board and collect live input. It's about time Murray comes up to Itú a solution. Thanks for creating this survey.	12/13/2020 8:22 PM
189	It seems like it would be asking for trouble not knowing who is going to be renting on a short-term basis	12/13/2020 8:08 PM
190	Allow people to earn extra money. Murray is y very intitled city with major hate towards people of color. The cops and City can't even send an apology to the neighbors who have been harassed because they had black lives matter on their wall. Maybe the city should worry about that stuff and getting the drug hotels taken care of	12/13/2020 8:08 PM
191	I do not feel short term rentals should be permitted at all. It would hurt the value of our properties and increase crime and traffic.	12/13/2020 8:07 PM
192	I think rentals bring in problems to everyone in the neighborhood. My area is residential-single family homes. I want it to stay that way.	12/13/2020 8:05 PM
193	All of the stated concerns are valid. Transient use of property adds a vulnerability to neighborhoods. It's a bad idea. My daughter lived next to a home used for short term rental. It was a mess, cars everywhere, people were in and out of there constantly. Trash and unkempt yard. Upper floor of the home were renters and the folks coming in and out from the back of the home were unrelated to the renters.	12/13/2020 7:27 PM
194	Murray home owners should be allowed to maximize their investments provided they do so in a responsible manner. The city shouldn't interfere with a resident's efforts to provide for their family.	12/13/2020 6:53 PM
195	I have a short term license in Sandy, check with Sandy to see how it's working here. Too me	12/13/2020 6:31 PM

Murray City

owner occupied more than 6 months a year is important to avoid corporate motels in neighborhoods

196	We have regular rentals on our street. They are a nuisance. They often have no off-street parking, don't move for snow plows and have a lot of extra guests. It also creates a higher increase of crime as there are more cars and it draws more people into the area.	12/13/2020 6:14 PM
197	Depends on the code complaints for prior question	12/13/2020 5:44 PM
198	We already have such an increase of crime here in our neighborhood, I truly fear to have strangers around who could possibly bring in more crime. Murray has been rated as 172% higher in crime than other cities of similar size. Let's not take a chance on bringing a chance of more opportunities into our city. I am 1,000000000% AGAINST allowing short term rentals in Murray.	12/13/2020 5:20 PM
199	Murray has always been proud of building a beautiful oasis in the middle of urban sprawl continually encroaching on our lifestyle. Please don't sell out to the idea that you have to be something we're not. Murray is family first. You were elected to protect our lifestyle. Please keep it that way.	12/13/2020 4:45 PM
200	None	12/13/2020 4:04 PM
201	None	12/13/2020 3:50 PM
202	Short term rentals are typically people who own multiple properties, not the average person who has one house and wants to rent that two weeks when they take their annual trip. I am against short term for multi unit owners, not for primary residence owners going out of town and property swapping rental. You know multi unit owners can lie about which house is primary so if a neighbor complains once the permit to rent should get pulled and owner fines double what they rent.	12/13/2020 3:33 PM
203	Putting in place city wide regulation because of a few limited complaints is a dangerous precedent. If there are specific complaints or issues that happen code enforcement should handle those as a normal complaint. It is not necessary to draft brand new legislation severely limiting property owners across the city because of a few bad apples. This is the United States of America and private property rights are vital to the preservation of democracy. I would highly caution the Murray City government from overreaching or overstepping their boundaries.	12/13/2020 3:27 PM
204	I don't see this become a hot spot for vacationers, so I don't see this become a big issue. I'm sure people coming into town to visit would love having a space of their own that is still close to those they are here to see would be great.	12/13/2020 1:45 PM
205	Crime, loss of property value unless it's Airbnb and the tenants are in for a longer time and vetted.	12/13/2020 1:27 PM
206	It ruins neighborhoods. Please don't allow it and devalue Murray City	12/13/2020 1:24 PM
207	Neighbors should have a part in the decision of who gets a permit.	12/13/2020 1:07 PM
208	Do not believe short term rentals should be allowed	12/13/2020 1:05 PM
209	Please limit extra (unnecessary) regulation and bureaucracy. If you have to issue permits, make them little to no-cost.	12/13/2020 12:43 PM
210	Include clear and strong enforcement procedures in the statute.	12/13/2020 11:46 AM
211	Having no true recourse	12/13/2020 10:02 AM
212	I believe rentals pose a risk to our neighborhoods by bringing in unknown people and increasing traffic in an area full of children walking to and from school.	12/13/2020 8:46 AM
213	None.	12/13/2020 6:57 AM
214	I think short term rentals help the economy and provide more flexibility for housing. It also helps with housing affordability in my opinion. Finding a reasonable compromise to allow short term rentals should be a priority.	12/13/2020 4:26 AM
215	Rentals of auxiliary dwellings, instead of an entire home, where the property owner remains on site, could help boost business locally.	12/13/2020 1:45 AM
216	Don't allow them. Murray already has enough issues that allowing short term rentals will add	12/13/2020 12:03 AM

Murray City

additional issues that are not needed.

217	Please don't allow them at all . Permanent resident only...	12/12/2020 10:41 PM
218	None	12/12/2020 10:33 PM
219	I hope that if Murray allows this that our taxes will not be used to manage this... permits and fees from those who are using it for profit. Murray has already changed so much with more taxes, more demands in the schools, traffic, crime and higher utilities. Let's not trash our city further. It's sad to see how Murray City has failed its residents and turned it into a transient city.	12/12/2020 9:22 PM
220	Murray is a family oriented community. We are losing this feeling with all these apartments being built. If we add this to our community, I'm afraid that people are going to start selling their homes to these rental people and won't care because the city didn't care enough to put a stop to this.	12/12/2020 9:06 PM
221	Short term renters are often families who want the comfort of a home with a kitchen, not criminals or party animals. Sheesh. We always look for Airbnb or like options and never stay in hotels for that reason. It's also wonderful staying with locals and getting that insight. The income for residents of short term rentals also keeps people afloat and the economy moving.	12/12/2020 8:53 PM
222	Our police are already struggling to keep up with drug crimes in our area, please dont add more prostitution and sex crimes to their workload	12/12/2020 8:37 PM
223	none	12/12/2020 8:14 PM
224	It should definitely be considered.	12/12/2020 7:38 PM
225	Don't allow short term rentals	12/12/2020 7:06 PM
226	DON'T ALLOW IT. Murray does not need more problems than it all ready has. This will also interrupt schools with people moving in and out, we already have plenty of issues in our schools. DON'T ALLOW OUR CITY TO BE RUINED PLEASE.	12/12/2020 6:35 PM
227	Please don't allow	12/12/2020 6:00 PM
228	No other concerns! Thank for asking for our input on this very important matter	12/12/2020 5:56 PM
229	Neighbor had short term rental for years illegally. Murray turned a deaf ear to complaints. Why should we expect anything different. NO SHORT TERM RENTAL ALLOWED!	12/12/2020 5:33 PM
230	Question #7 is poorly written. Yes, Short Term Rentals should be allowed. Many Seniors use the money to pay their bills because they don't have enough retirement income. They should not be punished. The Permit process I have reviewed for obtaining a business license and all that it entails if you have rental properties...it is onerous. The current process does not educate the homeowner, who should be required to be on-site, about how to be a responsible STR operator. Some people need guidance to use common sense, so require a class or 6. Don't interfere with a property owners right(s) to employ his/her property. Some people need this income source to make ends meet. Existing Business License requirements are too burdensome, complex, over the top. Many people wil just not comply because of the difficulty of comprehension and execution. The average IQ isn't that high. Think about it. Keep the corporate people out of it by requiring on-site owners to operate. Seniors are kind and well meaning, but they get befuddled by complexity and stubbornness.. Make it easy to comply or they won't do it...and neither will I.	12/12/2020 5:19 PM
231	We should try to stop people from using their property for short term rentals, but rather focus on regulating bad actors and revoking permit if they aren't responsible.	12/12/2020 4:49 PM
232	Not in residential areas but comercial would be fine. Kinda like hotels, and extended stays	12/12/2020 4:45 PM
233	Sometimes hotels are full. Or sometimes people are transitioning between a rental and a purchase. Sometimes people have guests from out of town that need to be close by. I think these are all valid reasons for making this option available for those that need it. I think focusing more on the business traveler the student the family or friend of a local resident is a smarter way to market it and also to market Murray.	12/12/2020 4:28 PM
234	No rentals.	12/12/2020 4:27 PM
235	I think this is a very valuable conversation to have and I think we should allow short term	12/12/2020 4:20 PM

Murray City

rentals that are regulated.

236	Do a quiet time for people	12/12/2020 4:13 PM
237	Don't allow short-term rentals in Murray neighborhoods. There are plenty of hotels around. Short-term rentals will destroy the sanctity of our neighborhoods.	12/12/2020 3:18 PM
238	None	12/12/2020 3:13 PM
239	I think it is a bad idea. There is no benefit to the city and becomes a nuisance to the permanent home owners.	12/12/2020 3:03 PM
240	Drug trafficking	12/12/2020 1:54 PM
241	Mainly that crime or noise could be a problem for neighbors	12/12/2020 1:54 PM
242	There are a lot of issues that come with short term rentals. I don't think we want that here in Murray.	12/12/2020 1:43 PM
243	Murray city is full of homes that are too large for people that are retiring, a short term rental in the basement allows the senior to continue to live in the home and seek help from the renter as needed. A better solution than senior living during the Covid crisis. Noise, parking, trash can all be monitored if the owner is living at the home and part of the home is a short term rental.	12/12/2020 1:36 PM
244	Don't allow it! Don't need dirt bags in our neighborhoods	12/12/2020 1:32 PM
245	The main issues I have had to deal with the past few years are parking issues and public nuisance issues from my next door neighbor who rents out multiple rooms in home both short and long term.	12/12/2020 1:30 PM
246	N/A	12/12/2020 1:22 PM
247	Please don't allow this in our community. We're already facing an increase crime rate in Murray. Keep our city safe	12/12/2020 1:17 PM
248	Murray city has many options for quality hotels there and too many apartments there is no reason people need to make single family homes into rentals.	12/12/2020 1:08 PM
249	My biggest concern is always the infringement of rights. If a tenant (whether short term or otherwise) is infringing on the rights of others nearby, by being noisy, taking up more parking spaces than they are allotted, etc., they should be warned by authorities/fined. If property owners are in some way negligent, per the legal standard of negligence, they should also be held accountable, whether they are renting to short-term tenants or otherwise.	12/12/2020 12:50 PM
250	We don't have to be like all city's If your going to allow short term rentals we should start with those rentals next to all city officials homes	12/12/2020 12:48 PM
251	Under the current economic conditions all possible resources should be considered for rent, as people are freezing and starving in many parts of Murray. I'm quite sure the people who stand on corners begging for money make more than what I live on. I've spoken with some of them and they told me how much they make per day. I was shocked as it is far more than seniors or disabled people. It's more than most legal employment opportunities in the SLC Valley.	12/12/2020 12:32 PM
252	On street parking is a problem	12/12/2020 12:27 PM
253	I think renting out rooms, mother-in-law apartments, or guest houses is fine, but I don't want people buying properties as short term rental investments. This hurts the housing market for buyers and makes neighborhoods less desirable.	12/12/2020 12:02 PM
254	I have a concern with our property values decreasing and the quality of our neighborhoods at risk. Close knit murray neighborhoods is what draws good quality citizens and I fear this would be at risk. Some people call murray a ghetto and this is frustrating to hear. We will have little control of what type of people or activities will happen in our very own neighborhoods. Do not allow this! We will use those valuable citizens who will look somewhere else to raise their families!!!!	12/12/2020 12:01 PM
255	Property rights Should allow responsible people to do what they want to do with their property	12/12/2020 11:29 AM
256	I worry that this opens a can of worms and turns single family areas into rental-based and highly transient areas. I believe it will increase the crime rates, disturb the peace, cause	12/12/2020 11:13 AM

Murray City

traffic/parking issues, and generally just cause more problems than it's worth in single family home neighborhoods. Townhomes, condos and apartments are typically more rental-based and transient anyway. IF short term rentals were allowed in single-family homes, it needs to be owner-occupied and be VERY limited on how many homes in a given area are allowed to have permits at a time. Once that limit is reached, no new permits should be given. We didn't pay half a million dollars to live in a nice Murray neighborhood to see it turned into a hotel district. We like things the way they are in our quiet, single-family neighborhood. If I wanted new neighbors coming and going constantly, I would've moved into an apartment.

257	Property rights are those of the homeowner and should not be dictated by municipalities	12/12/2020 11:08 AM
258	RENTERS NOT PROPERLY VETTED.	12/12/2020 9:56 AM
259	About 10 years ago we had this short term rental situation occur in Erikson Dairy and we fought to keep this out of our neighborhood. We were told ordinances were written to prevent that. We were tired of the 25 plus people staying and partying in the house next door. Where is this coming from. What about the ordinances written to prevent this?	12/12/2020 9:53 AM
260	I've lived through this when our neighbor turned his home into a short term rental that could accommodate up to "27" people. It was awful - this should not be allowed to happen in our Murray neighborhoods. This is where we live every day and it's not the place for all night parties and 15 additional cars in our quiet cul-de-sac. If people want to rent their homes or should be long term with consequences not a couple of nights where renters aren't concerned because they'll never be here again.	12/12/2020 9:35 AM
261	Overall, it's a bad idea to allow short term rentals.	12/12/2020 9:16 AM
262	Driving up home prices yet again	12/12/2020 9:08 AM
263	Almost every short term rentals are a real problem for All as a long time resident Murray city can not even keep up with yards that are an eye sore with plenty of empty buildings DON'T DO IT	12/12/2020 8:54 AM
264	I have stayed in short term rentals in residential neighborhoods and followed rules put forth by the owner. I would hope others would go the same. I would like strict rules/regulations	12/12/2020 8:44 AM
265	I am aware of the many problems that often arise from these type of situations. When neighbors are affected they rarely have recourse to deal with ongoing issues. It's usually not the fault of the owner. Our homes should be a sanctuary, especially with the covid issue. Short term renting is almost always problem renting.	12/12/2020 8:28 AM
266	There's a ton of hotels all around 5300 South there is no need for people to rent their homes short-term. Please do not do this	12/12/2020 8:19 AM
267	Before revoking a permit the owner should have a chance to plead their side	12/12/2020 8:07 AM
268	I think if there is a proper ordinance of how many people can occupy a property I would be happy to allow nightly rentals. There needs to be a mechanism to revoke a license if the owner is found to be in violation.	12/12/2020 8:03 AM
269	I own a house with a basement that we have rented out long term that we worked with Murray City to bring up to code and we have a Murray City business license. We have decided to no longer rent it long term because sometimes we need the space for our family. I am excited about the possibility to occasionally rent it out short term. I would like to see it happen with the same rules that applied to renting it out long term-such as off street parking and approval from neighbors. I also think the owners should live at the property so that they are aware of what is happening on the property and can quickly respond to tricky situations.	12/12/2020 8:03 AM
270	None	12/12/2020 7:50 AM
271	Go away	12/12/2020 7:45 AM
272	None	12/12/2020 7:43 AM
273	I don't want them in my neighborhood. We have long term rentals and experience too many cars on the street, traffic congestion, lack of property maintenance. It is a blight.	12/12/2020 7:34 AM
274	Abolish the idea	12/12/2020 7:18 AM
275	None	12/12/2020 7:14 AM

Murray City

276	Noise ,crime ,parking ,party house	12/12/2020 7:13 AM
277	We already are seeing an increase in crime and are trying to identify people who do not belong in the neighborhood. This would make it more difficult.	12/12/2020 7:06 AM
278	Should not allow short term rentals , period!	12/12/2020 6:51 AM
279	Limit amount of rentals per neighborhood. Permit requires copy of back ground check on renters, new permit required for each new renter. Loss of permit by owner, if 3 or more complaints are filed against renters on their property. Property owner must live within 5 miles of rental. Neighbors notified of property becoming rental.	12/12/2020 6:50 AM
280	Do not allow them. They can get a Hotel	12/12/2020 6:03 AM
281	.	12/12/2020 4:30 AM
282	COVID-19 Pandemic	12/12/2020 1:07 AM
283	Based on information gathered, 3 different courses of action should be developed (with varying levels of approval... Long term only....short term with limited occupancy... Etc.... and brought forth for residents to decide on and potentially adjust off of.	12/12/2020 12:55 AM
284	DO NOT ALLOW Please this is horrible idea. Stop it before this turns into crappy LA	12/12/2020 12:22 AM
285	They should not be allowed. Ever.	12/12/2020 12:10 AM
286	Murray's infrastructure is already overwhelmed this will make it worse. Unless Murray City decides to double to tax rate on properties that do this to account for the increased use of infrastructure they shouldn't even be entertaining this idea.	12/12/2020 12:06 AM
287	Not a good idea.	12/11/2020 11:25 PM
288	None	12/11/2020 10:09 PM
289	My neighbors have been running an Airbnb and I feel like they've been quiet and run things well... but it could be a very different story if the owners weren't so conscientious	12/11/2020 9:46 PM
290	The amount of vagrants, package theft, house crime is far to high to invite another element. Get the policing better for those crimes and then maybe discuss this. Number one reason I've thought of leaving Murray is the increase in crime.	12/11/2020 8:55 PM
291	I think as long as the owner lives on site you rarely have issues and that gosh should be able to use their private property as they see fit.	12/11/2020 8:54 PM
292	Just enforce the property's bundle of rights. The rental is no different than other properties. If they violate nuisance laws, enforce the law. If they violate parking laws, enforce the law. That being said, don't micromanage someone's right to use their property as they see fit as long as they are not infringing on the rights of others.	12/11/2020 8:51 PM
293	Don't want them, don't need them. I think we had someone across the street from us pull this when they moved in a couple of years ago. Strangers were around most of week, parking so the homeowners couldn't back out of their driveways. They thought they would come in and push the rest of the neighborhood around. I was wise to them in the first week, but not in a position to start trouble. I have an idea their next-door neighbor probably contacted Murray about it. Please, we don't need a bunch of strangers rolling in and out of our neighborhoods!	12/11/2020 8:41 PM
294	Regulated correctly, short term rentals can be good for tourism and the economy. I am in favor of short term rentals.	12/11/2020 8:26 PM
295	None	12/11/2020 7:38 PM
296	Against this.	12/11/2020 7:37 PM
297	If kepted up and it has the parking. I don't see a problem	12/11/2020 6:49 PM
298	My neighbor runs one and I do not appreciate some of the clients I have seen and heard coming and going from there and smoking cigarettes out in my driveway.	12/11/2020 6:38 PM
299	I did not move to Murray to live next to a Hotel. We have had neighbors run an Airbnb and it was awful. I was assaulted by one of their renters and it has caused on going issues with myself and our neighbor.	12/11/2020 6:29 PM

Murray City

300	Need to ensure they are charging and paying for required taxes such as sales/transient room tax. Needs to be a fair playing field with hotels.	12/11/2020 6:27 PM
301	Murray already has ridiculous high crime rates and too many rentals as is, we do not need short term rentals adding to this. Keep our residential areas free from this please.	12/11/2020 6:14 PM
302	Shouldn't be allowed in residential areas.	12/11/2020 6:14 PM
303	Murray is a unique city that we all love. By allowing short term rentals it will begin the downward decline of the small town in the big city feel. The sense of community will be permanently damaged and home prices will also be negatively affected. By keeping the city focused on single family dwellings we will keep the focus on residents who can afford their homes and the upkeep associated with ownership	12/11/2020 6:03 PM
304	I think that we should be able to report our neighbors that have short term rentals now, without having to disclose our name and address for making the report. With the increase in crime in our neighborhoods it's hard to know which cars hanging out are short term rental cars or cars watching homes for future crimes.	12/11/2020 5:52 PM
305	Maintaining the community of Murray City is of the utmost importance and allowing unregulated short-term rentals has the ability to disrupt a community.	12/11/2020 5:16 PM
306	Please disallow them. The current market is tough for average families if you allow rich investors in regular families will have a harder time buying	12/11/2020 4:28 PM
307	Renter occupancy should be limited to two people per bedroom to avoid the 2 bedroom and 8+ person mess common with AirB&B rentals	12/11/2020 4:02 PM
308	I definitely think short term rental should be allowed. I also think that the city should employ a very strict tracking system and if an owner gets too many complaints about their short term tenants then the owner loses the ability to continue short term rentals.	12/11/2020 3:54 PM
309	We brought this short-term rental issue before the Planning Commission showing that our neighbor was already out of compliance with the existing code. The neighbor was applying for a conditional use permit and our objection (because the neighbor was already out of compliance) was dismissed. We don't need more regulations. We just need some enforcement. See Murray City Council Planning Commission meeting minutes June 2, 2011 Project #11-48 pages 5-9. "Jeff Evans said that the Planning Commission is bound by land issue law, and that if the ADU meets the requirements [which it did not] then the Commission is obligated to approve it. Mr. Evans said that the now all of the neighbors know the requirements, and that if those are not met then the permit can be revoked." Look, if it was out of compliance with code, then don't approve a request for an ADU (Additional Dwelling Unit). Which the city did. The neighbor wasn't telling the truth that she was renting to family members. She was not at the time. She is in compliance now and we don't have a problem with her presently. ... You asked for input on this issue so I thought I'd give you my experience. Sorry for the long note.	12/11/2020 3:53 PM
310	This was a significant problem for San Diego. It should not be allowed here.	12/11/2020 3:51 PM
311	It's concerning that neighbors can police short-term rentals without any legitimate concerns. Short-term rentals are a great opportunity to help young families afford the rising costs of home mortgages. A lot of people cannot afford to buy without being able to rent their basement, etc.	12/11/2020 3:42 PM
312	None	12/11/2020 3:38 PM
313	Leave it alone. Dont do it.	12/11/2020 3:32 PM
314	My neighbor who does AirBnB has people that live there for weeks at a time. They are transient and not the best neighbors.	12/11/2020 3:13 PM
315	I don't like the idea of having them at all...	12/11/2020 2:54 PM
316	Short term rentals can really help homeowners. As someone who has run a short term rental properties, I think they tend to increase property upkeep as it's how they can get higher ratings and more money. Additionally, homeowners should be able to do what they want with their property.	12/11/2020 2:54 PM
317	Na	12/11/2020 2:46 PM
318	I have more to say than I can include in this survey. Please reach out to me at (619) 916-7963. Regulated and lawful STRs can be a way for renters to save for a down payment on a home of	12/11/2020 2:45 PM

Murray City

their own (i.e., in the case of a family-owned property being rented to the children, etc.). Owner-occupied STRs serve visitors, residents, and communities. STRs can facilitate aging in place and allow residents living on a fixed income to leverage their home to have a higher quality of life. The current ordinance disallowing STRs is not consistently enforced. Because it relies on reporting from neighbors, a loud minority has been put in the position of judge, jury, and executioner. In my case, my wife and I have lost over \$30,000 in income over the last two years because our neighbors went to the city before coming to us with petty complaints that could have been easily resolved or were not our fault (i.e., our neighbors claimed our Airbnb guests were throwing trash over their fence on the other side on the street into their yard when it is more likely the trash was from transients and drug users visiting a neighboring property). That money was going to be used to avoid student debt, save for a new home, and improve our quality of life as we prepare for our first child. These issues are all the more pressing with the ongoing pandemic as we find ourselves paying off student loans we would not have had to take out initially and living in the same home that will not be able to support our family as well as we were hoping our next home would. Thank you, Alexander Teemsma

319	I believe this is an issue Murray City needs to stay out of. What people want to do with their personal property is what they should be allowed to do after paying city taxes!	12/11/2020 2:22 PM
320	none	12/11/2020 2:16 PM
321	If short term rentals are allowed, permits required, inspections can be made and requirements that property needs to be taken care of this should help to keep MURRAY CITY a desirable to live.	12/11/2020 2:15 PM
322	As long as the owners are being responsible and maintaining the property i don't see an issue with short term rentals. Allow people to make money individually rather than big hotel corporations.	12/11/2020 1:48 PM
323	We seem to be seeing a rise in crime, property damage, theft , car break ins etc. I am concerned this will only increase with short term rentals. Having lived here for 41 years many things have changed including residents leaving for one reason or another and a new owner buying and then renting the home. In many cases these homes and yards seem to be let go, yards not watered, mowed or cared for. This impacts the value of all homes around them.	12/11/2020 1:39 PM
324	There are many successful cases around the world. We have stayed in many short term rentals before. IF managed well and if the owners are doing their part, short term rentals can be beneficial.	12/11/2020 12:56 PM
325	I bought a house in Murray because I want to live in a safe neighborhood with my young children. Living next to a house that's used as a short term rental where new people come and go daily or weekly defeats the purpose of living in a safe, quiet neighborhood. Allowing short-term rentals can also bring down property values.	12/11/2020 12:51 PM
326	We live in a nice neighborhood and started out surrounded by single families. That was 15 years ago. We now are surrounded by renters. One to the north, two across the street, and one to the south. The yards have fallen apart. There are several cars on the street. In one of the situations, the owner lives in California. We bought our home to be surrounded by families, not renters who come and go and bring several cars and more garbage. The house across the street from us has 4 renters!! What the hell. That is ridiculous!!	12/11/2020 12:49 PM
327	Short term rentals should be allowed. It's an affordable way for a family or friends to explore new areas and /or use housing for short term use i.e. my niece in medical school this spring was on rotations and used VRBO in 6 different states. We used VRBO when my son had to quarantine during covid for 2 weeks before starting college, he could cook his own meals, have access to laundry etc. It is the new way to travel and Murray City should stay up with the times.	12/11/2020 12:40 PM
328	None	12/11/2020 12:37 PM
329	I think it is a good thing for Murray to investigate.	12/11/2020 12:31 PM
330	My biggest concern is they would bring an increase in transient population and with that an increase in the already rising crime rate.	12/11/2020 12:15 PM
331	We've had some in the area and they were disastrous!	12/11/2020 12:06 PM
332	People should be able to rent their property as long as there are NO negative impacts on the neighbors.	12/11/2020 11:48 AM

Murray City

333	I think short term rentals are great as long as they are owner occupied. to many people from out of state are buying houses and are not responsible..	12/11/2020 11:30 AM
334	Property owners should be allowed to rent their property as they wish. Our rights as property owners have been chipped away as it is by petty nosy neighbors who have nothing better to do.	12/11/2020 11:21 AM
335	Short-term rentals in residential areas can lead to gentrification if not done carefully. Making housing units affordable should take precedent considering the number of homeless people in the Salt Lake area.	12/11/2020 11:02 AM
336	My experience with short term rentals has been positive. We try to stay at them when we travel over other choices. Successful rentals we stay in have been well taken care of if not nicer than the other homes in the area. The party house next door would be frustrating I suppose but I think there are other enforcement options beside pulling a permit. What about fines for home owner that would be more than the booking or actually citing the people in the home at the time the complaint is generated. I know with interstate cooperation these kind of tickets you can't just bail on because they can be tied to out of state driver's license renewals.... I do appreciate the opportunity to provide feedback though, let's approve the chicken thing too! Bye	12/11/2020 10:57 AM
337	Highly opposed to short term rentals unless the owner is also living at the address.	12/11/2020 10:52 AM
338	This survey was a little confusing if you clicked you don't want to have any short term rentals. Some of the questions should have clarified IF short term rentals are allowed, then how do you feel about the various options. All questions after #7 made it difficult to answer.	12/11/2020 10:38 AM
339	There should be just as much concern about people complaining just to get rid of a short term rental as there is about short term rentals that are not well managed. I know several people who have purchased homes relying on short term rentals to help afford the home. There is already a housing issue. Prices of homes keep going up and this is a healthy way to help people afford the lifestyle they would like.	12/11/2020 10:36 AM
340	I have stayed in single family homes for vacation with no impact on neighbors. It's a nice alternative to hotels and timeshares.	12/11/2020 10:28 AM
341	Not all, but it seems like many renters tend to not care about property. They tend to cause damage and other problems by not following community rules.	12/11/2020 10:22 AM
342	We would need additional public safety budget which should be paid entirely by any short term rentals.	12/11/2020 10:21 AM
343	I did not buy home to live next to party house	12/11/2020 10:15 AM
344	Has there been a benchmark study done across the state and other states? Are there lessons learned that Murray can take into account or at least try to mitigate from other cities that have passed short-term rental regulations?	12/11/2020 10:13 AM
345	There are already noise ordinances within the City. The City should not dictate what I can or cannot do with my property. If someone wants to profit from short-term rentals, they should not need a permit at all.	12/11/2020 10:10 AM
346	i did not buy a home in Murray to have to worry about my privacy and protection!	12/11/2020 10:10 AM
347	I don't think short-term rentals are a problem. Let's be honest, people going on AirBnB to rent a spot in Murray are probably not Spring Breakers Gone Wild. I just don't think someone renting out their space is that big of a deal here.	12/11/2020 10:08 AM
348	It would be best if short term rentals are not allowed. But if it is going to happen then any regulation like a permit that requires the owner to follow specific rules. Then also big fines if they rent without a permit.	12/11/2020 10:04 AM
349	This should be taken very seriously. Many people respond positively on surveys but then complain complain complain when its in their neighborhood. I think it would be a nightmare to regulate and track.	12/11/2020 10:03 AM
350	Considering that travel has been severely damaged by Covid19 we would be lucky to have people renting in Murray on a short term basis. If their are complaints there should be a process to remedy complaints until repeated offenses at which time the privilege can be	12/11/2020 10:02 AM

Murray City

revoked. Less government and infringement on peoples property rights is better than more in my opinion.

351	I personally think owners should be allowed to have short-term rentals. They definitely should be held accountable for making sure that noise is kept to reasonable levels, that property is well maintained and that it doesn't cause traffic/parking issues.	12/11/2020 10:02 AM
352	Short term renters are problems waiting to happen like a piece of glass left there on the beach.	12/10/2020 4:34 PM
353	In regards to question 11, I think it would be wise to consider not only the number of complaints but the validity and seriousness of the complaints. I believe that property owners purchasing in residential areas have an expectation that their neighborhood will be made up of residents who take pride and care in where they live. Introducing short term rentals could potentially change the dynamic in a neighborhood that may cause issues for longer term residents. Because of this it is important to have some rules in order to maintain the values and livability of an area.	12/10/2020 4:16 PM

City	Allowed	Ordinance Chapter	Zones Allowed	Minimum # of Nights	Renewal	CUP	STR Permit	BL		Night Limits	Additional Information
Cottonwood Heights	No	19.89	R-2-8 RM zones MU NC RO part of a pud	3	Yearly	Yes	No	Yes	Administrative		Allows vacation rentals is multifamily
Draper	No	9-33-030	Only in Historic Structures		No	Yes	No	Yes			
Herriman	No	10-29-015		It shall be deemed a commercial use and unlawful to lease or rent any dwelling or portion thereof located within any Agricultural or Residential Zones for lodging or accommodation purposes for a period less than thirty (30) consecutive days, except as specifically allowed in the R-M Zone. (Ord. 2017-54, 12-13-2017)							
Holladay	No	13.76.280		It shall be deemed a commercial use and unlawful to rent or lease any dwelling or portion thereof located within any forestry or residential zones listed in chapter 13.11 of this title for lodging or accommodation purposes for a period less than thirty (30) consecutive days except as specifically allowed in the R-2-8, R-2-10, and R-M zones.							
North Salt Lake	Yes	10-1-045	All Single and MF Zones	1	No	No	No	Yes	Administrative	182	Owner Occupancy Required 1/2 space per bedroom One renter at a time ADU allowed 365 days a year Urgent Response required
Riverton	Yes	18.190.051	All Residential Zones	2	Yearly	Yes	Yes	Yes			Within Home Occupations (requires home occupation permit)
Sandy	Yes	15A-11-26	All Single and MF Zones Base of two plus one for each 100 SF Dwelling in a community boundary	1	No	No	Yes	Yes	Administrative	182	Owner Occupancy Required ADU allowed 365/yr
Salt Lake City	No				No	No					Short Terms Rentals are only available as B&Bs, Motels, Hotels
South Jordan	No		Lodging not allowed in Residential Zones		No	No					
Taylorsville	No				No	No					allows bed and breakfasts but not transient lodging
West Jordan	No				No	No					Bed and Breakfasts only in City Center
West Valley City	Yes		All residential zones	Yearly	No	No	Yes				No Specific Code, would follow the same as any other residential rental.
Midvale	No				No	No					Not in code = not allowed
Millcreek	Yes	5.19	All R-1 Zones	Yearly	No	No	Yes	Administrative			Limits number of STRs (30 per district)
Salt Lake County	No	19.32	Allowed in R-2 Zones not R-1		No	No					"Bed and breakfast homestay" means a dwelling which has frontage on a street with a minimum right-of-way of sixty feet, contains a maximum of five guestrooms, is occupied by the owner or individual responsible for operating the facility, and used for accommodations or lodging of guests paying compensation. Breakfast may be served during the a.m. hours. Lunch or dinner may not be served. This use shall not change the character of the dwelling or property for residential purposes, and shall meet the requirements of the health department and the Salt Lake County fire department. (The requirements of the health department limit breakfast to a continental-type breakfast unless certain specified health regulations are met.) 19.04.547

Section 17.77 Short Term Rentals Text Amendment

Creation of Chapter 17.77 of the Land Use Ordinance



Why Are We Here?

The City has received numerous requests from residents to look into allowing short-term rentals.

This is to review the proposed regulations that Planning Division Staff has been crafting over the months.



Recap: Short Term Rentals

What is a Short-Term Rental?

Any dwelling or portion thereof that is available for use or is used for accommodations or lodging of guests paying a fee or other compensation for a period of less than 30 consecutive days.

Citizen Survey

- CED conducted an online survey to gauge opinions regarding short-term rentals
- Survey ran from December 10, 2020 to December 31, 2020
- Included 12 questions
- Over 600 responses were collected

Short Term Rentals Pros and Cons

Pros

- Able to track and monitor
- Provides a path for people wanting to list their property
- Income generation for property owners
- Increase in Transient Room Tax(TRT) revenues

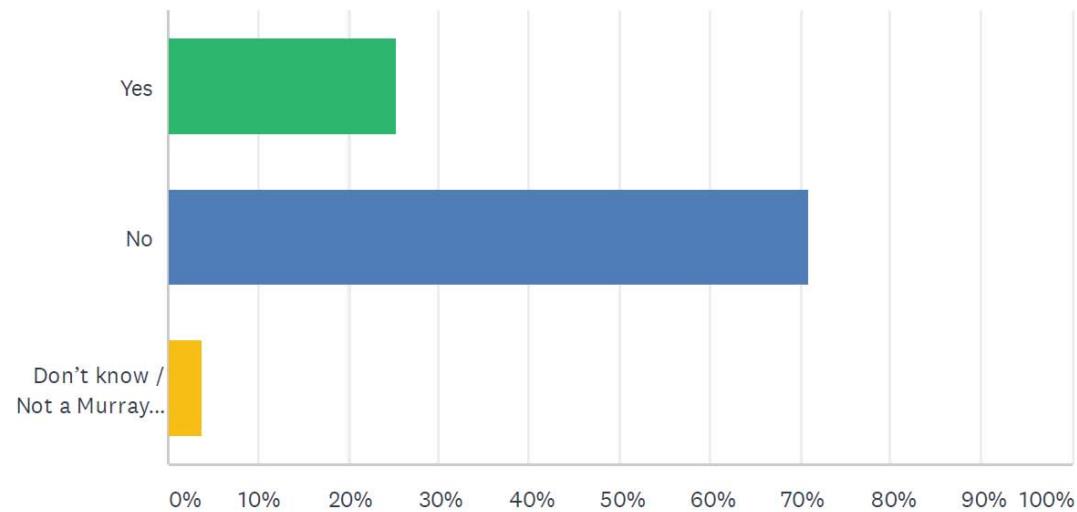
Cons

- Reduction in housing stock
- Reduces affordable housing
- Impact to community cohesion
- Competition with Hotels



Q3 As a resident of Murray City, are you aware of short-term rentals operating in your neighborhood?

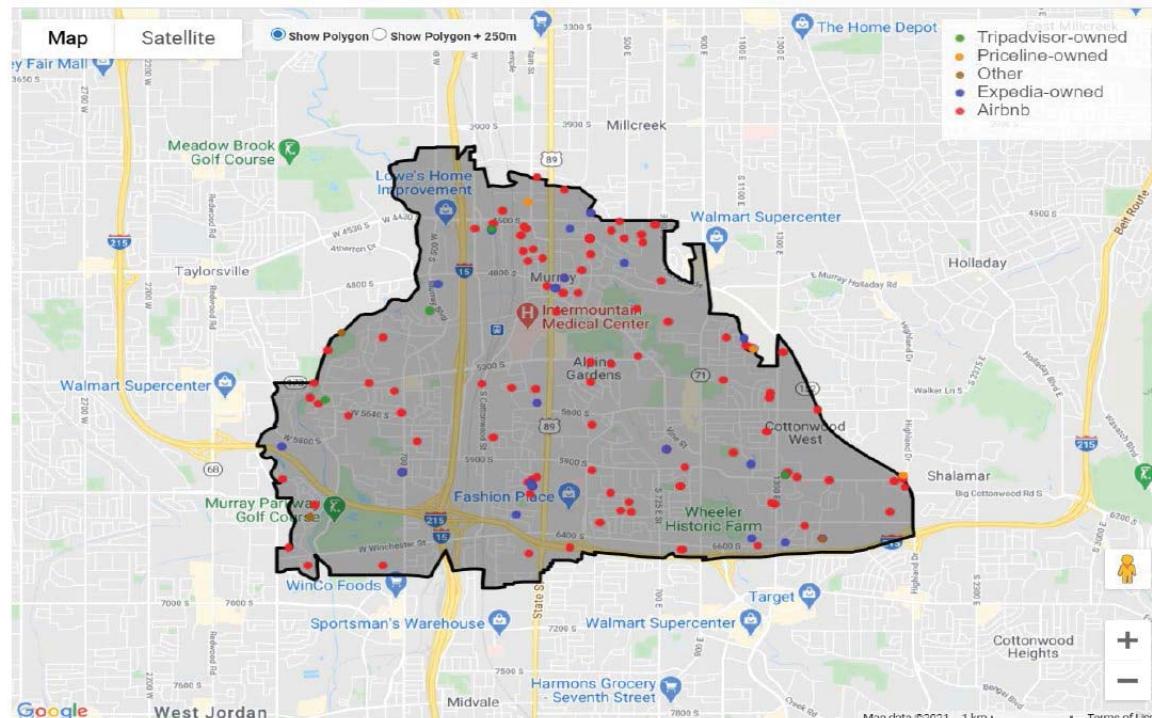
Answered: 610 Skipped: 1



Answer Choices	Number	Percent
Yes	155	25.41%
No	432	70.82%
Don't Know / Not a Murray resident	23	3.77%
TOTAL	610	

Short Term Rentals in Murray

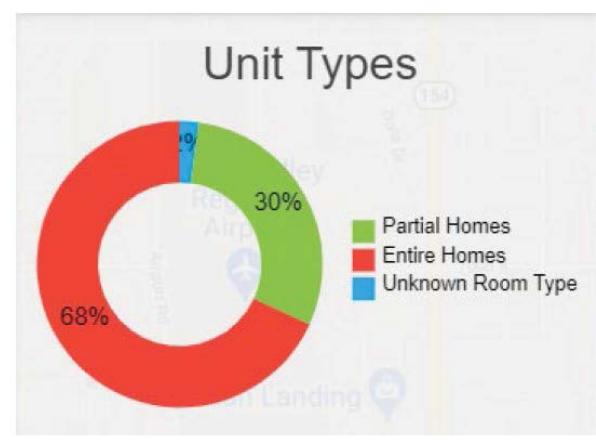
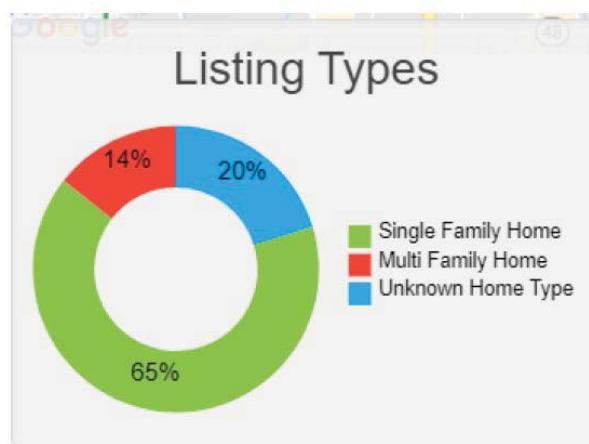
- January 2021: 126 unique rental listings on short-term rental websites



* Granicus Host Compliance's pricing is based on the count of listings and rental units that would need to be analyzed and monitored for compliance. In terms of listings, this number is 188 as we will expand our search area by several hundred yards beyond the borders of Murray to capture all relevant listings. Source: Granicus Host Compliance Proprietary Data

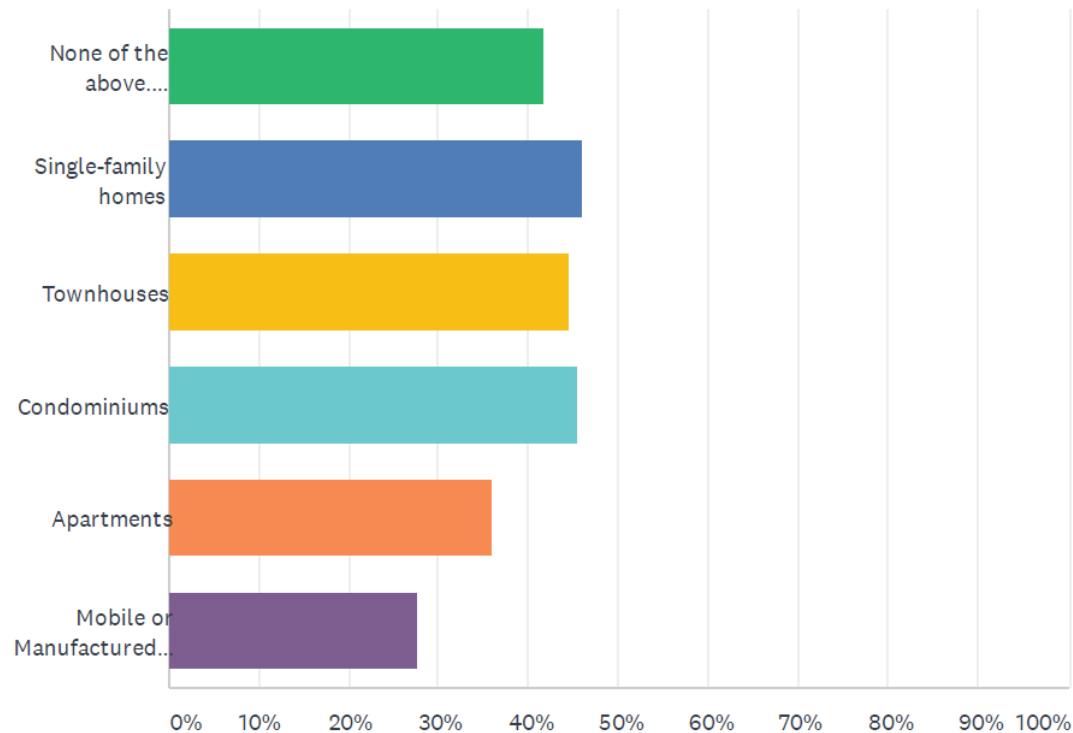
Short Term Rentals in Murray

Additional January 2021 data



Q4 Murray City should allow short-term rentals in (select all that apply):

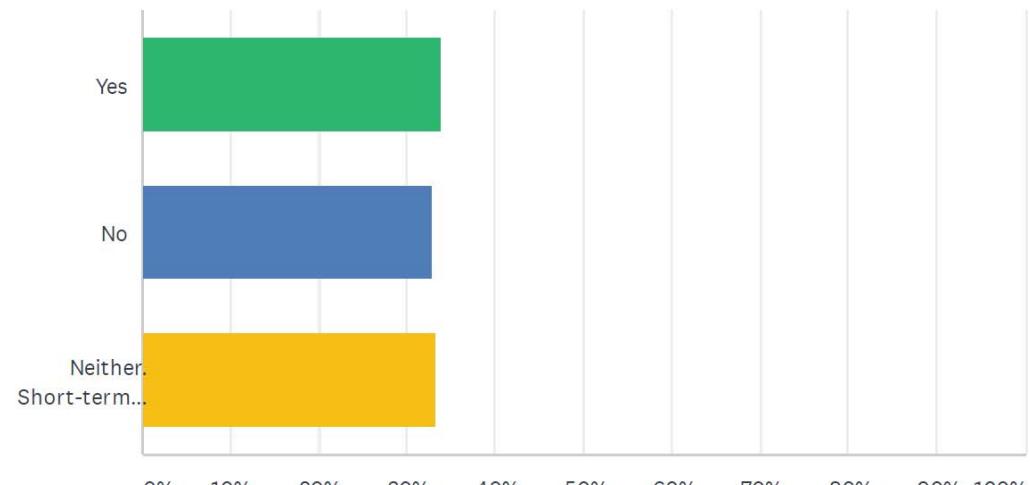
Answered: 609 Skipped: 2



Answer Choices	Number	Percent
None of the above. Short-term rentals should not be allowed.	253	41.54%
Single-Family homes	280	45.98%
Townhouses	272	44.66%
Condominiums	277	45.48%
Apartments	219	35.96%
Mobile or Manufactured dwellings	168	27.59%
TOTAL	609	

Q5 Should short-term rentals only be allowed if they are owner occupied?

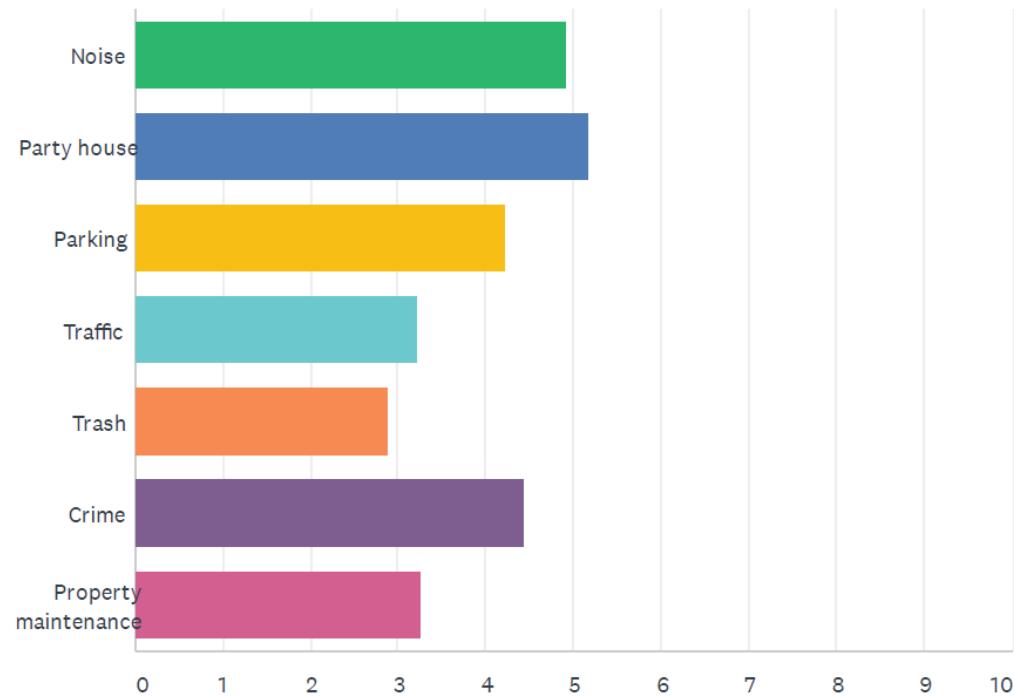
Answered: 608 Skipped: 3



Answer Choices	Number	Percent
Yes	206	33.88%
No	200	32.89%
Neither. Short-term rentals should not be allowed	202	33.22%
TOTAL	608	

Q8 With 1 being most important and 7 the least important, please rate each potential short-term rental related issue based on how you perceive them to affect your quality of life.

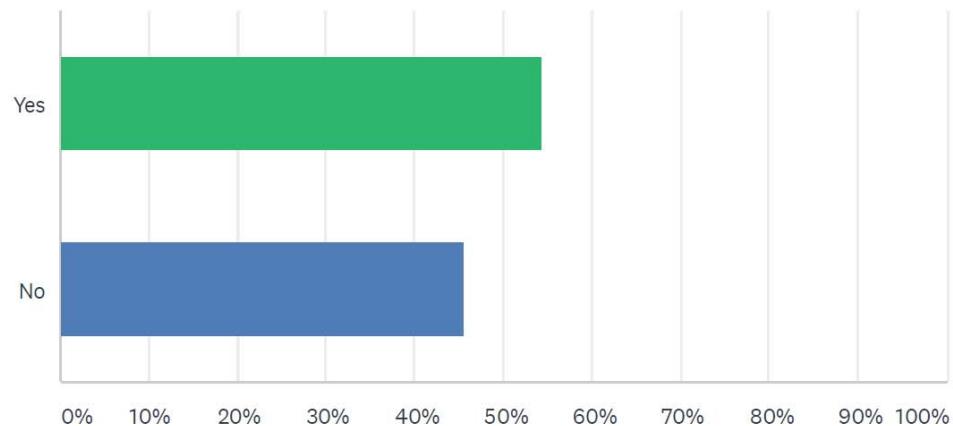
Answered: 603 Skipped: 8



Answer Choices	Highest Number	Total Score out of 10
Noise	2	4.92
Party house	1	5.16
Parking	3	4.22
Traffic	5	3.23
Trash	6	2.89
Crime	1	4.44
Property maintenance	7	3.27
TOTAL RESPONSES	603	

Q9 Would having contact information for an owner/manager who would be available 24 hours a day, and on-site within one hour, ease your concerns about short-term rentals?

Answered: 607 Skipped: 4



Answer Choices	Number	Percent
Yes	330	54.37%
No	277	45.63%
TOTAL	607	

Additional Considerations

1. Application Processing

- a. Additional staff time to develop and implement a permitting process
- b. Staff time in processing potential applications
- c. Staff time in processing business licenses

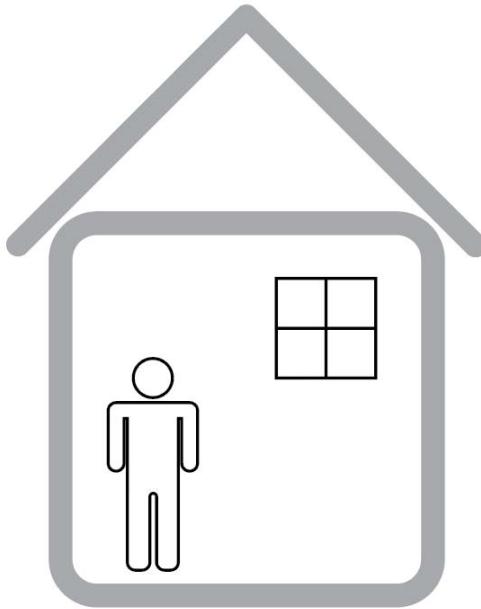
2. Enforcement

- a. Will need to be contracted out and have a cost associated with it
- b. Cost would be offset by business licensing fees

3. State Preemption

- a. Possible state legislation

3 types of short-term rentals



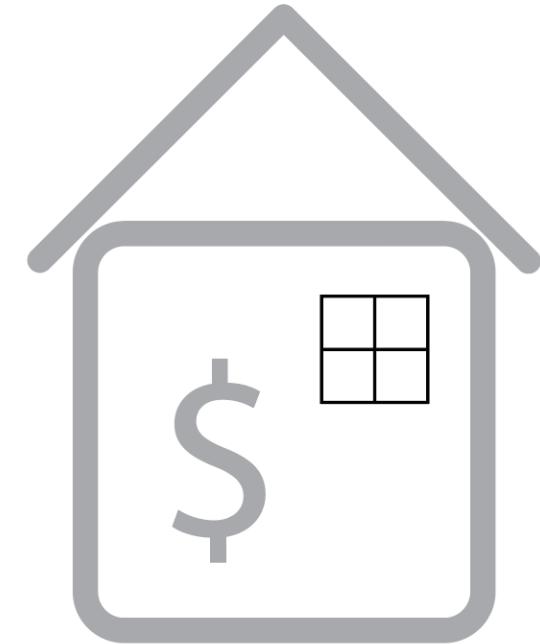
Hosted Sharing

Means the owner is present during a guests stay



Unhosted Sharing

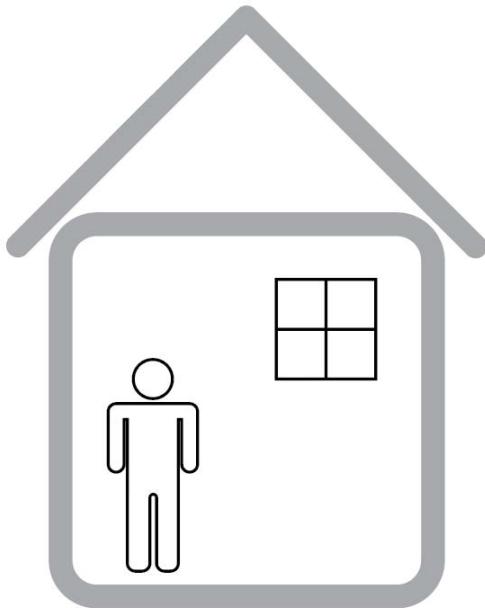
Means the owner leaves the home during a guests stay



Dedicated Vacation Rental

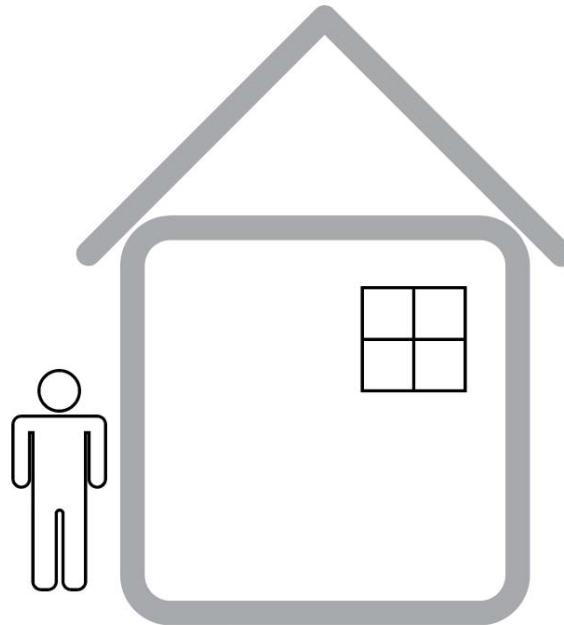
Means the owner does not live on property

Owner Occupancy



Hosted Sharing

Allowed 365 nights per year



Unhosted Sharing

Allowed up to 182 nights per year

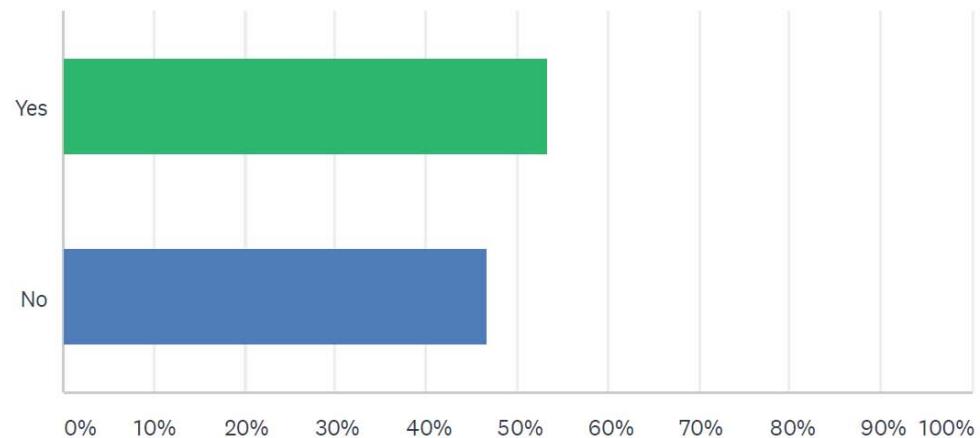


Dedicated Vacation Rental

Not allowed

Q6 Should Murray City limit the maximum number of nights per year a dwelling may be rented as a short-term rental?

Answered: 595 Skipped: 16



Answer Choices	Number	Percent
Yes	317	53.28%
No	278	46.72%
TOTAL	595	

Regulations that Apply Generally

1. Owner Occupancy
2. Parking
3. Urgent response
4. Nameplate
5. Noticing/Posting

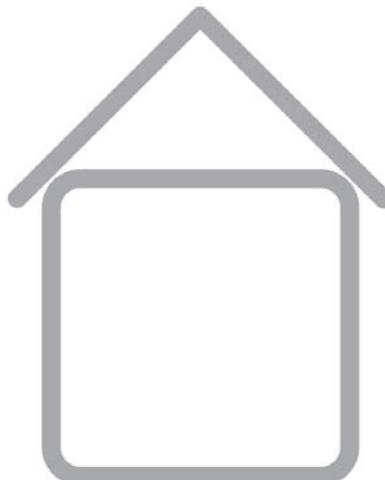
Parking Requirements

In addition to the two (2) off-street spaces required by zoning ordinance, an additional $\frac{1}{2}$ space per bedroom or sleeping area would be required with a minimum of one (1) extra space.



2-bedroom hosted sharing unit. (renting 1 room)

Code	Spaces Req'd
17.72.070	2
Proposed STR	1 (.5 but minimum applies)
Total	3



4-bedroom unhosted sharing unit. (renting 4 rooms)

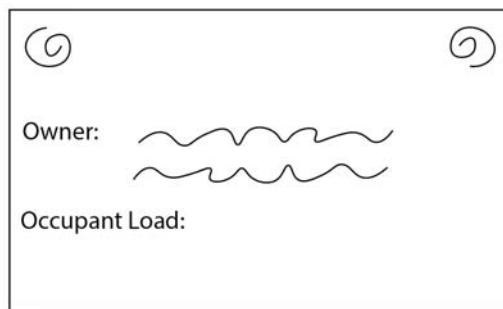
Code	Spaces Req'd
17.72.070	2
Proposed STR	2
Total	4

Additional Regulations



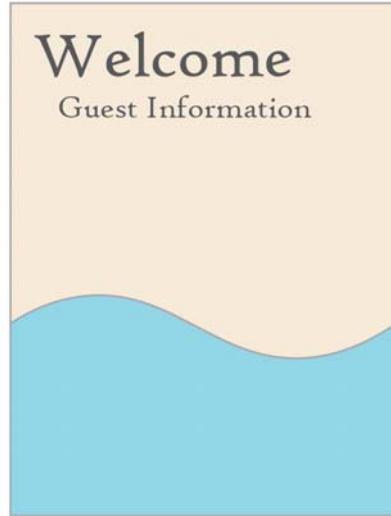
Urgent response

The owner or a representative is required to be available 24/7/365 to respond to complaints



Nameplate

A durable, weather resistant nameplate with the contact info of the owner or representative

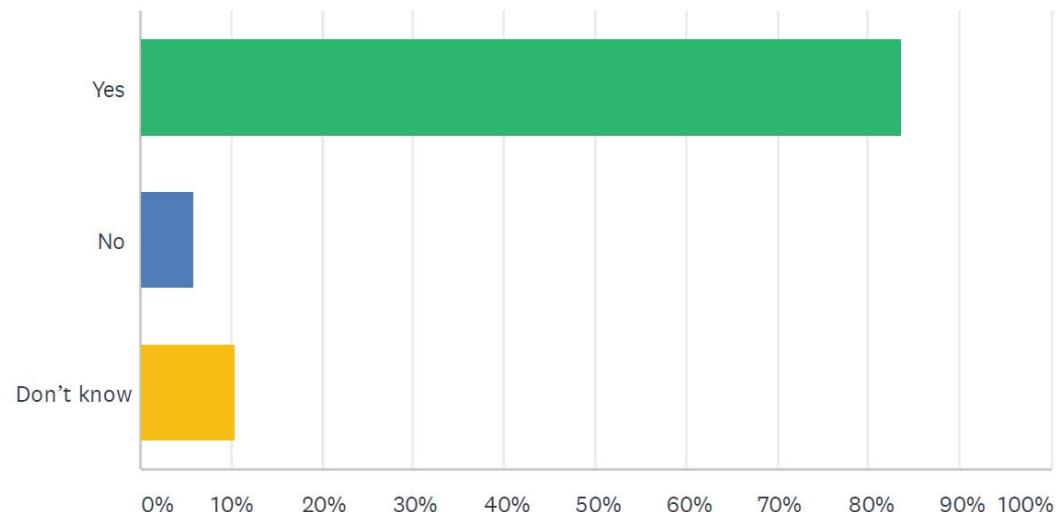


Noticing/Posting

A packet that includes contact for the owner, emergency services, and garbage pickup days

Q11 If the City receives a certain number of valid code complaints about a permitted short-term rental unit, should the owner have their permit revoked?

Answered: 601 Skipped: 10



Answer Choices	Number	Percent
Yes	503	83.69%
No	35	5.82%
Don't know	63	10.48%
TOTAL	608	

Enforcement

Each day of operations constitutes a separate offense

1. First violation (including operating without a license)
 1. Infraction \$500
 2. Second violation;
 1. Infraction \$750
 3. Third violation;
 1. Infraction \$750 and
 2. Revocation of permit and not allowed to pursue for 2-years
 4. Additional violations
 1. Class B misdemeanor and a fine of \$1,000

Process To Operate An STR

1. Staff Level Approval
2. Application
 1. Type of STR
 2. Site Plan
 3. Floorplan
3. Parking Plan
4. Proof of Owner Occupancy
5. Proof of non-conflict with HOAs



Planning Commission

August 19, 2021 – Public Hearing

- Notices were mailed to affected entities
- One public comments was received in support of the regulations
- 4-3 vote to recommend denial of the proposed ordinance

Findings

1. The proposed changes are in harmony with objective 11 of the Land Use and Urban Design Element of the 2017 Murray City General Plan to “stimulate reinvestment in deteriorating areas of the city to support growth and enhance the image of the community.” Hosts of short-term rentals are often encouraged to market their property, by reinvesting in their homes they help the imageability of the neighborhood.
2. The proposed changes support objective 3 of the Neighborhoods & Housing Element of the 2017 Murray City General Plan to “encourage housing options for a variety of age, family size and financial levels.” The proposed changes allow residents that own a home and that may be struggling to pay their mortgage an opportunity to rent out a portion or all of their home for less than thirty days.
3. Objective 1 of the Moderate Income Housing Element advises the city to “ensure housing affordability targets are achievable using a range of strategies.” Staff finds that the proposed code furthers this objective by making it easier for a homeowner to stay in their home by renting out a portion of their dwelling.

Recommendation

The Planning Commission recommended with a vote of 4-3 that the City Council **DENY** the proposed text amendment adding Chapter 17.77 “Residential Short-Term Rentals” to the Murray City Land Use Ordinance.

Based on the background, staff review, and findings, staff recommends the City Council **APPROVE** the proposed text amendment adding Chapter 17.77 “Residential Short-Term Rentals” to the Murray City Land Use Ordinance.



MURRAY
CITY COUNCIL

Discussion Item #2



MURRAY

Council Action Request

Community & Economic Development

Hansen McDonough Zone Change 5829/5837 Majestic Pine Dr

Committee of the Whole

Meeting Date: October 19, 2021

Department Director Melinda Greenwood	Purpose of Proposal Approval of the proposed Zone Map Amendment for 5829 and 5837 South Majestic Pine Drive.
Phone # 801-270-2428	Action Requested Approval of Zone Map Amendment from R-M-10 to R-1-8 for the properties located at 5829 and 5837 South Majestic Pine Drive.
Presenters Melinda Greenwood Jared Hall	Attachments Presentation Slides
Required Time for Presentation 15 Minutes	Budget Impact None.
Is This Time Sensitive No	Description of this Item BACKGROUND Mr. & Mrs. Hansen and Mr. McDonough have requested a zone map amendment for the properties addressed 5829 & 5837 South Majestic Pine Drive. The subject properties are located in the Erekson Place Subdivision and do not have frontage on a public street. The current owners of the property would like to change the zoning from R-M-10 (Low Density Multiple-Family) to R-1-8 (Low Density Single Family) to facilitate development of the vacant lot located to the south to the remnant landlocked parcels. The zone change will, in essence, clean up the landlocked remnant parcels and allow the adjacent property owners to improve and maintain the property. The two parcels extend into Little Cottonwood Creek on the north and are accessible only to the adjacent property owners.
Mayor's Approval 	
Date September 29, 2021	

Continued from Page 1:

CITY DEPARTMENT REVIEW

A Planning Review Meeting was held on August 16, 2021 where the application and information on the proposed amendments was shared with City Staff from various departments. The following comments were received from the various City Departments:

- Engineering Division indicated they have no concerns.
- Water Department commented that the front properties on Majestic Pine Drive are located within the water service area and that the parcels in question do not have service.
- Wastewater Department commented that the property is not located within the wastewater service area and is Cottonwood Improvement District.
- Power Department indicated they have no concerns.

PLANNING COMMISSION

Sixty-five notices for a public hearing were sent to all property owners for parcels located within 300 feet of the subject property. The Planning Commission held a public hearing on September 2, 2021 and voted 6-0 to send a recommendation of approval to the City Council. No public comments regarding this application have been received.

FINDINGS

1. The General Plan provides for flexibility in the implementation and execution of goals and policies based on individual circumstances.
2. The requested zone change has been carefully considered based on the characteristics of the site and surrounding area, and on the policies and objectives of the 2017 Murray City General Plan.
3. The proposed Zone Map Amendment from R-M-10 to R-1-8 is supported by the General Plan and Future Land Use Map designation of the subject property.

RECOMMENDATION

Based on the background, staff review, Planning Commission recommendation and findings, staff recommends **APPROVAL** of the requested amendments to the Zoning Map designation of the properties located at 5829 and 5837 South Majestic Pine Drive from R-M-10, Low density multiple family to R-1-8, Low density single-family.

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 16th day of November, 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to amending the Zoning Map from the R-M-10 (Low Density Multi-Family) zoning district to the R-1-8 (Low Density Single Family) zoning district for the properties addressed 5829 and 5837 South Majestic Pine Drive, Murray, Utah.

The purpose of this hearing is to receive public comment concerning the proposed amendment to the Zoning Map as described above.

DATED this _____ day of _____, 2021.

MURRAY CITY CORPORATION

Brooke Smith
City Recorder

DATE OF PUBLICATION: November 5, 2021

Notice under UCA §10-9a-205:

At least 10 days prior to hearing:

- Mailed to each affected entity
- Posted on the City's website
- Posted on the UPN website
- Courtesy notice mailed to each property owner within 300 feet of subject property

24 hours prior to hearing:

- Post in 3 locations within city
- Post on City's website

ORDINANCE NO. _____

AN ORDINANCE RELATING TO LAND USE; AMENDS THE ZONING MAP FOR THE PROPERTIES LOCATED AT 5829 AND 5837 SOUTH MAJESTIC PINE DRIVE, MURRAY CITY, UTAH FROM R-M-10 (LOW DENSITY MULTI-FAMILY) TO R-1-8 (LOW DENSITY SINGLE FAMILY) (Alma & Karen Hansen and Mark McDonough)

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL AS FOLLOWS:

WHEREAS, the owners of the real property located at 5829 and 5837 South Majestic Pine Drive, Murray, Utah, has requested a proposed amendment to the zoning map to designate the property in an R-1-8 (Low Density Single Family) zone district; and

WHEREAS, it appearing that said matter has been given full and complete consideration by the City Planning and Zoning Commission; and

WHEREAS, it appearing to be in the best interest of the City and the inhabitants thereof that the proposed amendment of the zoning map be approved.

NOW, THEREFORE, BE IT ENACTED:

Section 1. That the Zoning Map and the zone district designation be amended for the following described property located at 5829 and 5837 South Majestic Pine Drive, Murray, Salt Lake County, Utah from the R-M-10 (Low Density Multi-Family) zone district to the R-1-8 (Low Density Single Family) zone district:

Legal Description

Parcel #22-18-427-058

Beginning at the Northeast corner of Lot 12, EREKSON PLACE SUBDIVISION, recorded as (88-4-24) in the official records; said point also being North 2312.171 feet and West 220.467 feet from the Southwest corner of Section 17, Township 2 South, Range 1 East, Salt Lake Base and Meridian; said point also being in the center of Little Cottonwood Creek, and running thence South 86°36'20" East 144.35 feet along said centerline of Little Cottonwood Creek; thence South 24°25'37" West 126.761 feet to the common corner between Lots 13 and 14 of said Subdivision on the North line of said Subdivision; thence North 64°56'07" West 139.39 feet along said North line of Lot 13 to the East line of Lot 12; thence North 28°03'01" East 73.55 feet along the East line of Lot 12 to the point of beginning.

Parcel #22-18-427-058

Beginning at a point on the Northwest corner of Lot 14, EREKSON PLACE SUBDIVISION, and running thence North 24°25'37" East 126.761 feet; thence South 86°36'19" East 32.289 feet; thence North 89°46'45" East 24.51 feet; thence South 24°25'37" West 152.137 feet; thence North 62°30'00" West 52.12 feet to the point of beginning.

Section 2. This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this day of , 2021.

MURRAY CITY MUNICIPAL COUNCIL

Diane Turner, Chair

ATTEST:

Brooke Smith, City Recorder

MAYOR'S ACTION: Approved

DATED this _____ day of _____, 2021.

D. Blair Camp, Mayor

ATTEST:

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the _____
day of _____, 2021.

Brooke Smith, City Recorder

--DRAFT--

Minutes of the Planning Commission meeting held on Thursday, September 2, 2021, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

The public was able to view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>. Anyone who wanted to make a comment on an agenda item may submit comments via email at planningcommission@murray.utah.gov.

Present: Maren Patterson, Chair
Ned Hacker, Vice Chair
Jake Pehrson
Lisa Milkavich
Jeremy Lowry
Sue Wilson
Jared Hall, Planning Division Manager
Susan Nixon, Associate Planner
Zachary Smallwood, Associate Planner
Briant Farnsworth, Deputy City Attorney
Citizens

Excused: Travis Nay

The Staff Review meeting was held from 6:00 p.m. to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording is available at the Murray City Community and Economic Development Department Office.

APPROVAL OF MINUTES

No Minutes to be approved.

CONFLICT OF INTEREST

There were no conflicts of interest.

APPROVAL OF FINDINGS OF FACT

Sue Wilson made a motion to approve the Findings of Fact for BMW of Murray at 4700 South State Street. A motion to approve Findings of Fact for Orion Auto at 32 East Fireclay Ave and a motion to approve Findings of Fact and Design Review for Kimball Investments to allow the development of a multi-tenant commercial building with drive through located apx 4670 South 900 East. Seconded by Ned Hacker. A voice vote was made, motion passed 6-0

ALMA & KAREN HANSEN and MARK MCDONOUGH – 5829 & 5837 South Majestic Pine Drive – Project #21-089

The applicant is requesting a Zone Map Amendment from R-M-10 to R-1-8 at the properties addressed 5829 and 5837 South Majestic Pine Drive. Susan Nixon presented the request. The parcels are behind residential properties and are technically landlocked. The McDonough's own lot #12 with a home there and next to them is Lot #13 which is jointly owned by the McDonough's and Hansen's. Lot #14 is owned by the Hansen's. The properties involved in this

request are to the rear of Lots #13 and #14. These parcels are the remnant result of four previous subdivisions developed over the years. The area is heavily wooded with a creek at the northerly boundary. The applicants want to keep and maintain the area for their enjoyment. They also intend to combine the two parcels with their lots within the Ereksen Subdivision and if this is approved they will need to apply for a subdivision amendment and lot consolidation. R-M-10 zoning allows for single family homes. This request is consistent with the General Plan and Future Land Use Map. Notices were sent to surrounding residents and no responses were made. Staff is recommending approval for a zone map amendment for both parcels and that the Planning Commission to forward a positive recommendation for properties, two separate motions will be needed.

Applicant, Alma Hansen, 5837 South Majestic Pine Drive, stated their willingness to comply with city regulations.

Ms. Patterson opened the meeting for public comment. No comments were made. The public comment portion for this agenda item was closed.

Lisa Milkavich made a motion to forward a recommendation of approval to the City Council for a Zone Map Amendment for the parcel of property generally addressed 5829 South Majestic Pine Drive. Seconded by Jake Pehrson.

Call vote recorded by Ms. Nixon.

A Maren Patterson
A Ned Hacker
A Lisa Milkavich
A Sue Wilson
A Jeremy Lowry
A Jake Pehrson

Motion passed 6-0.

Lisa Milkavich made a motion to forward a recommendation of approval to the City Council for a Zone Map Amendment for the parcel of property generally addressed 5837 South Majestic Pine Drive. Seconded by Jake Pehrson.

Call vote recorded by Ms. Nixon.

A Maren Patterson
A Ned Hacker
A Lisa Milkavich
A Sue Wilson
A Jeremy Lowry
A Jake Pehrson

Motion passed 6-0.



MURRAY CITY CORPORATION

COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400

Planning Division 801-270-2420

AGENDA ITEM #4

ITEM TYPE:	Zone Map Amendments - Public Hearing		
ADDRESS:	5829 & 5837 South Majestic Pine Drive	MEETING DATE:	September 2, 2021
APPLICANT:	Alma & Karen Hansen and Mark McDonough	STAFF:	Susan Nixon, Associate Planner
PARCEL ID:	22-18-427-058 & 22-18-427-059	PROJECT NUMBER:	21-089
CURRENT ZONE:	R-M-10, Low Density Multi-Family	PROPOSED ZONE:	R-1-8, Low Density Single Family
SIZE:	22-18-427-058 is .31-acre 13,503 ft ² 22-18-427-059 is .17-acre 7,405 ft ²		
REQUEST:	Zone Map Amendment from R-M-10 to R-1-8		



I. BACKGROUND & REVIEW

The requests reviewed in this report involve the properties located at 5829 & 5837 South Majestic Pine Drive. The properties are currently both vacant parcels which are remnants from the Creek Park Subdivision. The Creek Park Subdivision was recorded June of 2001. The original 3.16-acre parcel (#22-17-303-028) was at the north dead-end road, Royalton Drive. The 3.16-acre parcel was subdivided into the three-lot subdivision "Creek Park". A .48-acre portion on the west side of the 3.16-acre parcel was not included in the Creek Park Subdivision due to the odd shape and was split and sold to the adjacent properties abutting Majestic Pine Drive. The combination of the two remnant parcels has occurred.

In 1984 and 1985, the zoning for this area was changed from A-5 to R-1-8 and R-M-15C. Majestic Pine Drive was changed to R-1-8. In 1986 the property along what is now Royalton Drive and Longfellow Lane was changed to R-M-10 in anticipation of Erekson Village Planned Unit Development (P.U.D.) allowing a minimum lot area of 6,000 ft². The R-M-10 zone allows single family lots with a minimum 8,000 ft² as a permitted use.

Erekson Village P.U.D. was recorded in June of 1988 under the R-M-10 zone. Erekson Place Subdivision was recorded in March of 1988 under the R-1-8 zone. Longfellow Park Subdivision was recorded in April of 1990 under the R-M-10 zone and Creek Park Subdivision was recorded in 2001 under the R-M-10 zone.

When Creek Park Subdivision was approved and platted (original parcel #22-17-303-028 shown below) it split off a portion of property to the west, which is now the subject property(s) for this application. These two parcels have remained vacant parcel(s) in the R-M-10 zone.

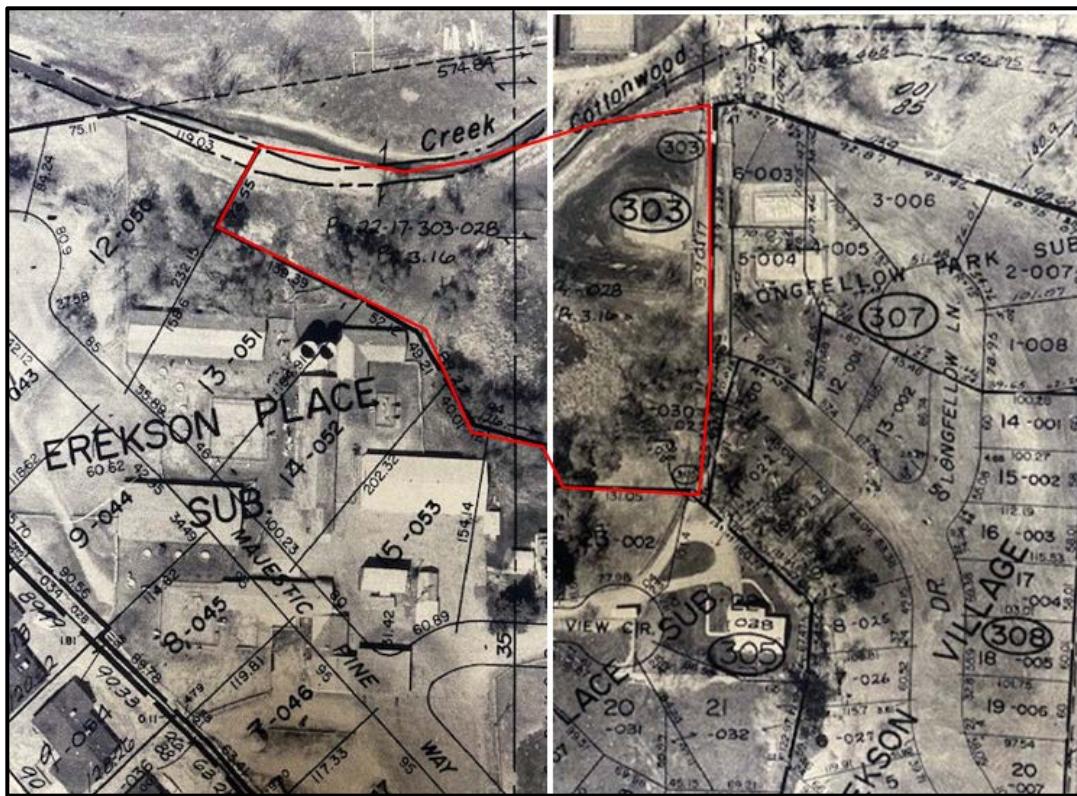


Figure 1: Original Parcel for the Creek Park Subdivision and Remnant Parcels

The applicants own two remnant parcels and now propose to change the zoning from R-M-10 to R-1-8 in order to facilitate a future amendment and extension of Erekson Place Subdivision which will include the two remnant parcels.

The two parcels are landlocked and are adjacent to the respective property in Erekson Place Subdivision. The parcel at 5837 South is owned by Hansen's and is adjacent to Lot #14 which contains a single-family dwelling with frontage on Majestic Pine Drive. The parcel at 5829 is jointly owned with the Hansen's and McDonough and is adjacent to the vacant Lot #13. Lot #13 is also jointly owned between the Hansen's & McDonough. In order to facilitate a future amendment to the Erekson Place Subdivision, the two parcels must have the same zoning of R-1-8. With no frontage on a public street, the parcels in question are not buildable parcels.

The zone change will, in essence, clean up the landlocked remnant parcels and allow the adjacent property owners to improve and maintain the property. The two parcels extend into Little Cottonwood Creek on the north and are accessible only to the adjacent property owners.

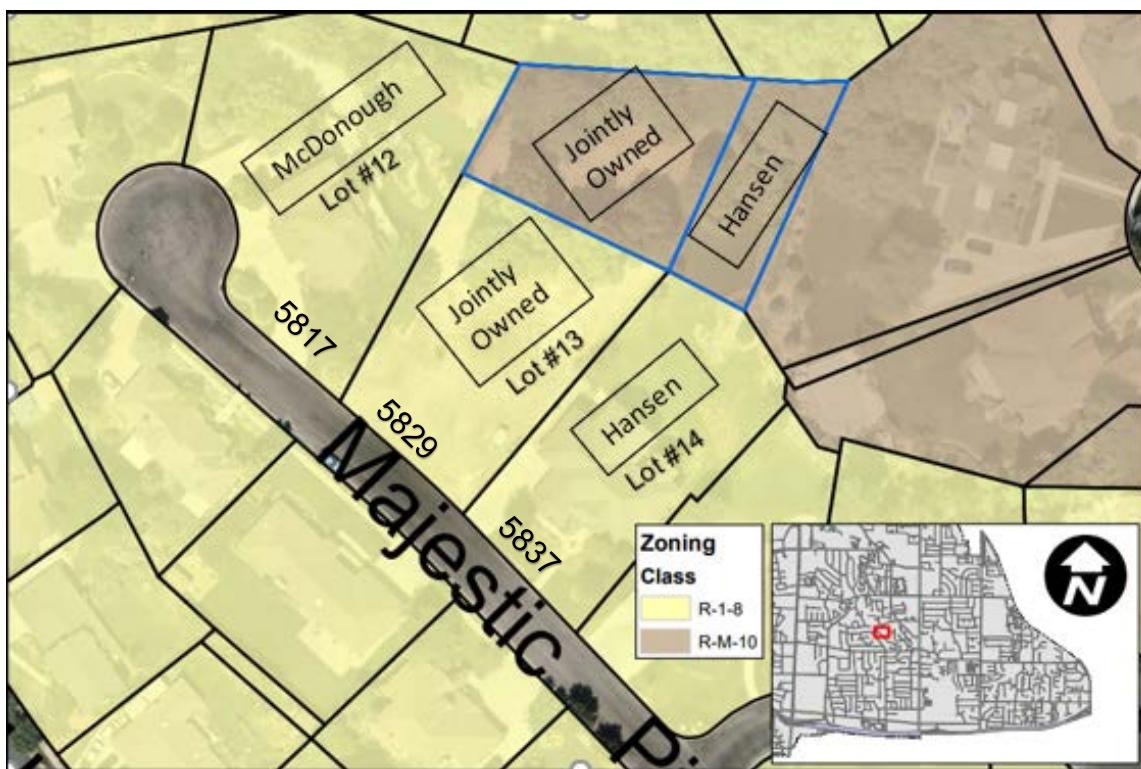


Figure 2: Proposed Zone Changes

Surrounding Land Uses & Zoning

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Single-Family Residential	R-1-8
South	Single Family Residential	R-1-8
East	Single-Family Residential	R-M-10
West	Single-Family Residential	R-1-8

Zoning Districts & Allowed Land Uses

- The existing R-1-8 (adjacent properties to the south on Majestic Pine Drive): The existing R-1-8 Zone allows for single family residential development and accessory uses associated with them and requires minimum lot sizes of 8,000 square feet. Maximum height for main dwellings is 35 feet. Public and quasi-public uses such as schools, libraries, churches, and utilities are allowed subject to Conditional Use approval.
- The existing R-M-10 for the two parcels generally addressed 5829 (rear parcel) and 5837 South Majestic Pine Drive: allows for single and two-family dwelling development with lot sizes of 8,000 square feet and 10,000 square feet respectively. Maximum height for main dwellings is 35 feet. Multi-family dwellings, public and quasi-public uses such as schools, libraries, churches, and utilities are allowed subject to Conditional Use approval. The R-M-10 zone allows densities of seven (7) units per acre and increments up to a maximum of ten (10) units per acre with compliance to the Incentive Density Criteria requirements found in Land Use Section 17.132.

General Plan & Future Land Use Designations

Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for all properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These “Future Land Use Designations” are intended to help guide decisions about the zoning designation of properties.

The existing designation for the two parcels are: “Medium Density Residential”. Medium Density Residential is intended to encourage multi-family residential development detached and attached in character. Corresponding zoning designations include the R-1-6, R-M-10 and R-M-15. The R-M-10 Zone allows for single-family and multi-family residential development and accessory uses associated with them, with a minimum lot size of 8,000 square feet for single family dwellings and 10,000 square feet for duplex. Density for more than two (2) units are calculated according to the area of the lot or parcel at the rate of seven (7) units per acre. Maximum height is 35 feet.

The proposed designation for the two subject parcels are: “Low Density Residential”. Low Density Residential is intended to encourage residential development which is single-family detached in character. Corresponding zoning designations include the A-1, R-1-12, R-1-10, R-1-8, R-1-6 , and R-2-10 zones. The R-1-8 Zone allows single-family residential development and accessory uses associated with them, with a minimum lot size of 8,000 square feet for single-family dwellings. Maximum height is 35 feet. Both the existing and the proposed zoning designations of the subject properties correspond to the Future Land Use Map. The applicant’s intended subdivision amendment would not impact the property’s contribution to development that is “single-family detached in character”; as stated in the General Plan.

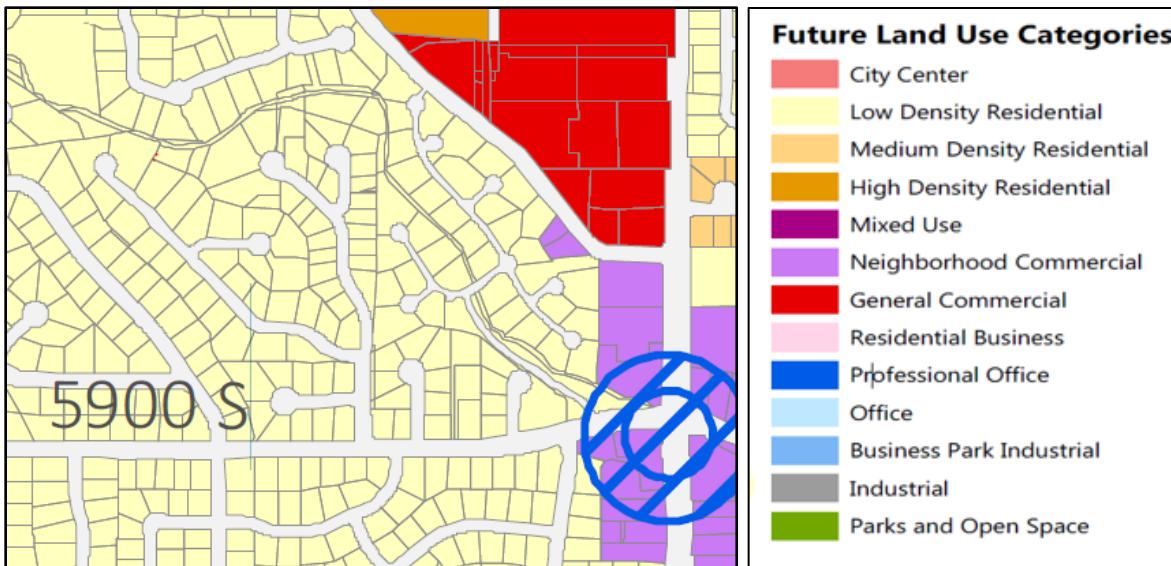


Figure 3: Future Land Use Map

The prevailing designation of properties and of development in the surrounding area is “Low Density Residential”. The zoning of most properties in this area are R-1-8 to the east, west, north and south.

LOW DENSITY RESIDENTIAL	MEDIUM DENSITY RESIDENTIAL
<p>LOW DENSITY RESIDENTIAL</p> <p>This designation is intended for residential uses in established/planned neighborhoods, as well as low density residential on former agricultural lands. The designation is Murray’s most common pattern of single-dwelling development. It is intended for areas where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally have few or very minor development constraints (such as infrastructure or sensitive lands). Primary lands/use types include single-dwelling (detached or attached) residential.</p> <p>Density range is between 1 and 8 DU/AC.</p> <p>Corresponding zone(s):</p> <ul style="list-style-type: none"> • A-1, Agricultural • R-1-12, Low density single family • R-1-10, Low density single family • R-1-8, Low density single family • R-1-6, Low/Medium density single family • R-2-10, Low density two family 	<p>MEDIUM DENSITY RESIDENTIAL</p> <p>This designation allows a mix of housing types that are single-dwelling in character or smaller multi-family structures, primarily on individual parcels. This designation is intended for areas near, in, and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access frequent transit, are available or planned. Areas within this designation generally do not have development constraints (such as infrastructure or sensitive lands). This designation can serve as a transition between mixed-use or multi-dwelling designations and lower density single-dwelling designations.</p> <p>Density range is between 6 and 15 DU/AC.</p> <p>Corresponding zone(s):</p> <ul style="list-style-type: none"> • R-1-6, Low/Medium density single family • R-M-10, Medium density multiple family • R-M-15, Medium density multiple family

II. CITY DEPARTMENT REVIEW

A Planning Review Meeting was held on August 16, 2021 where the application and information on the proposed amendments was shared with City Staff from various departments. The following comments were received from the various City Departments:

- Engineering Division indicated they have no concerns.
- Water Department commented that the front properties on Majestic Pine Drive are located within the water service area and that the parcels in question do not have service.
- Wastewater Department commented that the property is not located within the wastewater service area and is Cottonwood Improvement District.
- Power Department indicated they have no concerns.

Comments from the various representatives of City departments are carefully considered as Planning Division Staff prepares recommendations for the Planning Commission.

III. PUBLIC INPUT

65 notices were sent to all property owners within 300 feet of the subject property and affected entities on August 19, 2021. As of the date of this report there has been one phone call from Thomas Kendall (property owner to the north) asking for zoning clarification. He was not opposed.

IV. ANALYSIS & CONCLUSIONS

A. Is there need for change in the Zoning at the subject location for the neighborhood or community?

With regards to the two parcels of property generally addressed 5829 & 5837 South Majestic Pine Drive, the Future Land Use Map currently identifies the subject property as "Low Density Residential". This designation generally supports rezoning to A-1, R-1-12, R-1-10, R-1-8, R-1-6, or R-2-10. Considering the Future Land Use Map designation and the surrounding land use patterns and zoning, Staff finds that the proposed R-1-8 Zone is supported by the General Plan and is compatible with the surrounding neighborhood. The proposed zone change will facilitate the property owners to combine the parcel(s) with the adjacent Lots located within the Erikson Subdivision.

B. If approved, how would the range of uses allowed by the Zoning Ordinance blend with surrounding uses?

The requested changes would not impact the allowed range of uses. The requirements of the proposed R-1-8 Zone will support the residential subdivision of the property.

C. What utilities, public services, and facilities are available at the proposed location? What are or will be the probable effects the variety of uses may have on such services?

Staff would not expect adverse direct impacts to utilities, public services, or facilities to result from a change to the R-1-8 Zone. It is expected that the property owners will subsequently apply to amend the Erikson Subdivision to include the two remnant parcels and will solve the landlocked situation that currently exists.

V. FINDINGS

1. The General Plan provides for flexibility in the implementation and execution of goals and policies based on individual circumstances.
2. The requested zone change has been carefully considered based on the characteristics of the site and surrounding area, and on the policies and objectives of the 2017 Murray City General Plan.
3. The proposed Zone Map Amendment from R-M-10 to R-1-8 is supported by the General Plan and Future Land Use Map designation of the subject property.

VI. STAFF RECOMMENDATION

The requests have been reviewed together in the Staff Report and the findings and conclusions apply to the recommendations from Staff; however, the Planning Commission must act on the Zone Map Amendment requests individually. Two separate recommendations are provided below:

REQUESTS TO AMEND THE MURRAY CITY ZONING MAP

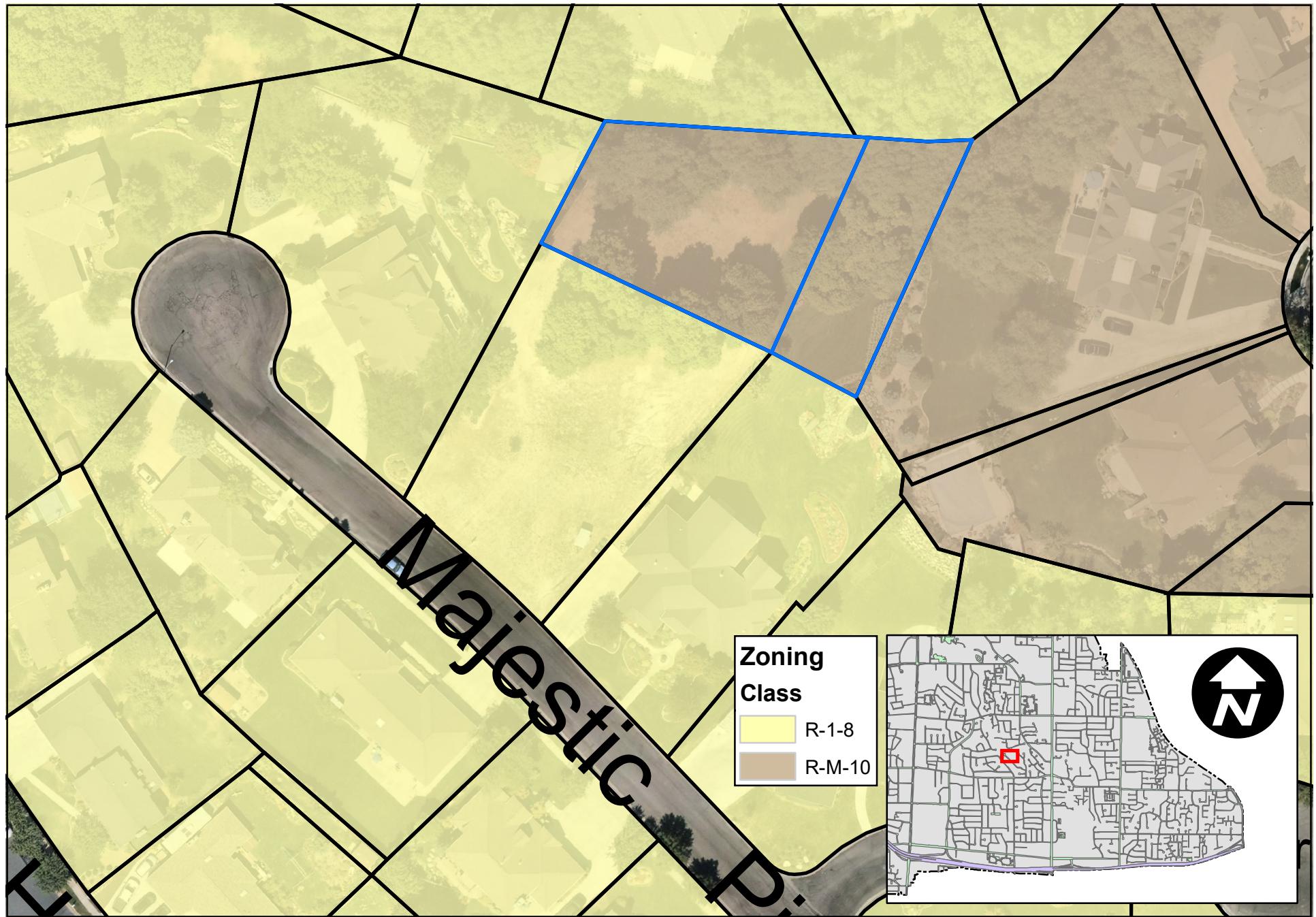
Based on the background, analysis, and the findings within this report, Staff recommends:

1. The Planning Commission **forward a recommendation of APPROVAL to the City Council for the Zone Map Amendment for the parcel of property generally addressed 5829 South Majestic Pine Drive.**
2. The Planning Commission **forward a recommendation of APPROVAL to the City Council for the Zone Map Amendment for the parcel of property generally addressed 5837 South Majestic Pine.**

5829 & 5837 South Majestic Pine Drive



5829 & 5837 South Majestic Pine Drive





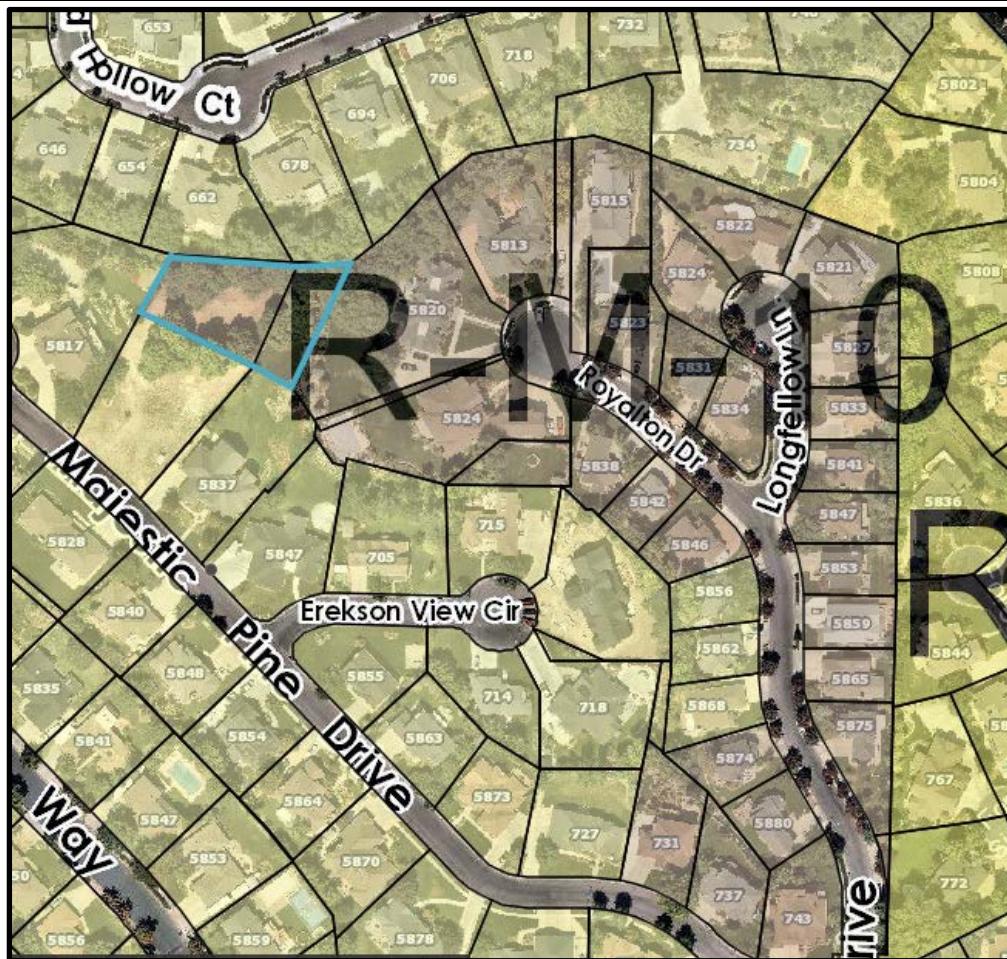
NOTICE OF PUBLIC HEARING

September 2, 2021, 6:30 PM

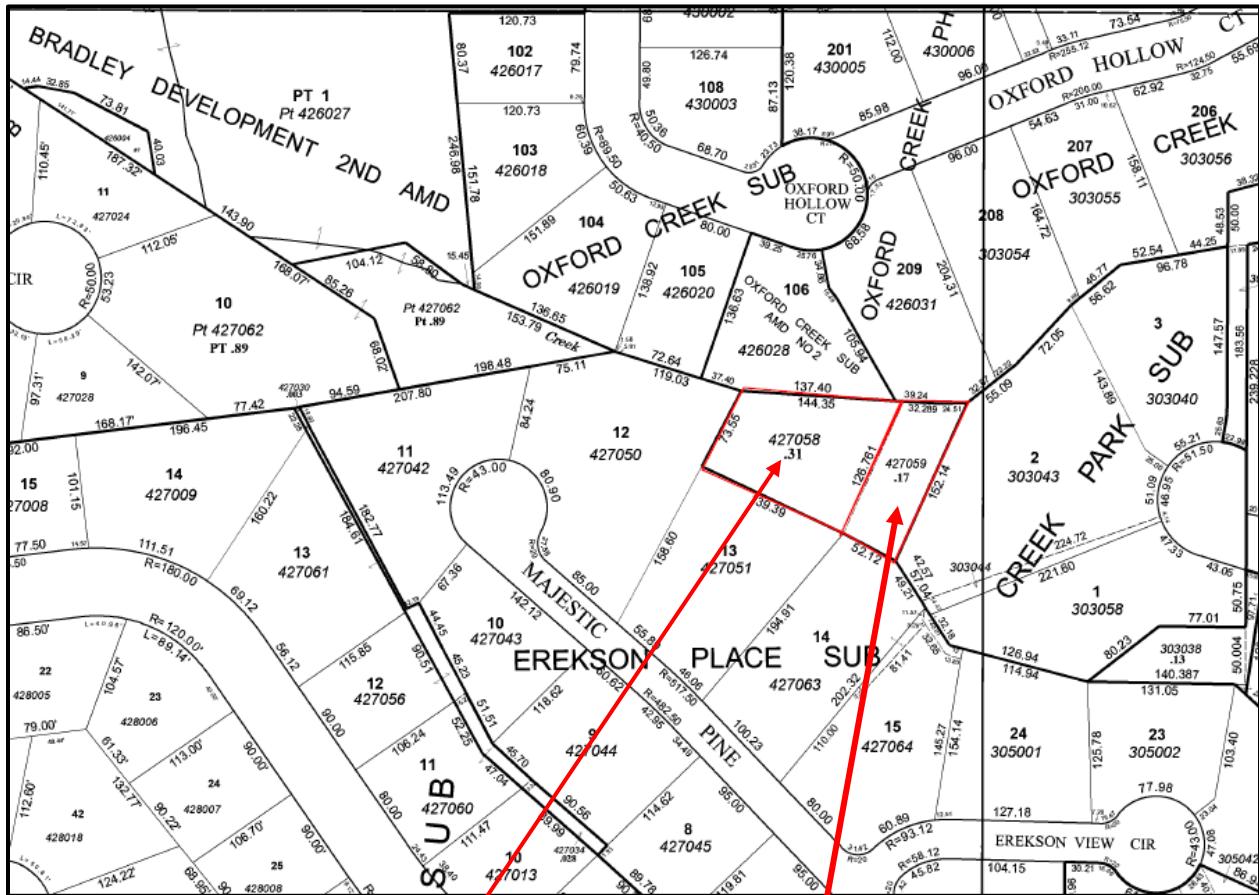
The Murray City Planning Commission will hold a public hearing regarding an application made by **Alma & Karen Hansen and Mark McDonough** for **Zone Map Amendments from R-M-10 (Low Density Multi Family) to R-1-8 (Low Density Single Family)** for two vacant parcels of property addressed **5829 & 5837 South Majestic Pine Drive**. Please see the map below.

The meeting is open and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

Comments are limited to 3 minutes or less, written comments will be read into the meeting record.



If you have questions or comments concerning this proposal, please contact Susan Nixon in the Murray City Planning Division at 801-270-2423, or e-mail snixon@murray.utah.gov.



Subject parcels: #22-18-427-058 & 22-18-427-059

Request: Change zoning designation from R-M-10 to R-1-8

MURRAY CITY CORPORATION
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 2nd day of September 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to a Zone Map Amendment from R-M-10 (Low Density Multi-Family) to R-1-8 (Low Density Single Family) for the properties at 5829 & 5837 South Majestic Pine Drive, Murray, Utah. You may attend the meeting in person or you may submit your comments on this agenda item via email at planningcommission@murray.utah.gov. You may watch the meeting via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

Jared Hall, Manager
Community & Economic Development

ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

- Zoning Map Amendment
- Text Amendment
- Complies with General Plan

Yes No

Project # 21-089

Subject Property Address: 5837 majestic pine Drive, murray, UT 84107

Parcel Identification (Sidwell) Number: 22-18- 427 - 059

Parcel Area: .17 Current Use: Vacant land

Existing Zone: R-m-10 Proposed Zone: R- 1- 8

Applicant
Name: Alma & Karen Hansen

Mailing Address: 5837 majestic pine Drive, murray, UT 84107

City, State, ZIP: Murray, Utah 84107

Daytime Phone #: 801-897-4795 Fax #: _____

Email address: hansen.alma@gmail.com

Business or Project Name : see application for Mark McDonough

Property Owner's Name (If different): _____

Property Owner's Mailing Address: _____

City, State, Zip: _____

Daytime Phone #: _____ Fax #: _____ Email: _____

Describe your reasons for a zone change (use additional page if necessary):

To make the zoning of the vacant parcels
the same as our homes.

Authorized Signature: Alma Hansen Date: 8/4/21

Property Owners Affidavit

I (we) Alma Hansen, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Alma Hansen
Owner's Signature

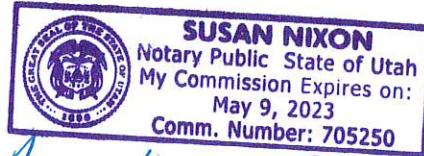
Co- Owner's Signature (if any)

State of Utah

§

County of Salt Lake

Subscribed and sworn to before me this 4th day of August, 2021.



Susan Nixon
Notary Public

Residing in Salt Lake County

My commission expires: 5/9/2023

Agent Authorization

I (we), _____, the owner(s) of the real property located at _____, in Murray City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize _____ to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake

On the _____ day of _____, 20 _____, personally appeared before me _____ the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Notary Public

Residing in _____

My commission expires: _____

ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

Zoning Map Amendment

Text Amendment

Complies with General Plan

Yes No

Project # 21-089

Subject Property Address: 5824 South Majestic Pine Dr. Murray 84107

Parcel Identification (Sidwell) Number: 22-18-427-058

Parcel Area: 31 Current Use: Vacant

Existing Zone: R-M-10 Proposed Zone: R-1-8

Applicant
Name: Mark McDonough First Impression Orthodontic Lab, Ltd.
Homestead Seven, Ltd.

Mailing Address: 5817 Majestic Pine Drive

City, State, ZIP: Murray Utah 84107

Daytime Phone #: 801-243-4442 Fax #:

Email address: markmcdonough markmcdona@msn.com

Business or Project Name:

Property Owner's Name (If different): First Impression Orthodontic Lab, Ltd.
Homestead Seven Ltd.

Property Owner's Mailing Address: Same as Applicant

City, State, Zip:

Daytime Phone #: Fax #: Email:

Describe your reasons for a zone change (use additional page if necessary):

To make zoning consistent with adjacent home parcel.

Authorized Signature: Mark McDonough Date: Aug 4, 2021
Ahna Hansen 8/4/2021 4

Property Owners Affidavit

I (we) Mark J. McDonough, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Mark J. McDonough
Owner's Signature

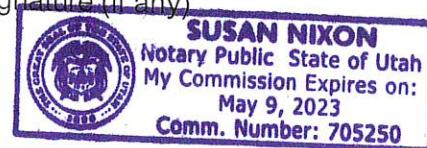
For First Impression
Orthodontic Lab, Ltd.

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake



Subscribed and sworn to before me this 24th day of August, 20 21.

Susan Nixon
Notary Public

Residing in Salt Lake County

My commission expires: 5/9/2023

Agent Authorization

I (we), _____, the owner(s) of the real property located at _____, in Murray City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize _____ to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake

On the _____ day of _____, 20 _____, personally appeared before me

the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Notary Public

Residing in _____

My commission expires: _____

Property Owners Affidavit

I (we) Alma Hansen, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

The Homestead Seven
by Alma Hansen manager

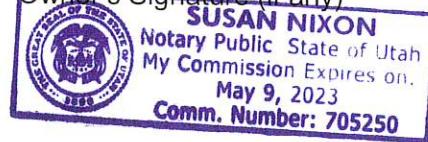
Owner's Signature

State of Utah

§

County of Salt Lake

Co-Owner's Signature (if any)



Subscribed and sworn to before me this 4th day of August, 20 21.

Susan Nixon
Notary Public

Residing in Salt Lake County My commission expires: 5/9/2023

Agent Authorization

I (we), _____, the owner(s) of the real property located at _____, in Murray City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize _____ to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake

On the _____ day of _____, 20 _____, personally appeared before me

_____ the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Notary Public

Residing in _____ My commission expires: _____



Parcel #22-18-427-058

Beginning at the Northeast corner of Lot 12, EREKSON PLACE SUBDIVISION, recorded as (88-4-24) in the official records; said point also being North 2312.171 feet and West 220.467 feet from the Southwest corner of Section 17, Township 2 South, Range 1 East, Salt Lake Base and Meridian; said point also being in the center of Little Cottonwood Creek, and running thence South 86°36'20" East 144.35 feet along said centerline of Little Cottonwood Creek; thence South 24°25'37" West 126.761 feet to the common corner between Lots 13 and 14 of said Subdivision on the North line of said Subdivision; thence North 64°56'07" West 139.39 feet along said North line of Lot 13 to the East line of Lot 12; thence North 28°03'01" East 73.55 feet along the East line of Lot 12 to the point of beginning.

Parcel #22-18-427-059

Beginning at a point on the Northwest corner of Lot 14, EREKSON PLACE SUBDIVISION, and running thence North 24°25'37" East 126.761 feet; thence South 86°36'19" East 32.289 feet; thence North 89°46'45" East 24.51 feet; thence South 24°25'37" West 152.137 feet; thence North 62°30'00" West 52.12 feet to the point of beginning.

Applicants: Alma and Karen Hansen & Mark McDonough

Request: Zone Map Amendment

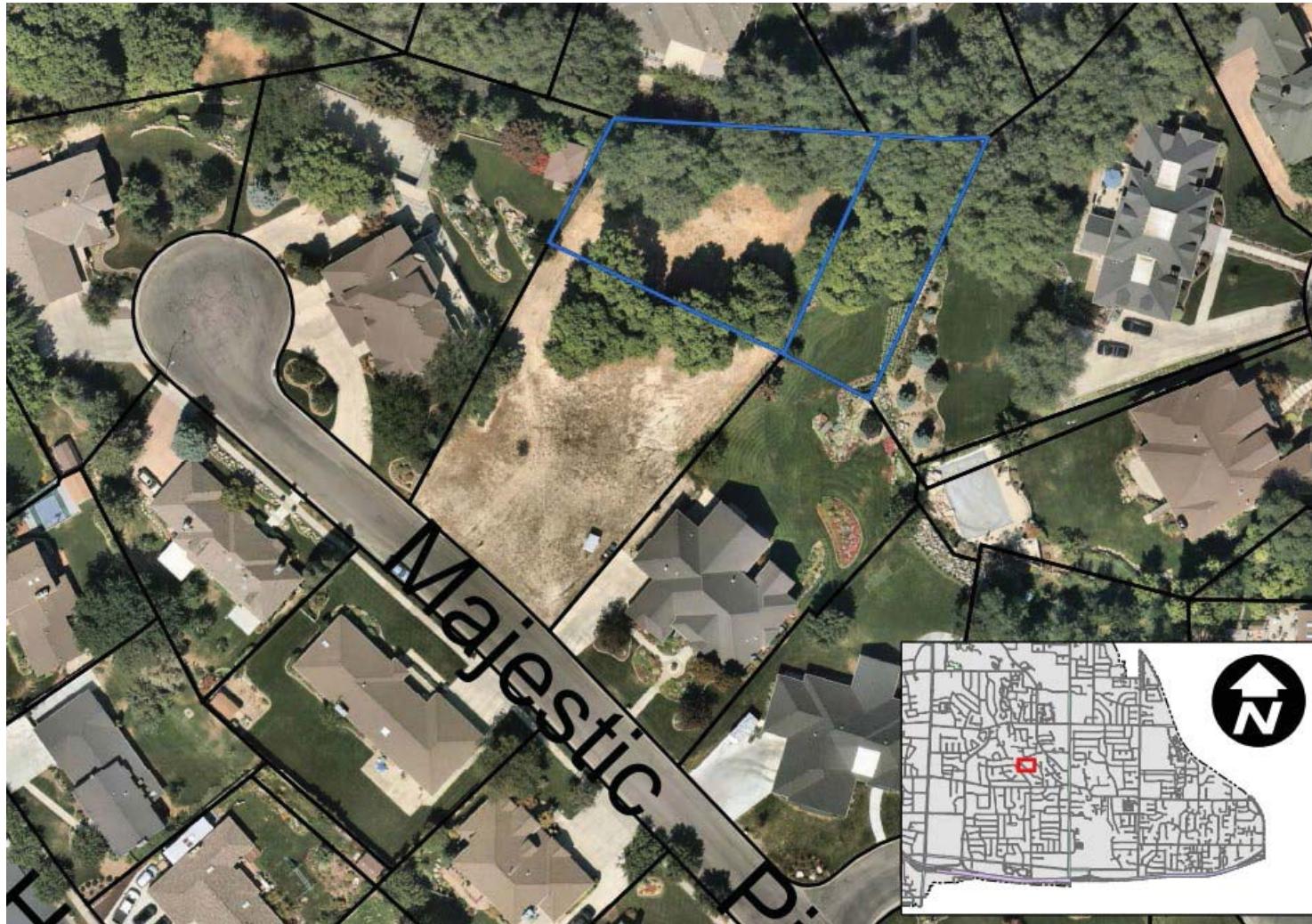
Address: 5829 & 5837 South Majestic Pine Drive

Existing Zone: R-M-10

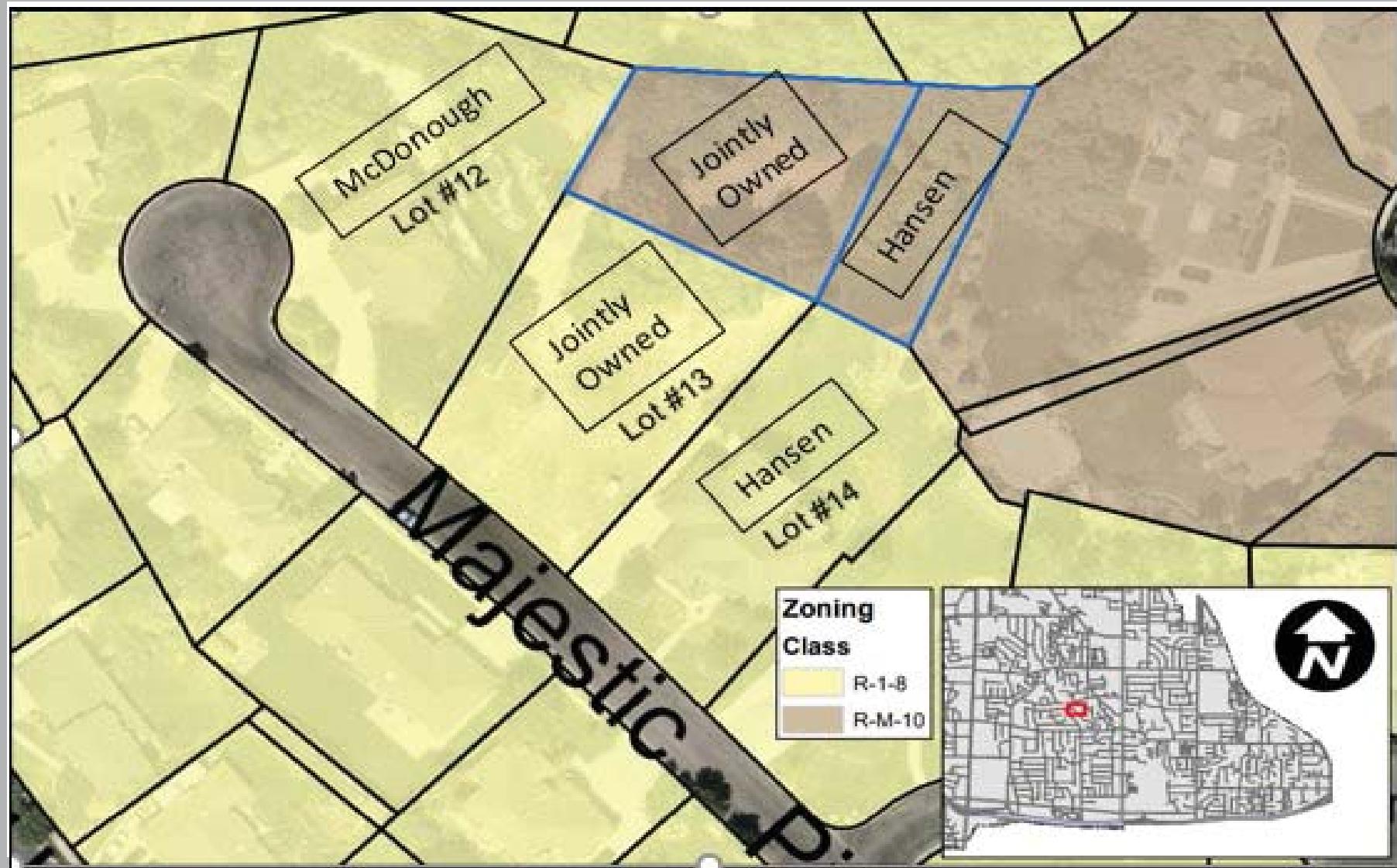
Requested Zone: R-1-8

Parcel Size: .31 and .17 acres



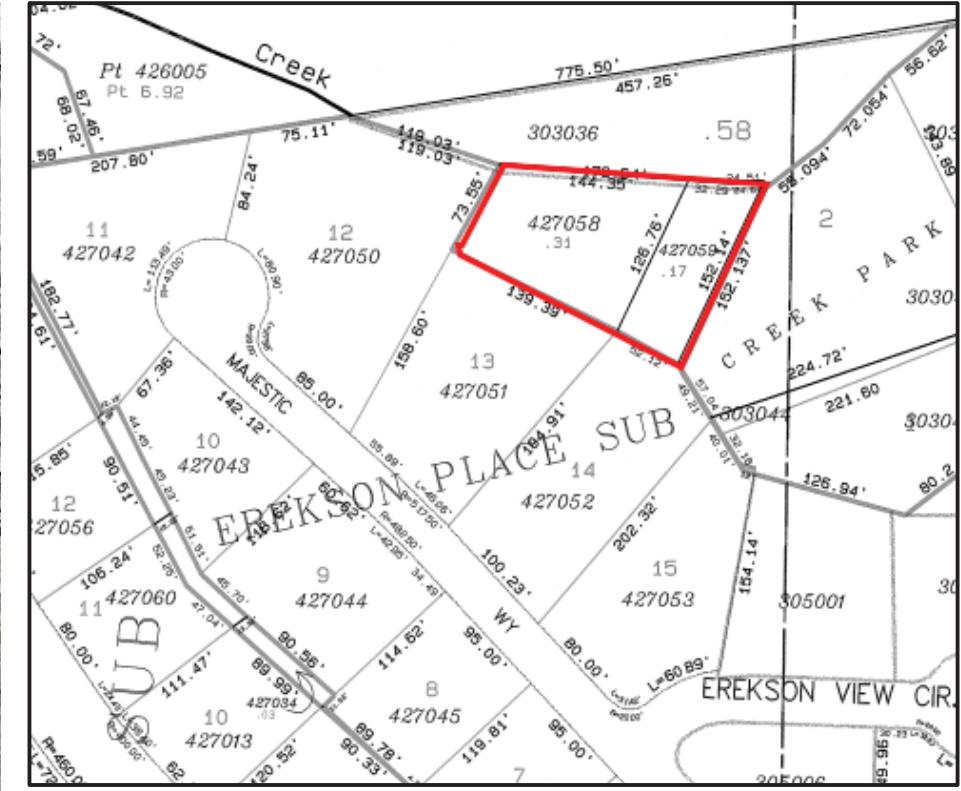
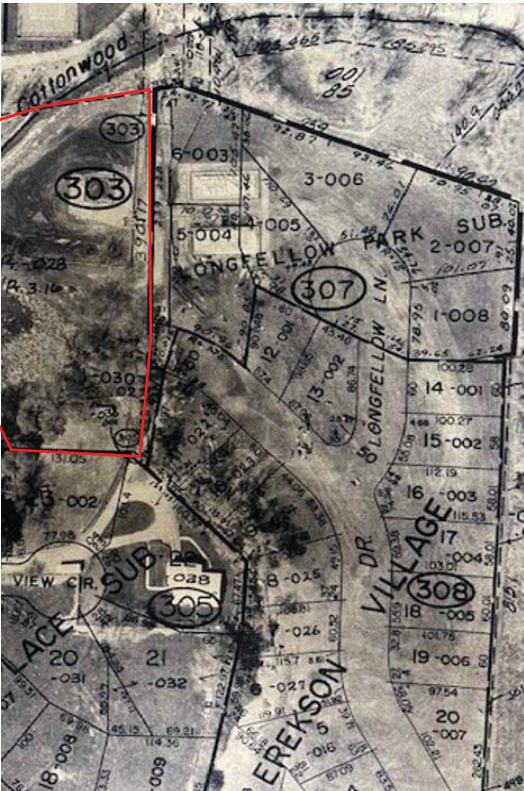
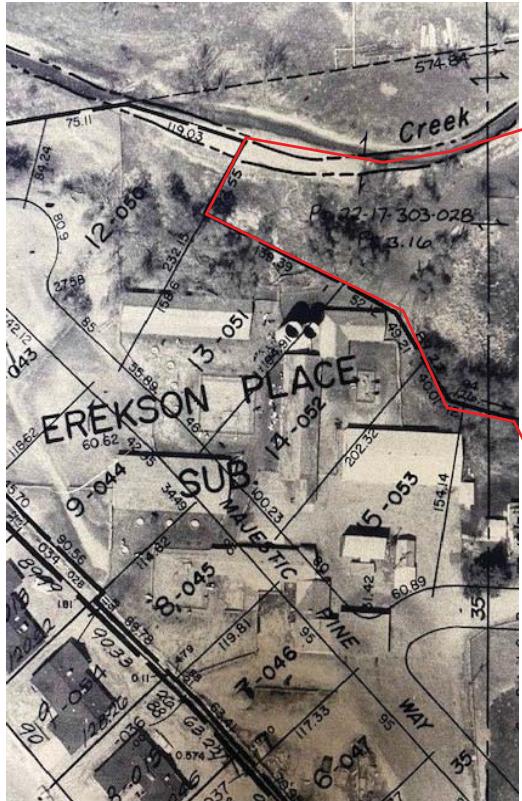


5829 & 5837 So
Majestic Pine Drive



R-M-10
Zone





Planning Commission

September 2, 2021 – Public Hearing

- 65 notices were mailed
- No public comments were received
- 6-0 vote to recommend approval

Findings

1. The General Plan provides for flexibility in the implementation and execution of goals and policies based on individual circumstances.
2. The requested zone change has been carefully considered based on the characteristics of the site and surrounding area, and on the policies and objectives of the 2017 Murray City General Plan.
3. The proposed Zone Map Amendment from R-M-10 to R-1-8 is supported by the General Plan and Future Land Use Map designation of the subject property.

Recommendation

Staff and the Planning Commission recommend **APPROVAL** of the amendments to the Zoning Map designation of the properties located at 5829 & 5837 South Majestic Pine Drive from R-M-10, Low density multiple family to R-1-8, Low density single family.



MURRAY
CITY COUNCIL

Adjournment



MURRAY
CITY COUNCIL

Council Meeting

6:30 p.m.

Call to Order

Pledge of Allegiance



MURRAY
CITY COUNCIL

Council Meeting Minutes

Murray City Municipal Council Chambers

Murray City, Utah

DRAFT

Tuesday, September 21st, 2021

The Murray City Municipal Council met on Tuesday, September 21, 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 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
Diane Turner	District #4 – Council Chair
Brett Hales	District #5 – Council Vice-Chair - Conducting
Jennifer Kennedy	Council Director

Administrative Staff in Attendance:

Blair Camp	Mayor
Doug Hill	Chief Administrative Officer
Jennifer Heaps	Chief Communication Officer
Brooke Smith	City Recorder
GL Critchfield	City Attorney
Brenda Moore	Finance and Administrative Director
Jon Harris	Fire Chief
Karen Gallegos	Senior Court Clerk
Amy Lambert	Court/Judicial Assistant II
Melinda Greenwood	Community & Economic Development Director
Zach Smallwood	Associate Planner
Rob White	IT Director

Others in Attendance:

Jann Cox	Pam Cotter	Daren Rasmussen
Kathryn Lichfield	Brent Barnett	Janice Strobell

Opening Ceremonies

Call to Order – Councilmember Hales called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Zach Smallwood.

Approval of Minutes

Council Meeting – August 24, 2021

Council Meeting – September 7, 2021

MOTION: Councilmember Dominguez moved to approve both minutes. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

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

Nays: None

Abstentions: None

Motion passed 5-0

Special Recognition

1. Murray City Council Employee of the Month, Amy Lambert, Court/Judicial Assistant II.

Presenting: Brett Hales, Councilmember, and Karen Gallegos, Senior Court Clerk

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 Amy Lambert would receive a certificate, a \$50 gift card and told her that her name would appear on the plaque located in the Council Chambers. Amy Lambert has worked for the city for the past ten (10) years and he expressed his appreciation to Lambert for all she does for the City.

Karen Gallegos, Senior Court Clerk said Amy Lambert is a joy to work with and is highly dependable. Lambert is always early to work to make sure everything is set up and ready to open on time. Lambert takes great pride in the work to make sure it is precise, thorough, and complies with all policies and procedures, for the Court and Murray City. Whenever staff has a question about something they can go to Lambert and she will research it until she finds the answer.

Lambert said it is a joy to work with Murray and expressed gratitude for the opportunity to work at Murray City.

Councilmembers thanked Lambert for her service, and they appreciate her being a part of Murray City.

Citizen Comments

Janice Strobell

Janice thanked the council for all they have done today. She shared the following two key points:

- 1) In response to the open house, she would like the citizens to get involved at the onset of projects.
- 2) All development downtown should go to the city council for final approval.

The public comments were closed.

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 amending Section 17.48.120 of the Murray City Municipal Code relating to temporary signs

Presentation: Melinda Greenwood, Community & Economic Development Director, and Zach Smallwood, Associate Planner

PowerPoint Presentation Attachment A- Text Amendment: Chapter 17.48.120 Temporary Signs Committee of the Whole Presentation on September 7, 2021

Planning Commission Presentation on June 17, 2021

Presentation

Zach Smallwood requested an ordinance amendment updating Section 17.48.120, Temporary Signs, in the Murray City Land Use Ordinance. As staff researched the code, it became apparent that there was conflicting language, duplicate items, or rules that were not practical to enforce in our sign code. Smallwood displayed some examples of temporary signage such as “opening soon” signs and political signs. The proposed changes are intended to clean up the temporary sign section of the ordinance and to provide clear language for those who want to use temporary signs.

In the previous ordinance was passed on May 21, 2019, there was a requirement to have a Murray City sticker on banner signs to hang it, but the city was never able to find a vendor that could make a weatherproof sticker to adhere to sign materials. This proposal is also intended to remove that requirement.

The proposed amended ordinance would continue to regulate the most important elements of temporary signage while removing the conflict within the ordinance and making the regulations clearer.

The Planning Commission did vote 6-0 to recommend approval of the proposed tet amendment of Section 17.48.120, Temporary Signs, in the Murray City Land Use Ordinance.

Smallwood did some research on the number of days temporary signs could be placed in neighboring cities:

- Midvale: Allows three (3) months
- Holiday: Allows 30 days
- Millcreek: Allows up to six (6) months
- South Salt Lake: Allows 21 days and up to 63 days per year
- West Jordan: Allows 60 days
- Taylorsville: unknown

Councilmember Turner recommends the proposed ordinance be changed to 180 days and not 90 days to account for election campaign season.

Citizen Comments

The public hearing was open for public comment.

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

MOTION

Councilmember Turner moved to adopt the ordinance Section 17.48.120 of the Murray City Municipal Code relating to temporary signs and change the timeframe from 90 days to 180. The motion was SECONDED by Councilmember Cox.

Council roll call vote:

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

Nays: None

Abstentions: None

Motion passed 5-0

2. Consider an ordinance amending Chapter 17.78 of the Murray City Municipal Code relating to accessory dwelling units

Presentation: Melinda Greenwood and Zach Smallwood

PowerPoint Presentation Attachment B- Chapter 17.78, Accessory Dwelling Units, Land Use Ordinance Text Amendment

Committee of the Whole Presentation on September 7, 2021

Presentation

Zach Smallwood requested an ordinance amendment to Section 17.78, Accessory Dwelling Units, in the Murray City Land Use Ordinance. Smallwood shared that the State recently passed HB82

which is the legislature's attempt to curb the housing affordability crisis. The new requirements of HB82 in the State Code will go into effect on October 1, 2021.

On September 11, 2009, Murray City adopted an Accessory Dwelling Unit Ordinance, which allows for accessory dwelling units (ADU's) in single-family residential zones subject to obtain a conditional use permit. Since then, 67 ADU's have been approved in the city.

Smallwood clarified that there are two types of ADU's: attached and detached. He then shared the new requirements and changes for each type of ADU.

Smallwood clarified the difference between an ADU and a duplex is in an ADU, the utilities do have to connect to the main house. If they are building a duplex, then the utilities can be separate.

The Planning Commission recommended denial of the short-term rental ordinance so for ADU's to be built, property owners must fill out an Accessory Dwelling Unit Permit and sign an affidavit that confirms no short-term renting will occur.

ADUs have increased in popularity as a way to combat rising housing costs across the valley. In a city such as Murray where most of the land has been developed, finding ways to reinvest in the community is an important factor to contribute to the housing shortage across the region.

Staff findings

1. The proposed text amendment furthers objective nine (9) of the Land Use and Urban Design Element of the General Plan to "provide a mix of housing options and residential zones to meet a diverse range of needs related to lifestyle and demographics, including age, household size, and income" by making the process to construct and operate an ADU easier.
2. The proposed changes are in harmony with objective eleven (11) of the Land Use and Urban Design Element to "stimulate reinvestment in deteriorating areas of the city to support growth and enhance the image of the community" by reducing the requirements needed to operate an ADU.
3. Staff finds that objective three (3) of the Neighborhoods & Housing Element that states "encourage housing options for a variety of age, family size and financial levels" supports the proposed changes. This allows residents that own a home that may be struggling to pay their mortgage or have a family member or friend that needs affordable housing to reside on the property within an ADU.
4. Objective one (1) of the Moderate-Income Housing Element states "ensure housing affordability targets are achievable using a range of strategies". One of the strategies in this objective state is to continue to support ADUs in all residential zones. Staff finds that the proposed changes further this objective by making it easier to construct and operate an ADU.
5. The planning commission voted 5-0 to forward a recommendation of approval.

Smallwood explained the various types of ADU's: attached, over a garage, and detached. For attached ADUs the State has mandated there not be restrictions on size or number of bedrooms and not require more than one parking space. During the application process, if approved, the city will require a signed affidavit by the property owner that they will be living in either the residence or ADU as well as sign an affidavit that they will not be operating a short-term rental.

The proposed changes are intended to comply with the requirements of HB82 by addressing any differences in Murray's current ordinance and the language that was adopted by the State Legislature. Planning Division Staff recommends that the proposed amendment addresses those differences and complies with all the rules and intentions of that legislation. The proposed changes also make it easier for a homeowner to obtain a permit for an Accessory Dwelling Unit by removing the requirement for a public meeting.

Councilmember Cox asked for confirmation that the ADU's would be owner-occupied. Smallwood confirmed.

Councilmember Dominguez asked what the difference is between ADU's and short-term rentals. Smallwood answered that ADU's are meant to be occupied for more than 30 days.

Councilmember Martinez recommends an amendment that allows ADU's to have separate addresses.

Citizen Comments

Kathryn Litchfield

Kathryn Litchfield expressed concerns about the 1200 square feet requirement and recommends the council reduce that to 8000 square feet so more citizens would have the opportunity to participate.

Litchfield also asked the council to consider including tiny homes to be considered as an ADU, even though they are on wheels.

No other comments were received. The public hearing was closed.

Smallwood came back up to the podium and clarifies that there are still several properties that would qualify under the 1200 square foot zone. They have looked at reducing the square footage but they wanted to keep the language as close to the HB82 law as possible.

Tiny homes are a big trend, but the code requires ADU's to be on foundations. Tiny homes would fall under the Mobile Home Zone. As such, tiny homes would not be defined as an ADU.

Councilmember Martinez asked if the council could consider changing the code to allow 8000 square feet lots to participate in ADU's.

Attorney Critchfield clarifies the reason for the change, is due to the HB82 law. Because the law was changed, then the city will do what is required to do and recommends a size change go before the Planning commission first.

Melinda Greenwood recommends she ask GIS to pull a report to see how many single-family homes a change impact could. In the meantime, she recommends the Council approve the ordinance to comply with state code, which goes into effect at the beginning of October.

Councilmember Dominguez requested staff to look at exemptions to areas in the city where ADU's

could be added if they do not meet the minimum 1200 square foot requirement.

Greenwood recommends looking at different land use issues and sees case studies from other cities to make sure we get it right.

Smallwood clarifies that the 1200's square foot lot is only required for detached ADU.

Public Comments re-opened

Kathryn Litchfield – In person

Kathryn recommends the council study the size of an RV. With fairness, you can't exclude words like Tiny Homes or RV's when considering ADU's. The concept of size and making things something permanent needs more study so the rules work for everyone.

Public comments closed.

MOTION

Councilmember Martinez moved to approve ordinance 17.78 of the Murray City Municipal Code relating to accessory dwelling units with the amendment to allow ADU's to have a separate address. The motion was SECONDED by Councilmember Turner.

Council roll call vote:

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

Nays: None

Abstentions: None

Motion passed 5-0

Business Item

None scheduled.

Mayor's Report and Questions

Mayor Camp shared the following:

- Murray City's Paralympian Ali Ibanez won a Bronze Medalist Women's Basketball team is from Murray City. Murray City is planning a meet and greet in her honor at Murray Park Pavilion # 1 on Friday, September 24, from 4-5 p.m.

Council members shared their appreciation to the staff and audience.

Councilmember Dominguez mentioned that this month is Hispanic Heritage Month which will run from September 15 to October 15. She would like to recognize the Murray Mexican-American citizens who have been here for the past years and decades. Dominguez requests citizens contact her if they know anyone with a Latin or Hispanic background, as she would like to personally recognize those Murray

citizens.

Adjournment

The meeting was adjourned at 7:17 p.m.

Brooke Smith, City Recorder

Attachment A
Text Amendment:
Chapter 17.48.120
Temporary Signs

Text Amendment:
Chapter 17.48.120 Temporary Signs

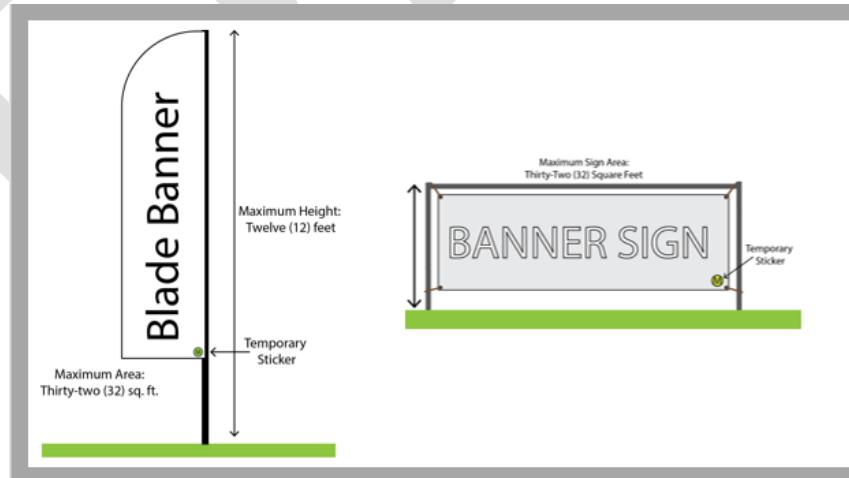


Conflicting Language

Section 17.48.120(A)(10) governs “Temporary Signs” and:

- Requires an application, approval and a permit from CED.
- Allows temporary signs for up to ninety (90) days.

Section 17.48.130 specifically governs signs not requiring a permit. Subsections A(8) and (9) identify “temporary residential signs in compliance with the residential sign standards herein” and “temporary commercial signs in compliance with the commercial sign standards herein.”



Proposed Changes

- No application or permit would be required
- No tracking with stickers
- Clearly state signs are not allowed in ROW or placed on public property

Findings

1. The proposed text amendment furthers the mission of the general plan to “guide growth to promote prosperity and sustain a high quality of life for those who live, work, shop, and recreate in Murray” by allowing temporary sign requirements to be clearly defined, easier to administer and more usable.
2. The proposed text amendment furthers the purposes of the sign code by preserving and improving the appearance of the City, reducing hazards to motorists and pedestrians, and reducing or eliminating excessive and confusing sign displays.
3. The Planning Commission voted 6-0 to forward a recommendation of approval.

Staff Recommendation

Staff and the Planning Commission **recommend APPROVAL** of the proposed text amendment of Section 17.48.120, Temporary Signs, in the Murray City Land Use Ordinance.

Attachment B

Chapter 17.78,

Accessory Dwelling Units,

Land Use Ordinance Text Amendment

Chapter 17.78, Accessory Dwelling Units

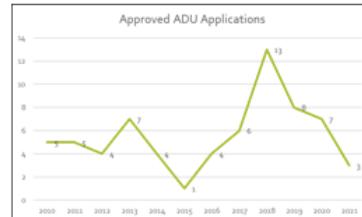
Land Use Ordinance Text Amendment

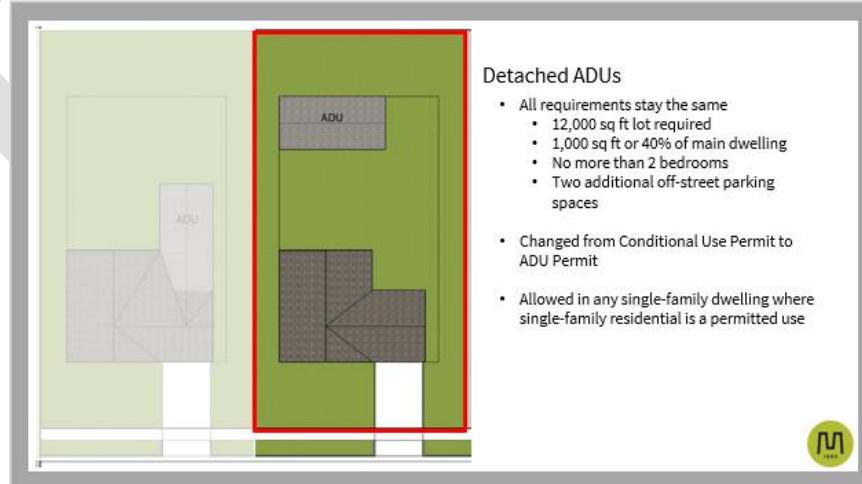


Why Are We Here?

State Mandate

- House Bill 82
 - Legislature attempting to help with the housing issues in the state
 - Goes into effect October 1, 2021
 - The bill requires cities
 - Allow attached ADUs by right
 - Prohibits cities from limiting size
 - Prohibits cities from requiring more than 1 parking space







Short Term Rentals and Post Planning Commission Changes

- Property owner must sign an affidavit that no short-term renting will occur
- (spoiler alert) The Planning Commission recommended denial of the short-term rental ordinance.
- Planning Division staff updated the proposed ordinance to reflect the penalties that were outlined in the Short-Term Rental Ordinance
 - 1st Occurrence = \$500
 - 2nd Occurrence = \$750
 - 3rd Occurrence = \$750 (unable to obtain ADU Permit for two years)
 - Any additional occurrence = class B misdemeanor and \$1,000 fine



Accessory Dwelling Unit Permit

- Application Form
 - Type of ADU
 - Owner information
- Site plans
- Floorplans
- Affidavits
 - Acknowledging the owner will live on property
 - Acknowledging the prohibition of short-term rentals
- This would be a staff level administrative permit that does not require Planning Commission approval



Staff Findings

1. The proposed text amendment furthers objective 9 of the Land Use and Urban Design Element of the General Plan to "provide a mix of housing options and residential zones to meet a diverse range of needs related to lifestyle and demographics, including age, household size, and income" by making the process to construct and operate an ADU easier.
2. The proposed changes are in harmony with objective 11 of the Land Use and Urban Design Element to "stimulate reinvestment in deteriorating areas of the city to support growth and enhance the image of the community" by reducing the requirements needed to operate an ADU.
3. Staff finds that objective 3 of the Neighborhoods & Housing Element that states "encourage housing options for a variety of age, family size and financial levels" supports the proposed changes. This allows residents that own a home that may be struggling to pay their mortgage or have a family member or friend that needs affordable housing to reside on the property within an ADU.
4. Objective 1 of the Moderate Income Housing Element states "ensure housing affordability targets are achievable using a range of strategies". One of the strategies in this objective states to continue to support ADUs in all residential zones. Staff finds that the proposed changes further this objective by making it easier to construct and operate an ADU.
5. The Planning Commission voted 5-0 to forward a recommendation of approval.

Staff Recommendation

Based on the background, staff review, and the Planning Commission recommendation, staff recommends the City Council accept the proposed modifications and **APPROVE** the proposed text amendment for Section 17.78, Accessory Dwelling Units.

Draft

Murray City Municipal Council Chambers

Murray City, Utah

DRAFT

Tuesday, October 5th, 2021

The Murray City Municipal Council met on Tuesday, October 5th, 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 or <https://www.facebook.com/Murraycityutah/>. A recording of the City Council meeting can be viewed [HERE](#).

Council in Attendance:

Kat Martinez	District #1 - Excused
Dale Cox	District #2
Rosalba Dominguez	District #3
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
Doug Hill	Chief Administrative Officer
GL Critchfield	City Attorney
Brooke Smith	City Recorder
Brenda Moore	Finance and Administrative Director
Craig Burnett	Police Chief
Melinda Greenwood	Community & Economic Development Director
Blaine Haacke	General Manager of Power
Joseph Mittelman	Assistant Fire Chief
Russ Jensen	Captain
Paul Adams	Paramedic/Firefighter
Richard Carver	Fire Engineer
Kim Sorensen	Parks and Recreation Director
Danny Astill	Public Works Director
Camron Kollman	Senior IT Technician
Rob White	IT Director

Others in Attendance:

Matt Dugdale	Lawrence Horman	Pam Cotter	Daren Rasmussen	Charles Turner
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Opening Ceremonies

Call to Order – Councilmember Turner called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Daren Rasmussen.

Approval of Minutes

None Scheduled

Special Recognition

- 1. Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah Declaring October 11-15, 2021 as Public Power Week**

Presenting: Mayor Camp and Blaine Haacke, General Manager of Power

Mayor Camp read the Joint Resolution R21-25 into the record.

MOTION

Councilmember Dominguez moved to adopt the Joint Resolution. The motion was SECONDED by Councilmember Hales.

Council roll call vote:

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

Nays: None

Abstentions: Councilmember Martinez

Motion passed 4-0

PRESENTATION

General Manager of Power Blaine Haacke expressed appreciation to the Mayor and City Council. Typically, Public Power Week is celebrated in September however they delayed it so it could be hosted in Pavilion 5, which was under construction last month. Murray City power has been in business since 1913. Public Power Week is an annual event that allows Murray City to educate its power customers on safety and conservation, and share information about the services the city provides through the power department. This year the celebration event will be on Thursday, October 14th from 4 to 6 p.m. in honor of the 108 years of public power in Murray. Boxed lunches will be provided and there will be several giveaways online and in-person throughout the week.

2. Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah to Designate and Support the Week of October 3-9, 2021 as Fire Prevention Week

Presenting: Mayor Camp and Joseph (Joey) Mittelman, Assistant Fire Chief

Mayor Camp read the Joint Resolution R21-26 into the record.

MOTION

Councilmember Cox moved to adopt the Joint Resolution. The motion was SECONDED by Councilmember Dominguez.

Council roll call vote:

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

Nays: None

Abstentions: Councilmember Martinez

Motion passed 4-0

PRESENTATION

Assistant Chief Joey Mittelman spoke about some of the activities that take place during Fire Prevention Week. Mittelman also spoke about fire prevention and the education and training the Fire Department does throughout the community to help prevent fires. Mittelman shared the five key safety lessons they teach all second graders:

- Test your smoke alarms
- Learn the sounds of safety
- Memorize your address
- Never play with fire “It’s a tool, not a toy”
- Buckle up and wear bicycle helmets

Citizen Comments

Lawrence Horman

Shared information about homeless issues in each city and town. He encourages the city council to create a safe place for homeless people to live. They need safe places to live so they can focus on getting themselves into better situations.

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. Public Hearing to receive comments regarding the issuance by the City of not to exceed \$6,750,000 Sales Tax Revenue Bonds

Presentation: Brenda Moore, Director of Finance and Administration
Business Item presentation during City Council on September 7, 2021
Committee of the Whole Presentation on August 24, 2021

Presentation

Brenda Moore Director of Finance and Administration recapped the parameters for the House Bill (HB) 244 transportation bond that was passed on September 7, 2021. The Par Value of the Bond amount is not to exceed \$6,750,000.

The bond parameter includes:

- Maximum Principal amount: \$6,750,000
- Maximum Interest Rate: 5%
- Maximum Maturity in Years: 16 years (15 payments)
- Maximum Discount Rate: 2% (Sales Price: 98% meaning no discount more than 2%)
- Designated Officers: Mayor, Mayor Pro-tempore, and Finance & Administration Director

The State of Utah code dictates the City pass the bond parameters and then have a public hearing to receive comments concerning issuing debt. The public hearing was open for public comment. No comments were given, and the public hearing was closed.

Business Item

1. Consider a resolution of the Municipal Council of Murray City, Utah authorizing a Preliminary Official Statement and an Official Statement required in connection with the issuance and sale of not more than \$6,750,000 aggregate principal amount of Sales Tax Revenue Bonds, Series 2021; and other documents required in connection therewith; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by the resolution; and related matters

Presentation: Brenda Moore, Director of Finance and Administration

Brenda Moore Director of Finance and Administration presented a resolution approving the Preliminary Official Statement for the issuance of bonds for transportation projects. Normally when bond parameters are approved, the Preliminary Official Statement and other documents are included and approved for the same time. Because the city hopes to sell the bonds before interest rates rise, the parameters were approved before the Preliminary Official Statements were written. The resolution approves the Preliminary Official Statement and reiterates who is authorized to make changes to the statement and complete the sale of the bonds.

The Preliminary Official Statement is a document that is released to investors to tell them about Murray City and the bond offering to encourage investment interest.

Councilmember Dominguez asked what the process is like to create the Preliminary Official Statement?

Moore responded the city hired Gilmore Bell (bond attorneys) to help write the initial Preliminary Official Statement and then in collaboration with the city's attorney office and finance department they go through the document thoroughly before it's released.

Councilmember Dominguez asked what happens after the Preliminary Official Statement is approved?

Moore responded that next week the city will be getting a bond rating. After that, the cities underwriter will take it to market, and it will become a Published Official Statement (no longer Preliminary). The underwriter will sell the Official Statement on October 25 and then the city will close on (or near) November 30, 2021.

Councilmember Cox asked what the state's role is in these funds and how we will pay the funds back?

Moore responded that the State determined that several road construction projects need additional funds to be completed. HB244 says for the next 15 years, starting in July, they will give us \$500,000 a year for transportation projects. The city will then use that \$500,000 to make a payment on the bond.

MOTION

Councilmember Hales moved to adopt the resolution. The motion was SECONDED by Councilmember Dominguez.

Council roll call vote:

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

Nays: None

Abstentions: Councilmember Martinez

Motion passed 4-0

2. Consider an ordinance enacting Section 03.04.095 of the Murray City Municipal Code relating to provisions allowing for government or nonprofit utility payment assistance

Presentation: Brenda Moore, Director of Finance and Administration

Brenda Moore, Director of Finance and Administration requested a section be added to the City Code allowing for utility payment assistant. Multiple government agencies and nonprofit entities provide utility assistance for low-income households. The proposed ordinance modifications would enable the city to work with these organizations by authorizing the Mayor to enter into an agreement and allowing the finance director to waive the deposit requirements. The finance staff does not anticipate that waiving deposits occasionally would significantly increase utility write-offs.

MOTION

Councilmember Dominguez moved to adopt an ordinance. The motion was SECONDED by Councilmember Cox.

Council roll call vote:

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

Nays: None

Abstentions: Councilmember Martinez

Motion passed 4-0

Mayor's Report

- Monday, October 11 the Annual Pumpkin Race will be held at 5:30 p.m. on the hill on Murray Park Lane.
- Monday, October 11 leave drop-off starts in Murray Park in the large parking lot west of the Parks office.
- There is currently a trend from a Tic-Toc Challenge that encourages kids to vandalize parks and public buildings. The city is increasing patrol in our parks and city buildings to prevent further and future vandalism.
- Salt Lake City will start to replace water lines on Vine Street from 13th East to Van Winkle starting next week.
- Equal Pay Program for utility billing will be recalculated during October and will be updated in the future billing cycle so there may be increase calls for staff and council if rates changed for citizens.

Council members shared their appreciation to the staff and audience.

Adjournment

The meeting was adjourned at 7:08 p.m.

Brooke Smith, City Recorder



MURRAY
CITY COUNCIL

Special Recognition



MURRAY
CITY COUNCIL

Special Recognition #1



MURRAY

City Council

Employee of the Month - Kaye Astill

Council Action Request

Council Meeting

Meeting Date: October 19, 2021

Department	Purpose of Proposal
Director	Employee of the Month recognition
Jennifer Kennedy	
Phone #	Action Requested
801-264-2622	Informational only
Presenters	Attachments
Brett Hales	Recognition Form
Danny Astill	
Budget Impact	
	None
Required Time for Presentation	Description of this Item
	Kaye Astill has worked for Public Works for over 25 years in a part time roll as an office administrator II. She is an integral part of our operations and one of the few faces that our public see when they come to our offices. She assists the office supervisor with a number of critical tasks and helps to keep public works running smoothly. She generally works between the hours of 9:00 am to 1:00 pm including making a daily mail run to City Hall.
Is This Time Sensitive	
No	
Mayor's Approval	
Date	
October 7, 2021	

EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

DATE:

Public Works

10/19/2021

NAME of person to be recognized:

Submitted by:

Kaye Astill

DIVISION AND JOB TITLE:

Office Administrator II

YEARS OF SERVICE:

25

REASON FOR RECOGNITION:

Kaye Astill has worked for Public Works for over 25 years in a part time roll as an office administrator II. She is an integral part of our operations and one of the few faces that our public see when they come to our offices. She assists the office supervisor with a number of critical tasks and helps to keep public works running smoothly. She generally works between the hours of 9:00 am to 1:00 pm including making a daily mail run to City Hall. She is often seen working extra hours with no complaints as she fills in when the office administrator is out of the office. This last year she worked some extended weeks to cover for some unexpected time off and always makes herself available to assist in some of our heavier dumpster rental program days and times.

She is quick to take care of the needs of our citizens as they call in or come to the public works counter as well as our public works employees needing assistance.

We are fortunate that she chose to come to Murray so many years ago and are very grateful for her service to the Murray community.

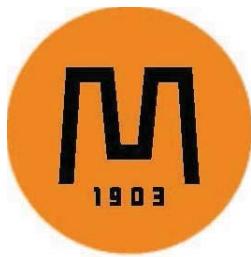
COUNCIL USE:

MONTH/YEAR HONORED



MURRAY
CITY COUNCIL

Special Recognition #2



MURRAY

Mayor's Office

Report from 2021 Miss Murray Kyleigh Cooper, and welcome to 2022 Miss Murray Morgan Workman

Council Action Request

Council Meeting

Meeting Date: October 19, 2021

Department Director Mayor Camp	Purpose of Proposal Report from Kyleigh Cooper, and introduction of Morgan Workman
Phone # 801-264-2600	Action Requested Informational only
Presenters Mayor Camp Kyleigh Cooper Morgan Workman	Attachments Resume of Morgan Workman
Required Time for Presentation	Budget Impact None
Is This Time Sensitive No	Description of this Item We are looking forward to a report from Kyleigh Cooper about her reign as Miss Murray 2021, and want to welcome Morgan Workman as Miss Murray 2022. Morgan will introduce her social impact initiative, "The Gift Of Movement."
Mayor's Approval 	
Date October 5, 2021	

MORGAN B. WORKMAN

The Gift of Movement: A youth sports and performing arts scholarship that raises money through fundraising events to give the less fortunate kids and teens the funding they need to pursue their dreams and to express themselves through sports and performing arts.

ABOUT ME

Through finding my own ways to train as a dancer because we weren't financially able, earning four prestigious scholarships to dance, and maturing much beyond my age due to personal circumstances, I am ready to make an impact on kids and teens lives and to take on the role of Miss Murray 2022.

Fun facts: I can walk on my hands for an extended amount of time and I will only eat chocolate ice cream if it has gummy bears in it.

EXPERIENCE

Scholastic awards and honors

- Full tuition academic scholarship to the University of Utah
- University of Utah Dean's list 2020-2021 school year
- Accepted into University of Utah business school
- Accepted into the University of Utah's prestigious school of dance
- Part of the National Honor Society
- P.E Clove award
- Excellence in computer programming award

Dance scholarships and awards

- Odyssey Dance Theatre pre-professional program full tuition scholarship
- The Pointe Academy half-scholarship and full-tuition scholarship
- Utah Dance Artists Lisa Wells memorial scholarship
- 2x America on Stage dance championship title holder
- 24/7 Break The Floor dance convention scholarship
- NRG dance convention nationals scholarship
- Velocity dance convention regional scholarship
- Intrigue dance convention regional scholarship

Accomplishments

- Raised \$1,000 and gave out the very first Gift of Movement scholarship
- Raised money to build fresh water pumps in South Sudan
- Danced in the USAUNA global convention
- Modeled for Ivivva lululemon girls activewear
- Competed in Murrays Got Talent top 12
- Performed in Odyssey Dance Theatres *Thriller*
- 9th grade Student Body Officer

Education

- Murray High School, 2017-2020
- University of Utah, 2020-2024

The Gift of Movement

Together we will continue raising money through fundraising events to give the less fortunate kids and teens the funding they need to pursue their dreams and to express themselves through sports and performing arts.

Throughout my life I have experienced a major set back while trying to pursue my dreams in dance, and that is money. I have had to work extra hard and apply for every dance scholarship opportunity I could find to be able to dance. Unfortunately, there were very few scholarships for a kid my age. The scholarships I received however, only gave very few out. This left so many other kids and teens that were in my same position without the funds to do what they love.

It has been statistically proven that middle and lower-income students are not participating in sports or performing arts because of costs while the wealthy are participating. Only 27.5 percent of kids and teens from homes with an income of 25,000 or less play sports while 45.5 percent of wealthier children that come from homes making 50,000 or more are playing sports. Public schools have begun to have higher “pay-to-play” fees that cancel a lot of kids out. This has got to change. Participating in another activity outside of school is so vital to growing up. It is especially vital to the kids who have a dream but are set back by money.

I want to continue creating The Gift of Movement scholarships through fundraising events such as dance parties, 5k's, sport night games, and much more. I have already given out one scholarship and can't wait to continue giving them out. I want all children and teens who want to participate in sports or performing arts but can't afford it to apply for these scholarships. I also want our high school and junior high schools to know that these scholarships are available so that if a student can't afford to participate in the activity, they have access to a scholarship opportunity.

Ever since I was little I wanted to make a change, I saw from a personal standpoint that there weren't enough scholarships to pay for at least a handful of kids training. As Miss Murray I want to be able to share my story with children and teens to show them that they aren't alone and that with great hard work and dedication they can achieve anything that they set their mind to. Money shouldn't be a setback for any child who wants to pursue their love for sports or performing arts.



MURRAY
CITY COUNCIL

Special Recognition #3



MURRAY

City Council/Mayor

Joint Proclamation for Lung Cancer Awareness

Council Action Request

Council Meeting

Meeting Date: October 19, 2021

Department Director Jennifer Kennedy	Purpose of Proposal A Joint Proclamation of the Mayor and Municipal Council proclaiming November 2021 as Lung Cancer Awareness Month
Phone # 801-264-2622	Action Requested Approve Joint Proclamation
Presenters Diane Turner	Attachments Joint Proclamation
Required Time for Presentation 10 Minutes	Budget Impact None
Is This Time Sensitive No	Description of this Item A Joint Proclamation of the Mayor and Municipal Council proclaiming November 2021 as Lung Cancer Awareness Month
Mayor's Approval	
Date October 7, 2021	

PROCLAMATION

JOINT PROCLAMATION OF THE MAYOR AND MUNICIPAL COUNCIL OF MURRAY CITY

Whereas, lung cancer is the leading cause of cancer death among men and women in the United States and in Utah in 2021, accounting for more deaths than colon cancer, breast cancer, and prostate cancer combined; (1)(2)

Whereas, according to the Centers for Disease Control and Prevention, there were 1,369 new lung cancer cases and 927 deaths because of lung cancer between 2013 and 2017 in Salt Lake County; (2)

Whereas, the 5-year survival rate for localized lung cancer is ~59%, yet only ~17% of lung cancers are diagnosed at this stage; (1)

Whereas, screening for lung cancer for high-risk individuals using low-dose computed tomography can lead to the earlier detection of lung cancer and save lives, reducing the mortality by 20% when compared to screening by chest x-ray in the National Lung Screening Trial (3) and reducing the risk of death at 10 years by 24% in men and 33% in women as demonstrated by another large randomized trial; (4)

Whereas, funding for lung cancer research trails far behind funding for research of many other cancers, and additional research is needed in early diagnosis, screening, and treatment for lung cancer as well as in lung cancer affecting women and lung cancer health disparities;

Whereas lung cancer incidence is decreasing twice as fast in men as it is in women, each year more women die from lung cancer than breast cancer and by 2035, more women will die from lung cancer than men; (6,7)

Whereas African Americas have the highest lung cancer incidence and mortality of all races, and disparities in lung cancer screening, diagnosis, treatment, and mortality are well characterized among African Americans and other racial minorities. (8)

Whereas lung cancer in never smokers is the 7th leading cause of cancer-related death and accounts for 17,000-26,000 deaths in the US every year(7), 60-70% of never smokers diagnosed with lung cancer are women(9,10), and the proportion of lung cancers diagnosed in never smokers is increasing in the US; (10,11)

Whereas, organizations working in the Murray community, such as the American Lung Cancer Screening Initiative and Women's Lung Cancer Forum, are committed to educating about lung cancer and lung cancer screening and working to increase lung cancer screening rates in Murray.

Therefore, I, Mayor D. Blair Camp, and the Murray City Council do hereby proclaim November 2021 as Lung Cancer Awareness Month in Murray, and recognize the need for research in lung cancer affecting women and lung cancer health disparities, and encourage all citizens, to learn about lung cancer and early detection through lung cancer screening.

DATED this 19th day of October, 2021.

D. BLAIR CAMP
Mayor of Murray City

ATTEST:

Brooke Smith, City Recorder

DIANE TURNER, Chair

DALE COX, Council Member

KAT MARTINEZ, Council Member

ROSALBA DOMINGUEZ, Council Member

BRETT HALES, Council Member

1. "Cancer of the Lung and Bronchus - Cancer Stat Facts." *SEER*, seer.cancer.gov/statfacts/html/lungb.html.
2. "United States Cancer Statistics: Data Visualizations." Center for Disease Control, <https://gis.cdc.gov/Cancer/USCS/DataViz.html>
3. National Lung Screening Trial Research Team, Aberle DR, Adams AM, et al. Reduced lung-cancer mortality with low-dose computed tomographic screening. *N Engl J Med*. 2011;365(5):395-409. doi:10.1056/NEJMoa1102873
4. de Koning HJ, van der Aalst CM, de Jong PA, et al. Reduced Lung-Cancer Mortality with Volume CT Screening in a Randomized Trial. *N Engl J Med*. 2020;382(6):503-513. doi:10.1056/NEJMoa1911793
5. Siegel, R. L.; Miller, K. D.; Jemal, A., Cancer statistics, 2020. *CA: A Cancer Journal for Clinicians* **2020**, 70 (1), 7-30.
6. Jeon, J.; Holford, T. R.; Levy, D. T.; Feuer, E. J.; Cao, P.; Tam, J.; Clarke, L.; Clarke, J.; Kong, C. Y.; Meza, R., Smoking and Lung Cancer Mortality in the United States From 2015 to 2065: A Comparative Modeling Approach. *Ann Intern Med* **2018**, 169 (10), 684-693.
7. Rivera, G. A.; Wakelee, H., Lung Cancer in Never Smokers. *Adv Exp Med Biol* **2016**, 893, 43-57.
8. Rivera, M. P.; Katki, H. A.; Tanner, N. T.; Triplett, M.; Sakoda, L. C.; Wiener, R. S.; Cardarelli, R.; Carter-Harris, L.; Crothers, K.; Fathi, J. T.; Ford, M. E.; Smith, R.; Winn, R. A.; Wisnivesky, J. P.; Henderson, L. M.; Aldrich, M. C., Addressing Disparities in Lung Cancer Screening Eligibility and Healthcare Access. An Official American Thoracic Society Statement. *American Journal of Respiratory and Critical Care Medicine* **2020**, 202 (7), e95-e112.
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10. Pelosof, L.; Ahn, C.; Gao, A.; Horn, L.; Madrigales, A.; Cox, J.; McGavic, D.; Minna, J. D.; Gazdar, A. F.; Schiller, J., Proportion of Never-Smoker Non-Small Cell Lung Cancer Patients at Three Diverse Institutions. *Journal of the National Cancer Institute* **2017**, 109 (7), djw295.
11. Toh, C. K.; Ong, W. S.; Lim, W. T.; Tan, D. S.; Ng, Q. S.; Kanesvaran, R.; Seow, W. J.; Ang, M. K.; Tan, E. H., A Decade of Never-smokers Among Lung Cancer Patients-Increasing Trend and Improved Survival. *Clin Lung Cancer* **2018**, 19 (5), e539-e550.



MURRAY
CITY COUNCIL

Citizen Comments

Limited to three minutes, unless otherwise approved by Council



MURRAY
CITY COUNCIL

Public Hearings



MURRAY
CITY COUNCIL

Public Hearing #1



MURRAY

Parks and Recreation Department

Park Impact Fees

Council Action Request

Council Meeting

Meeting Date: October 19, 2021

Department Director Kim Sorensen	Purpose of Proposal Consideration of Murray City adopting a park impact fee.
Phone # 801-264-2619	Action Requested Consider adopting a park impact fee.
Presenters Kim Sorensen Parks and Recreation Director	Attachments Parks, Trails, and Recreation Impact Fee Facility Plan
Required Time for Presentation	Budget Impact Impact fees will generate funds for future park acquisitions and development
Is This Time Sensitive No	Description of this Item Consideration of Parks, Trails, and Recreation Impact Fee Facility Plan and Analysis.
Mayor's Approval 	
Date October 5, 2021	

Murray City Corporation

NOTICE OF INTENT TO ADOPT A PARKS, TRAILS AND RECREATION IMPACT FEE FACILITIES PLAN

NOTICE IS HEREBY GIVEN that on the 19th day of October, 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will consider and intends to adopt by resolution a Parks, Trails and Recreation Impact Fee Facilities Plan. A copy of the Parks, Trails and Recreation Impact Fee Facilities Plan along with a summary will be available for public inspection at the Murray City Parks and Recreation offices located at 296 East Murray Park Avenue, Murray, Utah; the City Recorder's Office located at 5025 South State Street, Murray, Utah; and the Murray City Library located at 166 East 5300 South, Murray, Utah.

The purpose of this hearing is to receive public comment concerning the proposed adoption of the Parks, Trails and Recreation Impact Fee Facilities Plan as described above.

DATED this 28th day of September, 2021.



MURRAY CITY CORPORATION

A handwritten signature in black ink, appearing to read "Brooke Smith".

Brooke Smith
City Recorder

DATE OF PUBLICATION: October 8, 2021
PH21-24

Per UCA §11-36a-502 and 10-9a-205:

Mailed to Affected Entities

Posted on the City's official website

Posted on the Utah Public Notice Website

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE 2021 PARKS, TRAILS AND RECREATION FACILITIES PLAN.

WHEREAS, the City owns infrastructure to provide residents of the City with parks, trails and recreation services; and

WHEREAS, the City is required to maintain, repair and improve the infrastructure in order to provide such parks, trails and recreation services at an acceptable level; and

WHEREAS, the City, in anticipation of required infrastructure improvements, contracted for the preparation of an Impact Fee Facilities Plan during the year 2021; and

WHEREAS, the City believes that the recommendations of the 2021 Impact Fee Facilities Plan are necessary for the continued improvement of the City's parks, trails and recreation service infrastructure; and

WHEREAS, on October 19, 2021, the City held a public hearing to receive public comment and input related to the 2021 Parks, Trails and Recreation Impact Fee Facilities Plan; and

WHEREAS, the City, ten days prior to the public hearing, gave notice of the public hearing by (1) mailing notice to each "affected entity"; (2) posting notice on the City's website; and (3) posting notice on the Utah Public Notice Website; and

WHEREAS, at least ten days prior to the public hearing, the City made a copy of the Parks, Trails and Recreation Impact Fee Facilities Plan, along with a summary designed to be understood by a lay person, available to the public by placing a copy of the Impact Fee Facilities Plan and the summary in the Parks Department, in the City Recorder's Office, and at the City Library;

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council that:

1. The 2021 Parks, Trails and Recreation Impact Fees Facility Plan recommends improvements to the City's parks, trails and recreation infrastructure that are in the best interest of the City and its residents; and

2. It hereby approves and adopts the 2021 Parks, Trails and Recreation Impact Fee Facilities Plan, and the recommendations given therein.

DATED this _____ day of _____, 2021.

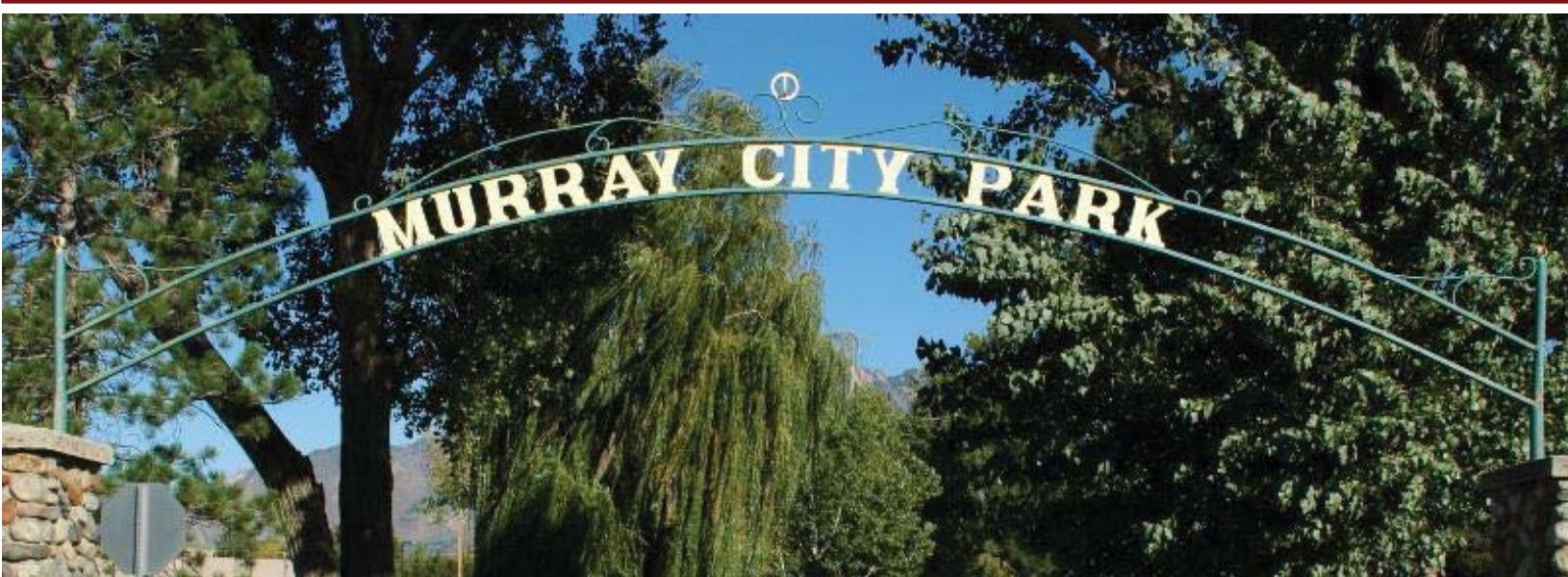
MURRAY CITY MUNICIPAL COUNCIL

Diane Turner, Council Chair

ATTEST:

Brooke Smith, City Recorder

Murray City



Z P
F I

DRAFT Parks, Trails and Recreation Impact
Fee Facility Plan



Zions Public Finance, Inc.
June 2021

Contents

Contents	1
Summary	2
Utah Code Legal Requirements	4
Notice of Intent to Prepare Impact Fee Facilities Plan	4
Preparation of Impact Fee Facilities Plan	4
Certification of Impact Fee Facilities Plan.....	5
Existing Service Levels, Proposed Service Levels and Excess Capacity	5
Identify Demands Placed on Existing Public Facilities by New Development Activity at Proposed Level of Service and How Those Demands Will Be Met.....	8
Consideration of All Revenue Sources	10
Certification.....	12

Summary

Background

Murray City ("City") has created this Park, Trails and Recreation Impact Fee Facilities Plan in accordance with all legal requirements of Utah Code 11-36a. New development will place increased demand on existing parks, recreation and trail facilities and therefore is responsible for contributing its fair share of the capital costs necessitated by new development.

Demand for parks, trails and recreation facilities comes from residential development and the associated population growth. Commercial development is not considered to create more demand on parks, trails and other recreation facilities and is therefore not included in the calculation of impact fees. Projected population growth in Murray is estimated as follows:

TABLE 1: PROJECTED POPULATION GROWTH, 2021-2031

Year	Population
2021	51,388
2022	51,594
2023	51,801
2024	52,009
2025	52,217
2026	52,419
2027	52,622
2028	52,825
2029	53,030
2030	53,235
2031	53,366

Source: Murray City; ZPFI

Identify the Existing and Proposed Levels of Service and Excess Capacity

Utah Code 11-36a-302(1)(a)(i)(ii)(iii)

The IFFP considers only *system* facilities in the calculation of impact fees. For the City, this has been determined to mean neighborhood, community and regional parks. Local pocket parks have not been included in the calculation of impact fees. This is in accordance with legal requirements of the Utah Code which does not allow *project* improvements to be included.

Existing service levels are based on the (2021) levels of service in the City for both parks and trails. Existing and proposed service levels are shown in the table below on both a *unit* and *dollar amount* basis.

TABLE 2: EXISTING AND PROPOSED SERVICE LEVELS – UNIT AND COST SERVICE LEVELS

Service Levels	Existing	Proposed	Existing	Proposed
Acres per 1000				
Population/ Amount per Population	4.209	4.209	\$1,641.88	\$1,641.88
Trail Feet per				
Population/ Amount per Population	2.17	2.17	\$83.51	\$83.51

Service Levels	Existing	Proposed	Existing	Proposed
Recreational Facilities			\$283.87	\$283.87
Aquatic Facilities			\$38.92	\$37.48

The City intends to at least maintain service levels for parks, trails, and recreational facilities. However, cost service levels for the aquatic facilities will decline as no new similar facilities are planned. Therefore, there is existing excess capacity in the aquatic facilities. The existing and proposed levels of service have been expressed first in acres per 1,000 residents for parks, and in linear feet per resident for trails; these numbers are then converted to a cost level per person. The parks, trails and recreation development in the City is one overall recreation system designed to meet the needs and desires of its residents for physical and leisure activities and therefore the overall cost service level reflects the combined level of service for all parks, trails and recreation facilities.

Identify Demands Placed Upon Existing Public Facilities by New Development Activity at the Proposed Level of Service

Utah Code 11-36a-302(1)(a)(iv)

The table below shows the declining cost service levels that will occur in the City, due to population growth, if no new facilities are added. Service levels are shown in terms of units and in terms of cost. Each of these declining service levels is discussed in more detail in the body of this report.

TABLE 3: IMPACTS TO SERVICE LEVELS DUE TO NEW DEVELOPMENT IF NO IMPROVEMENTS ARE MADE

	2021 Service Levels – Units	2031 Service Levels – Units	Investment LOS 2021	Investment LOS 2031
Acres per 1000				
Population/ Amount per Population	4.209	4.063	\$1,641.88	\$1,581.04
Trail Feet per Population/ Amount per Population	2.17	2.09	\$83.51	\$80.42
Recreational Facilities			\$283.87	\$273.35
Aquatic Facilities			\$38.92	\$37.48

Identify How the Growth Demands Will Be Met

Utah Code 11-36a-302(1)(a)(v)

In order to maintain the existing level of service, the projected new development over the next ten years will require the construction of new facilities or the consumption of excess capacity in the amount of \$4,047,242.85.

TABLE 4: NEW FACILITIES NEEDED TO MEET THE DEMANDS OF NEW GROWTH

	New Investment	Cost of Capacity Consumed	TOTAL
Parks	\$3,246,669.51		\$3,246,669.51
Trails	\$165,140.20		\$165,140.20

	New Investment	Cost of Capacity Consumed	TOTAL
Recreational Facilities	\$561,325.07		\$561,325.07
Aquatic Facilities		\$74,108.07	\$74,108.07
TOTAL	\$3,973,134.78	\$74,108.07	\$4,047,242.85

Consideration of Revenue Sources to Finance Impacts on System Improvements

Utah Code 11-36a-302(2)

This Impact Fee Facilities Plan includes a thorough discussion of all potential revenue sources for parks, recreation, and trails improvements. These revenue sources include grants, bonds, interfund loans, transfers from the General Fund, impact fees and anticipated or accepted dedications of system improvements.

Utah Code Legal Requirements

Utah law requires that communities prepare an Impact Fee Facilities Plan (IFFP) before preparing an Impact Fee Analysis (IFA) and enacting an impact fee. Utah law also requires that communities give notice of their intent to prepare and adopt an IFFP. This IFFP follows all legal requirements as outlined below. The City has retained Zions Bank Public Finance (ZPFI) to prepare this Impact Fee Facilities Plan in accordance with legal requirements.

Notice of Intent to Prepare Impact Fee Facilities Plan

A local political subdivision must provide written notice of its intent to prepare an IFFP before preparing the Plan (Utah Code §11-36a-501). This notice must be posted on the Utah Public Notice website. The City has complied with this noticing requirement for the IFFP by posting notice.

Preparation of Impact Fee Facilities Plan

Utah Code requires that each local political subdivision, before imposing an impact fee, prepare an impact fee facilities plan. (Utah Code 11-36a-301).

Section 11-36a-302(a) of the Utah Code outlines the requirements of an impact fee facilities plan which is required to identify the following:

- (i) identify the existing level of service
- (ii) establish a proposed level of service
- (iii) identify any excess capacity to accommodate future growth at the proposed level of service
- (iv) identify demands placed upon existing facilities by new development activity at the proposed level of service; and
- (v) identify the means by which the political subdivision or private entity will meet those growth demands.

Further, the proposed level of service may:

- (i) exceed the existing level of service if, independent of the use of impact fees, the political subdivision or private entity provides, implements, and maintains the means to increase the existing level of service for existing demand within six years of the date on which new growth is charged for the proposed level of service; or
- (ii) establish a new public facility if, independent of the use of impact fees, the political subdivision or private entity provides, implements, and maintains the means to increase the existing level of service for existing demand within six years of the date on which new growth is charged for the proposed level of service.

In preparing an impact fee facilities plan, each local political subdivision shall generally consider all revenue sources to finance the impacts on system improvements, including:

- (a) grants
- (b) bonds
- (c) interfund loans
- (d) transfers from the General Fund
- (e) impact fees; and
- (f) anticipated or accepted dedications of system improvements.

Certification of Impact Fee Facilities Plan

Utah Code states that an impact fee facilities plan shall include a written certification from the person or entity that prepares the impact fee facilities plan. This certification is included at the conclusion of this analysis.

Existing Service Levels, Proposed Service Levels and Excess Capacity

Utah Code 11-36a-302(1)(a)(i)(ii)(iii)

Growth in Demand

Impacts on recreation-related facilities will come from growth in the population.

TABLE 5: PROJECTED POPULATION GROWTH, 2021-2031

Year	Population
2021	51,388
2022	51,594
2023	51,801
2024	52,009
2025	52,217
2026	52,419
2027	52,622
2028	52,825
2029	53,030
2030	53,235
2031	53,366

Source: Murray City; ZPFI

Population projections are for 1,977 new units between 2021 and 2031.¹

Existing Service Levels

Parks. Existing system parks are shown in the table below:

TABLE 6: SYSTEM PARKS

Park Name	Total Acres
Arrowhead Park	1.56
Grant Park	5.24
Hidden Village Park	4.46
Southwood Park	5.56
Murray City Park	73.5
Cottonwood Grove Park	22.06
Germania Park	44.9
Walden Park	14.95
Willow Pond Park	28.83
Winchester Park	15.23
TOTAL	216.29

The existing level of service for parks then, for the purpose of calculating impact fees, is 4.21 acres per 1,000 persons, calculated by dividing the 216.29 eligible park acres by the 2021 population of 51,388 (which has been divided by 1,000).

Existing park improvements are summarized in the table below.

TABLE 7: SYSTEM PARK IMPROVEMENTS

Unit Type	All Units	Impact Fee Eligible Units	Cost per Unit	Total Cost
Land Acres	216.29	216.29	\$300,000	\$64,887,000
Mowed Acres (Cost per SF)	3,406,477	3,046,477	\$2.25	\$6,854,573
Paved Acres (Cost per SF)	606,662	606,925	\$5.00	\$3,034,625
Playground	11	10.5	\$210,000	\$2,205,000
Outdoor Fitness Equipment	1	1	\$21,000	\$21,000
Water Play Feature	1	1	\$50,000	\$50,000
Pickleball Court	6	6	\$65,000	\$390,000
Multi-Sport Field	7	6	\$15,000	\$90,000
Softball Field	1	1	\$20,000	\$20,000
Baseball Field	6	5.5	\$30,000	\$165,000
Tennis Court	6	6	\$98,500	\$591,000
Basketball Court	4	3.5	\$40,000	\$140,000
Volleyball	11	11	\$20,000	\$220,000
Pavilion	12	11	\$200,000	\$2,200,000
Shade Shelter/ Gazebo	2	2	\$65,000	\$130,000

¹ Murray City Population Projections showed a growth rate of 1.10% from 2015 to 2020. The growth rate is expected to decline to 0.40% between 2020 and 2025, then to 0.39% between 2025 and 2030. This results in a growth figure of 1,977 in 2031 consistent with the population projections used by the City.

Unit Type	All Units	Impact Fee Eligible Units	Cost per Unit	Total Cost
Fishing Pond*	1	0	\$0	\$0
Restrooms	16	15	\$225,000	\$3,375,000
TOTAL				\$84,373,198
Cost per Acre				\$390,092.92

*The fishing pond at Willow Pond Park was funded by the Division of Wildlife Resources

The City has indicated that some of the park improvements shown in the previous table were gifted, donated or acquired with grant funds. Therefore, those improvements cannot be included in the level of service (LOS) for impact fees. In many cases, grant funds paid for half of the improvements resulting in only half of the cost of some units being included.

The existing level of service for parks (land and improvements) is therefore calculated by taking the total investment of \$84,373,198 and dividing by the existing population of 51,388, which results in a service level of \$1,641.88 per person.

Trails. The City currently has 21.08 trail miles (111,302 linear trail feet). This results in a current (2021) standard of 2.17 trail feet per person, calculated by dividing the 111,302 trail feet by the 2021 population. The level of service is \$83.51 per person, calculated by dividing the cost of the existing trail miles (\$4,291,600) by the existing population of 51,388.

TABLE 8: EXISTING SYSTEM TRAIL IMPROVEMENTS

Trails	Miles	Cost	Unit	Total Cost
Asphalt	10.74	\$250,000	Mile	\$2,685,000
Concrete	4.60	\$300,000	Mile	\$1,380,000
Unpaved	5.42	\$30,000	Mile	\$162,600
Boardwalk	0.32	\$200,000	Mile	\$64,000
TOTAL	21.08			\$4,291,600

Recreation Facilities. The City's recreation facilities are currently at capacity. The current level of service is \$283.87 per person, calculated by dividing the current cost of the recreation facilities (\$14,587,500) by the 2021 population of 51,388. It is anticipated that the City will expand the recreation facilities to maintain the existing/proposed level of service.

Aquatic Facilities. The City's aquatic facilities were acquired at a cost of \$2 million. The current level of service is \$38.92 per person calculated by dividing the \$2 million by the 2021 population of 51,388. However, the current aquatic facilities are expected to serve the needs of the community through 2031. Therefore, the existing service level will decline in the future.

Proposed Service Levels

The City has indicated that it would like to at least maintain its existing service levels for parks, trails and recreation facilities. Therefore, the proposed level of service for parks, trails and recreation facilities is at least the same as, or greater than, the existing level of service. Impact fees for parks, trails and recreation facilities, however, will only be calculated based on the existing level of service. If the community chooses to increase its service levels, it will be done through funding sources other than impact fees.

However, there is excess capacity in the City's aquatic facilities. Therefore, proposed service levels for these facilities will decline in the future and the impact fee for the aquatic facilities will be calculated based on the decreased proposed service levels.

TABLE 9: PROPOSED SERVICE LEVELS

	2021 Service Levels – Units	2031 Service Levels – Units	Investment LOS 2021	Investment LOS 2031
Acres per 1000 Population/ Amount per Population	4.209	4.063	\$1,641.88	\$1,581.04
Trail Feet per Population/ Amount per Population	2.17	2.09	\$83.51	\$80.42
Recreational Facilities			\$283.87	\$273.35
Aquatic Facilities			\$38.92	\$37.48

Identify Excess Capacity

The City has not identified any excess capacity in any of its parks, trails or recreational facilities. It has, however, identified excess capacity in its aquatic facilities. In other words, the City intends to at least maintain its existing service level for parks, trails and recreational facilities. Therefore, it will need to build additional parks, trails and recreational facilities. However, the City has assumed that there is sufficient excess capacity in its aquatic facilities that new development will be required to buy-in to the actual cost of these facilities rather than construct new facilities.

Identify Demands Placed on Existing Public Facilities by New Development Activity at Proposed Level of Service and How Those Demands Will Be Met

Utah Code 11-36a-302(1)(a)(iv)(v)

Demand Placed on Facilities by New Development Activity

Parks. Existing park service levels will decline, due to new development activity, from the existing service level of \$1,641.88 to \$1,581.04 per person by 2031.

TABLE 10: PARK SERVICE LEVEL IMPACTS FROM NEW DEVELOPMENT ACTIVITY, 2021-2031

Year	Population	Population Growth	Acres per 1000 Population if No New Facilities	Total Park Acres Required	Cost Service Levels per Person if No New Facilities
2021	51,388		4.209	216.29	\$1,641.88
2022	51,594	206	4.192	217.16	\$1,635.33
2023	51,801	207	4.175	218.03	\$1,628.80
2024	52,009	208	4.159	218.90	\$1,622.29
2025	52,217	208	4.142	219.78	\$1,615.82
2026	52,419	202	4.126	220.63	\$1,609.59
2027	52,622	203	4.110	221.48	\$1,603.39
2028	52,825	204	4.094	222.34	\$1,597.21
2029	53,030	204	4.079	223.20	\$1,591.05

Year	Population	Population Growth	Acres per 1000 Population if No New Facilities	Total Park Acres Required	Cost Service Levels per Person if No New Facilities
2030	53,235	205	4.063	224.06	\$1,584.92
2031	53,366	131	4.053	224.61	\$1,581.04

Trails. The existing level of service of \$83.51 will decline to \$80.42 per person by 2031, if no new improvements are made.

TABLE 11: TRAIL MILES SERVICE LEVEL IMPACTS FROM NEW DEVELOPMENT ACTIVITY, 2021-2031

Year	Population	Population Growth	Trail Feet per Resident if No New Facilities	Total Trail Feet Needed	Total Trail Miles Needed	Cost Service Levels per Person if No New Facilities
2021	51,388		2.17	111,302	21.08	\$83.51
2022	51,594	206	2.16	111,749	21.16	\$83.18
2023	51,801	207	2.15	112,196	21.25	\$82.85
2024	52,009	208	2.14	112,646	21.33	\$82.52
2025	52,217	208	2.13	113,098	21.42	\$82.19
2026	52,419	202	2.12	113,535	21.50	\$81.87
2027	52,622	203	2.12	113,974	21.59	\$81.56
2028	52,825	204	2.11	114,415	21.67	\$81.24
2029	53,030	204	2.10	114,858	21.75	\$80.93
2030	53,235	205	2.09	115,303	21.84	\$80.62
2031	53,366	131	2.09	115,585	21.89	\$80.42

Recreational Facilities. The existing level of service of \$283.87 will decline to \$273.35 per person by 2031, if no new improvements are made.

TABLE 12: RECREATIONAL FACILITIES SERVICE LEVEL IMPACTS FROM NEW DEVELOPMENT ACTIVITY, 2021-2031

Year	Population	Population Growth	Cost Service Levels per Person If No New Facilities
2021	51,388		\$283.87
2022	51,594	206	\$282.74
2023	51,801	207	\$281.61
2024	52,009	208	\$280.48
2025	52,217	208	\$279.36
2026	52,419	202	\$278.29
2027	52,622	203	\$277.21
2028	52,825	204	\$276.15
2029	53,030	204	\$275.08
2030	53,235	205	\$274.02
2031	53,366	131	\$273.35

Aquatic Facilities. The City's aquatic facilities have sufficient capacity to serve new development through 2031. Therefore, the existing service level of \$38.92 will decline to \$37.48 by 2031. This is, therefore, the proposed service level.

TABLE 13: AQUATIC FACILITIES SERVICE LEVEL IMPACTS FROM NEW DEVELOPMENT ACTIVITY, 2021-2031

Year	Population	Population Growth	Cost Service Levels per Person if No New Facilities
2021	51,388		\$38.92
2022	51,594	206	\$38.76
2023	51,801	207	\$38.61
2024	52,009	208	\$38.46
2025	52,217	208	\$38.30
2026	52,419	202	\$38.15
2027	52,622	203	\$38.01
2028	52,825	204	\$37.86
2029	53,030	204	\$37.71
2030	53,235	205	\$37.57
2031	53,366	131	\$37.48

Identify the Means by Which the Political Subdivision Will Meet the Growth Demands

The City will need to acquire additional parks, trails and recreational facilities in order to maintain its existing service levels. Service levels will decline, as a result of population growth unless new facilities are constructed or acquired. Impact fees will be used to maintain the existing service levels for parks, trails and recreational facilities. Impact fees can also be used to buy into the existing, excess capacity of the aquatic facilities.

TABLE 14: COST OF FACILITIES DUE TO NEW GROWTH

New Investment	Cost of Capacity Consumed	TOTAL
Parks	\$3,246,669.51	\$3,246,669.51
Trails	\$165,140.20	\$165,140.20
Recreational Facilities	\$561,325.07	\$561,325.07
Aquatic Facilities	\$74,108.07	\$74,108.07
TOTAL	\$3,973,134.78	\$4,047,242.85

Consideration of All Revenue Sources

Utah Code 11-36a-302(2)

Grants. The City is unaware of any potential grant sources for future parks, recreation and trails development. However, should it be the recipient of any such grants, it will then look at the potential to reduce impact fees.

The City has no knowledge of any future parks, trails or recreation gifts that will be received by the City. Further, the City has conservatively excluded any gifted properties, or properties acquired through grant funds, in establishing its level of service used in the calculation of impact fees.

Bonds. The City has no outstanding bonds for parks, trails, or recreation, therefore, no credits for bonds will need to be considered in the calculation of impact fees.

Interfund Loans. The City currently has no plans to purchase parks, recreation or trail facilities through any interfund loans and has not done so in the past

Transfer from General Fund. To the extent that the City is able to generate net revenues in its General Fund, it may choose to transfer all or a portion of the net revenues to the City's capital fund. It is most likely that, if net revenues should be generated for park facilities, they will be used to raise existing service levels rather than offset the demands generated by new development which is anticipated to be offset with impact fees.

Impact Fees. Because of the growth anticipated to occur in the City, impact fees are a viable means of allowing new development to pay for the impacts that it places on the existing system. This IFFP is developed in accordance with legal guidelines so that an Impact Fee Analysis for Parks, Recreation and Trails may be prepared, and the City may charge impact fees for Parks, Recreation and Trails.

Anticipated or Accepted Dedications of System Improvements.

Any item that a developer funds must be included in the IFFP if a credit against impact fees is to be issued and must be agreed upon with the City before construction of the improvements.

Certification

Zions Bank Public Finance certifies that the attached impact fee facilities plan:

1. Includes only the costs of public facilities that are:
 - a. allowed under the Impact Fees Act; and
 - b. actually incurred; or
 - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. Does not include:
 - a. costs of operation and maintenance of public facilities;
 - b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
3. Complies in each and every relevant respect with the Impact Fees Act.



MURRAY
CITY COUNCIL

Public Hearing #2



MURRAY

Parks and Recreation Department

Park Impact Fees

Council Action Request

Council Meeting

Meeting Date: October 19, 2021

Department Director Kim Sorensen	Purpose of Proposal Consideration of Murray City adopting a park impact fee.
Phone # 801-264-2619	Action Requested Consider adopting a park impact fee.
Presenters Kim Sorensen Parks and Recreation Director	Attachments Parks, Trails, and Recreation Impact Fee Analysis
Required Time for Presentation	Budget Impact Impact fees will generate funds for future park acquisitions and development
Is This Time Sensitive no	Description of this Item Consideration of Parks, Trails, and Recreation Impact Fee Facility Plan and Analysis.
Mayor's Approval	
Date October 5, 2021	

Murray City Corporation

NOTICE OF INTENT TO ADOPT A PARKS, TRAILS AND RECREATION IMPACT FEE ENACTMENT

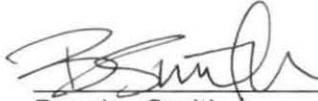
NOTICE IS HEREBY GIVEN that on the 19th day of October, 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will consider and intends to adopt an ordinance enacting Parks, Trails and Recreation Impact Fees. The impact fee ordinance will be available for public inspection at the Murray City Recorder's Office located at 5025 South State, the Murray City Parks and Recreation Department located at 296 East Murray Park Avenue, and the Murray City Library, located at 166 East 5300 South.

The purpose of this hearing is to receive public comment concerning the proposed enactment of the Parks, Trails and Recreation Impact Fee as described above.

DATED this 28th day of September, 2021.



MURRAY CITY CORPORATION



Brooke Smith
City Recorder

DATES OF PUBLICATION: October 8, 2021
PH21-24

Per UCA §11-36a-504 and 10-9a-205:

Mailed to Affected Entities

Posted on the City's official website

Posted on the Utah Public Notice Website

ORDINANCE NO. ____

AN ORDINANCE REPEALING SECTIONS 13.08.050, 13.22.280, 13.48.055, AND 15.22.110 OF THE MURRAY CITY MUNICIPAL CODE OF THE CITY CODE; AND AMENDING AND RENUMBERING CHAPTER 13.06 OF THE MURRAY CITY MUNICIPAL CODE TO CHAPTER 3.14, RELATED TO IMPACT FEES AND INCLUDING THE ENACTMENT OF A PARKS, TRAILS AND RECREATION IMPACT FEE.

Preamble

Murray City ("City") has the legal authority, in accordance with Title 11, Chapter 36a of the Utah Code ("Utah Impact Fee Act" or "Act") to impose impact fees as a condition of development activity approval, which impact fees are used to provide system improvements necessary to service and support new growth.

The City has historically assessed and imposed impact fees as a condition precedent to development activity approval in order to provide system improvements in an equitable and proportionate manner. The City currently assesses impact fees for water, wastewater, storm water, and electric power systems. The impact fees for these systems are in various ordinances in the City Code ("Code"). The City wants to combine all impact fee provisions into one centralized chapter in the Code. The different impact fee ordinances will be repealed and reinstated under new chapter 3.14.

The City has now completed a Parks, Trails and Recreation Impact Fee Facilities Plan and a Parks, Trails and Recreation Impact Fee Analysis, both being found to meet the requirements of the Act. The Act allows for the imposition of impact fees for parks, recreation and trails, and authorizes the City to revise and amend impact fees from time to time as determined necessary.

On July 13, 2021, the City provided notice of its intent to prepare an impact fee facilities plan and an impact fee analysis for its parks, trails and recreation, as required by the Act. The City has provided the required notice and held a public hearing on October 19, 2021 to receive public comment on this ordinance, including the parks, trails and recreation impact fee enactment.

NOW THEREFORE, BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this Ordinance is to repeal sections 13.08.050, 13.32.280, 13.48.055, and 15.22.110 of the Murray City Municipal Code; and to amend and renumber chapter 13.06 of the Murray City Municipal Code to chapter 3.14, which includes the enactment of a parks, trails and recreation impact fee.

Section 2. Repeal sections 13.08.050, 13.32.280, 13.48.055, and 15.22.110 of the Murray City Municipal Code. Sections 13.08.050, 13.32.280, 13.48.055, and 15.22.110 of the Murray City Municipal Code are hereby repealed as follows:

13.08.050: [REPEALED]

13.32.280: [REPEALED]

13.48.055: [REPEALED]

15.22.110: [REPEALED]

Section 3. Amend chapter 13.06 and renumber to chapter 3.14 of the Murray City Municipal Code, and enact a parks, trails and recreation impact fee. Chapter 13.06 of the Murray City Municipal Code shall be amended and renumbered, and a parks, trails and recreation impact fee shall be enacted as follows:

CHAPTER 3.14 IMPACT FEES

3.14.010: INTENT:

This chapter is intended to meet the requirements of Title 11, Chapter 36a of the Utah Code, entitled the "Impact Fees Act". The intent of collecting impact fees is to impose a portion of the cost of system improvements for water, wastewater, stormwater, power, roadway, parks and recreation, and public safety upon those developments that create the need for, or increase the demands on, system improvements.

3.14.020: CONDITIONS OF ISSUANCE OF A BUILDING PERMIT:

Impact fees are hereby imposed as a condition of the issuance of a building permit for the construction of any new structure for single family, multi-family, commercial, industrial or institutional use which creates additional demand upon and need for public facilities for culinary water, sanitary sewer, streets, storm drain, pressurized irrigation, and parks and trails facilities, as set forth in the Schedule of Impact Fees in Section 3.14.110. All previous resolutions and ordinances regarding impact fees remain applicable as to any existing, active, and pending applications for a building permit on file prior to the effective date of this ordinance.

3.14.030: DEFINITIONS:

As used in this chapter, the following words and terms shall have the following meanings:

BUILDING PERMIT: The permit required for new construction and additions pursuant to title 15 of this Code.

DEVELOPMENT ACTIVITY: Any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any changes in the use of land that creates additional demand and need for public facilities.

IMPACT FEE: A payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. Impact fee does not mean a tax, a special assessment, a building permit fee, a hookup fee, a fee for project improvements, or other reasonable permit or application fee.

IMPACT FEE ANALYSIS: The written analysis of each impact fee required by Utah Code section 11-36a-303.

PROJECT IMPROVEMENTS: Site improvements and facilities that are: a) planned and designed to provide service for development resulting from a development activity; b) necessary for the use and convenience of the occupants or users of development resulting from a development activity; and c) not identified or reimbursed as a system improvement.

PUBLIC FACILITIES: Only the following impact fee facilities that have a life expectancy of ten (10) or more years and are owned or operated by or on behalf of the City:

- A. Water rights and water supply, treatment, storage and distribution facilities;
- B. Wastewater collection and treatment facilities;
- C. Stormwater, drainage and flood control facilities;
- D. Municipal power facilities;
- E. Roadway facilities;
- F. Parks, recreation facilities, open space and trails;
- G. Public safety facilities;
- H. Environmental mitigation as provided in Utah Code section 11-36a-205.

SERVICE AREA: A geographically defined area of the City designated on the basis of sound planning or engineering principles in which a defined set of system facilities provide service within the area. Service area may include the entire Citywide area.

SYSTEM IMPROVEMENTS:

- A. Existing public facilities that are: 1) identified in the impact fee analysis; and 2) designed to provide services to service areas within the community at large; and
- B. Future public facilities identified in the impact fee analysis that are intended to provide services to service areas within the community at large. System improvements do not mean project improvements.

3.14.040: IMPACT FEES ARE SEPARATE AND IN ADDITION TO OTHER FEES:

Impact fees are separate from, in addition and supplemental to, and not in substitution of, any other requirements, applicable taxes, special assessments, charges or fees otherwise provided by law or imposed as a condition of development or the issuance of building permits.

3.14.050: SERVICE AREAS:

Service areas for which impact fees are calculated and imposed consist of:

- A. For water connection services, the entire area connected to the City's water system within the geographical boundaries of the City;
- B. For wastewater connection services, the entire area connected to the wastewater system within the geographical boundaries of the City;
- C. For stormwater services, the entire area connected to the City's stormwater system within the geographical boundaries of the City;
- D. For electric power services, the entire area connected to the City's municipal power system within the geographical boundaries of the City; and
- E. For parks and recreation services, all areas within the entire geographical boundary of the City.

3.14.060: ADJUSTMENT OF IMPACT FEES:

- A. The City Council may authorize an adjustment in the standard impact fee for one or more services at the time the fee is charged to:
 - 1. Respond to unusual circumstances in specific cases;
 - 2. Respond to a request for a prompt and individualized impact fee review for the development activity of the State, a school district, or a charter school and an offset or credit for a public facility for which an impact fee has been or will be collected; and
 - 3. Ensure that impact fees are imposed fairly.
- B. The City Council may adjust the standard impact fee for one or more services at the time the fee is charged based, in whole or in part, upon studies and data submitted by the developer.

3.14.070: IMPACT FEE CREDIT:

- A. The City Council may approve an impact fee credit if an applicant:
 - 1. Dedicates land for a system improvement;
 - 2. Builds and dedicates some or all of a system improvement; or
 - 3. Dedicates a public facility that the City and the developer agree will reduce the need for a system improvement.
- B. The City shall provide an impact fee credit for any dedication of land for, improvement to, or new construction of, any system improvements provided by the applicant if the facilities:
 - 1. Are system improvements; or

2. Are dedicated to the public and offset the need for an identified system improvement.

3.14.080: IMPACT FEE MANAGEMENT:

The impact fees collected pursuant to this ordinance shall be deposited into separate interest-bearing ledger accounts and may only be used for system improvements identified in the impact fee facilities plan and for the specific public facility type for which the fee was collected. The accounting, expenditure and possible refund of all such impact fees collected shall be handled in accordance with the provisions of the Utah Impact Fees Act.

3.14.090: IMPACT FEES BY AGREEMENT:

To the extent allowed by law, the City Council may approve an agreement negotiated that imposes impact fees and other fees different from those outlined in this ordinance. Those impact fees and charges may include but not be limited to reductions or increases of impact fees, all or part of which may be reimbursed to the developer who installed improvements that service the land to be connected with the City's systems.

3.14.100: FEES EFFECTIVE AT TIME OF PAYMENT:

Unless the City is otherwise bound by a contractual requirement, the impact fee shall be determined from the fee schedule in effect at the time of payment in accordance with the Schedule of Impact Fees in Section 3.14.110.

3.14.110: SCHEDULE OF IMPACT FEES:

As a condition of the issuance of a building permit for the construction of any new structure for single-family, multi-family, commercial, industrial or institutional use, the developer, owner or builder shall pay an impact fee in the amounts as follows:

A. Water Impact Fee:

1. The water impact fee shall be based on the water meter size serving the property as follows:

Meter Size	Impact Fee
1.0"	\$ 3,027.20
1 1/2"	6,053.27
2.0"	9,685.46
3.0"	21,187.01
4.0"	36,321.88
6.0"	75,669.84
8.0"	108,964.52
10.0"	175,553.89
12.0"	231,515.30

2. Non-standard users impact fee formula: After identifying the estimated average annual demand gallon consumption of a proposed development, multiply the average annual demand by impact fee of two cents (\$0.02) per gallon.
3. For purposes of the water impact fee, new development shall include remodeling, building enlargement, or any other construction or improvement which will place an increased burden on the City water system.

B. Wastewater Impact Fee and Tapping Charges:

1. Wastewater system impact fees are computed on an equivalent dwelling unit (EDU) calculation assigned to each applicable land use or type of service, and shall be imposed on all sewer connections made on or after the effective date hereof, as follows:

User Type	Percent	Impact Fee per EDU Unit
Single-Family Dwelling	100%	\$1,372.00
Multiple-Family Dwelling	75%	\$1,029.00 per single unit or unit
Hotel/motel	50%	\$686.00 per room

2. The wastewater system impact fee for all other uses is the greater of:
 - a. The following fee based on the water meter size serving the property to be served by the wastewater system:

Water Meter Size	Impact Fee
1.0 inch	\$ 1,372.00
1.5 inch	2,744.00
2.0 inch	4,390.00
3.0 inch	8,232.00
4.0 inch	13,720.00
6.0 inch	27,440.00
8.0 inch	43,904.00
10.0 inch	92,000.00

- b. A fee of one thousand three hundred seventy-two dollars (\$1,372.00) per EDU, where one EDU is equal to fifteen (15) plumbing fixture traps, as defined in the adopted Plumbing Codes and as determined by the City

building official. A person aggrieved by the calculation of the number of plumbing traps may appeal to a Hearing Officer appointed by the Mayor.

3. Tapping Charges: The abutting property owner or developer shall run a lateral service line, at the owner's or developer's expense, to within one foot (1') of the wastewater system. The City shall then tap or open the wastewater system to allow the owner or developer to connect the lateral service line to the wastewater system. The property owner or developer shall pay the City a tapping charge, in an amount to be determined by the Mayor in a written policy, to tap either a four inch (4") or six inch (6") main line. The tapping charge shall be paid when the impact fee imposed by this section is paid.

C. Storm Water Impact Fee

1. For the purposes of this subsection, equivalent residential unit (ERU) means the amount of impervious surface, expressed in square feet, on developed single-family residential parcels in the City. One ERU equals three thousand four hundred (3,400) square feet of impervious surface.
2. For purposes of this subsection, new development shall include remodeling, building enlargement, or any other construction or improvement which will place an increased burden on the City storm water system.
3. The storm water impact fee for new development shall be one hundred eighty-three dollars (\$183.00) for each ERU.

D. Power Impact Fee

1. For the purposes of this subsection, new development shall include remodeling, building enlargement, or any other construction or improvement which will place an increased burden on the City's power system.
2. Power impact fees are computed as capacity-based fees derived from unit costs for facility capacity, without assuming the location or type of development to be served. Using this approach, power impact fees are calculated in terms of cost per unit of capacity, rather than cost per unit of development, which fees shall be imposed on all developments made on or after the effective date hereof, as follows:

Connection Type		Connection Size	Load (kW)	Power Impact Fee (\$/kW) \$118.47	
Residential	Single-phase	120/240 volt		3.0	\$ 355.40
Commercial	Single-phase	120/240 volt	50 amp	3.0	355.40
	Single-phase	120/240 volt	100 amp	6.0	710.81

Single-phase	120/240 volt	200 amp	12.0	1,421.62
Single-phase	120/240 volt	320 amp	19.2	2,274.59
3-phase	120/208 and 120/240 volt	200 amp	18.0	2,132.42
3-phase	120/208 and 120/240 volt	400 amp	36.1	4,276.70
3-phase	120/208 and 120/240 volt	600 amp	54.1	6,409.12
3-phase	120/208 and 120/240 volt	800 amp	72.1	8,541.55
3-phase	120/208 and 120/240 volt	1,000 amp	90.1	10,673.97
3-phase	120/208 and 120/240 volt	1,200 amp	108.1	12,806.40
3-phase	120/208 and 120/240 volt	1,400 amp	126.1	14,938.82
3-phase	120/208 and 120/240 volt	1,600 amp	144.1	17,071.25
3-phase	120/208 and 120/240 volt	1,800 amp	162.1	19,203.67
3-phase	120/208 and 120/240 volt	2,000 amp	180.2	21,347.94
3-phase	120/208 and 120/240 volt	2,200 amp	198.0	23,456.67
3-phase	120/208 and 120/240 volt	2,400 amp	216.0	25,589.10
3-phase	120/208 and 120/240 volt	2,600 amp	234.0	27,721.52
3-phase	120/208 and 120/240 volt	2,800 amp	252.0	29,853.95
3-phase	120/208 and 120/240 volt	3,000 amp	270.0	31,986.37
3-phase	277/480 volt	200 amp	41.6	4,928.27
3-phase	277/480 volt	400 amp	83.2	9,856.54
3-phase	277/480 volt	600 amp	124.7	14,772.97
3-phase	277/480 volt	800 amp	166.3	19,701.24
3-phase	277/480 volt	1,000 amp	207.9	24,629.51
3-phase	277/480 volt	1,200 amp	249.4	29,545.93
3-phase	277/480 volt	1,400 amp	291.0	34,474.20
3-phase	277/480 volt	1,600 amp	332.6	39,402.47
3-phase	277/480 volt	1,800 amp	374.1	44,318.90
3-phase	277/480 volt	2,000 amp	415.7	49,247.17
3-phase	277/480 volt	2,200 amp	457.3	54,175.44
3-phase	277/480 volt	2,400 amp	498.9	59,103.71

	3-phase	277/480 volt	2,600 amp	540.4	64,020.13
	3-phase	277/480 volt	2,800 amp	582.0	66,579.04
	3-phase	277/480 volt	3,000 amp	623.6	73,876.68
Power impact fees for primary metered customers shall be negotiated on a case by case basis.					

E. Parks, Trails and Recreation Impact Fee

The parks, trails and recreation impact fee for new development shall be:

- a. \$5,396.23 per single-family residential unit; and
- b. \$4,965.35 per multi-family residential unit.

3.14.120: IMPACT FEE REFUNDS:

The City shall refund any impact fees paid by a developer, plus interest earned, when:

- A. The developer does not proceed with the development activity and has filed a written request for a refund;
- B. The fees have not been spent or encumbered; and
- C. No impact has resulted. (Ord. 16-12)

3.14.130: PETITION FOR IMPACT FEE REFUNDS:

A petition for a refund of an impact fee must be submitted to the appropriate City department on a form provided by the City for such purpose. Petitions shall be submitted to the designee of: a) the Public Works Department for water and sewer impact fees; b) the City Engineer for storm sewer impact fees; c) the Power Department for electric power impact fees; or d) the Parks and Recreation Department for parks, trails and recreation impact fees. Within thirty (30) days of the date of receipt of a petition for refund, the respective City designee must provide the petitioner, in writing, with a decision on the refund request, including the reasons for the decision. If a full or partial refund is due petitioner, the City designee shall notify the City Treasurer and request that a full or a partial refund payment be made to the petitioner within thirty (30) days of the date of the written decision. Petitioner may appeal the determination of the respective City designee to the Mayor. (Ord. 18-06)

3.14.140: IMPOSITION OF ADDITIONAL FEE OR REFUND AFTER DEVELOPMENT:

Should any developer undertake development activities such that the ultimate density or other impact of the development activity is not revealed to the City, whether through inadvertence, neglect, a change in plans, or any other cause whatsoever, and/or any impact fee is not initially charged against all units, the total density within the development or other measurement included in the calculation of impact fees, the City shall be entitled to recover the total impact fee from the developer or other appropriate person covering the measurement for which an impact fee was not previously paid.

3.14.150: IMPACT FEE CHALLENGES AND APPEALS:

A. Any person or entity required to pay an impact fee, who believes the fee does not meet the requirements of title 11, chapter 36a of the Utah Code may file a written request for information with the City. Within two (2) weeks of the receipt of the request for information, the City shall provide the person or entity with the written impact fee analysis, the impact fee facilities plan and with any other relevant information relating to the impact fee.

B. A person or entity may appeal the decision of the respective City designee regarding impact fee refunds to the Mayor within thirty (30) days of the decision. The person or entity shall file a written notice of appeal with the Mayor. The Mayor shall review the decision and reasoning of the respective designee and any additional information provided by petitioner. The Mayor shall enter a written decision on the appeal no later than thirty (30) days after the date the written notice of appeal was filed with the Mayor. The Mayor may uphold, modify or reject the decision from which the appeal was taken. The person or entity affected by any decision of the Mayor may petition the District Court for a review of the Mayor's decision or take any other action in accordance with Utah Code section 11-36a-701 et seq.

C. After paying an impact fee, the person or entity who has paid the impact fee and wants to challenge the notice requirements, other procedural requirements, or the impact fee shall file a written notice of challenge with the Mayor within the following time limits:

1. For a challenge of the notice requirements, the challenge shall be filed no later than thirty (30) days after the day on which the impact fee was paid;
2. For a challenge of other procedural requirements, the challenge shall be filed no later than one hundred eighty (180) days after the day on which the impact fee was paid; and
3. For a challenge to the impact fee, the challenge shall be filed no later than one year after the day on which the impact fee was paid.

D. The Mayor shall determine the manner in which the challenge under subsection C of this section shall be conducted. The Mayor shall enter a written decision on the challenge no later than thirty (30) days after the date of the challenge to the impact fee is filed. The sole remedy for a challenge relating to notice or other procedural requirements is that the City shall be required to correct the defective notice and repeat the process. The sole remedy for a challenge to the impact fee is a refund of the difference between what the person or entity paid as an impact fee and the amount the impact fee should have been if it had been correctly calculated. The person or entity affected by any decision of the Mayor may petition the District Court for a review of the decision or take any other action authorized by Utah Code section 11-36a-701 et seq.

E. A challenge to any provision under the Impact Fee Act may be initiated and pursued in any manner authorized under Utah Code section 11-36a-701 et seq.

F. The State, a school district or a charter school may, in addition to any other method allowed by law, challenge an impact fee by requesting the City to participate in mediation. Upon a written request for mediation, which shall be given no later than thirty (30) days after the day on which an impact fee is paid, the City shall cooperate with the specified public agency to select a mediator and participate in the mediation process.

(Ord. 16-12)

3.14.160: EFFECT ON ZONING AND SUBDIVISION REGULATIONS:

This chapter shall not affect, in any manner, the permissible use of property, density of development, design, and improvement standards and requirements, or any other aspect of the development of land or provision of system improvements subject to the zoning and subdivision regulations or other regulations of the City, which shall be operative and remain in full force and effect without limitation with respect to all such development. (Ord. 16-12)

3.14.170: LIBERAL CONSTRUCTION:

The provisions of this chapter are found and declared to be in furtherance of the public health, safety, and welfare, and convenience, and it shall be liberally construed to effectively carry out its purpose. (Ord. 16-12)

3.14.180: SEVERABILITY:

If any section or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 4. Effective date. This Ordinance shall take effect ninety (90) days after the day on which the Ordinance is approved, as required by state law.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this ____ day of _____, 2021

MURRAY CITY MUNICIPAL COUNCIL

Diane Turner, Chair

ATTEST:

Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this ____ day of _____, 2021.

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2021.

D. Blair Camp

ATTEST:

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the ____ day of _____, 2021.

Brooke Smith, City Recorder

ORDINANCE NO. ____

AN ORDINANCE REPEALING SECTIONS 13.08.050, 13.22.280, 13.48.055, AND 15.22.110 OF THE MURRAY CITY MUNICIPAL CODE OF THE CITY CODE; AND AMENDING AND RENUMBERING CHAPTER 13.06 OF THE MURRAY CITY MUNICIPAL CODE TO CHAPTER 3.14, RELATED TO IMPACT FEES AND INCLUDING THE ENACTMENT OF A PARKS, TRAILS AND RECREATION IMPACT FEE.

Preamble

Murray City ("City") has the legal authority, in accordance with Title 11, Chapter 36a of the Utah Code ("Utah Impact Fee Act" or "Act") to impose impact fees as a condition of development activity approval, which impact fees are used to provide system improvements necessary to service and support new growth.

The City has historically assessed and imposed impact fees as a condition precedent to development activity approval in order to provide system improvements in an equitable and proportionate manner. The City currently assesses impact fees for water, wastewater, storm water, and electric power systems. The impact fees for these systems are in various ordinances in the City Code ("Code"). The City wants to combine all impact fee provisions into one centralized chapter in the Code. The different impact fee ordinances will be repealed and reinstated under new chapter 3.14.

The City has now completed a Parks, Trails and Recreation Impact Fee Facilities Plan and a Parks, Trails and Recreation Impact Fee Analysis, both being found to meet the requirements of the Act. The Act allows for the imposition of impact fees for parks, recreation and trails, and authorizes the City to revise and amend impact fees from time to time as determined necessary.

On July 13, 2021, the City provided notice of its intent to prepare an impact fee facilities plan and an impact fee analysis for its parks, trails and recreation, as required by the Act. The City has provided the required notice and held a public hearing on October 19, 2021 to receive public comment on this ordinance, including the parks, trails and recreation impact fee enactment.

NOW THEREFORE, BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this Ordinance is to repeal sections 13.08.050, 13.32.280, 13.48.055, and 15.22.110 of the Murray City Municipal Code; and to amend and renumber chapter 13.06 of the Murray City Municipal Code to chapter 3.14, which includes the enactment of a parks, trails and recreation impact fee.

Section 2. *Repeal sections 13.08.050, 13.32.280, 13.48.055, and 15.22.110 of the Murray City Municipal Code. Sections 13.08.050, 13.32.280, 13.48.055, and 15.22.110 of the Murray City Municipal Code are hereby repealed as follows:*

13.08.050: [REPEALED] WATER CONNECTION IMPACT FEES:

- ~~A. The entire area connected to the City's water system within the geographical boundaries of the City is designated as a single unified service area for purposes of the imposition of the water impact fees.~~
- ~~B. The Public Works Director, subject to approval by the City Council, may authorize an adjustment in the standard water impact fee at the time the fee is charged to:~~
 - ~~1. Respond to unusual circumstances in specific cases;~~
 - ~~2. Respond to a request for a prompt and individualized impact fee review for the development activity of the State, a school district, or a charter school and an offset or credit for a public facility for which an impact fee has been or will be collected; and~~
 - ~~3. Ensure that impact fees are imposed fairly.~~
- ~~C. The Public Works Director's review under subsection B of this section, subject to approval by the City Council, of the calculation and the adjustment, if any, in the amount of an impact fee may be based, in whole or in part, on studies and data submitted by the developer.~~
- ~~D. A developer, including a school district or a charter school, may receive a credit against or a proportionate reimbursement of an impact fee if the developer:~~
 - ~~1. Dedicates land for a system improvement;~~
 - ~~2. Builds and dedicates some or all of a system improvement; or~~
 - ~~3. Dedicates a public facility that the City and the developer agree will reduce the need for a system improvement.~~
- ~~E. There shall be a credit against impact fees for any dedication of land for, improvement to, or new construction of, any system improvements provided by the developer if the facilities:~~
 - ~~1. Are system improvements; or~~
 - ~~2. a. Are dedicated to the public; and~~
 - ~~b. Offset the need for an identified system improvement.~~
- ~~F. For purposes of this chapter, new development shall include remodeling, building enlargement, or any other construction or improvement which will place an increased burden on the City water system.~~
- ~~G. The water impact fee shall be based on the water meter size serving the property as follows:~~

Meter Size	Impact Fee
1.0"	\$ 3,027.20
1 1/2"	6,053.27
2.0"	9,685.46
3.0"	21,187.01
4.0"	36,321.88

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6.0"	75,669.84
8.0"	108,964.52
10.0"	175,553.89
12.0"	231,515.30

Non-standard users impact fee formula: After identifying the estimated average annual demand gallon consumption of a proposed development, multiply the average annual demand by impact fee of two cents (\$0.02) per gallon.

— H. A person or entity may petition for impact fee refunds, or challenge and appeal impact fees in accordance with title 11 chapter 36a of the Utah Code, and chapter 13.06 of this title. (Ord. 18-06: Ord. 18-05: Ord. 17-40)

13.32.280: [REPEALED] WASTEWATER CONNECTION IMPACT FEES AND TAPPING CHARGES:

— A. Unified Service Area: The entire area connected to the wastewater system within the geographical boundaries of the City is designated as a single unified service area for purposes of the imposition of the wastewater impact fees.

— B. Adjustment Authorized: The Public Works Director, subject to approval by the City Council, may authorize an adjustment in the standard wastewater impact fee at the time the fee is charged to:

- 1. Respond to unusual circumstances in specific cases;
- 2. Respond to a request for a prompt and individualized impact fee review for the development activity of the State, a school district, or a charter school and an offset or credit for a public facility for which an impact fee has been or will be collected; and
- 3. Ensure that impact fees are imposed fairly.

— C. Developer Submissions: The Public Works Director's review under subsection B of this section, subject to approval by the City Council, of the calculation and the adjustment, if any, in the amount of an impact fee may be based, in whole or in part, on studies and data submitted by the developer.

— D. Credit Against Impact Fees; Reimbursement: A developer, including a school district or a charter school, may receive a credit against or a proportionate reimbursement of an impact fee if the developer:

- 1. Dedicates land for a system improvement;
- 2. Builds and dedicates some or all of a system improvement; or
- 3. Dedicates a public facility that the City and the developer agree will reduce the need for a system improvement.

— E. Credit Against Impact Fees: There shall be a credit against impact fees for any dedication of land for, improvement to, or new construction of, any system improvements provided by the developer if the facilities:

- 1. Are system improvements; or
- 2. a. Are dedicated to the public; and
- b. Offset the need for an identified system improvement.

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F. New Development: For purposes of this chapter, new development shall include remodeling, building enlargement, or any other construction or improvement which will place an increased burden on the City wastewater system.

G. Petition; Challenge And Appeal: A person or entity may petition for impact fee refunds, or challenge and appeal impact fees in accordance with title 11 chapter 36a of the Utah Code, and chapter 13.06 of this title.

H. Computation Of Fees: Wastewater system impact fees are computed on an equivalent dwelling unit (EDU) calculation assigned to each applicable land use or type of service, and shall be imposed on all sewer connections made on or after the effective date hereof, as follows:

User Type	Percent	Impact Fee per EDU Unit
Single Family Dwelling	100%	\$1,372.00
Multiple Family Dwelling	75%	\$1,029.00 per single unit or unit
Hotel/motel	50%	\$686.00 per room

The wastewater system impact fee for all other uses is the greater of:

1. The following fee based on the water meter size serving the property to be served by the wastewater system:

Water Meter Size	Impact Fee
1.0 inch	\$ 1,372.00
1.5 inch	2,744.00
2.0 inch	4,390.00
3.0 inch	8,232.00
4.0 inch	13,720.00
6.0 inch	27,440.00
8.0 inch	43,904.00
10.0 inch	92,000.00

2. A fee of one thousand three hundred seventy two dollars (\$1,372.00) per EDU, where one EDU is equal to fifteen (15) plumbing fixture traps, as defined in the adopted Plumbing Codes and as determined by the City building official. A person aggrieved by the calculation of the number of plumbing traps may appeal to a Hearing Officer appointed by the Mayor.

I. Tapping Charges: The abutting property owner or developer shall run a lateral service line, at the owner's or developer's expense, to within one foot (1') of the wastewater system. The City shall then tap or open the wastewater system to allow the owner or developer to connect the lateral service line to the wastewater system. The property owner or developer shall pay the City a tapping charge, in an amount to be determined by the Mayor in a written policy, to tap either a four inch (4") or six inch (6") main line. The tapping charge shall be paid when the impact fee imposed by this section is paid. (Ord. 18-06: Ord. 17-40)

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13.48.055: [REPEALED] STORMWATER IMPACT FEES:

- A. The impact fee for new development shall be one hundred eighty three dollars (\$183.00) for each ERU.
- B. The entire area connected to the City's stormwater system within the geographical boundaries of the City is designated as a single unified service area for purposes of the imposition of the stormwater impact fees.
- C. The Public Works Director, subject to approval by the City Council, may authorize an adjustment in the standard stormwater impact fee at the time the fee is charged to:
 - 1. Respond to unusual circumstances in specific cases;
 - 2. Respond to a request for a prompt and individualized impact fee review for the development activity of the State, a school district, or a charter school and an offset or credit for a public facility for which an impact fee has been or will be collected; and
 - 3. Ensure that impact fees are imposed fairly.
- D. The Public Works Director's review under subsection C of this section, subject to approval by the City Council, of the calculation and the adjustment, if any, in the amount of an impact fee may be based, in whole or in part, on studies and data submitted by the developer.
- E. A developer, including a school district or a charter school, may receive a credit against or a proportionate reimbursement of an impact fee if the developer:
 - 1. Dedicates land for a system improvement;
 - 2. Builds and dedicates some or all of a system improvement; or
 - 3. Dedicates a public facility that the City and the developer agree will reduce the need for a system improvement.
- F. There shall be a credit against impact fees for any dedication of land for, improvement to, or new construction of, any system improvements provided by the developer if the facilities:
 - 1. Are system improvements; or
 - 2. a. Are dedicated to the public; and
 - b. Offset the need for an identified system improvement.
- G. For purposes of this chapter, new development shall include remodeling, building enlargement, or any other construction or improvement which will place an increased burden on the City stormwater system.
- H. A person or entity may petition for impact fee refunds, or challenge and appeal impact fees in accordance with title 11 chapter 36a of the Utah Code, and chapter 13.06 of this title. (Ord. 18-06: Ord. 17-40)

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15.22.110: [REPEALED] POWER IMPACT FEES:

- A. The entire area connected to the City's municipal power system within the geographical boundaries of Murray City is designated as a single unified service area for purposes of the calculation and imposition of the power impact fees.
- B. The power department general manager may review and, subject to approval by the Murray City Council, authorize an adjustment in the power impact fee at the time the fee is charged to:

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— 1. Respond to unusual circumstances in specific cases;

— 2. Respond to a request for a prompt and individualized impact fee review for the development activity of the state, a school district, or a charter school and an offset or credit for a public facility for which an impact fee has been or will be collected; and

— 3. Ensure that power impact fees are imposed fairly.

C. The power department general manager's review under subsection B of this section of the calculation and the adjustment, if any, in the amount of a power impact fee, may be based, in whole or in part, on studies and data submitted by the developer.

D. A developer, including a school district or a charter school, may receive a credit against or a proportionate reimbursement of an impact fee if the developer:

- 1. Dedicates land for a system improvement;
- 2. Builds and dedicates some or all of a system improvement; or
- 3. Dedicates a public facility that the City and the developer agree will reduce the need for a system improvement.

E. There shall be a credit against impact fees for any dedication of land for, improvement to, or new construction of, any system improvements provided by the developer if the facilities:

- 1. Are system improvements; or
- 2. a. Are dedicated to the public; and
- b. Offset the need for an identified system improvement.

F. For purposes of this section, new development shall include remodeling, building enlargement, or any other construction or improvement which will place an increased burden on the City's power system.

G. Power impact fees are computed as capacity based fees derived from unit costs for facility capacity, without assuming the location or type of development to be served. Using this approach, power impact fees are calculated in terms of cost per unit of capacity, rather than cost per unit of development, which fees shall be imposed on all developments made on or after the effective date hereof, as follows:

Connection Type	Connection Size	Load (kW)	Power Impact Fee (\$/kW)		
Residential	Single-phase	120/240 volt	3.0	\$ 355.40	
Commercial	Single-phase	120/240 volt	50 amp	3.0	355.40
	Single-phase	120/240 volt	100 amp	6.0	710.81
	Single-phase	120/240 volt	200 amp	12.0	1,421.62
	Single-phase	120/240 volt	320 amp	19.2	2,274.59
	3-phase	120/208 and 120/240 volt	200 amp	18.0	2,132.42
	3-phase	120/208 and 120/240 volt	400 amp	36.1	4,276.70
	3-phase	120/208 and 120/240 volt	600 amp	54.1	6,409.12
	3-phase	120/208 and 120/240 volt	800 amp	72.1	8,541.55
	3-phase	120/208 and 120/240 volt	1,000 amp	90.1	10,673.97

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3 phase	120/208 and 120/240 volt	1,200 amp	108.1	12,806.40
3 phase	120/208 and 120/240 volt	1,400 amp	126.1	14,938.82
3 phase	120/208 and 120/240 volt	1,600 amp	144.1	17,071.25
3 phase	120/208 and 120/240 volt	1,800 amp	162.1	19,203.67
3 phase	120/208 and 120/240 volt	2,000 amp	180.2	21,347.94
3 phase	120/208 and 120/240 volt	2,200 amp	198.0	23,456.67
3 phase	120/208 and 120/240 volt	2,400 amp	216.0	25,589.10
3 phase	120/208 and 120/240 volt	2,600 amp	234.0	27,721.52
3 phase	120/208 and 120/240 volt	2,800 amp	252.0	29,853.95
3 phase	120/208 and 120/240 volt	3,000 amp	270.0	31,986.37
 3 phase	 277/480 volt	 200 amp	 41.6	 4,928.27
3 phase	277/480 volt	400 amp	83.2	9,856.54
3 phase	277/480 volt	600 amp	124.7	14,772.97
3 phase	277/480 volt	800 amp	166.3	19,701.24
3 phase	277/480 volt	1,000 amp	207.9	24,629.51
3 phase	277/480 volt	1,200 amp	249.4	29,545.93
3 phase	277/480 volt	1,400 amp	291.0	34,474.20
3 phase	277/480 volt	1,600 amp	332.6	39,402.47
3 phase	277/480 volt	1,800 amp	374.1	44,318.90
3 phase	277/480 volt	2,000 amp	415.7	49,247.17
3 phase	277/480 volt	2,200 amp	457.3	54,175.44
3 phase	277/480 volt	2,400 amp	498.9	59,103.71
3 phase	277/480 volt	2,600 amp	540.4	64,020.13
3 phase	277/480 volt	2,800 amp	582.0	66,579.04
3 phase	277/480 volt	3,000 amp	623.6	73,876.68

~~Power impact fees for primary metered customers shall be negotiated on a case by case basis.~~

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~~H. This section shall be construed in accordance with title 13, chapter 13.06 of this Code and title 11, chapter 36a of the Utah Code. (Ord. 16-10)~~

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Section 3. Amend chapter 13.06 and renumber to chapter 3.14 of the Murray City Municipal Code, and enact a parks, trails and recreation impact fee. Chapter 13.06 of the Murray City Municipal Code shall be amended and renumbered, and a parks, trails and recreation impact fee shall be enacted as follows:

CHAPTER 13.063.14 **IMPACT FEES**

43.1406.010: INTENT:

This chapter is intended to meet the requirements of Title 11, Chapter 36a of the Utah Code, entitled the "Impact Fees Act". The intent of collecting impact fees is to impose a portion of the cost of system improvements for water, wastewater, stormwater, power, roadway, parks and recreation, and public safety upon those developments that create the need for, or increase the demands on, system improvements. ~~The impact fees imposed by this Code are separate from and in addition to any applicable tax, special assessment, charge, or fee otherwise provided by law or imposed as a condition of development.~~ (Ord. 16-12)

3.14.020: CONDITIONS OF ISSUANCE OF A BUILDING PERMIT:

Impact fees are hereby imposed as a condition of the issuance of a building permit for the construction of any new structure for single family, multi-family, commercial, industrial or institutional use which creates additional demand upon and need for public facilities for culinary water, sanitary sewer, streets, storm drain, pressurized irrigation, and parks and trails facilities, as set forth in the Schedule of Impact Fees in Section 3.14.110. All previous resolutions and ordinances regarding impact fees remain applicable as to any existing, active, and pending applications for a building permit on file prior to the effective date of this ordinance.

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13.06.0203.14.030: DEFINITIONS:

As used in this chapter, the following words and terms shall have the following meanings:

BUILDING PERMIT: The permit required for new construction and additions pursuant to title 15, ~~chapter 15.04~~ of this Code.

CITY: Murray City Corporation, a duly constituted political subdivision of the state.

COUNCIL: The Murray City Municipal Council.

DEVELOPMENT ACTIVITY: Any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any changes in the use of land that creates additional demand and need for public facilities.

DEVELOPMENT SERVICE AREA: A service area which is a geographically defined area of the City that has been designated as an area in which development potential may create the need for system facilities to be funded by impact fees. A development service area may include the entire Citywide area.

DEVELOPMENT SERVICE AREA MAP: A map of development service areas in which impact fees are to be imposed.

GENERAL PLAN: The Murray City general land use plan.

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IMPACT FEE: A payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. Impact fee does not mean a tax, a special assessment, a building permit fee, a hookup fee, a fee for project improvements, or other reasonable permit or application fee.

IMPACT FEE ANALYSIS: The written analysis of each impact fee required by Utah Code section 11-36a-303.

IMPACT FEE COEFFICIENT: ~~The charge per applicable unit of measure as calculated for each designated service area, based upon the impact fee facilities plan and the equitable distribution of the costs delineated within the impact fee facilities plan, by dividing total applicable public facility costs by the total number of applicable units of measure projected for that service area.~~

IMPACT FEE FACILITIES PLAN: ~~The plan required by Utah Code section 11-36a-301. The plan shall determine the public facilities required to serve development resulting from new development activity. The impact fee facilities plan may be prepared separately or as part of the general plan, so long as the requirements for an impact fee facilities plan under the impact fee act are met.~~

LEVEL OF SERVICE: ~~The defined performance standard or unit of demand for each capital component of a public facility within a service area.~~

LOCAL POLITICAL SUBDIVISION: ~~A county, a municipality, or a special district. Local political subdivision does not include a school district.~~

PROJECT IMPROVEMENTS: Site improvements and facilities that are: a) planned and designed to provide service for development resulting from a development activity; b) necessary for the use and convenience of the occupants or users of development resulting from a development activity; and c) not identified or reimbursed as a system improvement.

PROPORTIONATE SHARE: ~~The cost of impact fee facility improvements that are roughly proportionate and reasonably related to the service demands and needs of any development activity.~~

PUBLIC FACILITIES: Only the following impact fee facilities that have a life expectancy of ten (10) or more years and are owned or operated by or on behalf of the City:

- A. Water rights and water supply, treatment, storage and distribution facilities;
- B. Wastewater collection and treatment facilities;
- C. Stormwater, drainage and flood control facilities;
- D. Municipal power facilities;
- E. Roadway facilities;
- F. Parks, recreation facilities, open space and trails;
- G. Public safety facilities;
- H. Environmental mitigation as provided in Utah Code section 11-36a-205.

PUBLIC SAFETY FACILITY: ~~a) A building constructed or leased to house police, fire, or other public safety entities, but not including jails, prisons or other place of involuntary incarceration; or b) a fire suppression vehicle costing in excess of five hundred thousand dollars (\$500,000.00).~~

RESIDENTIAL DEVELOPMENT: ~~Any development approved by the City for residential use.~~

ROADWAY FACILITIES: Streets or roads that have been designated on an officially adopted subdivision plat, roadway plan, or general plan, together with all necessary appurtenances. Roadway facilities include associated improvements to federal or state roadways only when the associated improvements are necessitated by new development and are not funded by the state or federal government. Roadway facilities do not mean federal or state roadways.

SERVICE AREA: A geographically defined area of the City designated on the basis of sound planning or engineering principles in which a defined set of system facilities provide service within the area. Service area may include the entire Citywide area.

SITE: The land on which development takes place.

SUBDIVISION ORDINANCE: The Murray City Code provisions related to subdivisions, including, without limitation, title 16 of this Code.

SYSTEM BUDGET: A separate budget dedicated to financing system improvements.

SYSTEM IMPROVEMENTS:

- A. Existing public facilities that are: 1) identified in the impact fee analysis; and 2) designed to provide services to service areas within the community at large; and
- B. Future public facilities identified in the impact fee analysis that are intended to provide services to service areas within the community at large. System improvements do not mean project improvements.

SYSTEM IMPROVEMENTS PROGRAM: The adopted schedule of system improvements to be undertaken, the projected year or month in which they are scheduled, the estimated cost of construction, and other necessary features.

UNIT OF MEASURE: That basic gauging unit which can be quantified for measuring the impact of development on the system facilities in question, and which can provide a fair and equitable method of assessing the demands for expanded public facilities. Units of measure can relate to the amounts of property, improvements to property, or the inflow/outflow of people, products, or waste, depending on the particular type of public facility; and may include, but shall not be limited to, the following measuring devices:

- A. Acres of property;
- B. Square feet of hard surface;
- C. Gallons per day;
- D. Trips generated;
- E. Square feet of floor area;
- F. Number of equivalent dwelling units (EDUs);
- G. Number of equivalent residential units (ERUs);
- H. Unit of facility capacity.

ZONING DISTRICTS: Those areas designated in the zoning ordinance as being reserved for specific land uses, subject to development and use regulations specified in that title. (Ord. 16-12)

3.14.040: IMPACT FEES ARE SEPARATE AND IN ADDITION TO OTHER FEES:

Impact fees are separate from, in addition and supplemental to, and not in substitution of, any other requirements, applicable taxes, special assessments, charges or fees otherwise provided by law or imposed as a condition of development or the issuance of building permits.

13.06.030: IMPACT FEE ADOPTION PROCESS:

- A. Adoption By Ordinance: Except as otherwise authorized herein, an impact fee shall be established and adopted by ordinance of the City council, pursuant to the requirements of the Impact Fee Act and the provisions of this chapter.
- B. Amendment As Needed: Amendments to impact fee ordinances may be established, as needed, by the City council through the adoption of amended impact fee ordinances, enacted pursuant to the requirements of the Impact Fee Act and this chapter.
- C. Notice And Public Hearings: Before adopting an impact fee by ordinance, the City shall give notice and hold a public hearing in accordance with Utah Code section 11-36a-501 et seq. (Ord. 16-12)

13.06.035: REQUIRED PROVISIONS OF IMPACT FEE ORDINANCES:

~~In accordance with Utah Code section 11-36a-402, each impact fee ordinance adopted by the City shall include the following:~~

- A. A provision establishing one or more service areas within which the City calculates and imposes impact fees for various land use categories;
- B. A schedule of impact fees for each type of development activity that specifies the amount of the impact fee to be imposed for each type of system improvement; or the formula that the City will use to calculate the impact fee;
- C. A provision authorizing the City to adjust the standard impact fee at the time the fee is charged to:
 - 1. Respond to:
 - a. Unusual circumstances in specific cases; or
 - b. A request for a prompt and individualized impact fee review for the development activity of the state, a school district, or a charter school and an offset or credit for a public facility for which an impact fee has been or will be collected; and
 - 2. Ensure that the impact fees are imposed fairly;
- D. A provision governing the calculation of the amount of the impact fee to be imposed on a particular development that permits adjustment of the amount of the impact fee based upon studies and data submitted by the developer;
- E. A provision that allows a developer, including a school district or a charter school, to receive a credit against or proportionate reimbursement of an impact fee if the developer:
 - 1. Dedicates land for a system improvement;
 - 2. Builds and dedicates some or all of a system improvement; or
 - 3. Dedicates a public facility that the City and the developer agree will reduce the need for a system improvement; and
- F. A provision that requires a credit against impact fees for any dedication of land for, improvement to, or new construction of, any system improvements provided by the developer if the facilities:
 - 1. Are system improvements; or
 - 2. a. Are dedicated to the public; and
 - b. Offset the need for an identified system improvement.
- G. No impact fee ordinance may take effect until ninety (90) days after the day on which the impact fee ordinance is approved. (Ord. 16-12)

3.14.050: SERVICE AREAS:

Service areas for which impact fees are calculated and imposed consist of:

- A. For water connection services, the entire area connected to the City's water system within the geographical boundaries of the City;
- B. For wastewater connection services, the entire area connected to the wastewater system within the geographical boundaries of the City;
- C. For stormwater services, the entire area connected to the City's stormwater system within the geographical boundaries of the City;
- D. For electric power services, the entire area connected to the City's municipal power system within the geographical boundaries of the City; and
- E. For parks and recreation services, all areas within the entire geographical boundary of the City.

13.06.040: IMPACT FEE FACILITIES PLAN:

- A. There shall be developed and maintained an impact fee facilities plan which includes a system improvements schedule and costs by which system improvements will be constructed or installed.
- B. The impact fee facilities plan shall:
 1. Identify the existing level of service;
 2. Establish a proposed level of service;
 3. Identify any excess capacity to accommodate future growth at the proposed level of service;
 4. Identify demands placed upon existing public facilities by new development activity at the proposed level of service; and
 5. Identify the means by which the City will meet those growth demands.
- C. A proposed level of service may diminish or equal the existing level of service.
 1. A proposed level of service may exceed the existing level of service if, independent of the use of impact fees, the City provides, implements, and maintains the means to increase the existing level of service for existing demand within six (6) years of the date on which new growth is charged for the proposed level of service; or
 2. Establish a new public facility if, independent of the use of impact fees, the City provides, implements and maintains the means to increase the level of service for existing demand within six (6) years of the date on which new growth is charged for the proposed level of service.
- D. The impact fee facilities plan shall consider all revenue sources, including impact fees, to finance the impacts of the system improvements, including:
 1. Grants;
 2. Bonds;
 3. Interfund loans;
 4. Impact fees; and
 5. Anticipated or accepted dedications of system improvements.

- E. The impact fee facilities plan shall establish that impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received.
- F. Before adopting the impact fee facilities plan by resolution, the City shall give all notices required by and hold a public hearing in accordance with Utah Code section 11-36a-501 et seq. (Ord. 16-12)

3.14.060: ADJUSTMENT OF IMPACT FEES:

- A. The City Council may authorize an adjustment in the standard impact fee for one or more services at the time the fee is charged to:
 1. Respond to unusual circumstances in specific cases;
 2. Respond to a request for a prompt and individualized impact fee review for the development activity of the State, a school district, or a charter school and an offset or credit for a public facility for which an impact fee has been or will be collected; and
 3. Ensure that impact fees are imposed fairly.

- B. The City Council may adjust the standard impact fee for one or more services at the time the fee is charged based, in whole or in part, upon studies and data submitted by the developer.

13.06.050: WRITTEN ANALYSIS OF IMPACT FEE:

- A. The City shall prepare a written analysis of each impact fee to be imposed which:
 1. Identifies the anticipated impacts on or consumption of any existing capacity of a public facility by the anticipated development activity;
 2. Identifies the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility;
 3. Subject to subsection B of this section, demonstrates how the anticipated impacts described in subsections A1 and A2 of this section are reasonably related to the anticipated development activity;
 4. Estimates the proportionate share of:
 - a. The costs of existing capacity that will be recouped; and
 - b. The costs of impacts on system improvements that are reasonably related to the new development activity; and
 5. Based upon the requirements of the Impact Fee Act, identifies how the impact fee was calculated.
- B. In analyzing whether or not the proportionate share of the costs of public facilities are reasonably related to the new development activity, the City shall identify, if applicable:
 1. The cost of each existing public facility that has excess capacity to serve the anticipated development resulting from the new development activity;
 2. The cost of system improvements for each public facility;

— 3. Other than impact fees, the manner of financing for each public facility such as user charges, special assessments, bonded indebtedness, general taxes, or federal grants;

— 4. The relative extent to which development activity will contribute to financing the excess capacity of and system improvements for each public facility, by such means as user charges, special assessments, or payment from the proceeds of general taxes;

— 5. The relative extent to which development activity will contribute to the cost of existing public facilities and system improvements in the future;

— 6. The extent to which the development activity is entitled to a credit against impact fees because the development activity will dedicate system improvements or public facilities that will offset the demand for system improvements, inside or outside the proposed development;

— 7. Extraordinary costs, if any, in servicing the newly developed properties; and

— 8. The time price differential inherent in fair comparisons of amounts paid at different times.

— C. The City shall prepare a written summary of the impact fee analysis designed to be understood by a layperson.

— D. The impact fee analysis shall include the certifications required by Utah Code section 11-36a-306. (Ord. 16-12)

13.06.060: RESERVED:

(Ord. 16-12)

3.14.070: IMPACT FEE CREDIT:

A. The City Council may approve an impact fee credit if an applicant:

1. Dedicates land for a system improvement;
2. Builds and dedicates some or all of a system improvement; or
3. Dedicates a public facility that the City and the developer agree will reduce the need for a system improvement.

B. The City shall provide an impact fee credit for any dedication of land for, improvement to, or new construction of, any system improvements provided by the applicant if the facilities:

1. Are system improvements; or
2. Are dedicated to the public and offset the need for an identified system improvement.

13.06.070: RESERVED:

(Ord. 16-12)

3.14.080: IMPACT FEE MANAGEMENT:

The impact fees collected pursuant to this ordinance shall be deposited into separate interest-bearing ledger accounts and may only be used for system improvements identified in the impact fee facilities plan and for the specific public facility type for which the fee was collected. The accounting, expenditure and possible refund of all such

impact fees collected shall be handled in accordance with the provisions of the Utah Impact Fees Act.

13.06.080: IMPACT FEE CALCULATIONS:

- A. An impact fee may not exceed the highest fee justified by the written impact fee analysis.
- B. In calculating an impact fee, the City may include:
 - 1. The construction contract price;
 - 2. The costs of acquiring land, improvements, materials, and fixtures;
 - 3. The costs for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements;
 - 4. Debt service charges, current and proposed, if the impact fee might be used as a revenue stream to pay the principal and interest on bonds, notes, or other obligations issued to finance the costs of the system improvements.
- C. In calculating an impact fee, the City shall base amounts calculated under subsection B of this section on realistic estimates, and the assumptions underlying those estimates shall be disclosed in the impact fee analysis. (Ord. 16-12)

3.14.090: IMPACT FEES BY AGREEMENT:

To the extent allowed by law, the City Council may approve an agreement negotiated that imposes impact fees and other fees different from those outlined in this ordinance. Those impact fees and charges may include but not be limited to reductions or increases of impact fees, all or part of which may be reimbursed to the developer who installed improvements that service the land to be connected with the City's systems.

13.06.090: RESERVED:

(Ord. 16-12)

3.14.100: FEES EFFECTIVE AT TIME OF PAYMENT:

Unless the City is otherwise bound by a contractual requirement, the impact fee shall be determined from the fee schedule in effect at the time of payment in accordance with the Schedule of Impact Fees in Section 3.14.110.

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13.06.100: ACCOUNTING OF IMPACT FEES:

The City shall:

- A. Establish separate interest bearing ledger accounts for each type of public facility for which an impact fee is collected;
- B. Deposit impact fee receipts in the appropriate ledger account;
- C. Retain the interest earned on each account, in that account;
- D. At the end of each fiscal year, prepare a report on each account documenting:
 - 1. The source and amount of all monies collected, earned, and received by the ledger account; and
 - 2. Each expenditure from the fund or ledger account; and
- E. Produce a report that:
 - 1. Identifies impact fee funds by the year in which they were received, the project from which the funds were collected, the impact fee projects for which the funds were budgeted, and the projected schedule for expenditure;
 - 2. Is in a format developed by the state auditor;

- 3. Is certified by the City's chief financial officer; and
- 4. Is transmitted annually to the state auditor. (Ord. 16-12)

3.14.110: SCHEDULE OF IMPACT FEES:

As a condition of the issuance of a building permit for the construction of any new structure for single-family, multi-family, commercial, industrial or institutional use, the developer, owner or builder shall pay an impact fee in the amounts as follows:

A. Water Impact Fee:

1. The water impact fee shall be based on the water meter size serving the property as follows:

<u>Meter Size</u>	<u>Impact Fee</u>
<u>1.0"</u>	<u>\$ 3,027.20</u>
<u>1 1/2"</u>	<u>6,053.27</u>
<u>2.0"</u>	<u>9,685.46</u>
<u>3.0"</u>	<u>21,187.01</u>
<u>4.0"</u>	<u>36,321.88</u>
<u>6.0"</u>	<u>75,669.84</u>
<u>8.0"</u>	<u>108,964.52</u>
<u>10.0"</u>	<u>175,553.89</u>
<u>12.0"</u>	<u>231,515.30</u>

2. Non-standard users impact fee formula: After identifying the estimated average annual demand gallon consumption of a proposed development, multiply the average annual demand by impact fee of two cents (\$0.02) per gallon.
3. For purposes of the water impact fee, new development shall include remodeling, building enlargement, or any other construction or improvement which will place an increased burden on the City water system.

B. Wastewater Impact Fee and Tapping Charges:

1. Wastewater system impact fees are computed on an equivalent dwelling unit (EDU) calculation assigned to each applicable land use or type of service, and shall be imposed on all sewer connections made on or after the effective date hereof, as follows:

User Type	Percent	Impact Fee per EDU Unit
Single-Family Dwelling	100%	\$1,372.00
Multiple-Family Dwelling	75%	\$1,029.00 per single unit or unit

<u>Hotel/motel</u>	<u>50%</u>	<u>\$686.00 per room</u>
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2. The wastewater system impact fee for all other uses is the greater of:

a. The following fee based on the water meter size serving the property to be served by the wastewater system:

<u>Water Meter Size</u>	<u>Impact Fee</u>
<u>1.0 inch</u>	<u>\$ 1,372.00</u>
<u>1.5 inch</u>	<u>2,744.00</u>
<u>2.0 inch</u>	<u>4,390.00</u>
<u>3.0 inch</u>	<u>8,232.00</u>
<u>4.0 inch</u>	<u>13,720.00</u>
<u>6.0 inch</u>	<u>27,440.00</u>
<u>8.0 inch</u>	<u>43,904.00</u>
<u>10.0 inch</u>	<u>92,000.00</u>

b. A fee of one thousand three hundred seventy-two dollars (\$1,372.00) per EDU, where one EDU is equal to fifteen (15) plumbing fixture traps, as defined in the adopted Plumbing Codes and as determined by the City building official. A person aggrieved by the calculation of the number of plumbing traps may appeal to a Hearing Officer appointed by the Mayor.

3. Tapping Charges: The abutting property owner or developer shall run a lateral service line, at the owner's or developer's expense, to within one foot ('1') of the wastewater system. The City shall then tap or open the wastewater system to allow the owner or developer to connect the lateral service line to the wastewater system. The property owner or developer shall pay the City a tapping charge, in an amount to be determined by the Mayor in a written policy, to tap either a four inch (4") or six inch (6") main line. The tapping charge shall be paid when the impact fee imposed by this section is paid.

C. Storm Water Impact Fee

1. For the purposes of this subsection, equivalent residential unit (ERU) means the amount of impervious surface, expressed in square feet, on developed single-family residential parcels in the City. One ERU equals three thousand four hundred (3,400) square feet of impervious surface.
2. For purposes of this subsection, new development shall include remodeling, building enlargement, or any other construction or improvement which will place an increased burden on the City storm water system.

3. The storm water impact fee for new development shall be one hundred eighty-three dollars (\$183.00) for each ERU.

D. Power Impact Fee

1. For the purposes of this subsection, new development shall include remodeling, building enlargement, or any other construction or improvement which will place an increased burden on the City's power system.
2. Power impact fees are computed as capacity-based fees derived from unit costs for facility capacity, without assuming the location or type of development to be served. Using this approach, power impact fees are calculated in terms of cost per unit of capacity, rather than cost per unit of development, which fees shall be imposed on all developments made on or after the effective date hereof, as follows:

<u>Connection Type</u>	<u>Connection Size</u>	<u>Load (kW)</u>	<u>Power Impact Fee (\$/kW)</u> <u>\$118.47</u>		
Residential	Single-phase	120/240 volt	3.0	\$ 355.40	
Commercial	Single-phase	120/240 volt	50 amp	3.0	355.40
	Single-phase	120/240 volt	100 amp	6.0	710.81
	Single-phase	120/240 volt	200 amp	12.0	1,421.62
	Single-phase	120/240 volt	320 amp	19.2	2,274.59
	3-phase	120/208 and 120/240 volt	200 amp	18.0	2,132.42
	3-phase	120/208 and 120/240 volt	400 amp	36.1	4,276.70
	3-phase	120/208 and 120/240 volt	600 amp	54.1	6,409.12
	3-phase	120/208 and 120/240 volt	800 amp	72.1	8,541.55
	3-phase	120/208 and 120/240 volt	1,000 amp	90.1	10,673.97
	3-phase	120/208 and 120/240 volt	1,200 amp	108.1	12,806.40
	3-phase	120/208 and 120/240 volt	1,400 amp	126.1	14,938.82
	3-phase	120/208 and 120/240 volt	1,600 amp	144.1	17,071.25
	3-phase	120/208 and 120/240 volt	1,800 amp	162.1	19,203.67
	3-phase	120/208 and 120/240 volt	2,000 amp	180.2	21,347.94
	3-phase	120/208 and 120/240 volt	2,200 amp	198.0	23,456.67
	3-phase	120/208 and 120/240 volt	2,400 amp	216.0	25,589.10

<u>3-phase</u>	<u>120/208 and 120/240 volt</u>	<u>2,600 amp</u>	<u>234.0</u>	<u>27,721.52</u>
<u>3-phase</u>	<u>120/208 and 120/240 volt</u>	<u>2,800 amp</u>	<u>252.0</u>	<u>29,853.95</u>
<u>3-phase</u>	<u>120/208 and 120/240 volt</u>	<u>3,000 amp</u>	<u>270.0</u>	<u>31,986.37</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>200 amp</u>	<u>41.6</u>	<u>4,928.27</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>400 amp</u>	<u>83.2</u>	<u>9,856.54</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>600 amp</u>	<u>124.7</u>	<u>14,772.97</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>800 amp</u>	<u>166.3</u>	<u>19,701.24</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>1,000 amp</u>	<u>207.9</u>	<u>24,629.51</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>1,200 amp</u>	<u>249.4</u>	<u>29,545.93</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>1,400 amp</u>	<u>291.0</u>	<u>34,474.20</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>1,600 amp</u>	<u>332.6</u>	<u>39,402.47</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>1,800 amp</u>	<u>374.1</u>	<u>44,318.90</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>2,000 amp</u>	<u>415.7</u>	<u>49,247.17</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>2,200 amp</u>	<u>457.3</u>	<u>54,175.44</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>2,400 amp</u>	<u>498.9</u>	<u>59,103.71</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>2,600 amp</u>	<u>540.4</u>	<u>64,020.13</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>2,800 amp</u>	<u>582.0</u>	<u>66,579.04</u>
<u>3-phase</u>	<u>277/480 volt</u>	<u>3,000 amp</u>	<u>623.6</u>	<u>73,876.68</u>

Power impact fees for primary metered customers shall be negotiated on a case by case basis.

E. Parks, Trails and Recreation Impact Fee

The parks, trails and recreation impact fee for new development shall be:

- a. \$5,396.23 per single-family residential unit; and
- b. \$4,965.35 per multi-family residential unit.

13.06.110: IMPACT FEE EXPENDITURES:

- A. The City may expend impact fees only for:
 - 1. System improvements identified in the impact fee facilities plan; and
 - 2. System improvements for the specific public facility type for which the fee was collected.
- B. Except as provided in subsection C of this section, the City shall expend or encumber impact fees for a permissible use within six (6) years of their receipt.
- C. The City may hold impact fees for longer than six (6) years if it identifies, in writing:

- 1. An extraordinary and compelling reason why the fees should be held longer than six (6) years; and
- 2. An absolute date by which the fees will be expended. (Ord. 16-12)

13.06.120: RESERVED:
(Ord. 16-12)

13.06.1303.14.120: IMPACT FEE REFUNDS:

The City shall refund any impact fees paid by a developer, plus interest earned, when:

- A. The developer does not proceed with the development activity and has filed a written request for a refund;
- B. The fees have not been spent or encumbered; and
- C. No impact has resulted. (Ord. 16-12)

13.06.1403.14.130: PETITION FOR IMPACT FEE REFUNDS:

A petition for a refund of an impact fee must be submitted to the appropriate City department on a form provided by the City for such purpose. Petitions shall be submitted to the designee of: a) the Public Works Department for water and sewer impact fees; b) the City Engineer for storm sewer impact fees; ~~or c) the Power Department for electric power impact fees; or d) the Parks and Recreation Department for parks, trails and recreation impact fees.~~ Within thirty (30) days of the date of receipt of a petition for refund, the respective City designee must provide the petitioner, in writing, with a decision on the refund request, including the reasons for the decision. If a full or partial refund is due petitioner, the City designee shall notify the City Treasurer and request that a full or a partial refund payment be made to the petitioner within thirty (30) days of the date of the written decision. Petitioner may appeal the determination of the respective City designee to the Mayor. (Ord. 18-06)

3.14.140: IMPOSITION OF ADDITIONAL FEE OR REFUND AFTER DEVELOPMENT:

~~Should any developer undertake development activities such that the ultimate density or other impact of the development activity is not revealed to the City, whether through inadvertence, neglect, a change in plans, or any other cause whatsoever, and/or any impact fee is not initially charged against all units, the total density within the development or other measurement included in the calculation of impact fees, the City shall be entitled to recover the total impact fee from the developer or other appropriate person covering the measurement for which an impact fee was not previously paid.~~

13.06.1503.14.150: IMPACT FEE CHALLENGES AND APPEALS:

- A. Any person or entity required to pay an impact fee, who believes the fee does not meet the requirements of title 11, chapter 36a of the Utah Code may file a written request for information with the City. Within two (2) weeks of the receipt of the request for information, the City shall provide the person or entity with the written impact fee analysis, the impact fee facilities plan and with any other relevant information relating to the impact fee.

- B. A person or entity may appeal the decision of the respective City designee regarding impact fee refunds to the Mayor within thirty (30) days of the decision. The

person or entity shall file a written notice of appeal with the Mayor. The Mayor shall review the decision and reasoning of the respective designee and any additional information provided by petitioner. The Mayor shall enter a written decision on the appeal no later than thirty (30) days after the date the written notice of appeal was filed with the Mayor. The Mayor may uphold, modify or reject the decision from which the appeal was taken. The person or entity affected by any decision of the Mayor may petition the District Court for a review of the Mayor's decision or take any other action in accordance with Utah Code section 11-36a-701 et seq.

C. After paying an impact fee, the person or entity who has paid the impact fee and wants to challenge the notice requirements, other procedural requirements, or the impact fee shall file a written notice of challenge with the Mayor within the following time limits:

1. For a challenge of the notice requirements, the challenge shall be filed no later than thirty (30) days after the day on which the impact fee was paid;
2. For a challenge of other procedural requirements, the challenge shall be filed no later than one hundred eighty (180) days after the day on which the impact fee was paid; and
3. For a challenge to the impact fee, the challenge shall be filed no later than one year after the day on which the impact fee was paid.

D. The Mayor shall determine the manner in which the challenge under subsection C of this section shall be conducted. The Mayor shall enter a written decision on the challenge no later than thirty (30) days after the date of the challenge to the impact fee is filed. The sole remedy for a challenge relating to notice or other procedural requirements is that the City shall be required to correct the defective notice and repeat the process. The sole remedy for a challenge to the impact fee is a refund of the difference between what the person or entity paid as an impact fee and the amount the impact fee should have been if it had been correctly calculated. The person or entity affected by any decision of the Mayor may petition the District Court for a review of the decision or take any other action authorized by Utah Code section 11-36a-701 et seq.

E. A challenge to any provision under the Impact Fee Act may be initiated and pursued in any manner authorized under Utah Code section 11-36a-701 et seq.

F. The State, a school district or a charter school may, in addition to any other method allowed by law, challenge an impact fee by requesting the City to participate in mediation. Upon a written request for mediation, which shall be given no later than thirty (30) days after the day on which an impact fee is paid, the City shall cooperate with the specified public agency to select a mediator and participate in the mediation process.

(Ord. 16-12)

13.06.160: BONDING OF EXCESS FACILITY PROJECTS:

~~The City may issue bonds, revenue certificates, and other obligations of indebtedness in such manner and subject to such limitations as may be provided by law in furtherance of the provision of system improvement projects. Funds pledged toward retirements of bonds, revenue certificates, or other obligations of indebtedness for such projects may include impact fees and other City revenues as may be allocated by the City Council. Impact fees paid pursuant to this chapter, however, shall be restricted to use solely and~~

~~exclusively for financing the cost of system improvements as specified herein. (Ord. 16-12)~~

13.06.1703.14.160: EFFECT ON ZONING AND SUBDIVISION REGULATIONS:

This chapter shall not affect, in any manner, the permissible use of property, density of development, design, and improvement standards and requirements, or any other aspect of the development of land or provision of system improvements subject to the zoning and subdivision regulations or other regulations of the City, which shall be operative and remain in full force and effect without limitation with respect to all such development. (Ord. 16-12)

13.06.180: IMPACT FEE AS ADDITIONAL AND SUPPLEMENTAL REQUIREMENT:

~~Impact fees are additional and supplemental to, and not in substitution of, any other requirements imposed by the City on the development of land or the issuance of building permits. Impact fees are intended to be consistent with and to further the objectives and policies of the general plan, the capital improvements plan, and other City policies, ordinances, and resolutions by which the City seeks to ensure the provision of public facilities in conjunction with the development of land. (Ord. 16-12)~~

13.06.1903.14.170: LIBERAL CONSTRUCTION:

The provisions of this chapter are found and declared to be in furtherance of the public health, safety, and welfare, and convenience, and it shall be liberally construed to effectively carry out its purpose. (Ord. 16-12)

3.14.180: SEVERABILITY:

If any section or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 4. Effective date. This Ordinance shall take effect ninety (90) days after the day on which the Ordinance is approved, as required by state law.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on
this ____ day of _____, 2021

MURRAY CITY MUNICIPAL COUNCIL

Diane Turner, Chair

ATTEST:

Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this _____ day of
_____, 2021.

MAYOR'S ACTION: Approved

DATED this _____ day of _____, 2021.

ATTEST:

D. Blair Camp

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according
to law on the _____ day of _____, 2021.

Brooke Smith, City Recorder

Murray City



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DRAFT Parks, Trails, and Recreation Impact Fee Analysis



Zions Public Finance, Inc.
June 2021

Contents

Summary of Impact Fee Analysis (IFA).....	1
Impact on Consumption of Existing Capacity - <i>Utah Code 11-36a-304(1)(a)</i>	1
Impact on System Improvements by Anticipated Development Activity - <i>Utah Code 11-36a-304(1)(b)</i>	2
Relationship of Anticipated Impacts to Anticipated Development Activity - <i>Utah Code 11-36a-304(1)(c)</i>	2
Proportionate Share Analysis - <i>Utah Code 11-36a-304(1)(d)(i)(ii)</i>	3
Manner of Financing - <i>Utah Code 11-36a-304(2)(c)(d)(e)(f)(g)(h)</i>	3
Utah Code 11-36a	4
Impact Fee Analysis.....	6
Impact on Consumption of Existing Capacity	6
Demand Placed on Facilities by New Development Activity	6
Impact on System Improvements by Anticipated Development.....	8
Activity	8
Relationship of Anticipated Impacts to Anticipated Development	8
Activity	8
Proportionate Share Analysis.....	9
Costs Reasonably Related to New Development Activity.....	9
Impact Fee Credits	10
Manner of Financing	11
Certification.....	12

Summary of Impact Fee Analysis (IFA)

Murray City (“City”) is experiencing population growth that is increasing demand at its existing parks, trails and recreation facilities. The City has therefore determined that it is necessary to consider the enactment of a Parks, Recreation and Trails Impact Fee so that new development pays for its fair share of the cost of these types of facilities.

The City has determined that there is one service area citywide for parks, recreation and trails, and that there is no excess capacity in any of its parks, recreation or trails facilities but that there is excess capacity in the aquatic facilities.

Projections for population growth in the City are as follows:

TABLE 1: PROJECTED POPULATION GROWTH, 2021-2031

Year	Population
2021	51,388
2022	51,594
2023	51,801
2024	52,009
2025	52,217
2026	52,419
2027	52,622
2028	52,825
2029	53,030
2030	53,235
2031	53,366

Source: Murray City; ZPFI

This IFA is organized based on the legal requirements of Utah Code 11-36a-304.

Impact on Consumption of Existing Capacity - *Utah Code 11-36a-304(1)(a)*

The Impact Fee Facilities Plan (IFFP) considers only *system* facilities in the calculation of impact fees. For the City, this has been determined to mean community and neighborhood parks. Local parks are considered *project* improvements and have not been included in the calculation of impact fees.

Existing service levels are based on the (2021) levels of service in the City for both parks and trails. Existing and proposed service levels are shown in the table below on both a *unit* and *dollar amount* basis.

TABLE 2: EXISTING AND PROPOSED SERVICE LEVELS

Service Levels	Existing	Proposed	Existing	Proposed
Acres per 1000				
Population/ Amount per Population	4.209	4.209	\$1,641.88	\$1,641.88
Trail Feet per Population/ Amount per Population	2.17	2.17	\$83.51	\$83.51

Service Levels	Existing	Proposed	Existing	Proposed
Recreational Facilities			\$283.87	\$283.87
Aquatic Facilities			\$38.92	\$37.48

Impact on System Improvements by Anticipated Development Activity - *Utah Code 11-36a-304(1)(b)*

The table below shows the declining cost service levels that will occur in the City, due to population growth, if no new facilities are added. Service levels are shown in terms of units and in terms of cost. Each of these declining service levels is discussed in more detail in the body of this report.

TABLE 3: IMPACTS TO SERVICE LEVELS DUE TO NEW DEVELOPMENT IF NO IMPROVEMENTS ARE MADE

	2021 Service Levels – Units	2031 Service Levels – Units	Investment LOS 2021	Investment LOS 2031
Acres per 1000				
Population/ Amount per Population	4.209	4.063	\$1,641.88	\$1,581.04
Trail Feet per Population/ Amount per Population	2.17	2.09	\$83.51	\$80.42
Recreational Facilities			\$283.87	\$273.35
Aquatic Facilities			\$38.92	\$37.48

Relationship of Anticipated Impacts to Anticipated Development Activity - *Utah Code 11-36a-304(1)(c)*

The demand placed on existing public park facilities by new development activity is attributable to population growth. Murray City has a 2021 population of 51,388 and, as a result of anticipated development activity, will grow to a projected 53,336 by 2031 – a population increase of 1,977 persons. As growth occurs as a result of increased development activity, more parks, trails and recreational facilities are needed to maintain existing service levels and to reach proposed service levels. However, there is sufficient capacity in the aquatic facilities through 2031.

In order to maintain the existing level of service, the projected new development over the next ten years will require the construction of new facilities or the consumption of excess capacity in the amount of \$4,047,242.85.

TABLE 4: NEW FACILITIES NEEDED TO MEET THE DEMANDS OF NEW GROWTH

	New Investment	Cost of Capacity Consumed	TOTAL
Parks	\$3,246,669.51		\$3,246,669.51
Trails	\$165,140.20		\$165,140.20
Recreational Facilities	\$561,325.07		\$561,325.07
Aquatic Facilities		\$74,108.07	\$74,108.07
TOTAL	\$3,973,134.78	\$74,108.07	\$4,047,242.85

Proportionate Share Analysis - *Utah Code 11-36a-304(1)(d)(i)(ii)***Costs Reasonably Related to New Development Activity**

The cost of new system improvements required to maintain the service levels related to new development activity are based on the costs of system-wide facilities, and the consultant fees for the preparation of the Impact Fee Facilities Plan and the Impact Fee Analysis.

TABLE 5: CALCULATION OF GROSS IMPACT FEE

Summary	Amount
Parks	\$1,641.88
Trails	\$83.51
Recreational Facilities	\$283.87
Aquatic Facilities	\$37.48
Consultant Fees	\$5.06
TOTAL Gross Fee per Person	\$2,051.80

The fee per person is then multiplied by the average unit size to arrive at the maximum impact fees that can be charged in 2021.

TABLE 6: MAXIMUM IMPACT FEES

	Average Unit Size	Max Fee
Single-Family	2.63	\$5,396.23
Multi-Family	2.42	\$4,965.35

Manner of Financing - *Utah Code 11-36a-304(2)(c)(d)(e)(f)(g)(h)*

An impact fee is a one-time fee that is implemented by a local government on new development to help fund and pay for all or a portion of the costs of public facilities that are needed to serve new development. Additionally, impact fees allow new growth to share in the cost of existing facilities that have excess capacity.

Impact Fee Credits

The Impact Fees Act requires credits to be paid back to development for future fees that may be paid to fund system improvements found in the IFFP so that new development is not charged twice.

Extraordinary Costs and Time Price Differential

It is not anticipated that there will be any extraordinary costs in servicing newly-developed park, recreation or trail properties.

Utah Code 11-36a

Preparation of Impact Fee Analysis. Utah Code requires that “each local political subdivision... intending to impose an impact fee shall prepare a written analysis (Impact Fee Analysis or IFA) of each impact fee” (Utah Code 11-36a-303). This IFA follows all legal requirements as outlined below. The City has retained Zions Public Finance, Inc. (ZPFI) to prepare this Impact Fee Analysis in accordance with legal requirements.

Section 11-36a-304 of the Utah Code outlines the requirements of an impact fee analysis which is required to identify the following:

anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity;

anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility;

how anticipated impacts are reasonably related to the anticipated development activity

the proportionate share of:

costs for existing capacity that will be recouped; and

costs of impacts on system improvement that are reasonably related to the new development activity; and

how the impact fee was calculated

Further, in analyzing whether or not the proportionate share of the costs of public facilities are reasonably related to the new development activity, the local political subdivision or private entity, as the case may be, shall identify, if applicable:

the cost of each existing public facility that has excess capacity to serve the anticipated development resulting from the new development activity;

the cost of system improvements for each public facility;

other than impact fees, the manner of financing for each public facility such as user charges, special assessments, bonded indebtedness, general taxes, or federal grants;

the relative extent to which development activity will contribute to financing the excess capacity of and system improvements for each existing public facility, by means such as user charges, special assessments, or payment from the proceeds of general taxes;

the relative extent to which development activity will contribute to the cost of existing public facilities and system improvements in the future;

the extent to which the development activity is entitled to a credit against impact fees because the development activity will dedicate system improvements or public facilities that will offset the demand for system improvements, inside or outside the proposed development; extraordinary costs, if any in servicing the newly developed properties; and the time-price differential inherent in fair comparisons of amounts paid at different times.

Calculating Impact Fees. Utah Code 11-36a-305 states that for purposes of calculating an impact fee, a local political subdivision or private entity may include the following:

construction contract price;
cost of acquiring land, improvements, materials, and fixtures;
cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements; and
for a political subdivision, debt service charges if the political subdivision might use impact fees as a revenue stream to pay the principal and interest on bonds, notes or other obligations issued to finance the costs of the system improvements.

Additionally, the Code states that each political subdivision or private entity shall base impact fee amounts on realistic estimates and the assumptions underlying those estimates shall be disclosed in the impact fee analysis.

Certification of Impact Fee Analysis. Utah Code 11-36a-306 states that an impact fee analysis shall include a written certification from the person or entity that prepares the impact fee analysis. This certification is included at the conclusion of this analysis.

Impact Fee Enactment. Utah Code 11-36a-202 states that a local political subdivision or private entity wishing to impose impact fees shall pass an impact fee enactment in accordance with Section 11-36a-402. Additionally, an impact fee imposed by an impact fee enactment may not exceed the highest fee justified by the impact fee analysts. An impact fee enactment may not take effect until 90 days after the day on which the impact fee enactment is approved.

Notice of Intent to Prepare Impact Fee Analysis. A local political subdivision must provide written notice of its intent to prepare an IFA before preparing the Analysis (Utah Code 11-36a-503(1)). This notice must be posted on the Utah Public Notice website. The City has complied with this noticing requirement for the IFA by posting notice.

Impact Fee Analysis

Utah Code allows cities to include only system-wide parks for the purpose of calculating impact fees. Project-wide parks and trails cannot be used to establish levels of service eligible to be maintained through impact fees. Based on input from the City and the consultants, a system-wide park is defined as a park that serves more than one local development area.

This IFA is organized based on the legal requirements of Utah Code 11-36a-304.

1 Impact on Consumption of Existing Capacity

Utah Code 11-36a-304(1)(a): an impact fee analysis shall identify the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity

Demand Placed on Facilities by New Development Activity

Parks. Existing park service levels will decline, due to new development activity, from the existing service level of \$1,641.88 to \$1,581.04 per person by 2031.

TABLE 7: PARK SERVICE LEVEL IMPACTS FROM NEW DEVELOPMENT ACTIVITY, 2021-2031

Year	Population	Population Growth	Acres per 1,000 Population if No New Facilities	Total Park Acres Required	Cost Service Levels per Person if No New Facilities
2021	51,388		4.209	216.29	\$1,641.88
2022	51,594	206	4.192	217.16	\$1,635.33
2023	51,801	207	4.175	218.03	\$1,628.80
2024	52,009	208	4.159	218.90	\$1,622.29
2025	52,217	208	4.142	219.78	\$1,615.82
2026	52,419	202	4.126	220.63	\$1,609.59
2027	52,622	203	4.110	221.48	\$1,603.39
2028	52,825	204	4.094	222.34	\$1,597.21
2029	53,030	204	4.079	223.20	\$1,591.05
2030	53,235	205	4.063	224.06	\$1,584.92
2031	53,366	131	4.053	224.61	\$1,581.04

Trails. The existing level of service of \$83.51 will decline to \$80.42 per person by 2031, if no new improvements are made.

TABLE 8: TRAIL MILES SERVICE LEVEL IMPACTS FROM NEW DEVELOPMENT ACTIVITY, 2021-2031

Year	Population	Population Growth	Trail Feet per Resident if No New Facilities	Total Trail Feet Needed	Total Trail Miles Needed	Cost Service Levels per Person if No New Facilities
2021	51,388		2.17	111,302	21.08	\$83.51
2022	51,594	206	2.16	111,749	21.16	\$83.18
2023	51,801	207	2.15	112,196	21.25	\$82.85
2024	52,009	208	2.14	112,646	21.33	\$82.52
2025	52,217	208	2.13	113,098	21.42	\$82.19
2026	52,419	202	2.12	113,535	21.50	\$81.87
2027	52,622	203	2.12	113,974	21.59	\$81.56
2028	52,825	204	2.11	114,415	21.67	\$81.24
2029	53,030	204	2.10	114,858	21.75	\$80.93
2030	53,235	205	2.09	115,303	21.84	\$80.62
2031	53,366	131	2.09	115,585	21.89	\$80.42

Recreational Facilities. The existing level of service of \$283.87 will decline to \$273.35 per person by 2031, if no new improvements are made.

TABLE 9: RECREATIONAL FACILITIES SERVICE LEVEL IMPACTS FROM NEW DEVELOPMENT ACTIVITY, 2021-2031

Year	Population	Population Growth	Cost Service Levels per Person If No New Facilities
2021	51,388		\$283.87
2022	51,594	206	\$282.74
2023	51,801	207	\$281.61
2024	52,009	208	\$280.48
2025	52,217	208	\$279.36
2026	52,419	202	\$278.29
2027	52,622	203	\$277.21
2028	52,825	204	\$276.15
2029	53,030	204	\$275.08
2030	53,235	205	\$274.02
2031	53,366	131	\$273.35

Aquatic Facilities. The City's aquatic facilities have sufficient capacity to serve new development through 2031. Therefore, the existing service level of \$38.92 will decline to \$37.48 by 2031. This is, therefore, the proposed service level.

TABLE 10: AQUATIC FACILITIES SERVICE LEVEL IMPACTS FROM NEW DEVELOPMENT ACTIVITY, 2021-2031

Year	Population	Population Growth	Cost Service Levels per Person if No New Facilities
2021	51,388		\$38.92
2022	51,594	206	\$38.76
2023	51,801	207	\$38.61
2024	52,009	208	\$38.46
2025	52,217	208	\$38.30
2026	52,419	202	\$38.15
2027	52,622	203	\$38.01
2028	52,825	204	\$37.86
2029	53,030	204	\$37.71
2030	53,235	205	\$37.57
2031	53,366	131	\$37.48

2

Impact on System Improvements by Anticipated Development Activity

Utah Code 11-36a-304(1)(b): an impact fee analysis shall identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility;

The City will need to acquire additional parks, trails and recreational facilities in order to maintain its existing service levels. Service levels will decline, as a result of population growth unless new facilities are constructed or acquired. Impact fees will be used to maintain the existing service levels for parks, trails and recreational facilities. Impact fees can also be used to buy into the existing, excess capacity of the aquatic facilities.

TABLE 11: COST OF FACILITIES DUE TO NEW GROWTH

	New Investment	Cost of Capacity Consumed	TOTAL
Parks	\$3,246,669.51		\$3,246,669.51
Trails	\$165,140.20		\$165,140.20
Recreational Facilities	\$561,325.07		\$561,325.07
Aquatic Facilities		\$74,108.07	\$74,108.07
TOTAL	\$3,973,134.78	\$74,108.07	\$4,047,242.85

3

Relationship of Anticipated Impacts to Anticipated Development Activity

Utah Code 11-36a-304(1)(c): an impact fee analysis shall subject to Subsection (2), demonstrate how the anticipated impacts described in Subsections (1)(a) and (b) are reasonably related to the anticipated development activity;

The demand placed on existing public parks, trails and other recreation facilities by new development activity is attributable to population growth. The City has a 2021 population of 51,388 and as a result of anticipated development activity will grow to a projected 53,366 by 2031 – an increase of 1,977. As

growth occurs as a result of increased development activity, more parks, trails and recreational facilities are needed to maintain existing service levels and to reach proposed service levels.

Proportionate Share Analysis

4

Utah Code 11-36a-304(1)(d)(i)(ii): an impact fee analysis shall estimate the proportionate share of costs for existing capacity that will be recouped; and the costs of impacts on system improvements that are reasonably related to the new development activity;

Costs Reasonably Related to New Development Activity

The cost of new system improvements required to maintain the existing level of parks, recreation and trail services related to new development activity is based on the cost of system-wide park and trail facilities, as well as consultant fees for the preparation of the Impact Fee Facilities Plan and the Impact Fee Analysis.

The City will need to acquire an additional 8.32 acres of land by 2031 in order to maintain its existing service level of 4.209 acres per 1,000 persons. At a cost of \$390,093 per acre (land and improvements), the cost to the City will be \$3,246,669.51. The cost per person is \$1,641.88.

TABLE 12: PER PERSON COST TO MAINTAIN LOS FOR PARK LAND AND IMPROVEMENTS

Park Land and Improvements	Amount
Increased Acres Needed, 2021-2031	8.32
Cost per Acre	\$390,093
Investment Required, 2020-2031	\$3,246,669.51
Population Growth, 2021-2031	1,977
Cost per Person	\$1,641.88

The cost per capita to maintain the existing level of service for trails is \$83.51.

TABLE 13: COST PER PERSON TO MAINTAIN LOS FOR TRAILS

Trails	Amount
Increased Trail Feet Needed, 2021-2031	4,282.90
Weighted Average Cost per Trail Foot	\$38.56
Increased Investment Required, 2021-2031	\$165,140
Population Growth, 2021-2031	1,977
Cost per Person	\$83.51

The cost per person to maintain the existing level of service for recreational facilities is \$283.87.

TABLE 14: COST PER PERSON TO MAINTAIN LOS FOR RECREATIONAL FACILITIES

Recreational Facilities	Amount
Increased Recreational Facilities Square Feet (SF) Needed, 2021-2031	2,245
Cost per SF	\$283.87
Investment Required, 2021-2031	\$561,325.07
Population Growth, 2021-2031	1,977
Cost per Person	\$283.87

The cost to buy into the existing, excess capacity of the aquatic facilities is \$37.57.

TABLE 15: COST PER PERSON FOR PROPOSED LOS FOR AQUATIC FACILITIES

Aquatic Facilities	Amount
Cost of Aquatic Facilities	\$2,000,000
2031 Population	53,366
Proposed LOS per Person	\$37.57

The Impact Fee Facilities Plan and Impact Fee Analysis consultant cost is \$5.41 per person.

TABLE 16: COST PER PERSON FOR CONSULTANTS FOR IFFP AND IFA

Consultant Costs	Amount
Consultant Cost	\$10,000
Growth in Population, 2021-2031	1,977
Cost per Person	\$5.06

The total gross cost per person is \$2,051.80.

TABLE 17: SUMMARY OF GROSS COST PER PERSON

Summary	
Parks	\$1,641.88
Trails	\$83.51
Recreational Facilities	\$283.87
Aquatic Facilities	\$37.48
Consultant Fees	\$5.06
TOTAL Gross Fee per Person	\$2,051.80

TABLE 18: MAXIMUM IMPACT FEES

	Average Unit Size	Max Fee
Single-Family	2.63	\$5,396.23
Multi-Family	2.42	\$4,965.35

Impact Fee Credits

Utah Code 11-36a-304(1)(e): an impact fee analysis shall, based on the requirements of this chapter, identify how the impact fee was calculated;

The City may choose to allow a developer to contribute park, trail or recreational facilities improvements in place of impact fees. This decision is at the discretion of the City.

Manner of Financing

6

Utah Code 11-36a-304(2)(c)(d)(e)(f)(g)(h): an impact fee analysis shall identify, if applicable: other than impact fees, the manner of financing for each public facility such as user charges, special assessments, bonded indebtedness, federal taxes, or federal grants;

An impact fee is a one-time fee that is implemented by a local government on new development to help fund and pay for all or a portion of the costs of public facilities that are needed to serve new development. These fees are usually implemented to help reduce the economic burden on local jurisdictions that are trying to deal with population and commercial growth within the area. As a matter of policy and legislative discretion, a City may choose to have new development pay the full cost of its share of new public facilities if the facilities would not be needed except to service new development. However, local governments may use other sources of revenue to pay for the new facilities required to service new development and use impact fees to recover the cost difference between the total cost and the other sources of revenue. Additionally, impact fees allow new growth to share in the cost of existing facilities that have excess capacity.

At the current time, no other sources of funding other than impact fees have been identified, but to the extent that any are identified and received in the future, then impact fees will be reduced accordingly.

Additional system-wide park land and recreation facility improvements beyond those funded through impact fees that are desired to maintain a higher proposed level of service will be paid for by the community through other revenue sources such as user charges, special assessments, GO bonds, general taxes, etc.

Impact Fee Credits

In the situation that a developer chooses to construct facilities found in the IFFP in lieu of impact fees, the arrangement must be made through the developer and the City.

At the discretion of the City, impact fees may be modified for certain types of development such as low-income housing, memory care units, etc.

Extraordinary Costs and Time Price Differential

The Impact Fees Act requires credits to be paid back to development for future fees that may be paid to fund system improvements found in the IFFP so that new development is not charged twice. Credits may also be paid back to developers who have constructed or directly funded items that are included in the IFFP or donated to the City in lieu of impact fees, including the dedication of land for system improvements. This situation does not apply to developer exactions or improvements required to offset density or as a condition for development. Any item for which a developer receives credit should be included in the IFFP and must be agreed upon with the City before construction begins.

It is not anticipated that there will be any extraordinary costs in servicing newly developed park, recreation or trail properties. To account for the time-price differential inherent in fair comparisons of amounts paid at different times, actual costs have been used to compute buy-in costs to public facilities with excess capacity and current costs have been used to compute impacts on system improvements required by anticipated development activity to maintain the established level of service for each public facility.

Certification

Zions Public Finance, Inc. certifies that the attached impact fee analysis:

1. includes only the costs of public facilities that are:
 - a. allowed under the Impact Fees Act; and
 - b. actually incurred; or
 - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. does not include:
 - a. costs of operation and maintenance of public facilities;
 - b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
3. offsets costs with grants or other alternate sources of payment; and
4. complies in each and every relevant respect with the Impact Fees Act.

Park Impact Fees

City	Single Family Park Impact fee	Multi-family Park impact fee	Accessory Apt Park Impact fee
Lindon	4500.00	1500.00	1500.00
Pleasant Grove	1820.00	1200.00	
North Ogden	2677.00	1601.00	1601.00
West Valley City	2285.00	1943.00	1943.00
Riverton City	4234.02	3894.83	
Holiday City	2504.20	2126.00	
Hurricane	3109.00	3109.00	
South Weber	2096.00	1787.00	
Lehi	2772.98	2415.41	
Salt Lake City	5173.00	3078.00	
Sandy	4156.00	2402.00	
South Salt Lake	1677.00	1608.00	
South Jordan	5420.00	2643.00	
Santa Clara	2906.00	2906.00	2906.00
St. George	4525.00	3440.00	
Spanish Fork	8136.60	4955.54	
Taylorsville	1290.00	910.00	
Tremonton	1292.37	1146.59	
Park City	3855.00	3150.00	
Perry	2000.00	2000.00	400.00
Millcreek City	494.68	440.75	440.75
Average	3365.00	2376.00	1465.00
Midvale	No impact fee	No impact fee	

*Does not allow detached apts; attached apts can only be occupied

Lehi does not charge ADU's a park impact fee, but does charge impact fees for water and sewer (\$4,528) adopted 2017

Working on increase

Recently reduced from \$3906

In process of raising park impact fees (12/2020)

Total impact fees are \$11,500. ADU's pay 20% of all standard impact fees.

Working on increase

No park impact fees



MURRAY
CITY COUNCIL

Public Hearing #3



MURRAY

Council Action Request

Community & Economic Development

General Plan Amendment, Text of Chapter 5 - Land Use & Urban Design to add CMU and VMU Category.

Council Meeting

Meeting Date: October 19, 2021

Department Director Melinda Greenwood	Purpose of Proposal Approval of the proposed General Plan Amendment, Text of Chapter 5 - Land Use & Urban Design to add CMU and VMU Category.
Phone # 801-270-2428	Action Requested Approval of the proposed General Plan Amendment, Text of Chapter 5 - Land Use & Urban Design to add CMU and VMU Category.
Presenters Melinda Greenwood Jared Hall	Attachments Presentation Slides
Required Time for Presentation 15 Minutes	Budget Impact None.
Is This Time Sensitive No	Description of this Item BACKGROUND In July 2021, the City Council created two new mixed-use zones: The Village Mixed Use, VMU and Centers Mixed Use, CMU Zones. When the amendments to the mixed-use zones were adopted, it became necessary to make a change to the General Plan to add them as a land use category. The 2017 Murray City General Plan includes a Future Land Use Map, which associates a "future land use category" to each property in the city. The "Mixed Use" land use category has been applied previously to several areas of the city and currently includes references to the existing M-U (now MCMU) Zone, and the TOD Zone. The existing Mixed Use category needs be changed to reflect the new MCMU title and to provide for VMU and CMU categories. Staff proposes that a "Village and Centers Mixed Use" category be created, and that the VMU and CMU Zones be listed as the corresponding zones for that category. Second, the existing Mixed-Use category be retitled for distinction as the "Transit Mixed Use."
Mayor's Approval	
Date September 27, 2021	

Continued from Page 1:

CITY DEPARTMENT REVIEW

The proposed ordinance was made available for review by City Staff from various departments on August 16, 2021. No comments were received.

PLANNING COMMISSION

Notice of the public hearing for the requested text amendment was sent to affected entities and posted on the State's public notice website. No comments have been received as of the writing of the Staff Report.

FINDINGS

1. The proposed changes are in harmony with the objectives and goals of the 2017 Murray City General Plan.
2. The proposed changes support recently approved amendments to the Murray City Land Use Ordinance regarding mixed-use zones.
3. The proposed changes are necessary in order that the 2017 Murray City General Plan and the Murray City Land Use Ordinances correspond appropriately one with another.

RECOMMENDATION

Based on the background, staff review, Planning Commission recommendation and findings, staff recommends the City Council **APPROVE** the proposed General Plan Amendment to the text of Chapter 5 - Land Use & Urban Design to add Centers Mixed Use (CMU) and Villages Mixed Use (VMU) category.

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19th day of October 2021, at the hour of 6:30 p.m. of said day the Murray City Municipal Council will hold and conduct a Public Hearing on and pertaining to the consideration of amending the Murray City General Plan, Chapter 5 – Land Use and Urban Design, to include the designations of “Village Mixed Use” and “Centers Mixed Use” zones

The purpose of this public hearing is to receive public comment concerning the proposed action.

DATED this 6th day of October 2021.



MURRAY CITY CORPORATION

A blue ink signature of the name "Brooke Smith".

Brooke Smith, City Recorder

DATES OF PUBLICATION: October 8, 2021
PH21-36

Per UCA §10-9a-204:

Posted on Utah Public Notice Website
Mailed to each affected entity
Posted on the City's official website

ORDINANCE NO. _____

AN ORDINANCE RELATED TO LAND USE; AMENDS THE GENERAL PLAN, CHAPTER 5 – LAND USE AND URBAN DESIGN, TO INCLUDE “VILLAGE MIXED USE” AND “CENTERS MIXED USE” ZONES

Background

In July 2021, the Murray City Municipal Council adopted changes to the City's existing mixed-use zones, which included the creation of two new mixed-use zones: the Village Mixed Use (VMU) zone and the Centers Mixed Use (CMU) zone. The City's General Plan, in Chapter 5, has a “land use element” which is referred to when there are requests for zone changes. The VMU and CMU zones need to be included in Chapter 5 of the General Plan to reflect the changes recently made to the mixed-use zones.

NOW, THEREFORE, be it enacted by the Municipal Council of Murray City as follows:

Section 1. Purpose. The purpose of this ordinance is to adopt amendments to the General Plan.

Section 2. Amendment. The General Plan, Chapter 5, page 5-14, shall be amended as follows:

TRANSIT MIXED-USE

This designation is intended for ~~city center~~ and transit station areas where a mixed use neighborhood is desired and urban public services, including access to high-capacity transit, very frequent bus service, or BRT/Streetcar service are available or planned. This designation is intended to allow high-density multi-dwelling structures at an urban scale that include a mix of uses, usually in the same building and/or complex.

Density range is between ~~4~~0 and ~~3~~80 DU/AC.

Corresponding zone(s):

- ~~T-O-D~~, Transit oriented development, TOD
- ~~M-U~~, Mixed Use Development District, MCMU

VILLAGE AND CENTERS MIXED USE

The Village and Centers Mixed Use Designation is intended 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 and neighborhood nodes. 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.

Density range is between 25 and 45 DU/AC

Corresponding zone(s):

- Centers Mixed Use, CMU
- Village Mixed Use, VMU

Section 3. Effective date. This Ordinance shall take effect upon first publication and filing of copy thereof in the office of the City Recorder of Murray City, Utah.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this day of , 2021.

MURRAY CITY MUNICIPAL COUNCIL

Diane Turner, Chair

ATTEST:

Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this _____ day of _____, 2021.

MAYOR'S ACTION: Approved

DATED this _____ day of _____, 2021

D. Blair Camp, Mayor

ATTEST:

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the _____
day of _____, 2021.

Brooke Smith, City Recorder

Development as outlined in Chapter 17.60 of the Murray City Land Use Ordinance.

10. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
11. The subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the subdivision plat approval shall be null and void.

Seconded by Sue Wilson.

Call vote was recorded by Mr. Hall.

A Maren Patterson
A Ned Hacker
A Lisa Milkavich
A Sue Wilson
A Jeremy Lowry
A Jake Pehrson

Motion passed 6-0.

GENERAL PLAN AMENDMENT – Land Use & Urban Design Element – Project #21-097

The Murray City Planning Division proposes amendments to the existing “Mixed Use” land use category and the addition of a “Village Mixed-Use and Centers Mixed Use” categories. The City Council recently amended all three of the existing mixed-use zones and added two new mixed-use zones. The 2017 Murray City General Plan has a “land use element” which is often referred to when considering changes of zoning. The element itself includes the Future Land Use Map, which applies a “future land use category” to each property in the city. The suggestion that was made is that we take the existing Mixed-Use category and retitle it Transit Mixed Use which will be indicative of zones near transit stations. The new category Village and Centers Mixed Use will have its own description and tie the two zones to it.

Ms. Patterson asked if anything currently designated as those zones would now be transit or the new mixed-use zones? Mr. Hall verified it could be either and displayed a map identifying the purple area as being retitled transit. Ms. Milkavich asked to review why these new zones were created and if the existing zones were a fitting zone and if this is a way to control density? Mr. Hall verified that the densities in VMU and CMU is 25-45 dwelling units to the acre. The commissioners had more discussion and questions about density and defining clearer boundaries for the zones. Mr. Hall specified TOD has been applied to the areas in the Fireclay District and the boundary for that zone is 4500 South, any farther from transit results in less connection to transit making VMU or CMU more appropriate and allows for lower density. He indicated that creating harder boundary lines limits flexibility in the zones. The commissioners provided some examples of different areas and buildings that exhibit the need for these changes. Ms. Milkavich stated its typically the landowners who request zone changes. There was some discussion about nodes and Ms. Patterson stated the park is a good example of a neighborhood node and if there could be a consideration to have something different in that area.

Planning Commission Meeting

September 2, 2021

Page 11

Ms. Patterson opened the meeting for public comment. No comments were made. The public comment portion for this agenda item was closed.

Ned Hacker made a motion that the Planning Commission forward a recommendation of approval to the City Council for the request to amend Chapter 5 the Land Use and Urban Design element of the 2017 Murray City General Plan. Seconded by Jake Pehrson.

Call vote was recorded by Mr. Hall.

A Maren Patterson
A Ned Hacker
A Lisa Milkavich
A Sue Wilson
A Jeremy Lowry
A Jake Pehrson

Motion passed 6-0.

OTHER BUSINESS

There will not be a September 16, 2021 meeting. Mr. Hall informed the commissioners they will be receiving some links for trainings. There was no other business.

Sue Wilson made a motion to adjourn. Motion seconded by Ned Hacker. A voice vote was made, motion passed 6-0. The meeting was adjourned at 8:32 p.m.



Jared Hall, Planning Division Manager



AGENDA ITEM # 7			
ITEM TYPE:	General Plan Amendment, Text of Chapter 5 - Land Use & Urban Design		
ADDRESS:		MEETING DATE:	September 2, 2021
APPLICANT:	Planning Division Staff	STAFF:	Jared Hall, Planning Manager
PARCEL ID:		PROJECT NUMBER:	21-097
PROPOSED AMENDMENT	2017 Murray City General Plan, Future Land Use Categories		
REQUEST:	The Murray City Planning Division proposes amendments to the existing “Mixed Use” land use category and the addition of a “Village and Centers Mixed Use” category.		

I. BACKGROUND & STAFF REVIEW

Background

In July, 2021 the City Council adopted proposed changes to the City’s existing mixed-use zones and also created two new mixed-use zones: The Village Mixed Use, VMU and Centers Mixed Use, CMU Zones. The 2017 Murray City General Plan has a “land use element” which is often referred to when considering changes of zoning. The element itself includes the Future Land Use Map, which applies a “future land use category” to each property in the city. To facilitate use of the map, those categories are each subsequently briefly described for their purpose and intent, and a list of corresponding zones is provided to guide city officials in considering requests to apply or change zones. The “Mixed Use” land use category has been applied previously to several areas of the city and currently includes references to the existing M-U (now MCMU) Zone, and the TOD Zone. The existing Mixed Use category should be altered to reflect the new MCMU title as recently approved, and to provide another important distinction: the alterations of existing zones and the creation of new zones was necessary because the new mixed use zones were intended for use in different parts of the city, whereas the existing mixed use zones had been applied historically nearer to transit stations (specifically the Murray Central and Murray North stations.) As a result, not only are the VMU and CMU Zones not listed as corresponding zones in the current Mixed Use category (because they did not exist in 2017 when the plan was adopted), but they really don’t belong in the same category with the TOD and MCMU Zones which are more intense and intended for application near to the transit stations.

Proposed Change

Staff proposes the following: first, that a “Village and Centers Mixed Use” category be created, and that the VMU and CMU Zones be listed as the corresponding zones for that category. Second, the existing Mixed-Use category be retitled for distinction as the “Transit Mixed Use”

TRANSIT MIXED-USE

This designation is intended for ~~city center and~~ transit station areas where a mixed use neighborhood is desired and urban public services, including access to high-capacity transit, very frequent bus service, or BRT/Streetcar service are available or planned. This designation is intended to allow high-density multi-dwelling structures at an urban scale that include a mix of uses, usually in the same building and/or complex.

Density ranges is between ~~40~~ and ~~80~~ DU/AC.

Corresponding zone(s):

- ~~T-O-D, Transit oriented development, TOD~~
- ~~M-U, Murray Central Mixed Use Development District, MCMU~~



VILLAGE & CENTERS MIXED USE

~~The Village & Centers Mixed Use Designation is intended 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 and neighborhood nodes. 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.~~



Density range is between 25 and 45 DU/AC.

Corresponding zone(s):

- Centers Mixed Use, CMU
- Village Mixed Use, VMU

Summary

When the amendments to the mixed-use zones were adopted, it became necessary to make a change to the General Plan in order that they correspond. Staff recommends that the changes are both necessary and appropriate.

II. CITY DEPARTMENT REVIEW

The proposed ordinance was made available for review by City Staff from various departments on August 16, 2021. No comments were received.

III. PUBLIC COMMENTS

Notice of the public hearing for the requested text amendment was sent to affected entities and posted on the State's public notice website. No comments have been received as of the writing of the Staff Report.

IV. FINDINGS

1. The proposed changes are in harmony with the objectives and goals of the 2017 Murray City General Plan.
2. The proposed changes support recently approved amendments to the Murray City Land Use Ordinance regarding mixed-use zones.
3. The proposed changes are necessary in order that the 2017 Murray City General Plan and the Murray City Land Use Ordinances correspond appropriately one with another.

V. STAFF RECOMMENDATION

Based on the background, staff review, and the findings in this report, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the request to amend the Chapter 5, the Land Use and Urban Design element of the 2017 Murray City General Plan as presented in the Staff Report.

CHAPTER 5 - LAND USE AND URBAN DESIGN

Ideally, land use and zoning go hand-in-hand. Zoning is the means by which land within a city is divided into different land uses and building types. As Murray changed over time from agriculture to urban, zoning allowed the City to guide where particular types of land uses occur. Some areas, such as the majority of single family neighborhoods, are anticipated to remain stable and not change to a different land use type. Other areas, such as those along the TRAX line, are anticipated to change from industrial to commercial or mixed-uses. Addressing land use and zoning in this general plan is proactively preparing for anticipated change.

The purpose of the land use and urban design chapter is to effectively and efficiently provide a framework for carrying out the goals and policies of the General Plan through land use designations and the Future Land Use Map, the Zoning Map, and the Zoning Code. This chapter describes each of the future land use designations in Murray City and discusses how they relate to existing and proposed zoning. The relationship between land use designations and zoning is important so that as base zones and the Zoning Code are amended over the life of the General Plan, the goals and objectives of the plan are consistently carried out. The future land use map created for this General Plan was developed and informed by the City's previous version of the future land use map. The updated future land use map reflects the goals and objectives set out by the City through the process of the General Plan update. Other maps, such as each of the framework maps in the Five Key Initiatives, also inform land use and planning. For example, the identification of neighborhood nodes, key centers of employment and retail, and station villages around transit. Implementation actions regarding land use and urban design are also related to these maps, such as the recommendation to conduct Small Area Plans when there is a need to examine the areas around identified nodes and centers in more detail before land use and zoning decisions are made.



LAND USE & URBAN DESIGN GOAL AND SUPPORTING OBJECTIVES

5.1 WHAT WE KNOW

Within the boundaries of Murray, a total of nearly 7,500 acres is utilized by a range of land uses and supporting infrastructure systems.

MURRAY'S URBAN FORM

The original grid of Murray is a limited portion of the current boundary. The urban form shifted from the original modified grid surrounding by agricultural uses to a more suburban style of urban form. Contemporary subdivision patterns of urban form are seen in most neighborhoods outside of the historic districts. Transportation and auto-oriented commercial have directed the urban form of the main corridors.



Figure 5.1 Erekson Farm and Dairy



Figure 5.2 Erekson Farm surrounded by new development



Figure 5.3 Murray suburban development pattern

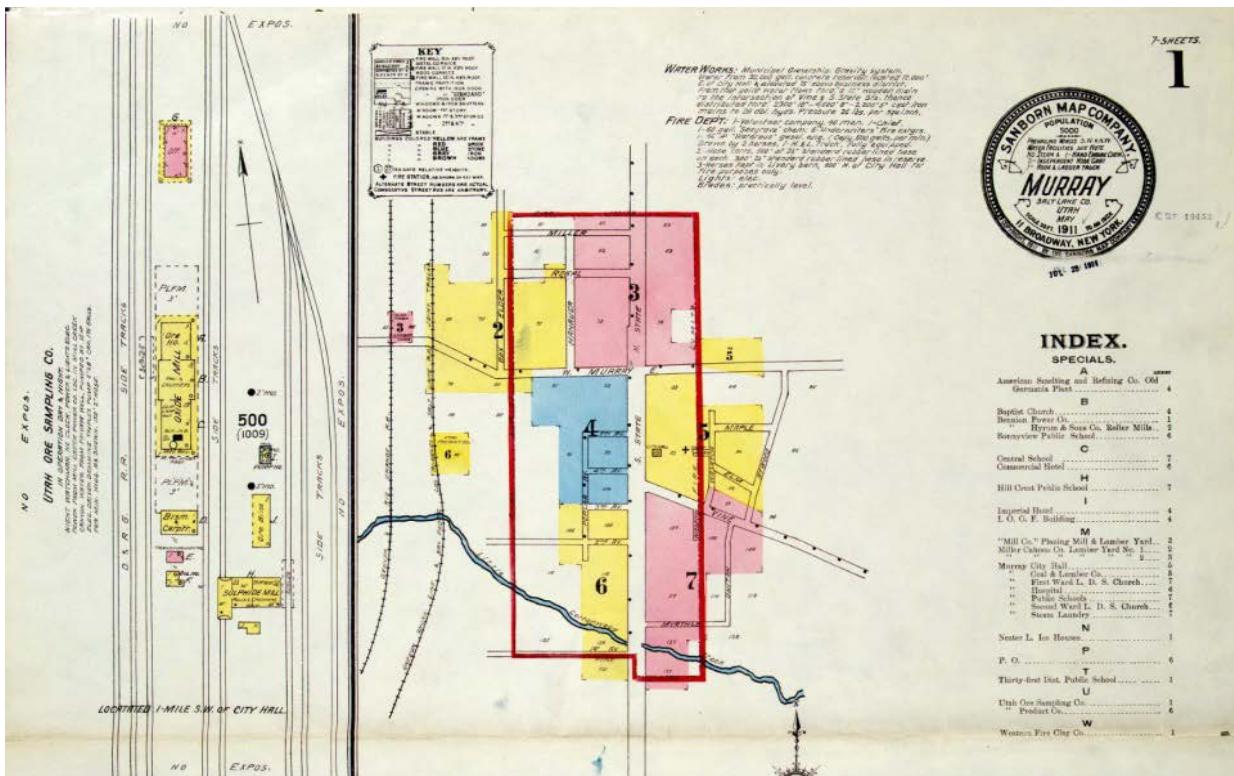


Figure 5.1 1911 Sanborn Map of State Street, Vine Street, and 4800 South

EXISTING LAND USES

Murray continues to have a wide mix of land uses, including residential, commercial, office, mixed-use, industrial, public/quasi-public, and parks and open spaces.

RESIDENTIAL

Together, single-family and multi-family residential uses comprise approximately fifty-five percent of the city's total land acreage and account for eighty-five percent of the parcels within the city. The majority of residential parcels are occupied by lower-density single-family detached housing units. Currently, there are 9,795 single-family residential units in Murray. Murray has approximately 4,200 multi-family residential units, located in multiple complexes of various sizes. Much of the multi-family housing in Murray is clustered into pods rather than integrated into neighborhoods (like you might see in Salt Lake City.) Over half of the multi-family housing units (2,761 units) are located in apartment complexes with ninety-nine or more units. Large concentrations of multi-family housing place different demands on public services, including schools.

RETAIL

Murray boasts a healthy commercial land use. Much of the commercial is centered along the State Street corridor, with a range of commercial types from automobile dealerships, malls, and the historic downtown core. Other commercial nodes exist at key intersections and/or near the interstate exits. The majority of the commercial land uses within the city are auto-oriented.

OFFICE

Office currently represents only 4% of the total land acreage in Murray. Most office space is dispersed, with a few small clusters. Office space ranges from small individual buildings in neighborhoods to larger buildings in commercial areas.

CIVIC/INSTITUTIONAL

These uses include public, quasi-public, civic, and institutional uses. Major institutional uses include the Intermountain Medical Center (IMC), American International School of Utah (AISU), The Orthopedic Specialty Hospital (TOSH), and the Murray civic center.

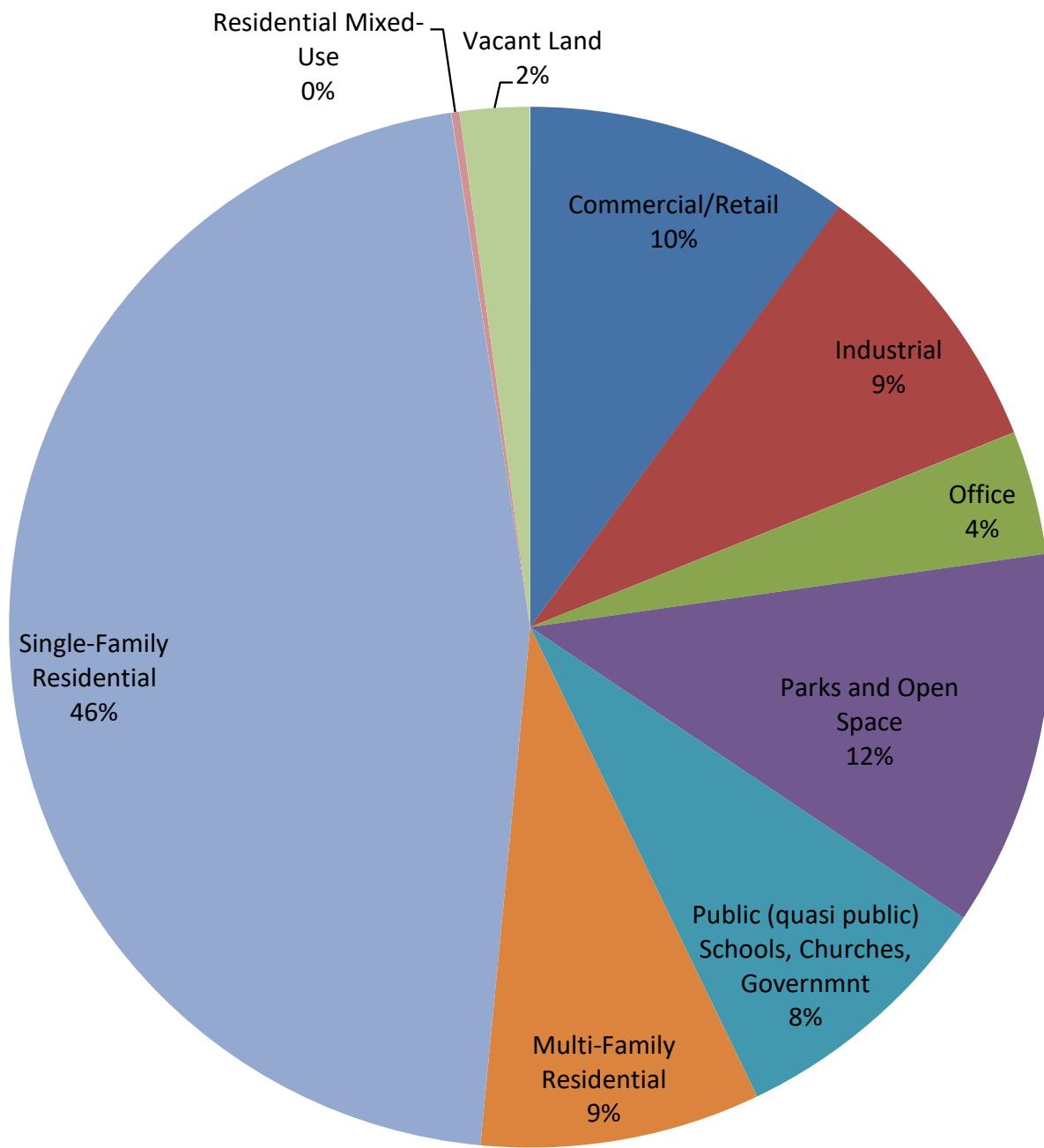
INDUSTRIAL

Along the interstate and rail corridors, many industrial uses remain within the Murray city limits. These continue to provide an important component of Murray's tax base. However, many could benefit from a visual upgrade.

VACANT LAND

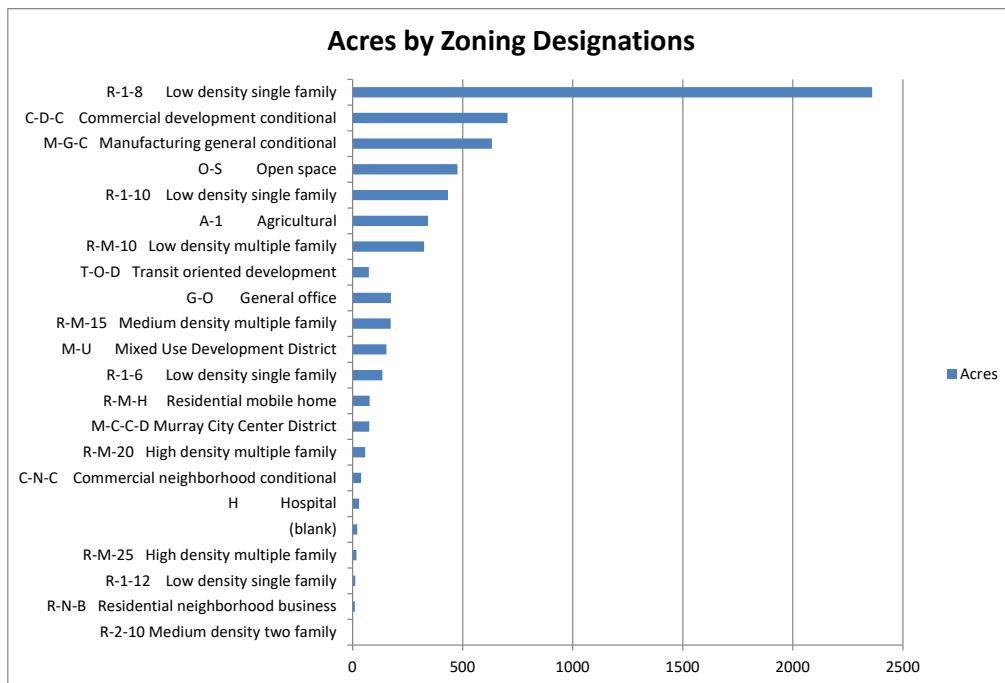
A limited amount of land remains vacant within Murray City boundaries. This contributes to the perception of residents considering Murray to be 'built out', as limited land is available to be developed that is vacant. However, layers of growth and change and redevelopment contradict the 'built out' perception. The vacant land that remains is considered 'developable' (i.e. not sensitive land and/or designated for infrastructure).

Existing Land Use Distribution



ZONING

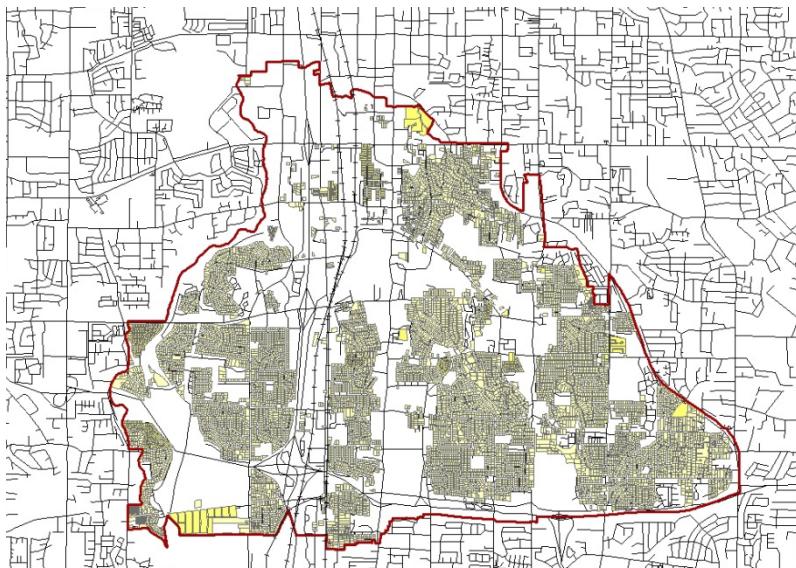
In some cases, existing land use differs from the current zoning designation (e.g. multi-family uses in single-family zones, etc.) The current zoning includes twenty-one zones. The following chart displays the distribution of acreage within each of these zones. Similar to the existing land use distribution, low-density single family residential zones comprise the majority of the acreage.



EXISTING LAND USE DISTRIBUTION MAPS

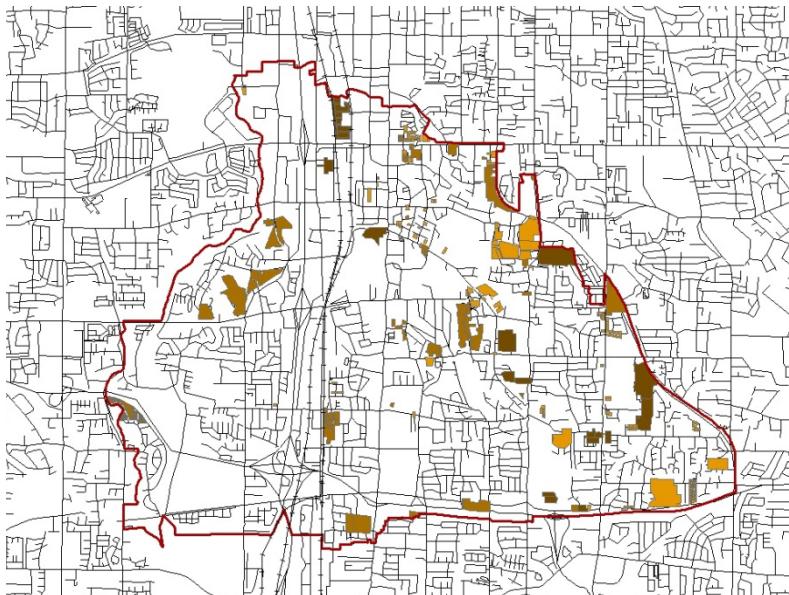
A visual distribution of the existing land use is represented on the following series of maps:

- Map 1: Single-family Residential
- Map 2: Multi-family Residential
- Map 3: Commercial
- Map 4: Parks/Open Space & Public/Quasi-Public
- Map 5: Office and Industrial
- Map 6: Vacant



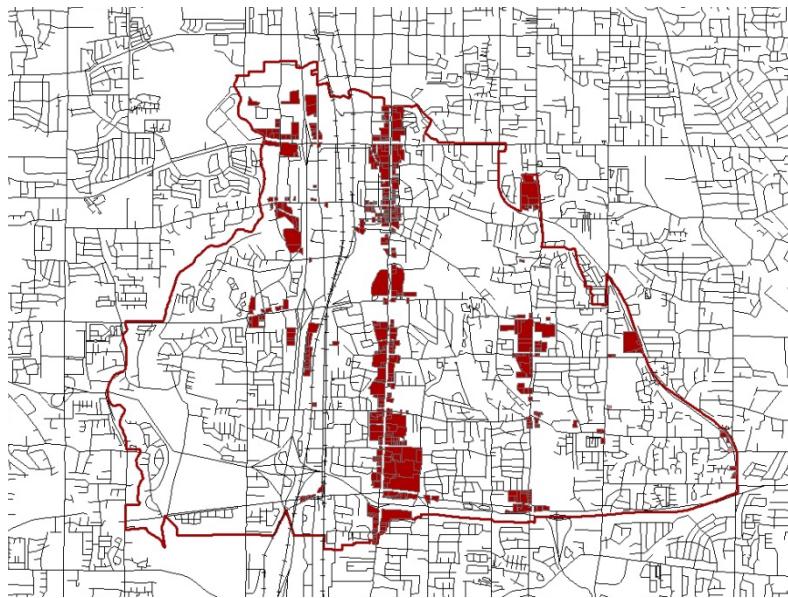
**MAP 5.1: EXISTING LAND USE:
SINGLE-FAMILY RESIDENTIAL**

Map 5.1: Single-family Residential – Single-family residential neighborhoods still comprise the majority of the existing land uses in Murray City. Neighborhoods are well-distributed across the city, with the exception of the northwest corner of the city.



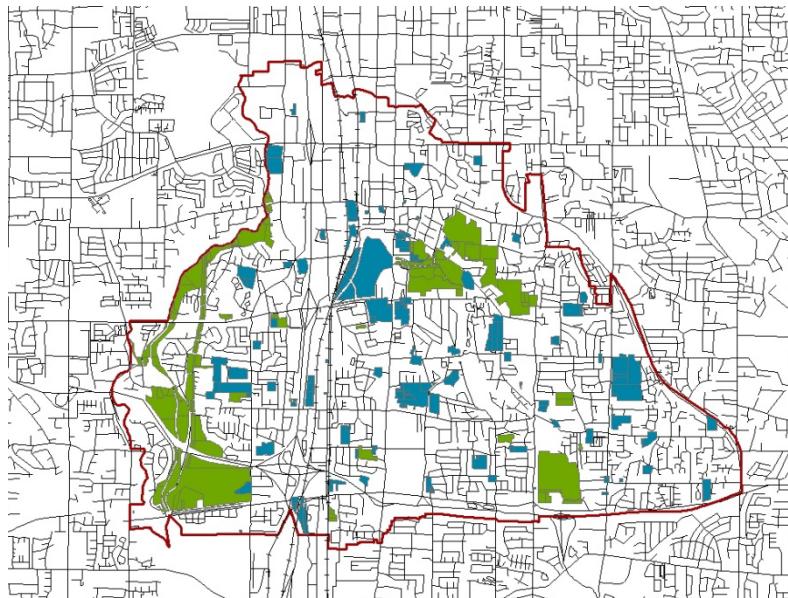
**MAP 5.2: EXISTING LAND USE:
MULTI-FAMILY RESIDENTIAL**

Map 5.2: Multi-family Residential – Multi-family housing is distributed in small clusters across the city (density increases with shade gradient). However, in many cases these housing types are not integrated into existing neighborhoods. Rather, clusters exist adjacent to single-family residential areas.



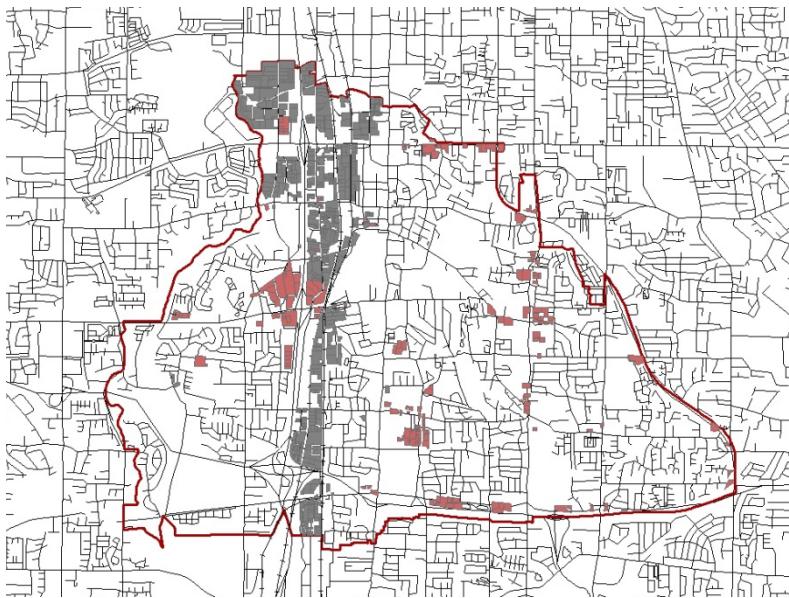
**MAP 5.3: EXISTING LAND USE:
COMMERCIAL**

Map 5.3: Commercial – Murray's commercial areas are concentrated along the primary transportation corridor of State Street. Other commercial areas exist in a more nodal fashion along 900 East and 4800 South, and at the Interstate-15 exits of 4500 South and 5300 South.



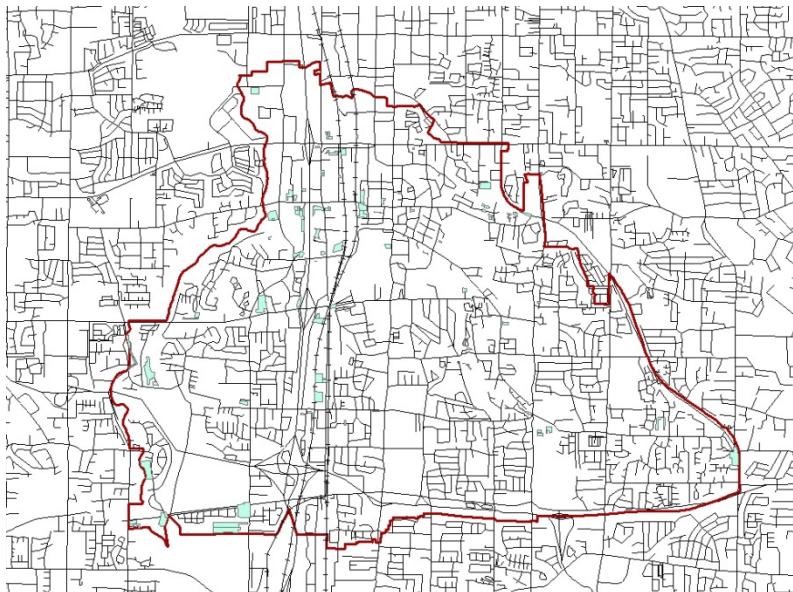
**MAP 5.4: EXISTING LAND USE:
PARKS/OPEN SPACE &
PUBLIC/QUASI-PUBLIC**

Map 5.4: Parks/Open Space & Public/Quasi-Public – Murray offers several large-scale parks and open space amenities (in green) across the city. Smaller neighborhood or pocket parks, however, are somewhat limited, especially on the east side.



**MAP 5.5: EXISTING LAND USE:
OFFICE & INDUSTRIAL**

Map 5.5: Office and Industrial – Industrial uses (in gray) are focused along the spine of Interstate-15 and the rail corridor. Office uses (in mauve) are distributed across the city, in small nodes and along primary and secondary transportation corridors.



**MAP 5.6: EXISTING LAND USE:
VACANT LAND**

Map 5.6: Vacant – Little vacant land remains in Murray City. The majority of vacant parcels, colored light green, are located on the west side. A few parcels of vacant land are located east of State Street.

5.2 – HOW DOES THIS HELP US PLAN FOR THE FUTURE

The update to the General Plan is an opportunity to assess how land use changes may affect the long-term demands on public services and Murray's position as a regional center. Day and night time population place demands on services and have different needs.

The plan will facilitate the City's ability to have long-term decision-making address and accommodate a growing population that desires a central, regional location with good accessibility via multiple modes of transportation.

FUTURE LAND USE DESIGNATIONS

Part of the policy for General Plans is to apply a land use designation to all land and water bodies within the City's boundaries. During the plan process, the designation that best advances the goals of the General Plan Update has been identified. The land use designations are shown on the adopted Future Land Use Map (Map 5.7) and then used to create and update the Zoning Map and Zoning Code.

The previous 2003 General Plan and Future Land Use Map provided the basis for the adopted map in this General Plan. A systematic evaluation of existing land use designations, current zoning, and potential future uses based on the initiatives of the General Plan was undertaken in the process of developing the Future Land Use Map. To support the key initiatives of the General Plan, the need for new future land use designations became apparent. These new designations will help the city implement the ideas within the key initiatives and achieve the goals and objectives of the various plan elements.

NODES

The Future Land Use Map and policies in the General Plan Part One Key Initiatives identify specific areas of Murray that are planned to accommodate a more flexible mix of uses, where job and housing growth can occur as an effort to both provide amenities to surrounding residential neighborhoods and to stabilize those neighborhoods by preventing unplanned creep/growth.

Two types of nodes are indicated on the Future Land Use Map:

- Community Nodes
- Neighborhood Nodes

The planned location of these nodes supports the City's long-term goal of emphasizing growth within the City Center and Transit Oriented Development areas, and focusing new job and housing options in identified transit corridors, transit station area, community centers/nodes, and neighborhood centers/nodes. The specific characteristics of each node will vary based on the surrounding context and future area-specific Small Area Plans.

COMMUNITY NODES

Community Nodes include vacant or under-utilized lands in existing, larger-scaled commercial areas (e.g. Fashion Place Mall) and the City Center and TOD areas, which include vacant or under-utilized lands within proximity of existing transit and transportation infrastructure/facilities.

NEIGHBORHOOD NODES

Neighborhood Nodes are smaller neighborhood-oriented sites with redevelopment potential (e.g. strip malls) or smaller-scaled amenities. While some of these Neighborhood Nodes are not located in proximity to major transit facilities, their diversification and recrafting in a pedestrian-oriented manner could serve to create a vibrant village setting within easy access of surrounding nearby neighborhoods/residential areas.

For all types, it is expected that the existing amount of commercial/retail space would be retained and enhanced as part of any redevelopment project so that existing commercial uses within Murray are not diminished.

PARKS AND OPEN SPACE

This designation is intended for lands that serve a public open space, recreational, or ecological function, or provide visual relief. These lands are primarily publicly-owned, but can be in private ownership. Lands/use types intended for the Open Space designation include: Parks, Public Plazas, Natural Areas, Scenic Lands, Golf Courses, Cemeteries, Open Space Buffers along Freeway Margins, Railroads, or abutting industrial areas; large water bodies.

Corresponding zone(s):

- O-S, Open Space



LOW DENSITY RESIDENTIAL

This designation is intended for residential uses in established/planned neighborhoods, as well as low density residential on former agricultural lands. The designation is Murray's most common pattern of single-dwelling development. It is intended for areas where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally have few or very minor development constraints (such as infrastructure or sensitive lands). Primary lands/use types include single-dwelling (detached or attached) residential.

Density range is between 1 and 8 DU/AC.

Corresponding zone(s):

- A-1, Agricultural
- R-1-12, Low density single family
- R-1-10, Low density single family
- R-1-8, Low density single family
- R-1-6, Low/Medium density single family
- R-2-10, Low density two family



MEDIUM DENSITY RESIDENTIAL

This designation allows a mix of housing types that are single-dwelling in character or smaller multi-family structures, primarily on individual parcels. This designation is intended for areas near, in, and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access frequent transit, are available or planned. Areas within this designation generally do not have development constraints (such as infrastructure or sensitive lands). This designation can serve as a transition between mixed-use or multi-dwelling designations and lower density single-dwelling designations.

Density range is between 6 and 15 DU/AC.

Corresponding zone(s):

- R-1-6, Low/Medium density single family
- R-M-10, Medium density multiple family
- R-M-15, Medium density multiple family



HIGHER DENSITY RESIDENTIAL

This designation allows a mix of housing types, primarily multi-dwelling structures. Single-dwelling types may be mixed in, but at a denser scale than the other residential designations. This designation is intended for areas that are near, in, and along centers and corridors, and transit station areas, where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas are designed to be transit-supportive. Areas within this designation generally do not have development constraints (such as infrastructure or sensitive lands).

Density range is between 10 and 25 DU/AC.

Corresponding zone(s):

- R-M-20, High density multiple family
- R-M-25, High density multiple family



TRANSIT MIXED-USE

This designation is intended for ~~city center and~~ transit station areas where a mixed use neighborhood is desired and urban public services, including access to high-capacity transit, very frequent bus service, or BRT/Streetcar service are available or planned. This designation is intended to allow high-density multi-dwelling structures at an urban scale that include a mix of uses, usually in the same building and/or complex.

Density ranges is between ~~40~~ and ~~380~~ DU/AC.

Corresponding zone(s):

- ~~T-O-D~~, Transit oriented development, TOD
- ~~M-U~~, Murray Central Mixed Use ~~Development District~~, MCMU



VILLAGE & CENTERS MIXED USE

The Village & Centers Mixed Use Designation is intended 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 and neighborhood nodes. 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.

Density range is between 25 and 45 DU/AC.

Corresponding zone(s):

- Centers Mixed Use, CMU
- Village Mixed Use, VMU



RESIDENTIAL BUSINESS

This designation allows for mixed-use, attached dwellings, or commercial development within primarily residential neighborhoods that is small in scale, has little impact, and provides services for the nearby residential and/or recreational areas (e.g. Jordan River Parkway node at Winchester; adjacent to Wheeler Farm). Development will be similar in scale to nearby residential development to promote compatibility with the surrounding area. This designation is intended for areas where urban public services are available or planned. Areas within this designation are generally small nodes or individual buildings along corridors rather than large centers or complexes. Non-residential or multi-dwelling development will follow a similar development pattern of front setback/yard/landscaping as the surrounding residential context.

Corresponding zone(s):

- RNB, Residential Neighborhood Business



NEIGHBORHOOD COMMERCIAL

This designation allows mixed-use development in smaller neighborhood centers and along neighborhood corridors to preserve or cultivate locally serving commercial areas with a neighborhood character. This designation is intended for areas where urban public services, generally including complete local street networks and access to frequent transit, are available or planned, and development constraints do not exist. Areas within this designation are generally pedestrian-oriented (or are desired to be) and are predominantly built at low- to mid-rise scale, often with buildings close to and oriented to the sidewalk.

Corresponding zone(s):

- RNB, Residential Neighborhood Business
- C-N, Commercial neighborhood
- New/Updated Neighborhood Commercial zone



CITY CENTER

This designation allows for higher, transit-supportive densities/mixes of commercial, residential, employment uses, and public services, including a range of housing, retail, and service businesses with a local or regional market. It is intended for the City Center, at key intersections and along major corridors where urban public services are available or planned including access to high-capacity transit, very frequent bus service, or BRT/Streetcar service. The designation is applied to some of the City's busiest, widest, and most prominent streets (e.g. State Street). As the city grows, these corridors need to become places that can succeed as attractive locations for more intense, mixed-use development. They should be attractive and safe for pedestrians while continuing to play a major role in the City's transportation and economic system. Development will be pedestrian-oriented with a strong emphasis on design and street level activity, and will range from low- to mid-rise scale. The range of development scales associated with this designation is intended to allow for more intense development in core areas, along corridors and near transit stations, while providing opportunities for less intense development transitions to adjacent residential areas.

Corresponding zone(s):

- M-C-C-D, Murray City Center District



GENERAL COMMERCIAL

While this designation is primarily for larger retail destinations, including regional shopping centers and stand-alone big box, it may also include mixed-use developments that are mainly commercial in nature and use. High density, multi-family residential complexes will only be considered as part of a larger master-planned mixed-use development. Smaller-scale medium density residential projects may be considered for neighborhood or community node areas.

Corresponding zone(s):

- C-D, Commercial development



PROFESSIONAL OFFICE

This designation allows for a full-range of commercial and employment uses. This designation is intended to provide for mixed-use areas where urban public services are available or planned including access to high-capacity transit or BRT/Streetcar service. The intensity of development will be higher than in other employment designations and urban in character. Development patterns should enhance the livability of surrounding residential neighborhoods while contributing to the success of nearby business areas. Developments may be individual buildings or developed as an urban mixed-use campus.



Corresponding zone(s):

- New P-O Zone, Professional Office
- H, Hospital

OFFICE

This designation allows for a wide range of office uses in an environment that is compatible with adjacent residential neighborhoods. Development patterns should enhance the livability of surrounding residential neighborhoods while contributing to the success of nearby business areas. Development will generally be individual buildings or small clusters that are scaled similar to adjacent residential areas.



Corresponding zone(s):

- G-O, General Office
- R-N-B, Residential Neighborhood Business

BUSINESS PARK INDUSTRIAL

This designation is intended to allow and encourage a wide variety of office, creative services, manufacturing, technology, distribution, traded sector, and other light-industrial employment opportunities, typically in a low-rise, flex-space development pattern that is designed to be compatible with surrounding neighborhoods. Most employment uses are allowed but impact is to be minimized by design standards, smaller lot size, and adjacency to residential neighborhoods. Retail uses are allowed but are limited in intensity so as to maintain adequate employment development opportunities. Non-employment uses should be limited to retain market feasibility for employment uses, to prevent land use conflicts, and to reduce exposure to potential air quality, noise, truck traffic, and pedestrian safety impacts.



Corresponding zone(s):

- New Business Park Industrial zone, Business Park Industrial

INDUSTRIAL

This designation is intended to allow a wide variety of manufacturing, technology, distribution, traded sector, and other light-industrial employment opportunities in areas where distribution infrastructure exists. Non-industrial uses should be restricted to retain market feasibility for industrial development, prevent land use conflicts, and reduce exposure to potential air quality, noise, truck traffic, and pedestrian safety impacts.



Corresponding zone(s):

- M-G Manufacturing general
- New Business Park Industrial zone, Business Park Industrial

5.3 LAND USE & URBAN DESIGN GOAL, OBJECTIVES, & STRATEGIES

LAND USE & URBAN DESIGN OVERALL GOAL

Provide and promote a mix of land uses and development patterns that support a healthy community comprised of livable neighborhoods, vibrant economic districts, and appealing open spaces.

LAND USE & URBAN DESIGN OBJECTIVES & STRATEGIES

OBJECTIVE 1: PRESERVE AND PROTECT THE QUALITY OF LIFE FOR A RANGE OF VIABLE RESIDENTIAL NEIGHBORHOODS.

Strategy: Prioritize infill and redevelopment for commercial development over expansion into residential neighborhoods.

Strategy: Develop form-based development and design guidelines that guide the quality of projects.

Strategy: Enhance residential streets with street trees, landscaping (in park strips and front setbacks), and pedestrian-scale lighting.

OBJECTIVE 2: ENCOURAGE REVITALIZATION ALONG KEY TRANSPORTATION CORRIDORS AND IN THE CORE OF THE CITY.

Strategy: Develop context-specific corridor plans to guide coordinated land use and transportation improvements.

Strategy: Offer zoning, density, street improvements and other indirect incentives for areas targeted for revitalization.

OBJECTIVE 3: ENCOURAGE A FORM-BASED DEVELOPMENT PATTERN AT SMALLER COMMERCIAL NODES TO SUPPORT MULTIPLE MODES OF ACCESS AND MOBILITY.

Strategy: Create a neighborhood mixed-use zone designation and support it with form-based development and design guidelines.

OBJECTIVE 4: SUPPORT THE TRANSFORMATION OF EXISTING INDUSTRIAL, WHERE APPROPRIATE, INTO HIGH QUALITY AND VISUALLY APPEALING INDUSTRIAL USES THAT CAN SUPPORT THE CITY'S ECONOMIC SUSTAINABILITY WHILE STRENGTHENING THE IMAGE OF THE CITY.

Strategy: Create an industrial/business park zone designation and support it with form-based development and design guidelines.

OBJECTIVE 5: SUPPORT A RANGE OF COMMERCIAL DEVELOPMENT SCALES TO SERVE LOCAL RESIDENTS AND REGIONAL SHOPPERS AND EMPLOYERS.

Strategy: Evaluate current commercial uses and create a range of commercial zone designations to direct context-sensitive commercial development (e.g. Pedestrian-oriented, neighborhood scale commercial in Neighborhood Centers; General commercial along major transportation corridors and/or in Commercial Centers.)

OBJECTIVE 6: ENCOURAGE A FORM-BASED AND MIXED USE DEVELOPMENT PATTERN TO CONNECT DOWNTOWN AND THE TOD AREAS THROUGH URBAN DESIGN.

Strategy: Change zoning in targeted areas to allow for form-based mixed use development.

OBJECTIVE 7: PROVIDE COMPLEMENTARY USES AROUND KEY CIVIC SPACES INCLUDING MURRAY PARK, THE LIBRARY, AND CITY HALL.

Strategy: Identify desired land uses near City Hall, the Library, Murray Park, and other places then work with potential developers to bring those uses to the targeted areas. Support with zoning that facilitates complementary development patterns.

OBJECTIVE 8: CONTINUE TO ENSURE THE LOCATION AND PATTERN OF NEW DEVELOPMENT DOES NOT NEGATIVELY IMPACT THE NATURAL SYSTEMS AND SPACES WITHIN MURRAY CITY.

Strategy: Create a master plan for natural systems and spaces.

Strategy: Ensure development regulations offer appropriate buffering.

OBJECTIVE 9: PROVIDE A MIX OF HOUSING OPTIONS AND RESIDENTIAL ZONES TO MEET A DIVERSE RANGE OF NEEDS RELATED TO LIFESTYLE AND DEMOGRAPHICS, INCLUDING AGE, HOUSEHOLD SIZE, AND INCOME.

Strategy: Ensure residential zoning designations offer the opportunity for a spectrum of housing types.

Strategy: Simplify the residential zoning district designations.

OBJECTIVE 10: PROMOTE A TRANSITION OF DEVELOPMENT PATTERNS BETWEEN COMMERCIAL AREAS AND STABLE RESIDENTIAL NEIGHBORHOODS.

Strategy: Support transitions with form-based development and design guidelines.

Strategy: Review zoning to ensure that parcels have the appropriate designation to allow for a transition of uses.

Strategy: Adopt more detailed and specific landscape and tree requirements for buffers between commercial and residential areas. Trees must be used as a buffering mechanism; walls alone are not an accepted buffering mechanism.

OBJECTIVE 11: STIMULATE REINVESTMENT IN DETERIORATING AREAS OF THE CITY TO SUPPORT GROWTH AND ENHANCE THE IMAGE OF THE COMMUNITY.

Strategy: Offer zoning, density, street improvements and other indirect incentives for areas targeted for revitalization.

OBJECTIVE 12: SUPPORT THE INTERMOUNTAIN MEDICAL CENTER (IMC) THROUGH COMPATIBLE AND COMPLEMENTARY LAND USES.

Strategy: Identify desired uses and work with potential developers to bring those uses to the targeted areas. Support with zoning that facilitates complementary development patterns.



NOTICE OF PUBLIC HEARING

September 2, 2021, 6:30 PM

The Murray City Planning Commission will hold a public hearing in the Murray City Municipal Council Chambers, located at 5025 S. State Street to receive public comment on the following application:

Murray City Community & Economic Development is requesting approval of amendments to the Murray City General Plan regarding future land use categories. The proposed changes include amendments to the "Mixed Use" land use category and the addition of a "Village and Centers Mixed Use" category.

The meeting is open and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

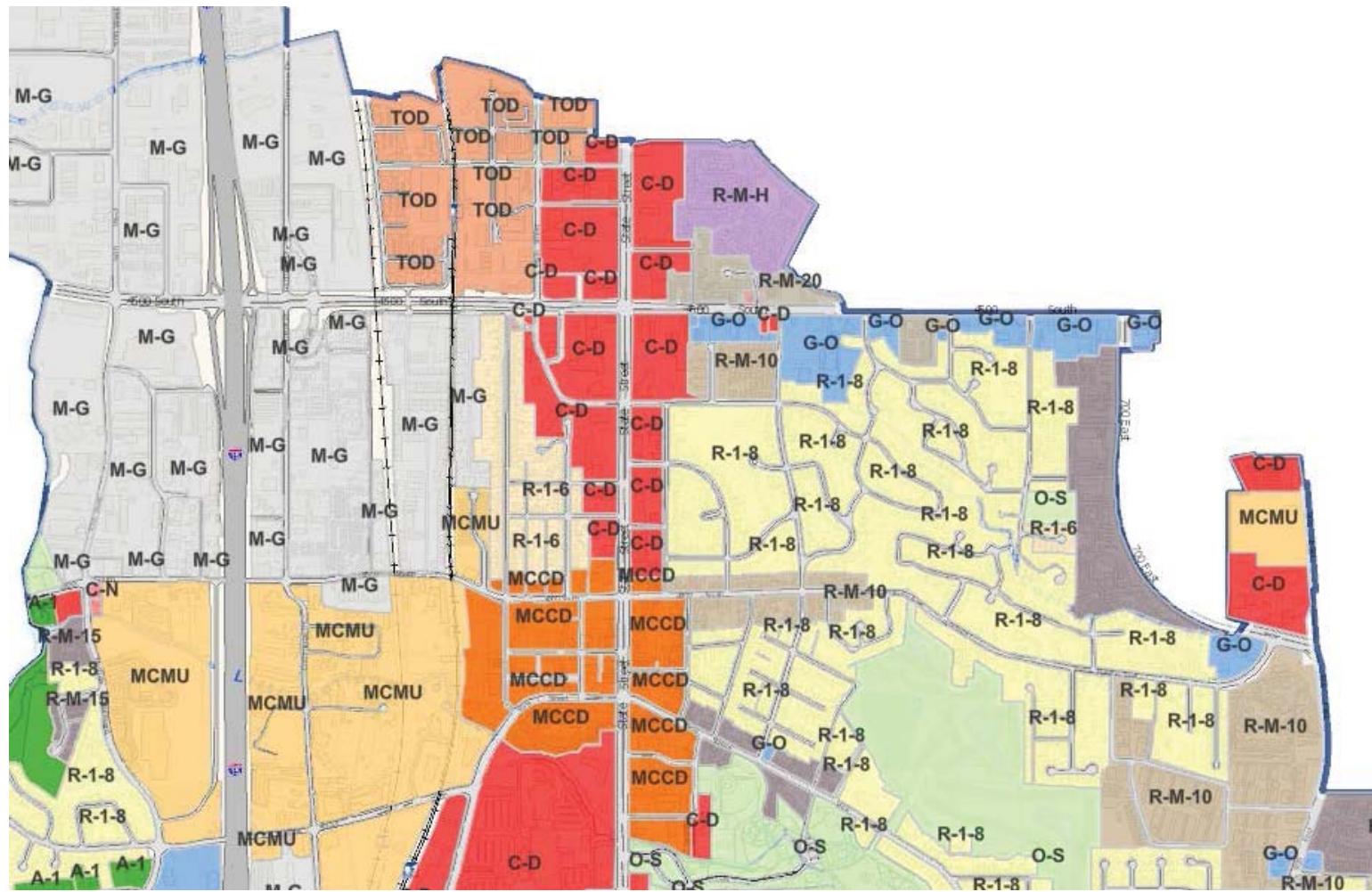
Comments are limited to 3 minutes or less, written comments will be read into the meeting record.

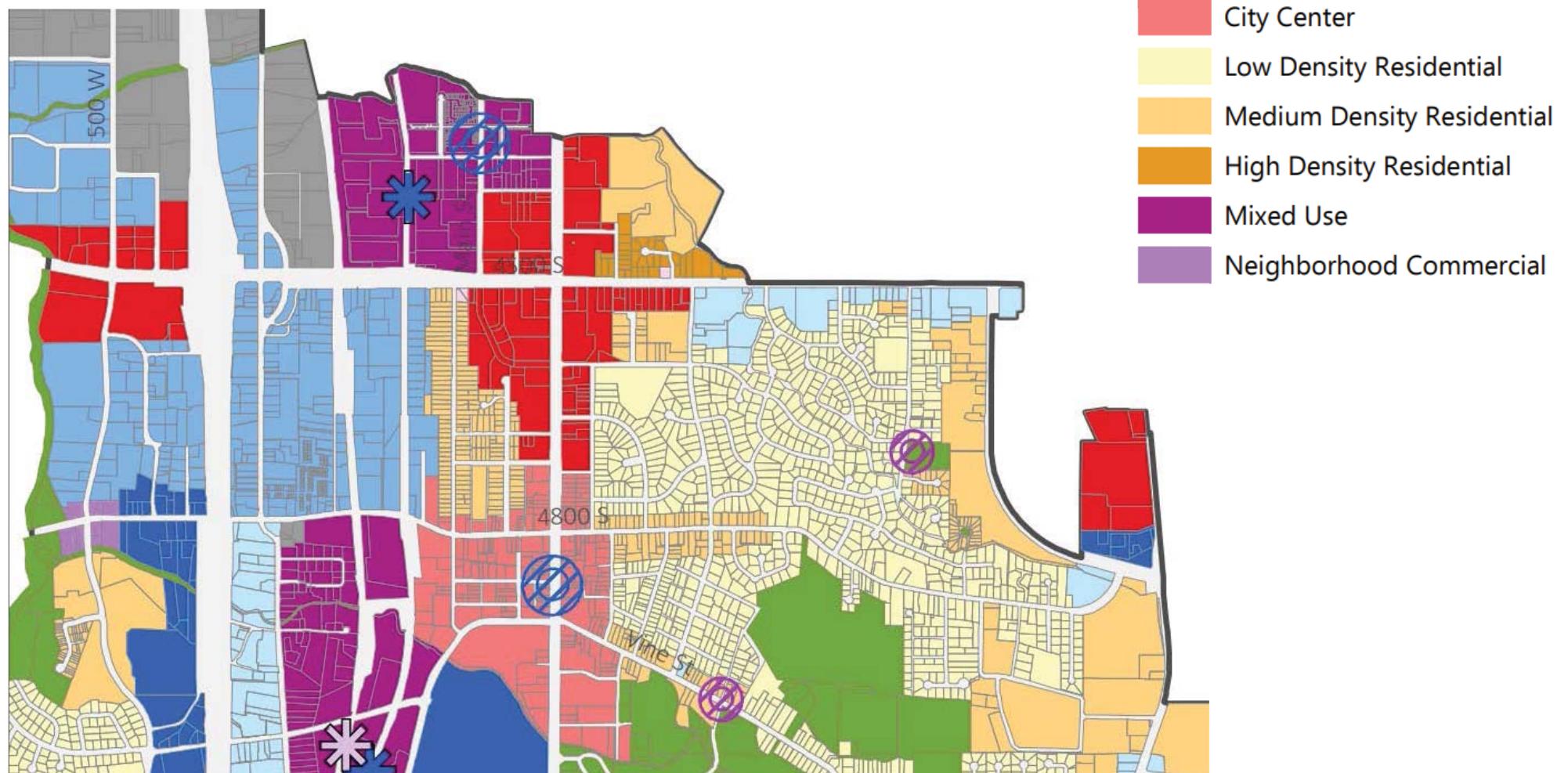
If you have questions or comments concerning this proposal, please contact Jared Hall in the Murray City Planning Division at 801-270-2427, or e-mail jhall@murray.utah.gov.

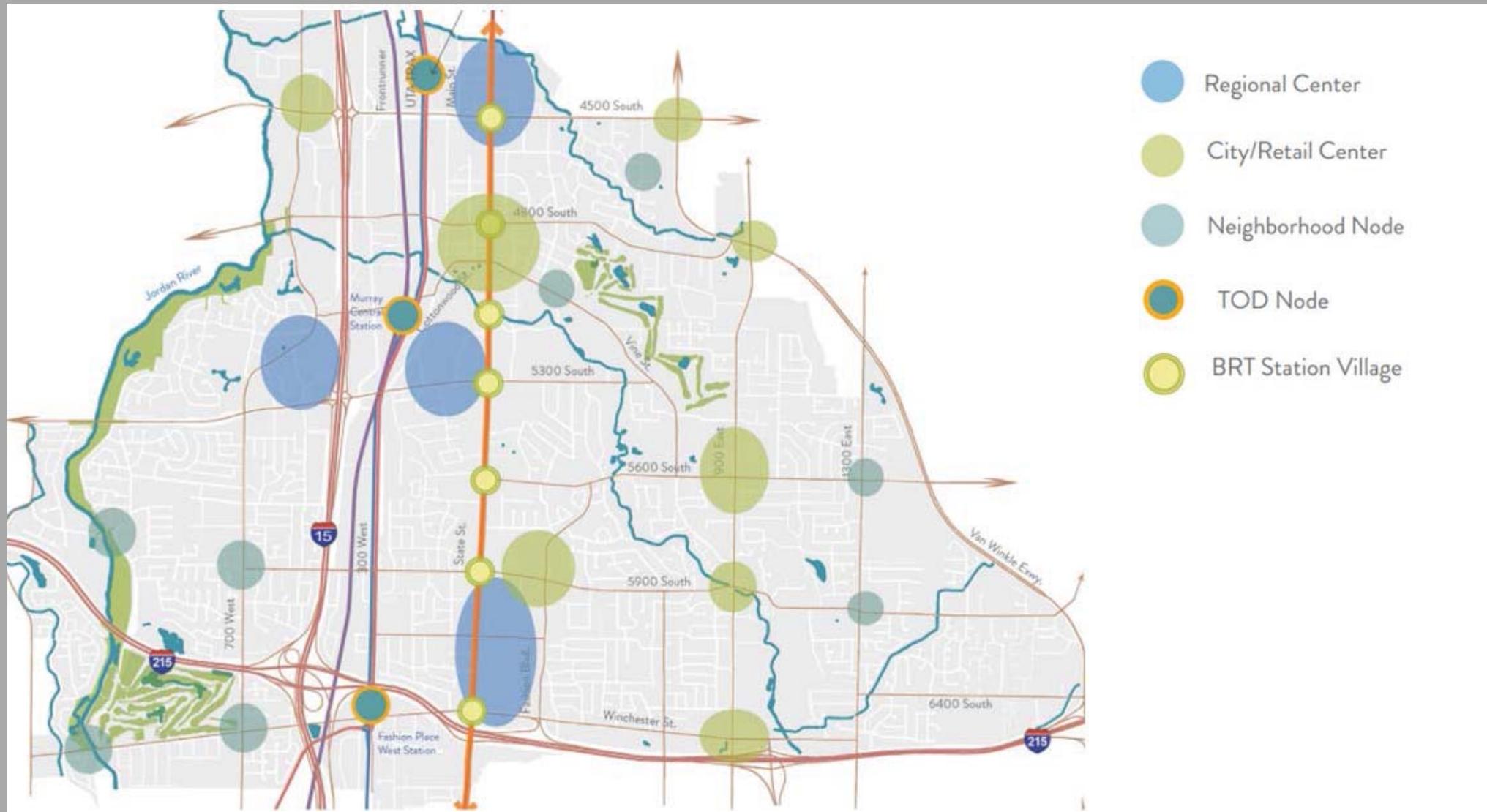
Applicant: Murray City Planning Division

Request: General Plan Amendment, Text of Chapter 5 –
Land Use & Urban Design to add CMU and VMU
Category









TRANSIT MIXED-USE

This designation is intended for [city center](#) and transit station areas where a mixed use neighborhood is desired and urban public services, including access to high-capacity transit, very frequent bus service, or BRT/Streetcar service are available or planned. This designation is intended to allow high-density multi-dwelling structures at an urban scale that include a mix of uses, usually in the same building and/or complex.

Density ranges is between [40](#) and [380](#) DU/AC.

Corresponding zone(s):

- [T-O-D](#), Transit oriented development, [TOD](#)
- [M-U](#), [Murray Central](#) Mixed Use [Development District](#), [MCMU](#)



VILLAGE & CENTERS MIXED USE

The Village & Centers Mixed Use Designation is intended 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 and neighborhood nodes. 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.



Density range is between [25](#) and [45](#) DU/AC.

Corresponding zone(s):

- [Centers Mixed Use, CMU](#)
- [Village Mixed Use, VMU](#)

Planning Commission

September 2, 2021 – Public Hearing

- Notices were mailed to affected entities
- No public comments were received
- 6-0 vote to recommend approval

Findings

1. The proposed changes are in harmony with the objectives and goals of the 2017 Murray City General Plan.
2. The proposed changes support recently approved amendments to the Murray City Land Use Ordinance regarding mixed-use zones.
3. The proposed changes are necessary in order that the 2017 Murray City General Plan and the Murray City Land Use Ordinances correspond appropriately one with another.

Staff Recommendation

Staff and the Planning Commission recommends the City Council **APPROVE** the proposed amendment to Chapter 5, the Land Use and Urban Design element of the 2017 Murray City General Plan as presented in the Staff Report.



MURRAY
CITY COUNCIL

Business Items



MURRAY
CITY COUNCIL

Business Item #1



MURRAY

Council Action Request

Community & Economic Development

Amendment of Chapter 15.08 Building Permits

Council Meeting

Meeting Date: October 19, 2021

Department Director Melinda Greenwood	Purpose of Proposal Staff is requesting changes to building permit fees that are set forth in Chapter 15.08 of the City Code.
Phone # 801-270-2428	Action Requested Consideration of amended building permit fees.
Presenters Melinda Greenwood Don Steffenson	Attachments Draft Ordinance: clean and red-lined copies; February 2021 building valuation fees
Required Time for Presentation	Budget Impact Unknown
Is This Time Sensitive No	Description of this Item The 1997 Uniform Administrative Code Section 304.2 requires that the legislative body of an entity establish fees for building permits. This is done through Murray City Code Chapter 15.08 Building Permits . The Building Division has need to update and clarify building permit fees. Building permit fees are assessed when building permits are issued and permit fees pay for the inspection and plan review services the City provides.
Mayor's Approval 	Calculation of building permit fees are based on two items. First, the City uses the 1997 Uniform Administrative Code as the mathematical formula for calculating the fees. Second, we use the annual ICC Building Valuation Data to determine the actual amount of the fees used within the formulas.
Date October 5, 2021	The proposed changes to Chapter 15.08 will bring fee calculations in line with International Code Council (ICC) industry standards and will allow for a more straightforward calculation of fees.

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 15.08 OF THE MURRAY CITY MUNICIPAL CODE OF THE CITY CODE RELATING TO BUILDING PERMITS.

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this Ordinance is to amend chapter 15.08 relating to building permits.

Section 2. Amend chapter 15.08. Chapter 15.08 of the Murray City Municipal Code shall be amended to read as follows:

CHAPTER 15.08 BUILDING PERMITS

15.08.010: PERMITS; ADMINISTRATION AND ENFORCEMENT, VIOLATIONS:

A. Permits: The 1997 edition of the Uniform Administrative Code (ISSN 0896-9698), published by the International Conference of Building Officials is adopted by reference, with the following changes and exceptions:

1. The following definitions listed in chapter 1, section 103, are amended to read: "Building Code" is the international building code and the international residential code promulgated by the International Code Council, as applicable, adopted and amended by the State of Utah.

"Electrical Code" is the national electrical code promulgated by the National Fire Protection Association, as adopted by the State of Utah.

"Mechanical Code" is the international mechanical code promulgated by the International Code Council and the international fuel gas code promulgated by the International Code Council, as applicable, adopted and amended by the State of Utah.

"One And Two Family Dwellings" are detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures.

"Plumbing Code" is the international plumbing code promulgated by the International Code Council, as adopted and amended by the State of Utah.

"Valuation Or Value", as applied to a building and its building service equipment, shall be the estimated cost to replace the building and its building service equipment in kind, based on the current replacement as annually determined by the building official from building valuation data published by the International Code Council in February, to be effective the following July 1st.

2. Subsection 303.1 is amended by adding the following paragraph:
Fire sprinkling systems require a separate permit and fee which is calculated according to section 304 and table 3-A.
3. Fees for residential and commercial buildings are particularly set forth in sections 15.08.020 and 15.08.030 of the City Code.
4. Subsection 303.4 is amended by adding the following exception after the first paragraph:

Exception #1. Reinstatement of Expired Permits. Reinstatement of expired permits shall be based on the following:

- a. ~~Requests for reinstatement must be in writing; and~~
- b. Reinstatement fees must be paid. Fees for reinstatement of expired permits shall be charged as follows:
 - i. \$100.00 if the permittee voluntarily requests the permit to be reinstated without reminders from staff, or if there is only one phone call and/or email from staff reminding permittee to request a reinstatement of the permit;
 - ii. \$250.00 if staff must send one or more letters to permittee; or
 - iii. \$400.00 if letters from staff are sent and a notice of non-compliance is filed.
 - c. In cases where a project completion deposit was collected by the City, the deposit will be reinstated upon the reinstatement of the building permit.
- 3.5. Subsection 304.5.2 is amended by adding the following exception after the first paragraph:
 - a. Exception #1. Investigation fee for an owner/builder project shall be the lesser of \$200.00 or a charge equal to 1/2 the amount of the permit fee required by this Code.
6. Subsection 305.2 is deleted.

A.B. Sanctions: It is unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment or cause or permit the same to be done in violation of the Uniform Administrative Code, the Uniform Code for the Abatement of Dangerous Buildings and the Uniform Technical Construction Codes. Each violation is a Class B misdemeanor. (Ord. 19-02)

15.08.020: ONE- AND TWO-FAMILY RESIDENTIAL FEES:

- A. Residential Fees: Fee tables 3-A through 3-D, 3-G and 3-H of the 1997 edition of the Uniform Administrative Code as promulgated by the International Conference of

Building Officials (ISSN 0896-9698) are adopted by reference, with the following changes:

1. Subsection 304.2: The first paragraph of subsection 304.2 shall read:
304.2 Permit Fees. The fee for each building permit shall be the amount as set forth in table 3-A. The fees for electrical permits, mechanical permits, plumbing permits and grading shall be the amount set forth in tables no. 3-B, 3-C, 3-D, 3-G and 3-H, as applicable, except that the minimum fee according to any table is \$50.00 and the minimum fee for each supplemental permit is \$10.00.
2. Subsection 304.3: The first paragraph of subsection 304.3 shall read:
304.3 Residential Plan Review Fees. When a plan or other data are required to be submitted by section 302.2, fees required hereunder shall be paid at the time of permit issuance.

(Plan review for residential, multifamily residential and commercial buildings are set forth in section 15.08.030 of the city code.)

The plan review fee for one-one or two-two-family dwellings is the lesser of actual costs of performing the plan review or 50 percent (50%) of the building permit fee. Plan review fees for buildings or structures which are identical (except for site considerations) to those previously reviewed and approved by the City is the lesser of costs incurred in reviewing the plan or 10 percent (10%) of the building permit fee. Plan review fees for buildings or structures which are similar (except for site considerations and minor changes or options), and are part of the same project, to those previously reviewed and approved by the City shall be the lesser of the costs incurred in reviewing the plan or 25% percent (25%) of the building permit fee.

The plan review fees for electrical, mechanical and plumbing work for other than one and two-two-family dwellings shall be equal to the lesser of actual costs of performing the plan review of 50 percent (50%).

The plan review fees for solar (photovoltaic) is the lesser of actual costs of performing the plan review or or 22.5 percent (22.5%) of the total permit fee as set forth in tables 3-B, 3-C and 3-D.

The plan review fee for grading work shall be the lesser of actual costs incurred to review the plan or fees as set forth in table 3-G.

The plan review fees specified in this subsection are separate fees from the permit fees specified in section 304.2 and are in addition to the permit fees.

3. Amendments to Tables: Tables 3-B, 3-C, 3-D, 3-G and 3-H increase all the amounts in the unit fee schedule by fifteen percent (15%).

4.3. Tables 3-A, 3-B, 3-C, 3-D, and 3-G-H delete the sections labeled "Other Inspections And Fees" and replace with the following:

Other Inspections And Fees.

1. Inspection outside of normal business hours: \$80.00 per hour (minimum-two hours)
2. Reinspection fee assessed under provisions of section 305.8: \$50.00 per inspection
3. Inspections for which no fee is specifically indicated: \$50.00 per hour (minimum-1/2 hour)
4. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial plan review has been completed: \$80.00 per hour (minimum-1/2 hour)
5. State surcharge equal to 1% the total of the building permit, plumbing permit, electrical permit, and-mechanical permit, and grading permit.

5.

5.4. Add to table 3-D, sewer connection inspection fee \$50.00.

(Ord. 19-02)

15.08.030: MULTI-FAMILY RESIDENTIAL AND COMMERCIAL FEES:

A. Uniform Administrative Fee Tables: Fee tables 3-A through 3-D, 3-G and 3-H of the 1997 edition of the Uniform Administrative Code as promulgated by the International Conference of Building Officials (ISSN 0896-9698) are adopted by reference, with the following changes.

B. Fees For Multi-Family Residential And Commercial Buildings: Except as otherwise provided in this chapter, building permit fees for commercial buildings are the amount set as stated in table 3-A. The fees for electrical permits, mechanical permits, plumbing permits and grading permits shall be the amounts set forth in tables 3-B, 3-C, 3-D, 3-G and 3-H, as applicable, except that the minimum fee according to any table is fifty dollars (\$50.00) and the minimum fee for each supplemental permit is ten dollars (\$10.00).

A.C. Residential, Multi-Family Residential aAnd Commercial Plan Review Deposits:

1. When submittal documents are required by subsection 302.2 of the Uniform Administrative Code, a plan review deposit shall be paid at the time of submitting the submittal documents for plan review. A plan review deposit shall be paid as follows:

<u>Commercial buildings:</u>	-
<u>0 to 4,999 square feet</u>	<u>\$1,000.00</u>

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~~5,000 to 9,999 square feet~~ 2,000.00

~~10,000 square feet and larger~~ 3,500.00

New Residential Dwellings \$200.00

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Commercial Building and Remodels

Valuation

\$100K to \$300K \$200.00

\$301K to \$500K \$1,000.00

\$501K to \$1M \$2,000.00

>\$1M \$5,000.00

>\$10M \$10,000.00

2. The plan review fee for commercial buildings or structures is the lesser of actual costs incurred to review the plan or sixty five percent (65%) of the building permit fee. Plan review fees for buildings or structures which are identical (except for site considerations) to those previously reviewed and approved by the City is lesser of costs incurred in reviewing the plan or ten percent (10%) of the building permit fee.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in section 302.4.2 of the Uniform Administrative Code, an additional plan review fee shall be charged at the rate shown in tables 3-A through 3-G.

The plan review fees for electrical, mechanical and plumbing work shall be equal to the lesser of actual costs incurred to review the plan of 65 percent (65%)

The plan review fees for solar (photovoltaic) is the lesser of actual costs of performing the plan review or or twenty-two and one-half percent (22.5%) of the total permit fee as set forth in tables 3-B, 3-C and 3-D.

The plan review fees specified in this subsection are separate fees from the permit fees specified in section 304.2 and are in addition to the permit fees.

B.D. Miscellaneous Commercial Fees: The following fees are imposed in addition to other fees required by this chapter for commercial buildings:

A. Inspection For Change In Use: Prior to issuance of a building permit, if a preinspection is requested by an individual seeking general information regarding the change in use of a building under International Building Code section 3405, a one hundred ~~fifty~~ sixty dollar (~~\$150.00~~ \$160.00) fee shall be paid by the person prior to any site inspection.

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B. Amendments: Table 3-B (1997 edition) shall omit "temporary power service" fees, and add the category for "new commercial buildings" as follows:

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New Commercial Buildings

~~New retail stores including new commercial buildings:~~

~~For new retail stores including retail, storage, office and restroom areas, per square foot~~ ~~\$.040~~

~~For new office buildings and restaurants all areas, per square foot~~ ~~.050~~

~~For new storage warehouses all areas other than offices, per square foot~~ ~~.025~~

~~For multi-family residential, other types for commercial buildings and unusual conditions use the unit fee schedule~~

~~Amend tables 3-B, 3-C, 3-D, 3-G and 3-H to increase all the amounts in the unit fee schedule by fifteen percent (15%).~~

C.B. Additional Amendments: Amend tables 3-A, 3-B, 3-C, 3-D, and 3-E-H to delete the sections labeled "Other Inspections And Fees" and replace with the following:

Other Inspections And Fees.

1. Inspection outside of normal business hours: ~~\$75.80~~ - per hour (minimum-two hours)
2. Reinspection fee assessed under provisions of section 305.8: \$50.00 per inspection
3. Inspections for which no fee is specifically indicated: \$50.00 per hour (minimum-1/2 hour)
4. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial plan review has been completed: \$80.00 per hour (minimum-1/2 hour)
5. State surcharge equal to 1% the total of the building permit, plumbing permit, electrical permit, ~~and~~ mechanical permit, and grading permit.

C. Add to table 3-D, sewer connection inspection fee \$50.00.

D. General Fund Department Projects: Construction and demolition-related fees imposed by this section are hereby waived for general fund departments. (Ord. 20-05: Ord. 19-02)

15.08.040: SINGLE-FAMILY RESIDENTIAL BUILDING PERMIT; REVIEW OF INSPECTION:

A. Request For Review Of Inspection: All building permit applicants for a single family residential building permit may request a review of an inspection conducted by a building inspector except as provided in subsection E of this section. A written request must be filed with the Mayor's Office within ten (10) working days from the date of the inspection. All requests for review not presented to the Mayor's Office prior to the established deadline shall not be considered.

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~~B. Notification; Determination: Upon receipt of the written request for review under this section, the Mayor or designee shall schedule a date and time to review the inspection and notify the aggrieved applicant, by certified mail or personal service, of the review date and time within six (6) calendar days, excluding weekends and holidays, from the date the written request for review was filed with the Mayor's Office. The review shall be held within fifteen (15) calendar days after the Mayor's Office receives the written request. The Mayor or designee shall receive evidence and testimony relevant to the request. The Mayor or designee shall determine whether the inspection constituted a fair administration of the Building Code.~~

~~C. Issuance Of Order: Within three (3) working days after the conclusion of the review, the Mayor or designee shall issue an order and notify the aggrieved applicant of the order by certified mail or personal service.~~

~~D. Time Requirements: Any time requirements provided herein may be extended by written stipulation of the Mayor or designee and the aggrieved applicant.~~

~~E. Review May Not Conflict With Appeal Under International Residential Code (IRC): A review pursuant to this section:~~

- ~~1. May not be used to review a matter that may be brought by appeal under the IRC;~~
- ~~2. Is separate and unrelated to an appeal under the IRC;~~
- ~~3. May not result in the waiver or modification of an IRC requirement or standard;~~
- ~~4. May not conflict with an appeal, or the result of an appeal under the IRC; and~~

- ~~1. Does not prohibit a person from bringing an appeal under the IRC.~~

~~F. Appeal: A person who requests a review may not be prohibited by preclusion, estoppel, or otherwise from raising an issue or bringing a claim in an appeal under the IRC on the grounds that the person raised the issue or brought the claim in the review described in this section. (Ord. 17-31)~~

Section 3. Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on
this ____ day of _____, 2021

MURRAY CITY MUNICIPAL COUNCIL

Diane Turner, Chair

ATTEST:

Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this _____ day of
_____, 2021.

MAYOR'S ACTION: Approved

DATED this _____ day of _____, 2021.

D. Blair Camp

ATTEST:

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according
to law on the _____ day of _____, 2021.

Brooke Smith, City Recorder

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CHAPTER 15.08

BUILDING PERMITS

SECTION:

15.08.010: Permits; Administration And Enforcement, Violations

15.08.020: One- And Two-Family Residential Fees

15.08.030: Multi-Family Residential And Commercial Fees

15.08.040: Single-Family Residential Building Permit; Review Of Inspection

15.08.010: PERMITS; ADMINISTRATION AND ENFORCEMENT, VIOLATIONS:

A. Permits: The 1997 edition of the Uniform Administrative Code (ISSN 0896-9698), published by the International Conference of Building Officials is adopted by reference, with the following changes and exceptions:

1. The following definitions listed in chapter 1, section 103, are amended to read: "Building Code" is the international building code and the international residential code promulgated by the International Code Council, as applicable, adopted and amended by the State of Utah.

"Electrical Code" is the national electrical code promulgated by the National Fire Protection Association, as adopted by the State of Utah.

"Mechanical Code" is the international mechanical code promulgated by the International Code Council and the international fuel gas code promulgated by the International Code Council, as applicable, adopted and amended by the State of Utah.

"One And Two Family Dwellings" are detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures.

"Plumbing Code" is the international plumbing code promulgated by the International Code Council, as adopted and amended by the State of Utah.

"Valuation Or Value", as applied to a building and its building service equipment, shall be the estimated cost to replace the building and its building service equipment in kind, based on the current replacement as annually determined by the building official from building valuation data published by the International Code Council in February, to be effective the following July 1st.

2. Subsection 303.1 is amended by adding the following paragraph:

Fire sprinkling systems require a separate permit and fee which is calculated according to section 304 and table 3-A.

3. Fees for residential and commercial buildings are particularly set forth in sections 15.08.020 and 15.08.030 of the City Code.

4. Subsection 303.4 is amended by adding the following exception after the first paragraph:

Exception #1. **Reinstatement of Expired Permits.** **Reinstatement of expired permits shall be based on the following:**

- a. **Reinstatement fees must be paid. Fees for reinstatement of expired permits shall be charged as follows:**
 - i. **\$100.00 if the permittee voluntarily requests the permit to be reinstated without reminders from staff, or if there is only one phone call and/or email from staff reminding permittee to request a reinstatement of the permit;**
 - ii. **\$250.00 if staff must send one or more letters to permittee; or**
 - iii. **\$400.00 if letters from staff are sent and a notice of non-compliance is filed.**
 - b. **In cases where a project completion deposit was collected by the City, the deposit will be reinstated upon the reinstatement of the building permit.**
5. Subsection 304.5.2 is amended by adding the following exception after the first paragraph:
 - a. **Exception #1. Investigation fee for an owner/builder project shall be the lesser of \$200.00 or a charge equal to 1/2 the amount of the permit fee required by this Code.**
6. Subsection 305.2 is deleted.

B. **Sanctions:** It is unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment or cause or permit the same to be done in violation of the Uniform Administrative Code, the Uniform Code for the Abatement of Dangerous Buildings and the Uniform Technical Construction Codes. Each violation is a Class B misdemeanor. (Ord. 19-02)

15.08.020: ONE- AND TWO-FAMILY RESIDENTIAL FEES:

A. **Residential Fees:** Fee tables 3-A through 3-D, 3-G and 3-H of the 1997 edition of the Uniform Administrative Code as promulgated by the International Conference of Building Officials (ISSN 0896-9698) are adopted by reference, with the following changes:

1. Subsection 304.2: The first paragraph of subsection 304.2 shall read:

304.2 Permit Fees. The fee for each building permit shall be the amount as set forth in table 3-A. The fees for electrical permits, mechanical permits, plumbing permits and grading shall be the amount set forth in tables no. 3-B, 3-C, 3-D, 3-G and 3-H, as applicable, except that the minimum fee according to any table is \$50.00 and the minimum fee for each supplemental permit is \$10.00.

2. Subsection 304.3: The first paragraph of subsection 304.3 shall read:
304.3 Residential Plan Review Fees. When a plan or other data are required to be submitted by section 302.2, fees required hereunder shall be paid at the time of permit issuance.

(Plan review for residential, multifamily residential and commercial buildings are set forth in section 15.08.030 of the city code.)

The plan review fee for one or two-family dwellings is the lesser of actual costs of performing the plan review or 50 percent (50%) of the building permit fee. Plan review fees for buildings or structures which are identical (except for site considerations) to those previously reviewed and approved by the City is the lesser of costs incurred in reviewing the plan or 10 percent (10%) of the building permit fee. Plan review fees for buildings or structures which are similar (except for site considerations and minor changes or options), and are part of the same project, to those previously reviewed and approved by the City shall be the lesser of the costs incurred in reviewing the plan or 25% percent (25%) of the building permit fee.

The plan review fees for electrical, mechanical and plumbing work for other than one and two-family dwellings shall be equal to the lesser of actual costs of performing the plan review of 50 percent (50%). The plan review fees for solar (photovoltaic) is the lesser of actual costs of performing the plan review or or 22.5 percent (22.5%) of the total permit fee as set forth in tables 3-B, 3-C and 3-D.

The plan review fee for grading work shall be the lesser of actual costs incurred to review the plan or fees as set forth in table 3-G.

The plan review fees specified in this subsection are separate fees from the permit fees specified in section 304.2 and are in addition to the permit fees.

3. Amendments to Tables: Tables 3-A, 3-B, 3-C, 3-D, and 3-H delete the sections labeled "Other Inspections And Fees" and replace with the following:
Other Inspections And Fees.
 1. Inspection outside of normal business hours: \$80.00 per hour (minimum-two hours)
 2. Reinspection fee assessed under provisions of section 305.8: \$50.00 per inspection
 3. Inspections for which no fee is specifically indicated: \$50.00 per hour (minimum-1/2 hour)
 4. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial plan review has been completed: \$80.00 per hour (minimum-1/2 hour)
 5. State surcharge equal to 1% the total of the building permit, plumbing permit, electrical permit, mechanical permit, and grading permit.

4. Add to table 3-D, sewer connection inspection fee \$50.00.

(Ord. 19-02)

15.08.030: MULTI-FAMILY RESIDENTIAL AND COMMERCIAL FEES:

- A. Uniform Administrative Fee Tables: Fee tables 3-A through 3-D, 3-G and 3-H of the 1997 edition of the Uniform Administrative Code as promulgated by the International Conference of Building Officials (ISSN 0896-9698) are adopted by reference, with the following changes.
- B. Fees For Multi-Family Residential And Commercial Buildings: Except as otherwise provided in this chapter, building permit fees for commercial buildings are the amount set as stated in table 3-A. The fees for electrical permits, mechanical permits, plumbing permits and grading permits shall be the amounts set forth in tables 3-B, 3-C, 3-D, 3-G and 3-H, as applicable, except that the minimum fee according to any table is fifty dollars (\$50.00) and the minimum fee for each supplemental permit is ten dollars (\$10.00).
- C. Residential, Multi-Family Residential and Commercial Plan Review Deposits:
 1. When submittal documents are required by subsection 302.2 of the Uniform Administrative Code, a plan review deposit shall be paid at the time of submitting the submittal documents for plan review. A plan review deposit shall be paid as follows:

New Residential Dwellings	\$200.00
Commercial Building and Remodels	
Valuation	
\$100K to \$300K	\$200.00
\$301K to \$500K	\$1,000.00
\$501K to \$1M	\$2,000.00
>\$1M	\$5,000.00
>\$10M	\$10,000.00

2. The plan review fee for commercial buildings or structures is the lesser of actual costs incurred to review the plan or sixty five percent (65%) of the building permit fee. Plan review fees for buildings or structures which are identical (except for site considerations) to those previously reviewed and approved by the City is lesser of costs incurred in reviewing the plan or ten percent (10%) of the building permit fee.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in section 302.4.2 of the Uniform Administrative Code, an additional plan review fee shall be charged at the rate shown in tables 3-A through 3-G.

The plan review fees for electrical, mechanical and plumbing work shall be equal to the lesser of actual costs incurred to review the plan of 65 percent (65%)

The plan review fees for solar (photovoltaic) is the lesser of actual costs of performing the plan review or or twenty-two and one-half percent (22.5%) of the total permit fee as set forth in tables 3-B, 3-C and 3-D.

The plan review fees specified in this subsection are separate fees from the permit fees specified in section 304.2 and are in addition to the permit fees.

- D. Miscellaneous Commercial Fees: The following fees are imposed in addition to other fees required by this chapter for commercial buildings:
 - A. Inspection For Change In Use: Prior to issuance of a building permit, if a preinspection is requested by an individual seeking general information regarding the change in use of a building under International Building Code section 3405, a one hundred ~~fifty~~ sixty dollar (\$150.00 \$160.00) fee shall be paid by the person prior to any site inspection.
 - B. Additional Amendments: Amend tables 3-A, 3-B, 3-C, 3-D, and 3-H to delete the sections labeled "Other Inspections And Fees" and replace with the following: Other Inspections And Fees.
 - 1. Inspection outside of normal business hours: \$80-- per hour (minimum-two hours)
 - 2. Reinspection fee assessed under provisions of section 305.8: \$50.00 per inspection
 - 3. Inspections for which no fee is specifically indicated: \$50.00 per hour (minimum-1/2 hour)
 - 4. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial plan review has been completed: \$80.00 per hour (minimum-1/2 hour)
 - 5. State surcharge equal to 1% the total of the building permit, plumbing permit, electrical permit, mechanical permit, and grading permit.
 - C. Add to table 3-D, sewer connection inspection fee \$50.00.
 - D. General Fund Department Projects: Construction and demolition-related fees imposed by this section are hereby waived for general fund departments. (Ord. 20-05: Ord. 19-02)

CHAPTER 15.08 BUILDING PERMITS

SECTION:

- 15.08.010: Permits; Administration And Enforcement, Violations
- 15.08.020: One- And Two-Family Residential Fees
- 15.08.030: Multi-Family Residential And Commercial Fees
- 15.08.040: Single-Family Residential Building Permit; Review Of Inspection

15.08.010: PERMITS; ADMINISTRATION AND ENFORCEMENT, VIOLATIONS:

A. Permits: The 1997 edition of the Uniform Administrative Code (ISSN 0896-9698), published by the International Conference of Building Officials is adopted by reference, with the following changes and exceptions:

1. The following definitions listed in chapter 1, section 103, are amended to read:
"Building Code" is the international building code and the international residential code promulgated by the International Code Council, as applicable, adopted and amended by the State of Utah.
"Electrical Code" is the national electrical code promulgated by the National Fire Protection Association, as adopted by the State of Utah.
"Mechanical Code" is the international mechanical code promulgated by the International Code Council and the international fuel gas code promulgated by the International Code Council, as applicable, adopted and amended by the State of Utah.
"One And Two Family Dwellings" are detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures.
"Plumbing Code" is the international plumbing code promulgated by the International Code Council, as adopted and amended by the State of Utah.
"Valuation Or Value", as applied to a building and its building service equipment, shall be the estimated cost to replace the building and its building service equipment in kind, based on the current replacement as annually determined by the building official from building valuation data published by the International Code Council in February, to be effective the following July 1st.
2. Subsection 303.1 is amended by adding the following paragraph:
Fire sprinkling systems require a separate permit and fee which is calculated according to section 304 and table 3-A.
3. Fees for residential and commercial buildings are particularly set forth in sections 15.08.020 and 15.08.030 of the City Code.
4. Subsection 303.4 is amended by adding the following exception after the first paragraph:

Exception #1. Reinstatement of Expired Permits. Reinstatement of expired permits shall be based on the following:

- a. ~~Requests for reinstatement must be in writing; and~~
- b. Reinstatement fees must be paid. Fees for reinstatement of expired permits shall be charged as follows:
 - i. \$100.00 if the permittee voluntarily requests the permit to be reinstated without reminders from staff, or if there is only one phone call and/or email from staff reminding permittee to request a reinstatement of the permit;
 - ii. \$250.00 if staff must send one or more letters to permittee; or
 - iii. \$400.00 if letters from staff are sent and a notice of non-compliance is filed.
 - c. In cases where a project completion deposit was collected by the City, the deposit will be reinstated upon the reinstatement of the building permit.

3.5. Subsection 304.5.2 is amended by adding the following exception after the first paragraph:

- a. Exception #1. Investigation fee for an owner/builder project shall be the lesser of \$200.00 or a charge equal to 1/2 the amount of the permit fee required by this Code.

6. Subsection 305.2 is deleted.

A.B. Sanctions: It is unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment or cause or permit the same to be done in violation of the Uniform Administrative Code, the Uniform Code for the Abatement of Dangerous Buildings and the Uniform Technical Construction Codes. Each violation is a Class B misdemeanor. (Ord. 19-02)

15.08.020: ONE- AND TWO-FAMILY RESIDENTIAL FEES:

A. Residential Fees: Fee tables 3-A through 3-D, 3-G and 3-H of the 1997 edition of the Uniform Administrative Code as promulgated by the International Conference of Building Officials (ISSN 0896-9698) are adopted by reference, with the following changes:

1. Subsection 304.2: The first paragraph of subsection 304.2 shall read:

304.2 Permit Fees. The fee for each building permit shall be the amount as set forth in table 3-A. The fees for electrical permits, mechanical permits, plumbing permits and grading shall be the amount set forth in tables no. 3-B, 3-C, 3-D, 3-G and 3-H, as applicable, except that the minimum fee according to any table is \$50.00 and the minimum fee for each supplemental permit is \$10.00.

2. Subsection 304.3: The first paragraph of subsection 304.3 shall read:

304.3 Residential Plan Review Fees. When a plan or other data are required to be submitted by section 302.2, fees required hereunder shall be paid at the time of permit issuance.

(Plan review for residential, multifamily residential and commercial buildings are set forth in section 15.08.030 of the city code.)

The plan review fee for one-one or two-two-family dwellings is the lesser of actual costs of performing the plan review or 50 percent (50%) of the building permit fee. Plan review fees for buildings or structures which are identical (except for site considerations) to those previously reviewed and approved by the City is the lesser of costs incurred in reviewing the plan or 10 percent -(10%) of the building permit fee. Plan review fees for buildings or structures which are similar (except for site considerations and minor changes or options), and are part of the same project, to those previously reviewed and approved by the City shall be the lesser of the costs incurred in reviewing the plan or 25% percent (25%) of the building permit fee.

The plan review fees for electrical, mechanical and plumbing work for other than one and two-two-family dwellings shall be equal to the lesser of actual costs of performing the plan review of 50 percent (50%).

The plan review fees for solar (photovoltaic) is the lesser of actual costs of performing the plan review or 22.5 percent (22.5%) of the total permit fee as set forth in tables 3-B, 3-C and 3-D.

The plan review fee for grading work shall be the lesser of actual costs incurred to review the plan or fees as set forth in table 3-G.

The plan review fees specified in this subsection are separate fees from the permit fees specified in section 304.2 and are in addition to the permit fees.

3. Amendments to Tables: Tables 3-B, 3-C, 3-D, 3-G and 3-H increase all the amounts in the unit fee schedule by fifteen percent (15%).

4.3. Tables 3-A, 3-B, 3-C, 3-D, and 3-G-H delete the sections labeled "Other Inspections And Fees" and replace with the following:

Other Inspections And Fees.

1. Inspection outside of normal business hours: \$80.00— per hour (minimum-two hours)
2. Reinspection fee assessed under provisions of section 305.8: \$50.00 per inspection
3. Inspections for which no fee is specifically indicated: \$50.00 per hour (minimum-1/2 hour)

4. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial plan review has been completed: \$80.00 per hour (minimum-1/2 hour)
5. State surcharge equal to 1% the total of the building permit, plumbing permit, electrical permit, ~~and~~ mechanical permit, and grading permit.
- 5.

5.4. Add to table 3-D, sewer connection inspection fee \$50.00.
(Ord. 19-02)

15.08.030: MULTI-FAMILY RESIDENTIAL AND COMMERCIAL FEES:

A. Uniform Administrative Fee Tables: Fee tables 3-A through 3-D, 3-G and 3-H of the 1997 edition of the Uniform Administrative Code as promulgated by the International Conference of Building Officials (ISSN 0896-9698) are adopted by reference, with the following changes.

B. Fees For Multi-Family Residential And Commercial Buildings: Except as otherwise provided in this chapter, building permit fees for commercial buildings are the amount set as stated in table 3-A. The fees for electrical permits, mechanical permits, plumbing permits and grading permits shall be the amounts set forth in tables 3-B, 3-C, 3-D, 3-G and 3-H, as applicable, except that the minimum fee according to any table is fifty dollars (\$50.00) and the minimum fee for each supplemental permit is ten dollars (\$10.00).

A-C. Residential, Multi-Family Residential ~~and~~ Commercial Plan Review Deposits:

1. When submittal documents are required by subsection 302.2 of the Uniform Administrative Code, a plan review deposit shall be paid at the time of submitting the submittal documents for plan review. A plan review deposit shall be paid as follows:

<u>Commercial buildings:</u>	<u>-</u>
<u>0 to 4,999 square feet</u>	<u>\$1,000.00</u>
<u>5,000 to 9,999 square feet</u>	<u>2,000.00</u>
<u>10,000 square feet and larger</u>	<u>3,500.00</u>

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<u>New Residential Dwellings</u>	<u>\$200.00</u>
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Commercial Building and Remodels

Valuation

\$100K to \$300K \$200.00

<u>\$301K to \$500K</u>	<u>\$1,000.00</u>
<u>\$501K to \$1M</u>	<u>\$2,000.00</u>
<u>>\$1M</u>	<u>\$5,000.00</u>
<u>>\$10M</u>	<u>\$10,000.00</u>

2. The plan review fee for commercial buildings or structures is the lesser of actual costs incurred to review the plan or sixty five percent (65%) of the building permit fee. Plan review fees for buildings or structures which are identical (except for site considerations) to those previously reviewed and approved by the City is lesser of costs incurred in reviewing the plan or ten percent (10%) of the building permit fee.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in section 302.4.2 of the Uniform Administrative Code, an additional plan review fee shall be charged at the rate shown in tables 3-A through 3-G.

The plan review fees for electrical, mechanical and plumbing work shall be equal to the lesser of actual costs incurred to review the plan of 65 percent (65%) The plan review fees for solar (photovoltaic) is the lesser of actual costs of performing the plan review or or twenty-two and one-half percent (22.5%) of the total permit fee as set forth in tables 3-B, 3-C and 3-D.

The plan review fees specified in this subsection are separate fees from the permit fees specified in section 304.2 and are in addition to the permit fees.

B.D. Miscellaneous Commercial Fees: The following fees are imposed in addition to other fees required by this chapter for commercial buildings:

A. Inspection For Change In Use: Prior to issuance of a building permit, if a preinspection is requested by an individual seeking general information regarding the change in use of a building under International Building Code section 3405, a one hundred fifty sixty dollar (\$150.00 \$160.00) fee shall be paid by the person prior to any site inspection.

B. Amendments: Table 3-B (1997 edition) shall omit "temporary power service" fees, and add the category for "new commercial buildings" as follows:

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New Commercial Buildings

New retail stores including new commercial buildings:

For new retail stores including retail, storage, office and restroom areas, per square foot — \$0.040

For new office buildings and restaurants all areas, per square foot — .050

For new storage warehouses all areas other than offices, per square foot — .025

~~For multi-family residential, other types for commercial buildings and unusual conditions use the unit fee schedule~~

~~Amend tables 3-B, 3-C, 3-D, 3-G and 3-H to increase all the amounts in the unit fee schedule by fifteen percent (15%).~~

C.B. Additional Amendments: Amend tables 3-A, 3-B, 3-C, 3-D, and 3-G-H to delete the sections labeled "Other Inspections And Fees" and replace with the following: Other Inspections And Fees.

1. Inspection outside of normal business hours: \$75.80-- per hour (minimum-two hours)
2. Reinspection fee assessed under provisions of section 305.8: \$50.00 per inspection
3. Inspections for which no fee is specifically indicated: \$50.00 per hour (minimum-1/2 hour)
4. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial plan review has been completed: \$80.00 per hour (minimum-1/2 hour)
5. State surcharge equal to 1% the total of the building permit, plumbing permit, electrical permit, ~~and~~ mechanical permit, and grading permit.

C. Add to table 3-D, sewer connection inspection fee \$50.00.

D. General Fund Department Projects: Construction and demolition-related fees imposed by this section are hereby waived for general fund departments. (Ord. 20-05: Ord. 19-02)

15.08.040: SINGLE FAMILY RESIDENTIAL BUILDING PERMIT; REVIEW OF INSPECTION:

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~~A. Request For Review Of Inspection: All building permit applicants for a single family residential building permit may request a review of an inspection conducted by a building inspector except as provided in subsection E of this section. A written request must be filed with the Mayor's Office within ten (10) working days from the date of the inspection. All requests for review not presented to the Mayor's Office prior to the established deadline shall not be considered.~~

~~B. Notification; Determination: Upon receipt of the written request for review under this section, the Mayor or designee shall schedule a date and time to review the inspection and notify the aggrieved applicant, by certified mail or personal service, of the review date and time within six (6) calendar days, excluding weekends and holidays, from the date the written request for review was filed with the Mayor's Office. The review shall be held within fifteen (15) calendar days after the Mayor's Office receives the written request. The Mayor or designee shall receive evidence and testimony relevant to the request. The Mayor or designee shall determine whether the inspection constituted a fair administration of the Building Code.~~

C. Issuance Of Order: Within three (3) working days after the conclusion of the review, the Mayor or designee shall issue an order and notify the aggrieved applicant of the order by certified mail or personal service.

D. Time Requirements: Any time requirements provided herein may be extended by written stipulation of the Mayor or designee and the aggrieved applicant.

E. Review May Not Conflict With Appeal Under International Residential Code (IRC): A review pursuant to this section:

1. May not be used to review a matter that may be brought by appeal under the IRC;
2. Is separate and unrelated to an appeal under the IRC;
3. May not result in the waiver or modification of an IRC requirement or standard;
4. May not conflict with an appeal, or the result of an appeal under the IRC; and
1. Does not prohibit a person from bringing an appeal under the IRC.

F. Appeal: A person who requests a review may not be prohibited by preclusion, estoppel, or otherwise from raising an issue or bringing a claim in an appeal under the IRC on the grounds that the person raised the issue or brought the claim in the review described in this section. (Ord. 17-31)

Building Valuation Data – February 2021

Square Foot Construction Costs ^{a, b, c}

Group (2018 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	263.06	254.15	247.55	237.53	223.05	216.60	229.90	207.42	199.94
A-1 Assembly, theaters, without stage	241.02	232.11	225.51	215.49	201.01	194.56	207.86	185.38	177.89
A-2 Assembly, nightclubs	205.93	199.80	194.89	186.91	176.19	171.34	180.27	159.46	154.02
A-2 Assembly, restaurants, bars, banquet halls	204.93	198.80	192.89	185.91	174.19	170.34	179.27	157.46	153.02
A-3 Assembly, churches	243.83	234.92	228.32	218.30	204.21	198.79	210.67	188.58	181.10
A-3 Assembly, general, community halls, libraries, museums	204.02	195.11	187.51	178.49	163.01	157.56	170.86	147.38	140.89
A-4 Assembly, arenas	240.02	231.11	223.51	214.49	199.01	193.56	206.86	183.38	176.89
B Business	212.46	204.72	197.90	188.18	171.81	165.32	180.77	151.15	144.35
E Educational	222.69	214.99	208.81	199.81	186.17	176.74	192.93	162.78	157.80
F-1 Factory and industrial, moderate hazard	125.58	119.68	112.86	108.68	97.37	92.83	104.02	80.23	75.34
F-2 Factory and industrial, low hazard	124.58	118.68	112.86	107.68	97.37	91.83	103.02	80.23	74.34
H-1 High Hazard, explosives	117.37	111.47	105.65	100.47	90.40	84.87	95.81	73.27	N.P.
H234 High Hazard	117.37	111.47	105.65	100.47	90.40	84.87	95.81	73.27	67.37
H-5 HPM	212.46	204.72	197.90	188.18	171.81	165.32	180.77	151.15	144.35
I-1 Institutional, supervised environment	211.58	204.34	198.27	190.28	175.02	170.20	190.53	156.95	152.25
I-2 Institutional, hospitals	355.95	348.21	341.39	331.67	314.48	N.P.	324.26	293.82	N.P.
I-2 Institutional, nursing homes	247.27	239.53	232.71	222.99	207.36	N.P.	215.58	186.70	N.P.
I-3 Institutional, restrained	241.59	233.85	227.03	217.31	202.46	194.97	209.90	181.80	173.00
I-4 Institutional, day care facilities	211.58	204.34	198.27	190.28	175.02	170.20	190.53	156.95	152.25
M Mercantile	153.55	147.41	141.50	134.53	123.48	119.63	127.88	106.75	102.31
R-1 Residential, hotels	213.59	206.35	200.28	192.29	176.78	171.95	192.54	158.70	154.00
R-2 Residential, multiple family	179.04	171.80	165.73	157.74	143.25	138.43	157.99	125.18	120.47
R-3 Residential, one- and two-family ^d	166.68	162.17	157.99	154.10	149.61	144.19	151.48	138.79	130.58
R-4 Residential, care/assisted living facilities	211.58	204.34	198.27	190.28	175.02	170.20	190.53	156.95	152.25
S-1 Storage, moderate hazard	116.37	110.47	103.65	99.47	88.40	83.87	94.81	71.27	66.37
S-2 Storage, low hazard	115.37	109.47	103.65	98.47	88.40	82.87	93.81	71.27	65.37
U Utility, miscellaneous	89.90	84.75	79.27	75.71	67.97	63.50	72.24	53.83	51.28

- a. Private Garages use Utility, miscellaneous
- b. For shell only buildings deduct 20 percent
- c. N.P. = not permitted
- d. Unfinished basements (Group R-3) = \$23.20 per sq. ft.



MURRAY
CITY COUNCIL

Business Item #2



MURRAY

Council Action Request

Community & Economic Development

Amend Chapter 2.68 to Rename MCCD Review Committee

Council Meeting

Meeting Date: October 19, 2021

Department Director Melinda Greenwood	Purpose of Proposal To amend Chapter 2.68 to reflect the new name of MCCD Review Committee and require annual meetings.
Phone # 801-270-2428	Action Requested Approval of proposed ordinance amendments.
Presenters Melinda Greenwood Jared Hall	Attachments Chapter 2.68 red-line edits
Required Time for Presentation	Budget Impact None
Is This Time Sensitive No	Description of this Item During the MCCD revisions approved by the City Council on July 20, 2021, the MCCD Design Review Committee was renamed to the <i>MCCD Review Committee</i> (MCCD RC). It is hoped this revision will limit the misconception that the MCCD Review Committee influences architectural design of buildings. The MCCD Review Committee acts in an advisory capacity to the Planning Commission and City Council and serves to facilitate the design review approval process. The purpose of the MCCD Review Committee is to provide technical expertise to positively influence site design and ensure projects are in harmony with the purpose of the MCCD Zone and the principles outlined in the MCCD Design Guidelines. The code also requires the MCCD RC to meet quarterly regardless of what projects needs may or may not be. Staff recommends changing meeting requirements to holding at least one annual meeting.
Mayor's Approval  Date October 5, 2021	



ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 2.68 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO THE MURRAY CITY CENTER DISTRICT DESIGN REVIEW COMMITTEE.

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this Ordinance is to amend chapter 2.68 relating to the Murray City Center District Design Review Committee.

Section 2. Amend Chapter 2.68. Chapter 2.68 of the Murray City Municipal Code shall be amended as follows:

CHAPTER 2.68: MURRAY CITY CENTER DISTRICT ~~DESIGN~~ REVIEW COMMITTEE

2.68.010: CREATED:

The Murray City Center District ~~Design~~ Review Committee is created. It shall consist of five (5) voting members, all of whom shall be appointed by the Mayor with the advice and consent of the Murray City Council. Three (3) of the members shall be residents of the City; and the two (2) remaining members may reside within or outside the City. The members shall be professionals from the disciplines of architecture, historic preservation, landscape architecture, planning, engineering, history, archeology or law or other related professional fields. Members may not hold any other office or position in the City administration. (Ord. 16-17)

2.68.020: MEMBERSHIP TERMS AND VACANCIES:

Members shall serve for a term of three (3) years and may be removed by the Mayor, with the provision that the first appointment of one member shall be for a term of one year; the first appointment of two (2) members shall be for a term of two (2) years; the first appointment of the remaining two (2) members shall be for a term of three (3) years; thereafter the members shall be appointed for three (3) year terms and all terms shall expire on January 1. Vacancies occurring through expiration of terms of appointment, death, disability, resignation or removal by the Mayor, if applicable, shall be filled by appointment of the Mayor with the advice and consent of the Murray City Council. Members shall not serve more than three (3) consecutive terms. "Term", as used in this chapter shall mean serving on such advisory board for at least eighteen (18) months. (Ord. 16-17)

2.68.030: DUTIES:

The committee shall recommend modifications to the Murray City Center District ordinance and design guidelines and all revisions, additions or deletions thereto, to the Murray City Council for adoption. The committee shall meet with applicants seeking a certificate of appropriateness for major alterations and new construction within the

Murray City Center District. The committee shall review and provide written comment to the City Planning and Zoning Commission regarding approving or denying all proposed applications for certificates of appropriateness. The committee shall ensure that projects within the Murray City Center District meet the vision and requirements of the District. The committee shall advise officials of the City and other governmental entities regarding the Murray City Center District. (Ord. 16-17)

2.68.040: ORGANIZATION AND MEETING REQUIREMENT:

The committee shall select a chair and adopt rules for the selection of other officers; the time, place and manner of calling meetings; and such other rules governing the conduct of the committee's business as it deems necessary to fulfill its purposes as provided in this chapter. The committee shall meet at least quarterly~~annually~~. A majority of its members shall constitute a quorum for the consideration of matters before it. (Ord. 16-17)

2.68.050: COMPENSATION:

Members are not entitled to compensation for service on the committee. Close cooperation between the City and the committee is both expected and anticipated. To the extent that this cooperation can be provided within the framework of the normal course of carrying out the duties of each entity, the cooperation can and will be provided as each entity requests and as each entity can satisfy those requests. (Ord. 16-17)

Section 3. Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this ____ day of _____, 2021

MURRAY CITY MUNICIPAL COUNCIL

Diane Turner, Chair

ATTEST:

Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this ____ day of

_____, 2021.

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2021.

D. Blair Camp, Mayor

ATTEST:

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the ____ day of _____, 2021.

Brooke Smith, City Recorder

CHAPTER 2.68

MURRAY CITY CENTER DISTRICT ~~DESIGN~~ REVIEW COMMITTEE

SECTION:

- 2.68.010: Created
- 2.68.020: Membership Terms And Vacancies
- 2.68.030: Duties
- 2.68.040: Organization And Meeting Requirement
- 2.68.050: Compensation

2.68.010: CREATED:

The Murray City Center District ~~Design~~-Review Committee is created. It shall consist of five (5) voting members, all of whom shall be appointed by the Mayor with the advice and consent of the Murray City Council. Three (3) of the members shall be residents of the City; and the two (2) remaining members may reside within or outside the City. The members shall be professionals from the disciplines of architecture, historic preservation, landscape architecture, planning, engineering, history, archeology or law or other related professional fields. Members may not hold any other office or position in the City administration. (Ord. 16-17)

2.68.020: MEMBERSHIP TERMS AND VACANCIES:

Members shall serve for a term of three (3) years and may be removed by the Mayor, with the provision that the first appointment of one member shall be for a term of one year; the first appointment of two (2) members shall be for a term of two (2) years; the first appointment of the remaining two (2) members shall be for a term of three (3) years; thereafter the members shall be appointed for three (3) year terms and all terms shall expire on January 1. Vacancies occurring through expiration of terms of appointment, death, disability, resignation or removal by the Mayor, if applicable, shall be filled by appointment of the Mayor with the advice and consent of the Murray City Council.

Members shall not serve more than three (3) consecutive terms. "Term", as used in this chapter shall mean serving on such advisory board for at least eighteen (18) months. (Ord. 16-17)

2.68.030: DUTIES:

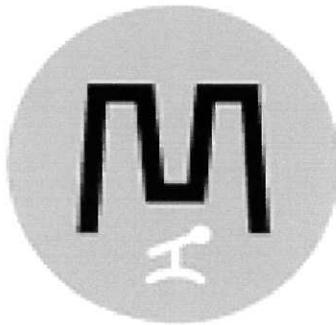
The committee shall recommend modifications to the Murray City Center District ordinance and design guidelines and all revisions, additions or deletions thereto, to the Murray City Council for adoption. The committee shall meet with applicants seeking a certificate of appropriateness for major alterations and new construction within the Murray City Center District. The committee shall review and provide written comment to the City Planning and Zoning Commission regarding approving or denying all proposed applications for certificates of appropriateness. The committee shall ensure that projects within the Murray City Center District meet the vision and requirements of the District. The committee shall advise officials of the City and other governmental entities regarding the Murray City Center District. (Ord. 16-17)

2.68.040: ORGANIZATION AND MEETING REQUIREMENT:

The committee shall select a chair and adopt rules for the selection of other officers; the time, place and manner of calling meetings; and such other rules governing the conduct of the committee's business as it deems necessary to fulfill its purposes as provided in this chapter. The committee shall meet at least ~~quarterly~~annually. A majority of its members shall constitute a quorum for the consideration of matters before it. (Ord. 16-17)

2.68.050: COMPENSATION:

Members are not entitled to compensation for service on the committee. Close cooperation between the City and the committee is both expected and anticipated. To the extent that this cooperation can be provided within the framework of the normal course of carrying out the duties of each entity, the cooperation can and will be provided as each entity requests and as each entity can satisfy those requests. (Ord. 16-17)



MURRAY
CITY COUNCIL

Mayor's Report And Questions



MURRAY
CITY COUNCIL

Adjournment