



MURRAY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

Meeting Minutes

**Tuesday, October 5, 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
Dale Cox	District #2
Rosalba Dominguez	District #3

Blair Camp	Mayor	Jennifer Kennedy	City Council Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
Danny Astill	Public Works Director	G.L. Critchfield	City Attorney
Ted Maestas	Parks Advisory Board	Joey Mittelman	Assistant Fire Chief
Kim Sorensen	Parks and Recreation Director	Brooke Smith	City Recorder
Aaron Montgomery	Zions Public Finance	Don Steffenson	Building Official
Jared Hall	CED Division Supervisor	Melinda Greenwood	CED Director
Brenda Moore	Finance Director	Rob White	IT Director
Residents		Camron Kollman	IT

Excused: Kat Martinez - District #1

Conducting: Ms. Turner called the meeting to order at 4:45 p.m.

Approval of Minutes: Committee of the Whole – September 7, 2021. Mr. Hales motioned for approval, Ms. Dominguez seconded the motion. (All in favor 4-0)

Discussion items:

- Murray City adopting a Park Impact Fee. – Mr. Sorensen and Mr. Montgomery presenting. Mr. Sorensen recapped that a request from the City Council was made in March of 2020 to conduct a park impact fee analysis for devising a facilities plan. As a result, the City contracted with Zions Public Finance Representative, Mr. Montgomery who created the Parks, Trails and Recreation IFFP (Impact Fee Facility Plan), and Parks, Trails and Recreation IFA (Impact Fee Analysis) report.

Mr. Sorensen reported many Utah cities have implemented a park impact fee; and most cities were currently preparing to increase their fee amounts this year. He said Murray has never implemented a park impact fee before, but the Murray Parks Master Plan adopted in April of 2020 suggests that a park impact fee would be necessary for funding new parks and CIP projects in the future. He confirmed that both the IFFP and the IFA were presented to the Murray City Parks and Recreation Advisory

Board, who recently studied the draft documents, resulting in a unanimous positive recommendation of approval.

Mr. Montgomery reviewed the IFFP and the IFA and explained the park impact fee is a onetime charge to a new development that offsets capital costs of public infrastructure associated with the new development. As new growth comes into Murray, there is less park space to be shared because existing parks already serve a significant number of people; so money collected would help maintain the level of service and adjust to new growth.

Park impact revenue cannot be spent to cure deficiencies, improve the operation and maintenance of current parks, or enhance current levels of service for existing parks. Costs must be related to systematic capital improvements, not projects. Mr. Montgomery clarified *projects* only serve a small neighborhood, and *systems* serve the entire City, and the IFFP considers only *system* facilities in the calculation of impact fees. For Murray, this means community and neighborhood parks. Local parks are considered *project* improvements, so they were not included in the calculation of impact fees.

Mr. Cox understood park impact fees are used to grow new parks, and funding cannot be utilized to repair a slide at a current park. Mr. Montgomery agreed spending impact revenue is about expanding a level of service in the City, not repairing existing park facilities. Slide repair costs would be allocated from the City's park operations and maintenance budget. He reviewed the following:

1. IFFP establishes existing service levels, proposed service levels, excess capacity, demand created by new development, consumption of excess of capacity and what new facilities are needed and the cost for each.
2. IFA calculates the impact fee, establishes "Buy-in" excess capacity components, shows construction costs for the new facilities, and other costs like engineering, financial, fund balances, financing, and credits if they exist.

Mr. Montgomery estimated population growth in Murray is expected to be approximately 1,900 people between 2021 and 2031. Current service levels and costs per person for new facilities were reviewed including the impact of anticipated growth. He said if no additional facilities are added there would be a decrease in level of service. The IFA established that to maintain the current level of service and meet new growth demands, the following is needed:

- o Parks: 8.32 acres = \$3.2 million
- o Trails: 4,283 feet = \$165,140
- o Recreational facilities: 2,245 square feet = \$561,000
- o Aquatic facilities: It is anticipated that a cost will incur associated with consumption of excess capacity, and no new facilities need to be built.

The total cost for construction and consumption of excess capacity was noted as approximately \$4 million; and the summary of gross cost per person is \$2,000. He explained that household sizes were considered when new growth was calculated, so the fee per person was multiplied by the average unit size to determine the maximum impact fee that could be charged in 2021:

- o Single-family unit is 2.63 people per household - Maximum Fee = \$5,396
- o Multi-Family unit is 2.42 people per household - Maximum Fee \$4,965

Ms. Dominguez led a discussion about how adjustments would be measured if Murray's population

increased more quickly, due to proposed housing projects throughout the City. She understood the impact would be much higher than 1,900 people before ten years. Mr. Montgomery said the fee must be related to new growth so if growth was greater, more funding would be collected at the same ratio. Money collected is for maintaining the service level, so growth would build the ratio. Ms. Dominguez expressed concern about overwhelming the current infrastructure system if growth happened faster than revenue was collected, and whether the City was prepared with adequate staffing for the expansion of parks and facilities.

Mr. Sorensen clarified the fee would ensure that the current level of service remains, which is different than costs needed for operations and maintenance; impact fee money cannot be used for that. The General Fund would provide money for those needs, and the park impact fee is for developing new parks and new opportunities for recreation. He noted that property tax increases also contribute to operation and maintenance expenses. Mr. Montgomery reiterated the impact fee is meant for the City to build more parks to facilitate more people.

Ms. Dominguez wondered about developers that include green space within projects, and if that would affect park impact fee revenue. Mr. Montgomery said those are discussions to be had on a case-by-case basis with developers. The City would decide if it was fair to residents, whether projects with green space would avoid paying the park impact fee that would serve the City as a whole.

Mr. Hales asked what cities do not implement park impact fees. Mr. Sorensen said Midvale. Ms. Turner requested the fee information of other cities to compare with the IFA for Murray. Mr. Hill provided a handout. (Attachment #1) Ms. Moore explained how State Legislation requires cities to calculate impact fees and confirmed Murray must spend the revenue on new facilities within six years of collecting it. She noted money saved could all be applied for constructing a new park anywhere in the City. The Council would consider the IFFP and the IFA in the October 19, 2021 council meeting.

- Changes to building permit fees. – Ms. Greenwood and Mr. Steffenson presenting. Ms. Greenwood explained this update to the City Code was a housekeeping item related to building permits. The proposed changes would clean up actual amounts and methodologies for calculating fees and provide a more straightforward calculation of the fee. The Uniform Administrative Building Code requires that the official body of the jurisdiction adopt building fees.

Fees would not change or be calculated differently within City Code, Chapter 15.08 – Building Permits; but would better explain the existing formula and mathematical rate process. Mr. Steffenson confirmed table information would be easier to locate and understand.

Ms. Dominguez noted proposed fees related to residential and commercial building permits. Mr. Steffenson explained a *pre-plan review fee* was included in the calculation, so the upfront charge would cover expenses to the City if a plan did not materialize. Ms. Greenwood confirmed fees are meant to be self-supporting for providing many services like plan reviews and building inspections related to meeting all building, zoning, subdivision, and fire codes, as well as third party reviews when needed. If a project does not go through, time and money spent on that analysis is rendered. Ms. Dominguez led a brief conversation about the solar fee. Mr. Steffenson explained adjustments are made fairly depending on the size of the solar system, so applicants are not overcharged. Council Members would consider the business item during the October 19, 2021 council meeting.

- Amending Chapter 2.68 to reflect the new name of the MCCD (Murray City Center District) Review Committee and requiring annual meetings. – Ms. Greenwood and Mr. Hall presenting. With revisions made to MCCD zoning in July of 2021, it is proposed that the word *Design* be dropped from the MCCD Design Review Committee title, as a housekeeping item. The hope is to limit misconceptions that the committee influences architectural design elements.

Ms. Greenwood clarified the committee analyzes site details only, like parking counts, location of entrance areas and pedestrian space. The name change would match with Land Use Code language and the adjustment would not require a public hearing. Mr. Hall agreed the MCCD Review Committee evaluates site layout issues, very little architectural matter and does not consider building design elements of a project. Ms. Greenwood added elements like drainage, low impact development standards, landscaping, or where a dumpster should be located were all non-design elements.

Ms. Dominguez ask why there was a need to change the meeting schedule to once a year. Ms. Greenwood said meetings were cancelled last year because projects had not come forth in the MCCD due to the recent moratorium. She did not foresee a reason to require four per year; one would be sufficient, and meetings could be scheduled as needed. Mr. Hall agreed as projects are presented meetings would be held. Ms. Dominguez pointed out the moratorium was over, resulting in the possibility that a number of applications could come forward within the year, requiring more than one meeting per year. She felt the board meant to oversee MCCD development would be underutilized.

Mr. Critchfield clarified the proposed language states the committee would meet *at least* once a year, implying they could meet more than that. Ms. Dominguez said based on the historical lack of care for the MCCD - she did not trust meetings would occur accordingly. Ms. Greenwood assured meetings were necessary as project applications are presented. Mr. Critchfield confirmed meetings are required in City Code. Ms. Dominguez appreciated the clarification. The Council would consider the amendment in the October 19, 2021 council meeting.

- General Plan Amendment, Text of Chapter 5 – Land Use and Urban Design to add CMU and VMU Category. – Ms. Greenwood and Mr. Hall presenting. Mr. Hall discussed the request to amend text in the GP (General Plan) related to Land Use and Urban Design. When the City Council adopted two new M-U (mixed-use) zones created in July of 2021, text was not updated to match in the GP.

Mr. Hall displayed the GP Future Land Use Map depicting that new VMU (Village Mixed Use), and the CMU (Centers Mixed Use) zone categories were missing. The existing MU category needs to be changed to reflect the new MCMU title and provide language for the VMU and the CMU categories. Staff proposed that the VMU and CMU category be created and that the VMU and CMU zones be listed as the corresponding zones for that category. In addition, the MU category needs to be retitled for distinction as the Transit Mixed-Use. He reported that the planning commission reviewed all of these requests on September 2, 2021 during a public hearing. Affected entities received notification about the amendment, there were no public comments and the commission voted approval 6-0. Mr. Hall discussed findings to confirm the proposal was in harmony with the 2017 GP.

Ms. Greenwood reported that the Boyer Company submitted an application for the RC Willey site that would fall into the VMU and CMU categories; therefore, categories need to be added to the Future Land Use Map before the application could be processed. The zoning was already approved.

Mr. Hales recapped that the Boyer Company withdrew their initial application due to the moratorium on MU projects. He asked if the application process would start over completely. Ms. Greenwood said it would because the MU category did not offer the VMU or CMU zone options at that time.

Ms. Dominguez asked for density ranges of the VMU, and CMU zones for the RC Willey site. Mr. Hall noted density per acre would be a maximum of between 25 and 40 units per acre, which is less dense than the Transit MU zone due to traffic and needed facilities. He said both staff and the planning commission recommended that the City Council approve the proposed amendment as presented. The Council would consider the amendment in the October 19, 2021 council meeting, during a public hearing.

Announcements: Ms. Kennedy announced two upcoming ribbon cuttings in the City.

Adjournment: 5:54 p.m.

Pattie Johnson
Council Office Administrator III

ATTACHMENT #1

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