

The Planning Commission met on Thursday, August 20, 2020, at 6:30 p.m. for a meeting held electronically in accordance with HB 5002 an Amendment to the Open and Public Meeting's Act, allowing for electronic meetings to be held, without an anchor location, as long as the public has an opportunity to view the meeting and submit public comments. This meeting can be viewed online at www.murraycitylive.com. Public comments can be submitted via email at planningcommision@murray.utah.gov.

Present: Phil Markham, Chair
Travis Nay
Maren Patterson
Sue Wilson
Ned Hacker
Lisa Milkavich
Jared Hall, Planning Division Manager
Susan Nixon, Associate Planner
Zac Smallwood, Associate Planner
Briant Farnsworth, Deputy City Attorney
Citizens

Excused: Scot Woodbury, Vice Chair

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.

Phil Markham opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

APPROVAL OF MINUTES

Sue Wilson made a motion to approve the minutes from the August 6, 2020 Planning Commission meeting. Seconded by Lisa Milkavich. A voice vote was made, motion passed 6-0.

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 Precise Plumbing & Heating at 4195 South 500 West #20, Black Diamond Auto Collision Sales at 4195 South 500 West #98, and Peak Property Solutions at 4619 South Cherry Street. Seconded by Ned Hacker. A voice vote was made, motion passed 6-0.

MIKE & WILMA EGBERT – 931 West Chesterbrook Cove - Project #20-091

Terry Miller was present to represent this request. Zac Smallwood reviewed the location and request for a Conditional Use Permit to construct an Accessory Dwelling Unit (ADU) in the basement for the property addressed 931 West Chesterbrook Cove. The property is a single-

family home located in the R-1-8 (Single-Family Residential) Zone, which allows ADUs subject to a Conditional Use Permit. The driveway is approximately 36 feet wide which is large enough to accommodate two additional off-street parking stalls that are required for an ADU. The applicants are proposing an 825 square foot ADU. Based on the size of the home, approximately 3,000 square feet, an ADU could go up to 1,000 square feet. There are two storage rooms in the basement that are not inclusive of the ADU and will be for the applicant's personal use. Staff is recommending that the Planning Commission approve the applicants request for a Conditional Use Permit.

Terry Miller said the applicants will be able to comply with the conditions of approval.

The meeting was open for public comment. No comments were made and the public comment portion for this agenda item was closed.

A motion was made by Lisa Milkavich to approve a Conditional Use Permit to allow the construction and/or operation of an Accessory Dwelling Unit for the property addressed 931 West Chesterbrook Cove, subject to the following conditions:

1. The project shall comply with all applicable building and fire codes standards.
2. Interconnected smoke detectors and CO sensors shall be provided throughout the house.
3. The property owner shall obtain a building permit for any proposed remodeling or construction on the site.
4. Separately controlled heating shall be provided for each area, such as base board heating, a dual zone furnace, etc.
5. Access from the ADU to a circuit breaker panel shall be provided.
6. Appropriate egress windows and window wells shall be provided.
7. Inspections by the Murray City Building Division will be required prior to occupancy of the ADU and will include general inspection of the items outlined in the Staff Report.
8. The proposed Accessory Dwelling Unit shall comply with all applicable ordinance standards outlined in Chapter 17.78.
9. The ADU shall be occupied by no more than two (2) related or unrelated adults and their children.
10. The property owner shall provide an additional two (2) off street parking spaces as required by Section 17.78.040(l) of the Murray City Land Use Ordinance for a total of four (4) off street spaces.
11. The property owner shall complete and record with the Salt Lake County Recorder's Office, the Accessory Dwelling Unit – Owner Occupancy Affidavit (Provided by Community & Economic Development). A copy of the recorded document shall be provided to the Murray City Community and Economic Development Division prior to occupancy of the

ADU.

12. The property owners shall obtain a residential rental business license from Murray City prior to allowing occupancy of the ADU. Rental of the ADU must meet the requirements of the Murray City Land Use Ordinance.
13. Temporary Rentals are not allowed; neither the Primary nor Accessory Dwelling Unit may be used for temporary rentals such as an AirB&B or VRBO.

Seconded by Maren Patterson.

Call vote recorded by Mr. Smallwood.

 A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 A Sue Wilson
 A Maren Patterson
 A Phil Markham

Motion passed 6-0.

MATTHEW AVENUE 3 LOT SUBDIVISION – 6450 & 6468 South 1300 East - Project #20-090

Duaine Rasmussen was present to represent this request. Zac Smallwood reviewed the location and request for preliminary and final subdivision approval at 6450 & 6468 South 1300 East. Currently, there are two properties on these sites, however, the applicant would like to subdivide this into three properties. These properties are located in the R-1-6 Zone. All three properties will meet the minimum lot size requirement of 6,000 square feet as well as the frontage requirements. The utilities are not through Murray City, they are through Jordan Valley Water Conservancy, Cottonwood Improvement District and Rocky Mountain Power. The Engineering Department is requiring will-serve letters from those utility providers. There is a ditch line near the property so approval will also need to be received from the Tanner Ditch Company. Staff is recommending the Planning Commission grant preliminary and final subdivision approval.

Mr. Nay asked if there was going to be an additional park strip added. Mr. Smallwood said there would be a sidewalk, but no park strip.

Duaine Rasmussen, Castlewood Development, said their engineering company has been in contact with the utility companies to obtain the will-serve letters. They have also been in contact with Tanner Ditch. He said they will be able to comply with the conditions of approval.

The meeting was open for public comment. No comments were given and the public comment portion for this agenda item was closed.

A motion was made by Ned Hacker to approve preliminary and final subdivision approval for the Matthew Avenue 3-Lot Subdivision on the properties addressed 6450 and 6468 South 1300 East, subject to the following conditions:

1. The applicant shall meet Murray City Engineering requirements including the following:
 - a. Meet City subdivision requirements.
 - b. Provide grading, drainage and utility plan and profile drawings.
 - c. Meet City storm drainage requirements, on-site detention/retention is required. Implement Low Impact Development (LID) practices where applicable.
 - d. Provide Public Utility Easements on all lots.
 - e. Obtain review and approval for water service from Jordan Valley Water Conservancy District.
 - f. Obtain review and approval for the sewer line extension and sewer service from Cottonwood Improvement District.
 - g. Provide a site geotechnical study and implement recommendations.
 - h. Provide any required easements and vacate any unused easements within the proposed subdivision area.
 - i. Provide a subdivision bond for proposed public improvements.
 - j. Develop and implement a site Stormwater Pollution Prevention Plan (SWPPP) prior to beginning any site grading and construction work.
 - k. Obtain a City Excavation Permit for work within City roadways.
2. The subdivision improvements shall include the installation of street trees as required by Murray City Code.
3. All lots within the subdivision shall comply with the requirements of the R-1-6 Zone as outlined in Chapter 17.96 of the Murray City Land Use Ordinance.
4. The project shall follow International Fire Code (IFC) regulations for fire access and hydrant locations.
5. The applicant shall obtain will-serve letters from the following utility providers:
 - a. Jordan Valley Water Conservancy District
 - b. Cottonwood Improvement District
 - c. Rocky Mountain Power
 - d. Dominion Energy
 - e. Tanner Ditch
6. The applicant shall meet the requirements of the Murray City Wastewater Division:
 - a. All specifications and work must meet Cottonwood Improvements specifications.
 - b. Lateral for Lot 1 should not cut across the adjacent property and should be tied straight into the new main that will be installed.
 - c. Lateral for lot 3 may have to be brought up to current standards and lined.
 - d. All work and detail must be approved by Cottonwood Improvement district.
7. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.

Seconded by Lisa Milkavich.

Call vote recorded by Mr. Hall.

 A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 A Sue Wilson
 A Maren Patterson
 A Phil Markham

Motion passed 6-0.

HOWLAND PARTNERS, INC. – 5157, 5177, 5217, 5283 South State Street & 151 East 5300 South – Project #20-088

This agenda item was withdrawn from the agenda. No action was taken.

HOWLAND PARTNERS, INC. – 5157, 5177, 5217, 5283 South State Street & 151 East 5300 South – Project #20-089

This agenda item was withdrawn from the agenda. No action was taken.

LAND USE ORDINANCE TEXT AMENDMENT – Project #20-077

Susan Nixon reviewed the modifications to Section 17.65 of the Murray City Code related to Beekeeping Standards. Land Use #8156, Apiaries, are currently allowed in the City's residential single-family and the agriculture zones only. This proposal will include "all properties used as single-family detached dwellings" regardless of the zone they are in. These changes will shift the regulations and compliance to the Utah Department of Agriculture and the Salt Lake County Health Department who are the experts in beekeeping and adhere to the Bee Inspection Act.

Some of the highlights of the Utah Bee Inspection Act include:

- A person may not raise bees without being registered with the Utah Department of Agriculture;
- Each apiary location shall be identified by a sign showing the owner's registration number issued by the Utah Department of Agriculture unless the apiary is located on property owned by the beekeeper;
- The county bee inspector may inspect all apiaries within the county at least once each year;
- If the apiary is diseased, parasitized, or abandoned, the inspector may prescribe treatment based on the severity of the disease or parasites present;
- A beekeeper may not intentionally maintain an aggressive or unmanageable stock.

Ms. Nixon said she spoke to a representative from the Utah Department of Agriculture who said their department is in favor of these proposed amendments.

Salt Lake County Health Department has the following requirements for Honeybee Management:

- It is unlawful for a person to maintain or locate a beehive on any property in a way that threatens public health or safety or creates a nuisance;
- A hive shall be placed on property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals on adjacent properties;
- A hive shall be supplied with adequate accessible fresh water between March 1 and October 31 of each year;
- A hive shall be located so the bees' flight pattern is six feet or more above frequently used areas of public access;
- A person shall not locate a hive on property owned or occupied by another person without obtaining written permission.

The City's Code would allow a certain number of apiaries in all zones where there is a single-family detached dwelling. The number of apiaries allowed depends on the lot size with a maximum of six apiaries on a lot.

Staff is recommending the Planning Commission forward a recommendation of approval to the City Council to amend Title 17.65 to the Murray City Code.

Mr. Markham verified that the State and County are fine with the compatibility of their regulations as they relate to each other. Ms. Nixon replied as far as she knows there is no problem with relationship of State and County regulations and that inspections and enforcement will be done by Salt Lake County. She commented that there may need to be a statement included in the proposed ordinance that stipulates where there is a conflict with state, county or city regulations, the most restrictive regulation would apply.

Ms. Milkavich asked if there are aspects of enforcement that address citizens in the community having concerns. Ms. Nixon said the County has an online inquiry and complaint system where citizens can submit their concerns or questions.

Mr. Hacker noted one grammatical change that needed to be made to the text.

Ms. Nixon said with this proposal, the citizens of Murray would no longer need to apply for a bee license through the City. These changes streamline the process and put enforcement and compliance with the State and County rather than the City.

The meeting was open for public comment. No comments were given and the public comment portion for this item was closed.

A motion was made by Maren Patterson to forward a recommendation of approval to the City Council to amend title 17.65, as attached to the report, extending to "all properties used as single-family detached homes", subject to registration with the Utah Department of Agriculture and following Salt Lake County Health Department requirements.

Seconded by Travis Nay.

Call vote recorded by Ms. Nixon.

A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 A Sue Wilson
 A Maren Patterson
 A Phil Markham

Motion passed 6-0.

OTHER BUSINESS

Sue Wilson made a motion to adjourn. Seconded by Travis Nay.

A voice vote was made, motion passed 6-0.

The meeting was adjourned at 7:15 p.m.



Jared Hall, Planning Division Manager