



MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met on Tuesday, January 19, 2021 for a meeting held electronically in accordance with the provisions of Utah Code 52-4-207(4), Open and Public Meeting Act, due to infectious disease COVID-19 Novel Coronavirus. Council Chair, Ms. Turner, determined that to protect the health and welfare of Murray citizens, an in-person City Council meeting, including attendance by the public and the City Council is not practical or prudent.

Council Members in Attendance:

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

Others in Attendance:

Blair Camp	Mayor	Janet Lopez	City Council Director
Jennifer Heaps	Chief Communications Officer	Jennifer Kennedy	City Council Director
Brooke Smith	City Recorder	Pattie Johnson	City Council Office Admin.
Jared Hall	CED Division Supervisor	Danny Hansen	IT
G.L. Critchfield	City Attorney	Melinda Greenwood	CED Director
Bill Francis	The Imagination Company		

Ms. Turner called the meeting to order at 5:15 p.m.

Approval of Minutes – Ms. Turner asked for comments or a motion on the minutes from: Committee of the Whole – December 8, 2021. Mr. Hales moved approval. Mr. Cox seconded the motion. (Approved 5-0)

Discussion Items

2020 Moderate-Income Housing Report – Mr. Hall said the Moderate-Income Housing report was submitted to the State of Utah on December 1, 2020; and spoke about added requirements. He noted cities have always filed the report; however, changes were made last year. A rough outline of the report was given to highlight new required responses different from the past, which was due to the implementation of SB (Senate Bill) 34 that also changed the annual submission deadline to December 1.

He explained one change is that cities cannot have a Moderate-Income Housing plan separate from a GP (General Plan); and a GP must include the Moderate-Income Housing plan. Mr. Hall reviewed new

requirements that include having an updated projection of the City's 5-year affordable housing needs based on the following:

- Growth of households (demand)
- Housing stock (supply)
- Median housing costs
- Median household incomes

The report must also:

- Include findings of the Moderate-Income Housing element of the City's GP.
- Include the most recently adopted copy of the Moderate-Income Housing element of the GP.
- Be posted on the City's website.

Mr. Hall reviewed a *5-Year Projected Affordable Housing Needs* table to reflect affordable housing shortages in 2020 for three different moderate levels of median income in Salt Lake County, and Murray. An abundance of 140 units for the 80% moderate income level, and shortages of 2,500 units in two lower income categories were noted. He said compared to the nationwide challenge, Murray is doing well to have surplus in one category. He noted with seven existing strategies, Murray had already been in compliance for a number of years; however, due to the City being a transit City, two new strategies that meet affordable housing criteria were missing, which are now included to coincide with State Law.

A brief review of the existing strategies occurred. One City goal is to review all zoning ordinances and make modifications where necessary, to allow for various housing types, lot size, setbacks and other factors that limit the types of houses in a zone. He pointed out that SB-34 compliance affects whether cities attain transportation funds, so it is vital to provide a sufficient report to show that Murray is making a good faith effort to address modern income housing needs.

Ms. Greenwood said although the City is required to submit the annual Moderate-Income Housing report, Murray is not required to perform. She agreed the City was further along in addressing the housing crisis than other communities; and confirmed legislators are more frequently bringing new requirements forward; many are anticipated this Legislative Session that effect how transportation and economic funds are dispersed. As a result, a pressure point is being applied to Murray and all transit cities. All in State Code, she expected the new requirements to become more stringent as the affordable housing crisis continues; so, she expected the situation to worsen.

Council Comments and Discussion

- Ms. Martinez asked how the City in its ability, could practically meet goals of the median income housing shortage.
- Mr. Hall replied existing strategies would provide that capability; for example, by allowing a variety of housing options like accessory dwellings that are more affordable than other types of housing. He believed unless densities are increased in certain areas, no impact could be made to the housing crisis in the current housing market. For example, near TRAX lines where the City is identified as a transit city with three TRAX stations.
- He felt Murray has the ability to place density where other cities cannot, which was the best way for the City to impact housing challenges; and if the City is going to impact affordability, we must recognize that increasing density and diversity must be done to show that Murray is doing all it can to address housing challenges. He noted Utah ranks 25 in top metro cities that lack affordability; and was placed in the top five for increased housing prices.

- Ms. Dominguez asked if the City was letting legislation dictate what should happen in Murray, and how the City should implement housing. She asked if the City could take the initiative by applying current Code to help developers, by incorporating NeighborWorks in with those relationships to help resolve housing challenges.
- Mr. Hall agreed another important relationship was with Rocky Mountain Housing. He said affordable housing should be implemented in areas where it can be utilized most effectively, with the least impact to other development patterns. He discussed the notion that single-family homes are extinct and pointed out that 90% of developed land in the valley is single-family homes; and 70% in Murray. He thought adding density to core areas was not going to cause the extinction of neighborhoods because it would only be added were able, and in leftover spaces.
- Ms. Turner studied the entire report and hoped to understand it more thoroughly; therefore, due to time restraints, she requested the conversation continue. She suggested a retreat for training about the GP process to ensure Council Members had specific clarity. All Council Members agreed.

General Plan and Zone Map Amendments 5283, 5157, 5217, & 5177 South and 151 East 5300 South –

Ms. Greenwood noted the subject property was located on the northeast corner of 5300 South and State Street; including Best Buy, Chick-fil-A, and Mimi's. She said property owners approached the City with a request to rezone the parcel to M-U (Mixed-Use).

Mr. Hall led the discussion and reported that Howland Partners own the 13.2-acre property; an arial map was viewed to analyze current structures and the presence of a big box store. The current zone is C-D (Commercial Development) for most of the parcel; and the Future Land Use map suggests the property be categorized as General Commercial. Mr. Hall pointed out Professional Office categories across the street at the IMC (Intermountain Medical Center) campus; and a TRAX station to the west. He said it was not the best pedestrian environment, however, with the GP amendment, and proposed rezone to M-U, those challenges would be corrected. Good findings that support the amendments were noted as, proximity to State Street and the 5300 South corridor; proximity to TRAX, and it is also not far from the MCCD (Murray City Center District) where expansion of the downtown was expected.

Mr. Hall mentioned differences between the M-U zone, and the C-D zone as discussed in a previous Committee of the Whole, regarding height, parking, and setbacks. The significant difference being that the M-U allows higher density residential components; and in this case, he said the rezone would allow 80 units per acre. He said the Murray Planning Commission voted 7-0 to approve recommendation of approval to the Council based on several findings. One positive public comment was received about creating a unique walkable area, after 42 public notices were mailed out for the December 3, 2020 public hearing. He said staff offered the same recommendation of approval.

Council Comments and Discussion

- Mr. Hales asked if Best Buy was moving from the property.
- Ms. Turner asked if structures would be torn down.
- Ms. Greenwood was in contact with property owners for the last year, who conveyed the intent is to convert much of the existing commercial space into residential buildings; and add additional stories to existing structures. It is their belief that the future of retail is not sustainable without a residential component; so, it is thought that this location is perfect for being proactive in adding high density housing to sustain the retail located there.
- Ms. Dominguez asked if current commercial spaces on the property were leased; and if office space was fully occupied.

- Mr. Hall confirmed not all office space is utilized; there is a small parking structure on the site, but not large enough to handle a new development. Not every structure would be demolished because the complex is successful and active; adding a residential component is the overall desire.
- Ms. Dominguez asked the current height restriction for C-D. Mr. Hall confirmed 30 feet within 100 feet of a residential area; however, with no residential neighborhoods near the property, the component could be as much as 80 feet tall. Ms. Dominguez affirmed on 13 acres over 1,000 units would be possible on the parcel.
- Mr. Hall agreed residential housing could be over 800 units. He added that the area was identified on the GP for future study and consideration as a BRT (bus rapid transit) station village; once the bus transit was in place on State Street the corner was anticipated to be a station village area.
- Ms. Dominguez pointed out that the current city hall property is zoned as MCCD; she asked if it could also be rezoned to M-U in the future. Mr. Hall confirmed the six acres would be redeveloped once city hall is relocated.
- Ms. Dominguez thought parcels at 5300 South were well suited for an M-U development; but wondered about public services. Mr. Hall noted the Howland property sits outside the MCCD, where additional public services and facilities were planned for in a recent Sewer Master Plan public works study for capital improvements. Therefore, incorporating additional service units to areas on State Street were identified - and upgrades would be necessary as additional projects come about.
- Ms. Greenwood informed the Council that the application was received in September of 2020; however, it was not processed until after sewer capacity studies were completed to analyze new growth and the need for new infrastructure.
- Mr. Hall concluded staff believes these changes are appropriate, so they recommended approval to the planning commission, who had the same recommendation to the City Council.

Text Amendment for Residential Chicken Keeping – Ms. Greenwood said the Council requested the review about chicken keeping in late summer; since then, five years of history was researched. Mr. Hall discussed the text amendment that proposes chicken keeping now be allowed on residential properties.

(Attachment #1)

A timeline from 2012 to 2020 was presented to explain how reconsidering the ordinance came about. Mr. Hall explained it was after a public survey, and the number of responses that led to the proposal. New proposed standards were reviewed, such as maximum number of chickens allowed per lot size, and chicken coop requirements. Chicken keeping would only apply to single family detached dwellings and not townhomes or apartments. A comparison chart was shown that reflected how surrounding cities are allowing for chicken keeping. Average monthly code enforcement cases in cities were noted by population; and the survey was provided. Mr. Hall said staff moved forward with devising a draft ordinance due to good public response. The Murray Planning Commission recommended approval of the draft ordinance to the City Council with the addition of a requirement for those who want to keep chickens to register with the City.

Council Comments and Discussion

- Ms. Martinez visited neighbors who raise chickens; she reported many were unaware that chickens are not allowed in residential areas; and asked if there would be a fee associated with chicken keeping. She had concerns like smaller properties allowing up to six chickens and chickens not producing eggs for a certain time. She felt education about chicken keeping and egg laying cycles was important to provide good guidance. She asked why chicken coops are not allowed up against property lines and existing fencing.

- Mr. Hall replied there would be no fee, registration was only to obtain information; and if citizens do not voluntarily register with the City, it is not a violation. He was not familiar with egg production cycles; he said existing fences are viewed as accessory structures due to drainage issues onto neighboring properties, which is not allowed in City Code. All accessory structures must be one foot from a property line, and chicken coops are not large enough to require building permits.
- Ms. Greenwood affirmed that distancing chicken coops, and other animal structures like dog runs away from property lines was to help to avoid issues with neighbors and complies with building codes.
- Mr. Hales recalled concerns the Council had when considering chickens previously – related to issues like property lines and attracted pests like rats. He noted, after analyzing the recent survey results, there seemed to be a higher interest this time.
- Ms. Turner agreed a significant past concern was about ensuring proper space to house chickens. She supported chicken keeping and enjoyed hearing them in her neighborhood; she thought it was a good idea to recognize citizens who have them, to better regulate the practice.
- Mr. Hales asked Ms. Turner if chicken keeping was allowed in her condominium complex. Ms. Turner said no, but it was common in the surrounding area.
- Mr. Cox raised chickens in his youth and understood that pests like rats, skunks and racoons are drawn to chicken coops, due to chicken droppings and chicken feed. He shared more recently, due to neighboring chickens in his neighborhood that did not exist in previous years, he battled a costly situation with rats on his personal property. He explained the process to be rid of them, which was why he believed agricultural areas were best for chicken keeping. He shared Ms. Martinez's concerns about residents not understanding infrequent and little-to-no egg production cycles, related to the number of chickens allowed on small properties. He shared about a constituent who owns a pet chicken for an autistic child and felt this was a positive reason for having a chicken in a residential area, more so than raising chickens for fresh eggs, due to low egg productions. Mr. Cox was confident varmint challenges would occur more often with the new proposal; and stressed that with chickens comes this problem; for the record he wanted citizens to be aware of how costly it is to get rid of rats.

Announcements: Ms. Kennedy reminded the Council of Ms. Lopez's walk-through retirement reception on January 28, 2021 from 12-2 pm; masks and social distancing required.

Adjournment: 6:12 p.m.

Pattie Johnson
Council Office Administrator II

ATTACHMENT #1

Residential Chicken Keeping

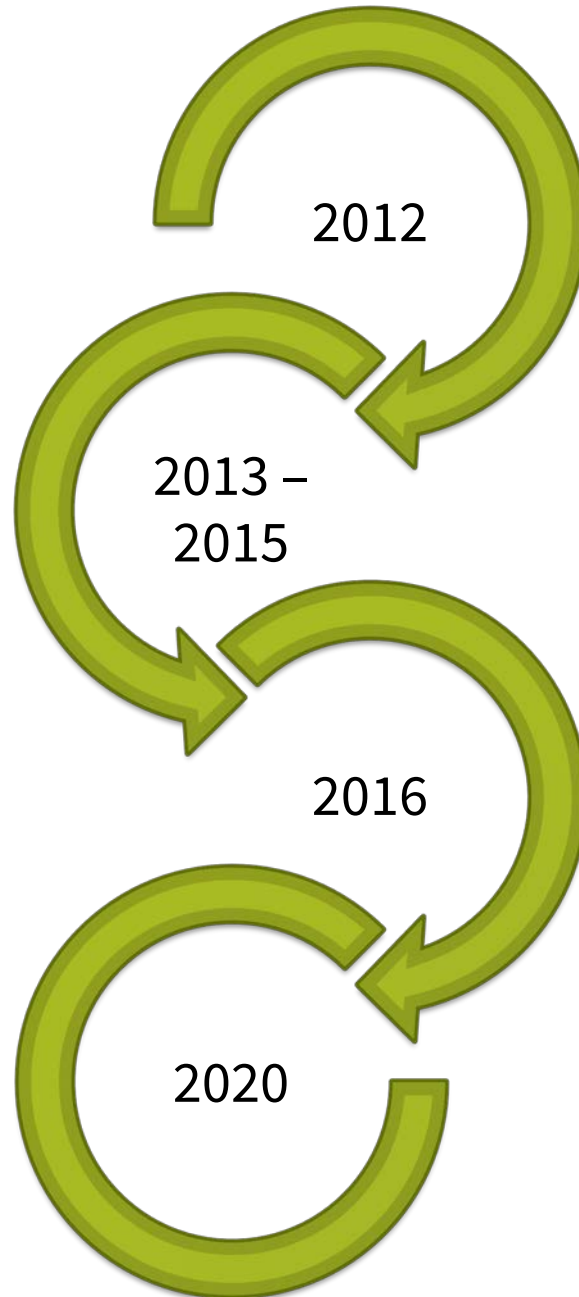
Text Amendment to allow chickens on residential property



Timeline

Planning Division Staff conducts open houses in 2013 and further research in 2014. Proposed code is drafted, and the Planning Commission forwards a recommendation of approval.

The City Council requests that the Planning Division bring forward a new ordinance that would allow chickens in residential areas



With an increase of code enforcement cases, the City Council directs Planning Staff to look into chickens in residential areas

The City Council reviews the request and ultimately denies the proposed chicken ordinance.

Proposed Standards

Number of Chickens Allowed

Lot Size	Maximum Chickens Permitted
Less than 6,000 square foot lot	4
6,000 – 9,999 square foot lot	5
10,000 - 11,999 square foot lot	6
12,000 square foot lot or greater	8

Coop Standards

Standard	Requirement
Property line setback	5'
Adjacent property line setback	25'
Dwelling setback	10'
Coop height	7' maximum
Minimum area requirement	4 square feet per chicken

City	Number of Chickens	Permit Required?	Fee?
Cottonwood Heights	10	Yes	Yes
Draper	6	No	No
Herriman	1 – 10 based on lot size	No	No
Holladay	25 – 62 only on lots >10,000 square feet	Yes	No
North Salt Lake	6 – 30 based on lot size	No	No
Riverton	6, more allowed if lot is greater than ½ acre.	No	No
Sandy	Only in Agricultural Zone		
Salt Lake City	15	Yes	Yes
South Jordan	6	Yes	Yes
Taylorsville	2 – 10 based on lot size	Yes	No
West Jordan	5	Yes	Yes
West Valley City	Treated as pet up to 4 pets allowed	No	No
Midvale	2 – 8 based on lot size	Yes	Yes
Millcreek	Only in Agricultural Zone		
South Salt Lake	4 – 6 based on lot size	Yes	Yes
Salt Lake County	3 – 8 based on lot size	Yes	Yes



City	Setback for Coop	Area Per Chicken
Cottonwood Heights	40' from dwellings, 3' from property line	3 – 6 sq ft
Draper	50-75' from dwellings	N/A
Herriman	25' from all dwellings	N/A
Holladay	40' from dwellings and street	N/A
North Salt Lake	35' from dwellings, 5' from property line	N/A
Riverton	No standards found	N/A
Sandy	Only in Agricultural Zone	N/A
Salt Lake City	25' from adjacent dwelling	2 – 6 sq ft
South Jordan	40' from adjacent dwelling; 5' from property line; 10' from dwelling	N/A
Taylorsville	25' from adjacent dwelling; 3' from property line; 15' from dwelling	1.5 – 6 sq ft
West Jordan	20' from dwelling; 5' from property line	1.5 – 6 sq ft
West Valley City	No standards found	N/A
Midvale	30' from adjacent dwelling; 10' from dwelling	2.5 – 6 sq ft
Millcreek	Only in Agricultural Zone	N/A
South Salt Lake	50' from adjacent dwelling; 5' from property line; 25' from dwelling	N/A
Salt Lake County	40' from adjacent dwelling; 25' from dwelling	2 sq ft



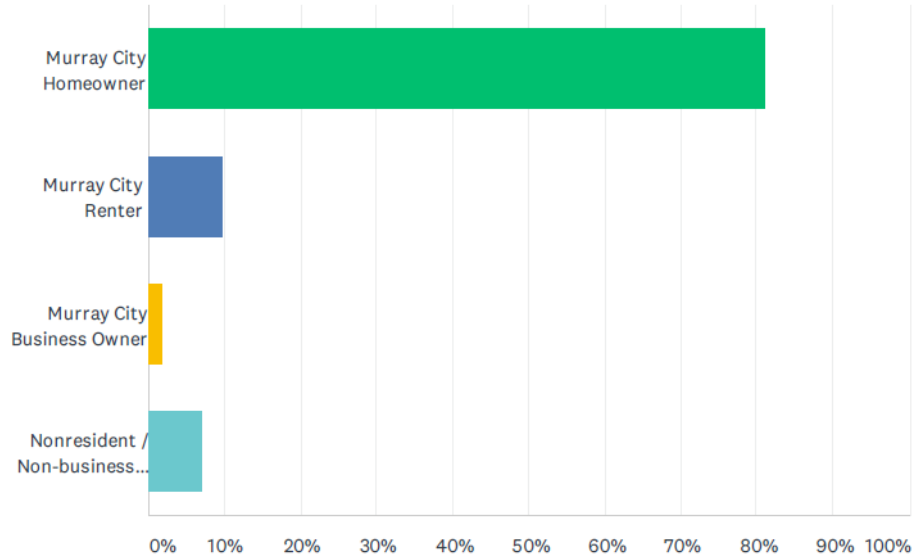
Code Enforcement Cases

Municipality	2019 & 2020 Cases	Average Per Month	Population
West Valley City	77	1.6	136,401
Holladay City	3	0.06	30,697
Sandy City (not allowed)	10	0.21	96,901
South Jordan City	12	0.25	74,149
Taylorsville City	24	0.50	60,192
Midvale City	8	0.16	33,636
Millcreek City (not allowed)	28	0.59	61,270
South Salt Lake City	4	0.09	25,365
Ogden City	36	0.75	87,325



Q1 Please select the option that best describes you.

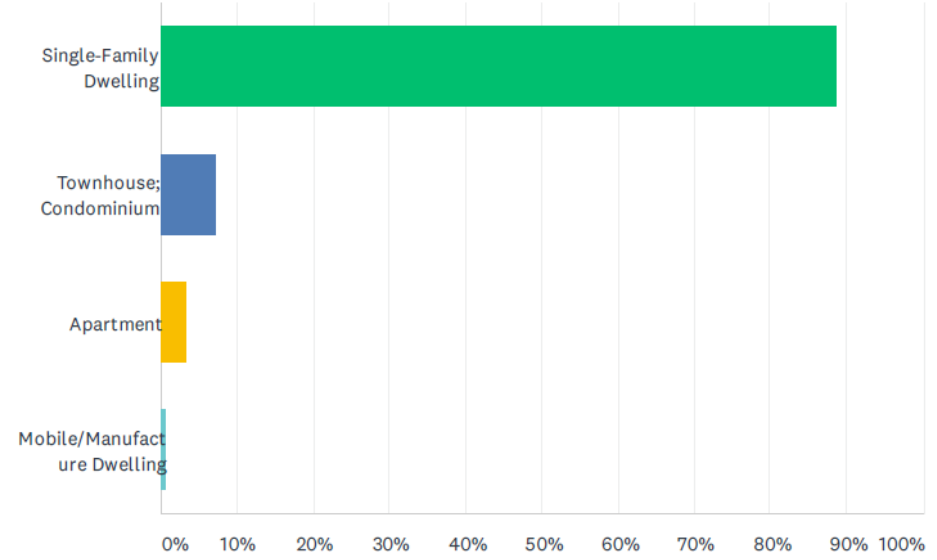
Answered: 1,077 Skipped: 4



ANSWER CHOICES	RESPONSES
Murray City Homeowner	81.15%
Murray City Renter	9.84%
Murray City Business Owner	1.86%
Nonresident / Non-business owner	7.15%
TOTAL	

Q2 What type of home do you live in?

Answered: 1,077 Skipped: 4

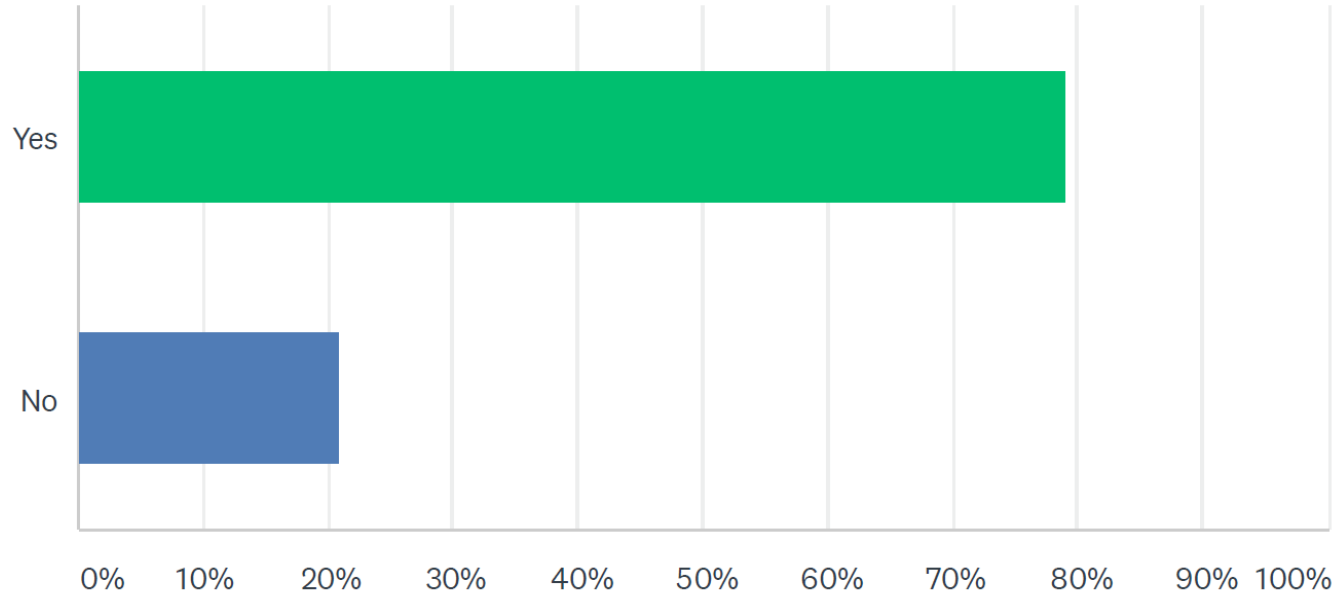


ANSWER CHOICES	RESPONSES
Single-Family Dwelling	88.67% 955
Townhouse; Condominium	7.34% 79
Apartment	3.34% 36
Mobile/Manufacture Dwelling	0.65% 7
TOTAL	1,077



Q3 Do you feel chickens should be allowed in residential zones?

Answered: 1,080 Skipped: 1

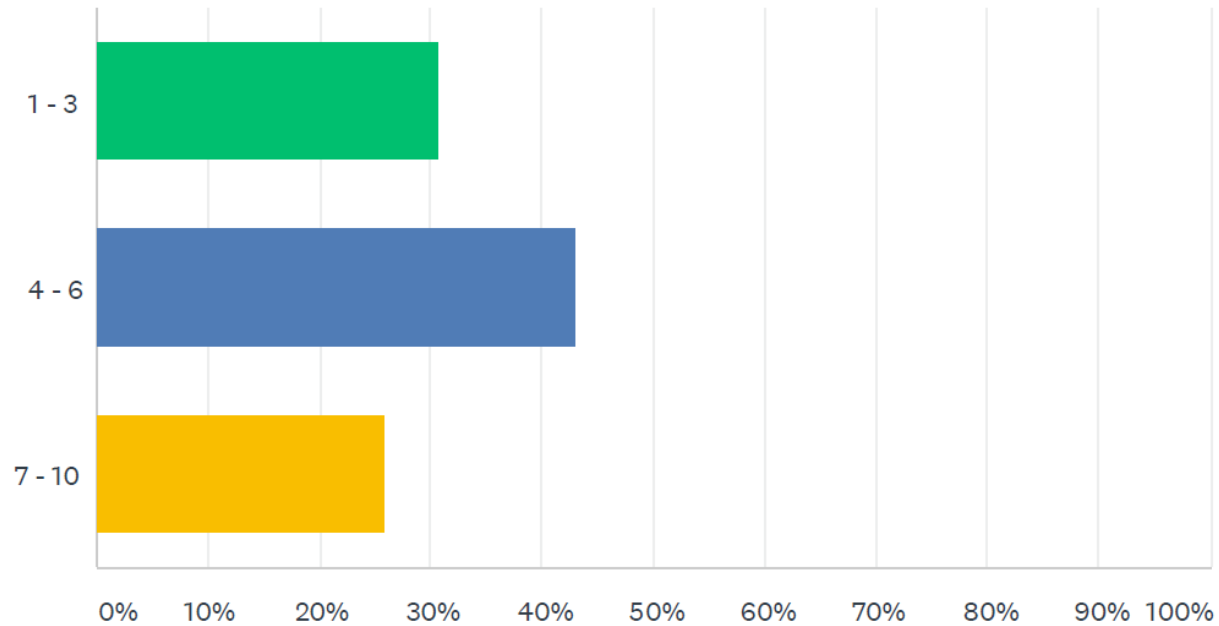


ANSWER CHOICES	RESPONSES	
Yes	78.98%	853
No	21.02%	227
TOTAL		1,080



Q5 If chickens are allowed in residential zones, how many chickens should a property owner be allowed to have?

Answered: 1,063 Skipped: 18

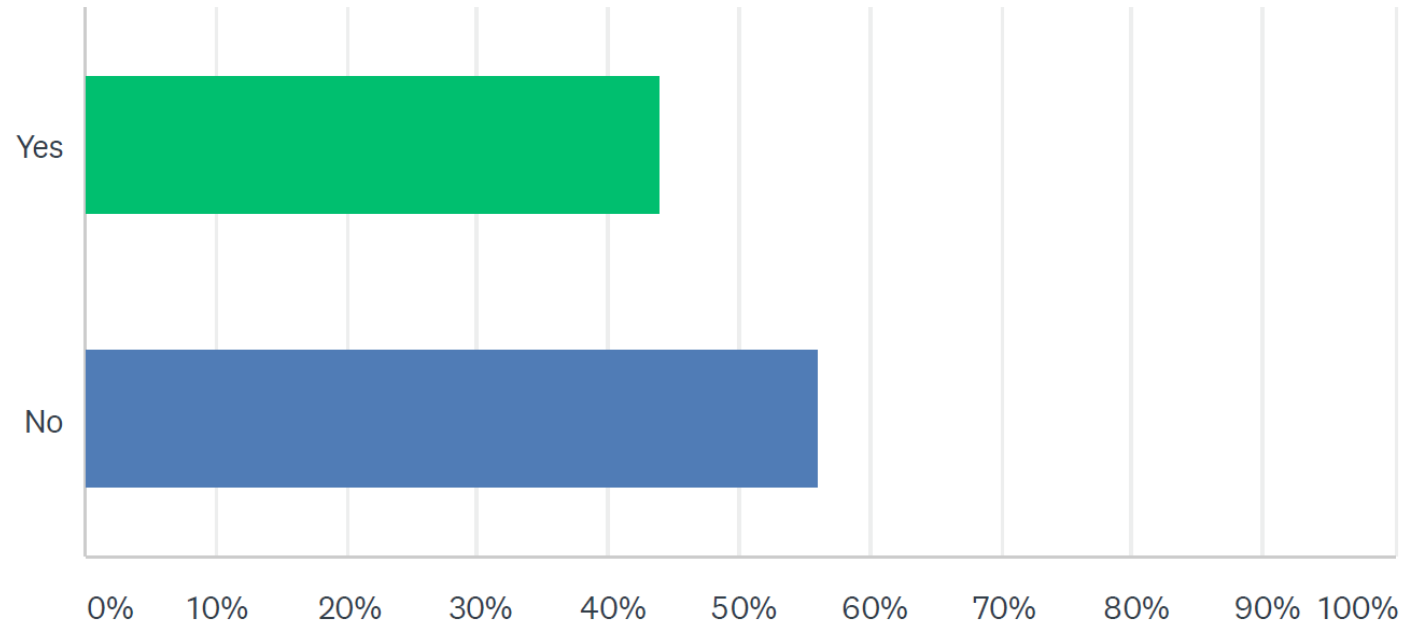


ANSWER CHOICES	RESPONSES	
1 - 3	30.86%	328
4 - 6	43.18%	459
7 - 10	25.96%	276
TOTAL		1,063



Q6 Should a permit be required to keep chickens in residential zones?

Answered: 1,076 Skipped: 5



ANSWER CHOICES	RESPONSES	
Yes	43.96%	473
No	56.04%	603
TOTAL		1,076



Recommendation

The Planning Commission recommended **APPROVAL** of the draft ordinance, Chapter 17.67 Residential Chicken Keeping Standards to the City Council with the addition of a requirement for those who are keeping chickens to register with the City.