



**MURRAY MUNICIPAL COUNCIL
COMMITTEE OF THE WHOLE**
Meeting Minutes

**Tuesday, October 19, 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	Pattie Johnson	Council Administration
Jennifer Heaps	Chief Communications Officer	Craig Burnett	Police Chief
Danny Astill	Public Works Director	G.L. Critchfield	City Attorney
Joey Mittelman	Assistant Fire Chief	Brenda Moore	Finance Director
Camron Kollman	IT	Brooke Smith	City Recorder
Jared Hall	CED Division Supervisor	Melinda Greenwood	CED Director
Residents			

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

Approval of Minutes: Committee of the Whole – September 21, 2021. Ms. Martinez motioned for approval; Ms. Dominguez seconded the motion. (All in favor 5-0)

Discussion Items:

- Land Use Text amendment on STRs (Short Term Rentals). – Mr. Smallwood presenting.
There was a review of how the proposal came about and the efforts made by staff to research best practices in regulating STRs in Murray. Murray has never allowed STRs in residential zones.

Mr. Smallwood noted the draft ordinance presented to the Council in June of 2021 was revised. He stated that an STR is a type of lodging for guests who pay rent to dwell for a period of less than 30 consecutive days. He discussed the pros and cons of allowing STRs and explained community responses from the December 2020 survey that was conducted to gain citizen input.

Mr. Hales confirmed that STRs do not help with affordable housing issues. Mr. Smallwood agreed STRs are not like accessory dwelling units that do help with long term housing needs. The 12-question survey was detailed along with answer choices from 607 respondents. He noted 41% of those surveyed think STRS should not be allowed in Murray; and 33% feel STRs should be owner occupied.

The draft ordinance requires a homeowner be present on the property at least 183 days per year.

Ms. Turner expressed concern about the remaining days of the year that owners are not required to live on the site. Mr. Smallwood reviewed the application process for operating an STR and discussed additional considerations like state preemption; he anticipated STRs would be addressed extensively in the upcoming 2022 Legislative Session. Ms. Turner wondered if new legislation would override the proposed ordinance. Mr. Smallwood said it was possible.

Code enforcement details were outlined including proposed fines for violation infractions and when a permit would be revoked. Out of three types of STRs, only two are proposed in Murray: *Hosted Sharing* and *Unhosted Sharing*; *Dedicated Vacation Rentals* would not be allowed. Mr. Smallwood explained parking requirements for both two- and four-bedroom rentals at both Hosted and Unhosted dwellings. He reviewed additional regulations like how urgent responses to complaints are handled; a visible nameplate on the facility depicting owner information; and the provision of a welcome packet. Packets must contain owner contact information and numbers for emergency services and garbage pickup.

Mr. Cox led a conversation with concern about how fines would be collected, as not to tie up CED and legal staff in resolving code enforcement matters. Mr. Smallwood hoped the enforcement piece would act more as a deterrent than bring about increased violations.

Mr. Hales agreed a significant workload could result in monitoring violations and collecting fees. Ms. Greenwood confirmed having adequate resources in code enforcement was always a concern. She reported STR companies are more sophisticated than before due to a new rating system based on the conduct of both property owners and renters. She felt the rating system improved the STR industry overall by motivating property owners to provide good rentals with responsible tenants. Although Murray only sees a handful of STR enforcement cases annually, the ordinance would provide staff with more leverage to manage poorly run STRS.

She said enforcement becomes complicated without an ordinance in place because many STR companies provide their own regulatory enforcement service in contract with the State Office of Tourism. This is why legislation will not allow the City to regulate existing STRs, as the City accepts by default, Transient Room Tax revenue through the Utah State Tax Commission.

Mr. Smallwood reported the planning commission reviewed the proposed ordinance on August 19, 2021 during a public hearing. Notice was mailed to affected entities; one supportive public comment was received. Although the planning commission voted 4-3 to recommend denial, City staff recommended approval. There was consensus among Council Members that more time was needed to evaluate the matter due to a number of concerns.

Mr. Cox led a discussion about a previous Council request for all STRs to be owner occupied 100% of the time. He said the ordinance should reflect that to ensure that all neighborhoods are sustain as residents know them to be.

Ms. Martinez clarified the ordinance should then reflect the only type of STR allowed is *Hosted*. She was hesitant about delaying the matter by withholding new tools from staff needed to address current

violations.

Ms. Dominguez asked how many STRs were now in violation. Mr. Hall reported that he handles code enforcement issues; he stated the City does not get many STR cases which are least common.

Mr. Hales felt the discussion could continue into next year since it was not urgent. Council Members also agreed due to the number of negative survey comments more time was needed to review the material. Mr. Smallwood would return to the City Council following the 2022 Legislative Session and report any new legislation that would affect the proposed ordinance.

- Proposed Zone Map Amendment for 5829 and 5837 South Majestic Pine Drive. – Mr. Hall presenting. Joint property owners requested the zone map amendment for two parcels located in the Ereksen Place subdivision. The two parcels have no frontage on a public street, they are not buildable, and are located between their residential lots.

Mr. Hall explained the zone change would clean up remnant parcels and allow landowners to improve and maintain the area - leaving land in its natural state. The two parcels extend into Little Cottonwood Creek on the north and are accessible only by adjacent property owners.

Photos of the wooded area and the zone map were displayed to describe the location. Mr. Hall said staff is supportive of the request and recommended approval based on positive findings. The planning commission also recommended approval with a vote of 6-0 during a public hearing on September 2, 2021. No public comments were received. Council Members would consider the proposed zone map amendment in a council meeting on November 16, 2021 during a public hearing.

Announcements: None.

Adjournment: 5:53 p.m.

**Pattie Johnson
Council Office Administrator III**