

Minutes of the Planning Commission meeting held on Thursday, May 5, 2022, at 6:32 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: Jeremy Lowry, Chair
 Jake Pehrson, Vice Chair
 Travis Nay
 Maren Patterson
 Ned Hacker
 Jared Hall, Community & Economic Development Director
 Zachary Smallwood, Senior Planner
 Seth Rios, Planner I
 Briant Farnsworth, Deputy City Attorney
 Citizens
Excused: Lisa Milkavich
 Michael Richards

The Staff Review meeting was held from 6:02 p.m. to 6:29 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

Mr. Nay made a motion to approve the minutes from the April 7, 2022, meeting with the following correction:

- Replace “Holiday City” on the last page with “Holladay City.”

Motion seconded by Mr. Hacker. A voice vote was made, motion passed 5-0. Commissioners Milkavich and Richards were absent from the vote.

CONFLICT OF INTEREST

There were no conflicts of interest.

APPROVAL OF FINDINGS OF FACT

Mr. Pehrson made a motion to approve the Findings of Fact for Studio 56, Heavy Duty Auto and Salt Lake Powerlifting. Motion seconded by Ms. Patterson. A voice vote was made, motion passed 5-0. Commissioners Milkavich and Richards were absent from the vote.

BLACK ART SOCIETY – 855 East 4800 South, Suite 200 – Project #22-058

Seth Rios presented the request. The applicant is seeking a conditional use permit approval for a body art studio at the address listed above. Back in April, the city council passed a text amendment which allowed different uses in the General Office Zone; they now allow tattoo and body art studios as a conditional use in that zone. The applicant wants to move to the Spring

Pines Office Complex at Van Winkle Expressway and 4800 South. The applicant came to the February 17 meeting and spoke about his business a little bit. He mentioned it would match the character of the office complex because there wouldn't be a bright neon sign and everything he does is appointment only, so there are no walk-ins. He tries to make his studio feel more like a spa than a tattoo parlor. This is zoned General Office and surrounded by different types of residential, but there is a parcel between the R-1.8 to the west that's a pretty big buffer with a bunch of trees. The other residential is separated by 4800 South, and Van Winkle separates the other uses. There will not be any major impacts. Mr. Rios showed the floorplan as included in the meeting packet; the different rooms shown would be used by the various artists working for the applicant. The applicant meets all the landscape requirements. Staff recommends approval of this conditional use.

Mr. Lowry opened the meeting for public comment.

Fredrick Knuon, Murray

Mr. Knuon lives in a house in the circle nearby. They received the notice for the application and they were concerned after reading the details. He referenced the aerial map from the Staff Report and discussed the creek nearby that can't be seen because of the trees, it is a very isolated area and there are always homeless people hanging around the area. There have also been people caught doing drugs and drinking alcohol in the area. Discussed one lot where the owner passed away and it is being sold. There is an access to the river from their home. He is concerned about drug activity with this body shop. They used to have a neighbor that was dealing drugs and living in a crack house; they fought very hard to get them kicked out. They don't want any more drugs or issues.

No further comments were made and public comment was closed.

Mr. Hacker asked if we should vote on this with the applicant absent.

Mr. Lowry asked Mr. Rios if the applicant indicated that he was planning to be at the meeting tonight.

Mr. Rios spoke with the applicant on the phone a few days ago and he said he was going to be here.

Mr. Lowry supports a motion to hold this application until the applicant can be here in person.

Zachary Smallwood said they do not need to re-notice this application if it is tabled to a date specific in the motion.

Mr. Nay noted that they have had other instances where the applicant was not present and they moved forward with the application and the vote. He recognizes the resident's concern with drug activity in his area, but Mr. Nay doesn't believe this project is going to add to that activity. Actually, having more people on-site might lessen some of those activities since there will be more people around these businesses. He is personally comfortable moving forward with a vote.

Mr. Pehrson noted he would be comfortable moving forward with a vote as well since they heard from the applicant recently.

Mr. Nay made a motion to approve the proposed conditional use permit at 855 East 4800 South, Suite 200, subject to conditions 1-4.

1. The project shall comply with all applicable building and fire code standards.
2. The applicant shall obtain a building permit for any interior or exterior construction on the property.
3. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
4. The applicant shall apply for a Murray City Business License prior to beginning operations at this location.

Seconded by Mr. Pehrson.

Call Vote was recorded.

 A Jake Pehrson
 A Jeremy Lowry
 A Travis Nay
 A Maren Patterson
 N Ned Hacker

Motion Passed 4-1.

SWEATY PIG GYM – 150 West 4800 South, #30 – Project #22-062

Seth Rios presented the request. The applicant is requesting a conditional use permit for a gym in the Manufacturing Zone. The proposed unit exists at an industrial park at 150 West, zoned M-G along with everything else around it as there are railroad tracks that split it from other zones; the gym would be located in unit #30, Mr. Rios showed a map of the building from the meeting packet to illustrate this. The bottom part will just be used for workout equipment, the lofts upstairs will be used for storage. He has enough parking based on the square footage, he is required to have nine stalls and that is what is currently there. The city cannot require landscaping since this is a private road, however it is technically in compliance with the city requirements. Staff is recommending approval of the conditional use permit to allow a gym at this property with the five conditions listed in the Staff Report. The fifth condition specifically states that all exercise activity shall be kept inside the building. Sometimes there are gyms that take their activities outside, and this has been added in case another gym decides to move in at a later date.

Conner Gordon – Applicant

This is a private strength gym for members. Members will have access to the gym, but it is not a public access gym; it will have very specialized equipment, membership and training. They are looking for a limited amount of members so they can focus on their primary niche.

Mr. Lowry asked the applicant if he is willing to comply with the five conditions stated on the approval.

Mr. Gordon responded that yes, he believes those are manageable.

Mr. Nay asked if the parking is being made available to the applicant. Traditionally, there have been issues with parking and double/triple parking of vehicles on the property. Mr. Nay wants to make sure that can be worked out with the property owner.

Mr. Gordon said he is working with the property owner and neighbor.

Mr. Lowry opened the hearing for public comment.

Fredrick Knuon, Murray

Mr. Knuon supports these activities and commends them for applying for this gym. He wishes it was next to his house.

Mr. Lowry closed public comment.

Ms. Patterson made a motion to approve the conditional use permit to allow the gym at the address 150 West 4800 South, Unit #30, subject to the following 5 conditions:

1. The project shall comply with all applicable building and fire code standards.
2. The applicant shall obtain a building permit for any interior or exterior construction on the property.
3. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
4. The applicant shall apply for a Murray City Business License prior to beginning operations at this location.
5. All exercise activity shall be kept within the building of the proposed business.

Seconded by Mr. Hacker.

Call vote was recorded

 A Jake Pehrson
 A Jeremy Lowry
 A Travis Nay
 A Maren Patterson
 A Ned Hacker

Motion passed 5-0, unanimous in favor.

DISCUSSION

Zachary Smallwood presented the discussion item and reviewed his prepared presentation regarding updating the city's moderate income housing element. In 1996, the Utah State Legislature adopted a statute requiring cities to have a moderate-income housing element as part of the general plan. In 2003 Murray City approved a housing element that addressed some moderate-income housing. In 2017 Murray City adopted the new general plan, it was a complete re-vamp from the previous plan. In 2019 the state legislature adopted Senate Bill 34, that required cities to select from a menu of items to encourage cities to work towards providing additional moderate-income housing. As part of that, staff felt the city had met most of those items and he believes they added an additional item from that menu; that was done in October

of 2019 to make sure they complied with SB34. As a part of that, every December they had to update the county and Department of Workforce Services with a report to show where they were on that trajectory and what was being done for moderate income housing. In 2022, they passed House Bill 462, which will be addressed at the next meeting along with what needs to be done to be in compliance; that plan is due on October 1, 2022. Moderate income housing according to HUD is housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located. HUD provides that data and median area income for each county in the country. He pulled information from the 2017 general plan, as well as the 2003 and 2021 data. Murray went from a \$57,000 AMI in 2002 to \$92,000 in the fiscal year 2021. Largely, in the housing realm they have classified housing at 80% of area median income (AMI), 50% of AMI, and 30% of AMI. Eighty percent is considered moderate income, 50% is low income, and 30% is very low income; those amounts are based on a family of four. In 2021, a very low-income family of four would be about \$27,000 a year, which works out to \$2304 monthly gross income. Out of that \$27,000, only 30% of your income should go towards housing and expenses; that works out to \$8295 per year or \$691 per month. He doesn't believe you can find that anywhere in this county for a family of four. Many of the numbers in his presentation are old and out of date, so he is not going to go too far into the amounts. He asked for feedback as they move forward with this general plan update, specifically if this is still the goal they are looking to achieve. Currently, their goal is to provide a diversity of housing through a range of types and development patterns to expand the moderate-income housing options available to existing and future residents. This is probably going to change how they do the general plan as currently they only have the main goal with two objectives to meet that goal. He thinks that preliminarily they are planning on having the main goal, then having the menu items as the objectives and using the strategies as the implementation timeline with actionable steps to achieve those objectives. He started reviewing the strategies listed in his presentation:

- Promote affordable housing options that address the needs of low to moderate income households and individuals and offer options for a range of demographics and lifestyles.
- Ensure zoning of residential areas does not prohibit compatible types of housing.

Mr. Smallwood believes the city has been making strides to do this, especially when they recently changed the R-2-10 zone to not just require duplexes and allow individually owned homes. The text amendment will be coming soon, and there is another one coming forward to address some things in the MCCD because apparently in that zone they cannot have just a single-family home above commercial according to the code. If you have a shop and live above it, and there is just one home, that's not allowed.

Mr. Nay noted it is allowed in the TOD zone, as there are live/work units there.

Mr. Smallwood said those are all parts of one development. If someone bought in the MCCD zone and only had one residence, that wouldn't be allowed. Someone currently wants to take one of the local buildings, a dentist's office with an existing apartment, and rent that apartment out; we technically can't let them with the current code.

Mr. Nay said that one of the challenges with that is requiring amassing a significant amount of property to be able to pull off a project of any scale to make it enticing enough for more

developers. Lowering that standard and threshold to allow for smaller developments would be very important.

Mr. Hacker asked what that threshold is.

Mr. Smallwood said it just has to be more than one unit.

Mr. Hacker asked if that could be two apartments over a complex or business.

Mr. Pehrson said they could have two or more apartments.

Mr. Smallwood said you can't operate a business and rent your own space above it as the code is currently written.

Ms. Patterson noted that this might encourage others that are already existing to convert.

Mr. Smallwood moved on to the next strategy:

- Continue to support ADUs (Accessory Dwelling Units) in all residential zones.

This is a hold-over, they were mandated to change the ADU ordinance back in 2020 and he believes this is still a menu item. If so, he'd like to include it because he would like to see changes made to the rules for detached ADUs; he knows the council is pretty receptive to changes as well.

Mr. Nay asked what kinds of changes he was suggesting.

Mr. Smallwood noted that currently, to build a detached ADU, you have to meet the same setbacks as a home which is 25 feet in the rear, somewhere between six and 25 feet between the existing house and the ADU, and you have to allow in the R-1.8 zone a side yard of a minimum of eight feet with a total of 20 feet on both sides. For many people, the rear setback alone kills any options for a detached ADU.

Mr. Nay asked if they would allow someone on a single piece of property with an existing home to do it as a PUD to get altered setbacks.

Mr. Smallwood said no, because a PUD is required; you have to meet a threshold of two acres or more for a PUD.

Mr. Nay asked if they have considered changing their flag lot requirements for one of the lots to be 125% of the original lot.

Mr. Smallwood said it has been in the back of his head, but they have not moved forward with that. That is a great suggestion of something to look at as they move forward, that will help reducing some of those requirements.

Mr. Nay asked if you could build a fourplex on a single-family lot anywhere.

Mr. Smallwood said no.

Mr. Pehrson asked what the purpose of a setback is.

Mr. Smallwood said he didn't have an answer.

Mr. Pehrson noted there has to be a purpose for it.

Mr. Nay said it was because of the fire code at one point.

Mr. Pehrson said we should just reduce setbacks overall if they will allow if for ADUs.

Mr. Smallwood doesn't disagree, as prior to 1987 the standard rear yard setback was 15 feet in the city; if your home received a certificate of occupancy after April 7, 1987, you had a 25-foot setback, and anything before April 7th you had the 15-foot rear yard setback.

Mr. Pehrson said that the for a primary residence and ADU and should be the same.

Mr. Smallwood asked for clarification.

Mr. Pehrson doesn't believe they should reduce the setback for an ADU, regardless of the reason, because having any type of building close to the property line shouldn't have different requirements.

Mr. Smallwood said that for a shed, they are allowed to go up to one foot from the property line. The planning profession in general considers ADUs as accessory to the main dwelling, they are not an individual dwelling with their own utilities, they are a part of the main dwelling. He would like to see them more as an accessory use, rather than as the main dwelling.

Mr. Pehrson said that if there is a purpose to having a building or house offset, and that purpose can be articulated, it should be applied to the ADU as well since people will be living in that property. Whatever the reason is for the setback, they should just look at changing all the setbacks.

Mr. Smallwood noted that, going back to planning education, those were originally done to provide for light and air in an antiquated time when homes were built right next to factories; those setbacks were instituted to provide that light and air for properties. In his opinion, people have exacerbated those and found a way to make them with more open space, even when not needed. For instance, in regard to the 15-to-25-foot expansion that Murray did in 1987, he doesn't see a big difference as it's just more lot/yard for someone to handle.

Mr. Lowry noted that from a land use perspective, a community that has bigger setbacks will look different than one with smaller setbacks. Over time, the needs of a community will change. He moved on to the next strategy and wanted to discuss density bonuses. Regarding the slide about 80% of AMI, \$73,000 is the 80% rate of the AMI, which monthly is about \$6000; that means that the 30% housing ratio is about \$1800 allowed. In today's interest rates, if someone wanted to purchase a home and have everything be below that amount, they are buying about a \$300,000 house. Construction costs are about \$200-\$300 per square foot, and on a 1,000 square foot unit, that's \$200,000 - \$300,000 alone. In order to satisfy the moderate income, the only way to get there is density because those land costs have to be driven down. If they went back to 1987, or even late 80s, homes were going for a lot less than now. We are in a spot with rapid inflation and wages have not kept up.

Ms. Patterson thinks there is value in looking at the difference between setbacks for detached ADUs and streets, they shouldn't be the same things as housing setbacks would be a new development.

Mr. Pehrson said not necessarily. If he wanted to rent out part of his house and he wanted to expand by pushing back the house, he could not currently do that. However, if he added a walkway in-between and called it an ADU he could. If it's called an ADU, and they do what is being proposed, the setback would be different than if he just expanded his home to rent out a portion of it.

Mr. Smallwood said that if he expanded his house, that would not work because it would be considered an internal ADU.

Mr. Pehrson noted that he assumes an internal ADU creation would allow him to go to the potentially new setbacks.

Mr. Smallwood said no, because internal ADU means you are using the walls of the existing home. For example, if you had a home with a 25-foot rear yard setback, but the lot goes back 50 feet, you could add on 25 feet backwards and consider that an internal ADU without following any rules. However, if you have 30 feet of backyard space, you are required to have 25 feet for the home. The lot is 30 feet deep in the rear, but you have to go in 25 feet and then stay away from the house at least 6 feet, you're already negative and couldn't build a detached ADU.

Mr. Pehrson said that with the current setbacks for ADUs, if the rear setback is 25 feet he couldn't expand the house at all. However, if they changed the ADU setback to five feet from the rear of the yard he could build an ADU.

Mr. Smallwood said that yes, you could build a standalone or detached ADU.

Mr. Pehrson asked why we would allow the separate ADU, but not allow adding on to the house to rent it with the smaller setbacks.

Mr. Smallwood understands where he is going with that, but setbacks are hard for people to understand. There are certain building code requirements that have these required but they aren't as strict as zoning rules. Usually in subdivisions there is a 10-foot rear yard public utility easement that can't be built on without permission from utility companies. Also, within building codes, if you go within 5 feet of the property line you have to be fire rated and that bumps up costs. Some of the initial setbacks were probably initiated with those utility easements in mind. For example, the R-1.6 zone only requires 5-foot setbacks on the sides, and that's mostly to allow for those public utility easements.

Mr. Pehrson noted that expanding square footage in a household also allows for more density as well, so if the setbacks are going to be reduced, they should be done for everyone.

Mr. Smallwood said that all of this will be taken into consideration.

Mr. Lowry allowed a member of the public to ask a question.

Fredrick Knuon, Murray

He lives in a PUD, as such they are responsible for the private road's maintenance. He had a question about the HOA for the commission. At the end of their cul-de-sac there is a park that is shared by the HOA which has its own costs. Some neighbors are further from the park and don't care about the maintenance. The reason for that common area park was the setbacks, as not all the homes have the 25 feet required; for the PUD to comply with the setback requirement, they

built that park. They have been there for 25 years, have paid their HOA fees to maintain everything, and it takes its toll with arguments and neighbors who don't care. He wonders if the setback rules changed, would there be an opening for getting rid of the HOA property through sale that everyone maintains but no one owns.

Mr. Nay said that everyone would have to vote to eliminate the HOA.

Mr. Knuon noted that the property is a pretty large size, bigger than his property. Is it really possible if they all vote for it to eliminate the HOA?

Mr. Nay said the HOA is a private agreement amongst the homeowners and is outside of anything the city can regulate. The city can allow a PUD development to go in place, but it's still a private agreement.

Mr. Pehrson thought that a PUD had to have a public amenity that is maintained by an HOA.

Mr. Lowry said this is a great conversation to have with the planning staff at a later date and encouraged Mr. Knuon to make an appointment with Zach or Jared to discuss that.

Mr. Smallwood passed on a card to the resident to call him later. He said that if something like that were to happen, they probably could dissolve the PUD but it would come with significant issues to deal with, things like the private road and the public open space. HOAs are something completely separate from anything the city does, and the city doesn't deal with them or get involved in those contracts. Even if setbacks were changed, there would be a lot to that including going through a subdivision amendment, among other things.

Mr. Pehrson asked if the PUD dissolved, would they have to conform their setbacks beforehand.

Mr. Smallwood answered yes, which would include the public road since the city doesn't allow for private roads.

Mr. Nay noted that these would be nonconforming lots, and they can't approve nonconforming lots.

Mr. Smallwood moved on to the strategy related to density bonuses. Murray has density bonuses, but those have never been utilized and they are available in all the RM zones. All of the RM zones have normal numbers like RM-10, RM-15, RM-20 and RM-25. Typically, those mean 10, 15, 20 or 25 units per acre everywhere else, but not here. You actually get a base density of three minus the number of the zone in the RM zone, so it works out to 7, 12, 17 and 22 as the base density. On top of that, there is a density bonus section in the code that allows for additional units per acre, between one and three units, if you meet specific requirements. They are very high bars to meet and affordable housing is one of those components. He pulled up the American Legal Publishing website and went over the incentive density bonuses available. In order to increase one unit per acre, you have to meet all the requirements in column 1 from section 17.132.050, to get three additional units per acre there are even more requirements for affordable housing and lower incomes. Regarding deed restrictions, he noted they have one property that has utilized this, up 5300 to where it ends at Vine with the dome.

Mr. Lowry asked if the requirement for deed restriction is negotiable.

Mr. Smallwood said no, the property must be deed restricted because there are no other ways to ensure it stays affordable.

Mr. Pehrson noted that there is no other way to ensure the affordability for 25+ years.

Mr. Lowry said that you need to make it easier for a new development to meet the moderate-income standard and encourage that throughout a community. It will appreciate over time, but you can Google the other ways it's been done and see it hasn't worked out well, including in New York. If you get one of those units it's wonderful, but makes it hard to produce more.

Mr. Pehrson suggested removing that requirement for deed restriction.

Mr. Smallwood said that currently these are only an option in the RM zone, and down the road these types of things will be discussed.

Mr. Lowry loves the first part of the density bonus incentive requirements with the AMI and incomes, as that gives economic incentives to the developer or builder to provide that type of housing. However, by making it deed restricted for 25 years, there are many lenders that won't lend on those properties which makes financing very difficult.

Mr. Nay asked if it would change the equation if it was only for 7 years.

Mr. Lowry said no. If it's possible to create a circumstance where developers are incentivized to produce moderate income housing, and it's available, that will become the market. If the supply is there for that, the more supply available the lower the prices are in general. With a lower price point over time, you wouldn't need the deed restriction.

Mr. Smallwood would love for that to be the ideal, but doesn't think they could flood the market with that much moderate-income housing quickly.

Mr. Lowry said whatever you incentivize, you get. One unit per acre is not a strong enough incentive at this point.

Mr. Smallwood asked how the city ensures compliance, what does the city get out of it when they rent it for a year and then turn around and sell it for market rate.

Mr. Lowry noted there is a difference between for sale and for rent products. With for sale products, if we can provide an incentive where the first owner can acquire it at a purchase price that would meet a moderate AMI, that is the basis or starting point. If there is a scarcity of it, the price is going to pop right up. We'd have to have a plan with a strong enough incentive for developers to come in and see that they will make money building moderate housing. Every builder understands that the faster they sell, the more they make; most developers would love to move quickly through a project and move on to the next one, especially at a lower price point. If there are incentives, that creates a market. Keeping the price at the lower AMI would be more supply next year, and continually after that. They can add the 25-year deed restriction, but at year 26 the price will rocket up. He wonders if it is possible for a government entity to create an incentive that's strong enough for a for-profit developer to provide moderate housing.

Mr. Pehrson supported Mr. Lowry. The comment was made that we can't provide enough housing to make a difference, but if that's the case then we shouldn't be doing any of this. If we

can provide an incentive to actually add additional incentives, that would work, but they won't do it because of what's in the rules right now.

Mr. Smallwood said they will add all of this to their discussion.

Mr. Lowry noted that on a for-sale basis, that logic holds well; however, on a for-lease basis it actually works to the developer's disadvantage to have more supply because that will drive their rents down. He asked if it is possible to make the distinction on this incentive for for-sale versus for-lease units.

Mr. Smallwood said that is tricky and he'd have to research it, that probably goes into FHA.

Mr. Lowry said if a developer is building a for lease product, they want to limit that supply.

Mr. Pehrson asked how they would limit that, the for sale and for lease.

Mr. Nay asked about thoughts on building luxury only units, then waiting for the filter down effect where people who can afford to move into the luxury units move in there and leave the current units they are in to be filled in by others.

Mr. Lowry said that would only work if the 80% AMI increased dramatically enough in comparison to the appreciation on that unit.

Mr. Smallwood said that is how the housing market works, as you get wealthier you upgrade to a newer home.

Mr. Lowry said that if we are talking about the moderate AMI, and a luxury home is \$900,000, for the 80% AMI to grow into that the real estate would have to not appreciate and we would need massive wage inflation. If you look at a recent Fannie Mae study, in UT they bracket folks into 4 categories; those who are not ready to purchase a home, those who are nearly ready to purchase a home, those who are ready to purchase a home, and those who are homeowners. For that nearly ready criterion, to save for a 3% down payment in today's market is a 4–5-year process, for the 5% it's a 6–7-year process according to Fannie Mae in 2021. Homeownership and housing are something that sees people in many different stages throughout their lives. Most of us have lived in different types of housing throughout our lives, so we want to try and provide an option for that moderate level that allows people to have good housing and the opportunity to be in a great city. He would even love to see if there is a way to legally incentivize for sale products that would allow those in a moderate level to purchase. Post WWII with HUD, FHA and VA loans the societal benefits of widespread home ownership have been shown to have great benefit.

Mr. Smallwood moved on to the last two additional strategies.

- Maintain reduced residential parking requirements in the MCCD, Mixed Use, and Transit Oriented Development zones.
- Implement transit-oriented development and/or mixed-use zoning for properties in and around transit stations.

Mr. Nay took it a step further and suggested reduced parking for many of the State Street projects. They have given up gross amounts of parking and asked if there are ways for new

commercial projects coming in to add a criteria regarding a specific percentage area only dedicated to surface area parking.

Mr. Smallwood said yes, but they also need to look at the politics as well. As a recommending body that is something they can suggest when it's time and leave it to the city council.

Ms. Patterson said they have gone the opposite direction on that strategy; they have undone their reducing of residential parking in the MCCD and mixed use.

Mr. Pehrson said he thinks that was the right decision in his opinion. They had developments affecting local businesses negatively with residents parking in front of businesses. Businesses have come in and complained about how they can't do business because cars are blocking their buildings due to insufficient parking; he used Fireclay as an example where they have had difficult times getting businesses in there because of the parking. He supports increasing the parking requirements, and it would be something to possibly look at if they could force them to put in a parking structure.

Mr. Nay said that UTA is losing their chances for more opportunities due to large surface parking lots.

Mr. Lowry said that the land costs will change things.

Mr. Nay said that the current rate for a parking structure is around \$24,000-28,000 per spot.

Mr. Lowry noted that the economics of the value of the land and the density that comes from that is what will drive that decision. He thinks we are in a changing time where underground parking probably has a strong future in the city because of land values. They shouldn't sacrifice parking necessarily, but if a project is worth it those structures might be needed.

Ms. Patterson asked if they changed the parking standards for the TOD.

Mr. Nay said he thinks it changed in the TOD, definitely in the village and mixed use.

Mr. Smallwood believes it was changed and included in it.

Mr. Pehrson believes they also changed calculations a few years ago as well, counting on street parking and other items.

Mr. Smallwood noted that the on-street parking at Fireclay was calculated with that counting towards their numbers.

Mr. Nay said that those in charge refuse to enforce anything and owners are selling extra parking passes for the extra money per car. In fact, from what he's heard, the local court stopped hearing cases on parking enforcement.

Mr. Smallwood said they are working towards these strategies and they have merits.

Ms. Patterson asked Mr. Smallwood to address what have been the most successful strategies, the ones that should be higher priority.

Mr. Smallwood said they will need to reevaluate most of these and look at the menu items. The way they addressed the SB34 was by looking for what closely matches. In the League of Cities

and Towns training, he asked a very specific question and was told they have to carbon copy that language from the state code into the menu items. In the next discussion they will get more into that language, and he can't modify that language.

Ms. Patterson asked if we could use things we're already doing.

Mr. Smallwood said they could, but it has to already match what's exactly in the state code. He noted that Briant Farnsworth will be helping him throughout a lot of this, as it is a lot of work in a short amount of time. He then moved on to objective two, provide the opportunity for affordable home ownership by offering a range of housing types for purchase, including attached dwellings. Strategy #1 under that is to support a range of housing types including townhomes, rowhomes, and duplexes. He believes they are working towards this, rezoning many properties to RM-15, for example on 5300 and 700, the Ivory project on the corner, the Brad Reynolds projects, all allowing for homeownership in a different way.

Mr. Nay asked how we take the controversy out of this as infill development.

Mr. Smallwood said he doesn't know.

Mr. Nay asked if we have learned lessons looking back on the last few major developments, for instance Bullion and the homes facing against the south with unique windows to eliminate the ability to look into people's backyard.

Mr. Smallwood said a lot of it is getting people over their initial fears, no one wants change. The Brad Reynolds twin homes in the RMB zone have been wildly successful and the neighbors around it like them there; they believe it has been a net positive. Staff needs to work to build that community trust, for them to know the city has residents' best interests at heart. For example, when they went through the Ivory subdivision review, he showed multiple iterations of the discussions with Ivory. Getting to building that community trust is one of those strategies to move forward, showing that these projects aren't harmful. Things like window placement can help, but they can be hard since the state doesn't allow certain things for single family residential anymore, like dictating certain elements. He wants to show that during this discussion they are trying to work with the community as well to get their opinions on how the city collective can address moderate income housing.

Mr. Nay noted the Brad Roberts property as a negative example. Just because they are looking at moderate or low income, they really need to be focused on the place making itself. The error with that project was allowing the eight-foot wall on Winchester with a 4-foot sidewalk for 1000 feet. How can they incorporate those types of design elements for future projects so they are quality places, whether you're a millionaire or living at the 30% level.

Mr. Smallwood said those are just design standards that would need to be incorporated, like they have in the MCMU and the MCCD which have requirements for sizes of sidewalks; those things would just need to be amended through subdivision ordinances or the code itself.

Mr. Nay gave another example on Vine Street, on the east side. In the places where they incorporated five-foot sidewalks, it makes a huge difference as a pedestrian; it feels better and safer.

Mr. Smallwood said they surveyed for that and saw what people wanted; those five-foot sidewalks were not required.

Mr. Nay noted that those types of things do add to the cost of project.

Mr. Smallwood moved to the next strategy, reviewing zoning ordinances and making modifications where housing types, lots sizes and other factors create a limit on the types of housing in a zone.

Mr. Pehrson mentioned that he thinks they should do everything that was talked about like reaching out to the community, trying to come up with different designs that maybe make these developments easier for those living around them to accept. The reality is, when they get the notice in the mail that something is being built around them, they are probably not even going to know what the planning commission is, probably haven't heard any of the outreach to the community, and they'll still get a bunch of angry people no matter what they do. He still thinks they should do their best to try and do all the things that were talked about.

Mr. Nay said the residents will also think their concerns have never been thought of by the commission.

Mr. Smallwood said he and Jared are strategizing how best to spread the word as much as possible, at least to get people to call him and give him ideas. He encouraged the commissioners to talk to the community around them and let them know they are having these discussions.

Mr. Lowry asked if there has been a thought to partnering with a group like NeighborWorks, to help be a part of the outreach program.

Mr. Smallwood said the city already partners with them on a lot, they are not really a community engagement outreach firm; they know affordable housing. What he would need is a community engagement firm, someone to hit the ground.

Mr. Hacker asked if the city is giving Zach additional money for this, rather than hiring it out.

Mr. Smallwood said no, this is part of his job, but it is a huge project.

Mr. Hacker said it would be a good question for the city council next week. This is way more important than staff can handle in a few months.

Mr. Smallwood said he believes part of the problem is that he and Jared both recognize that the legislature didn't give everyone a lot of time to figure this out.

Mr. Lowry said that perhaps a recommendation to the city council from the planning commission might be in order, to think about a consultant or PR campaign. What sorts of consequences will you see when you neglect the middle-, or moderate-income housing. Today you don't have to worry about something in your backyard that you don't like, but what is the consequence in 5, 10, 20 years in the future when things are so expensive you become something you didn't want to be. If the city isn't up on it, then they can't deal with it, and most communities aren't up on this.

Mr. Smallwood addressed Mr. Hacker, noting there is money set aside for a housing study, they just have to get that out. It will help them going forward and will take a few months to complete. Luckily he has Seth to help him, and he will help update these tables with current values.

Mr. Nay asked what specifically they will be looking at on this housing study.

Mr. Smallwood said Jared has been writing the RFP for the study, he hasn't been really involved himself.

Mr. Nay would love to see things broken out by district, and really see which districts are bearing the highest burden of affordable housing, which ones are not including what parts of the city have opportunities for it, etc. He believes a community filled with a variety of people is a better community than everyone being exactly the same. Also, then it becomes more apparent to the individual council members, when they come to these discussions and have opinions on subjects about where projects should and shouldn't go, they can see how things impact the larger community as well.

Mr. Hacker noted that the districts just changed. This happened because some were more successful with what is being talked about here.

Mr. Nay said it would be nice to see the before and after of the redistricting.

Mr. Smallwood said it was presented in the meeting.

Mr. Nay would like to see the quality and value of the housing stock. There is some older housing stock in very nice parts of the city, and newer housing stock in areas that have not traditionally been great areas of the city.

Mr. Smallwood said they're using this housing study to eventually expand and create a housing plan, so he hopes this gives them a ton of data.

Mr. Lowry said Murray has a unique opportunity right now, where the general Salt Lake area is at a crossroads. If they do this well, there is a real opportunity to be something very special in this general market. He hopes they can encourage and make some proposals that the elected officials will agree with and champion. There is an element that they can all talk within their spheres and share a vision, but ultimately these kinds of things happen with changing hearts and minds. People have to see a vision, not abstract ideas.

OTHER BUSINESS

Mr. Smallwood noted that he sent the packet for the hearing officer for the Kum & Go appeal. That will be Wednesday at 12:30 p.m. and they should have an update at the next Planning Commission meeting.

Mr. Nay made a motion to adjourn at 8:04 p.m. Seconded by Mr. Hacker. A voice vote was made, motion passed 5-0.



Jared Hall, Director