

# **Murray City Municipal Council Chambers**

## **Murray City, Utah**

**Tuesday, July 20<sup>th</sup>, 2021**

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The Murray City Municipal Council met on Tuesday, July 20, 2021, at 6:30 p.m. (or as soon as possible thereafter) for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

The public was able to view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>. A recording of the City Council meeting can be viewed [HERE](#).

**Council in Attendance:**

Kat Martinez	District #1
Dale Cox	District #2
Rosalba Dominguez	District #3 – Conducting
Diane Turner	District #4 – Council Chair – Conducting
Brett Hales	District #5 – Council Vice-Chair
Jennifer Kennedy	Council Director

**Administrative Staff in Attendance:**

Blair Camp	Mayor (Excused)
Doug Hill	Chief Administrative Officer
Jennifer Heaps	Chief Communication Officer
GL Critchfield	City Attorney
Brenda Moore	Finance and Administrative Director
Melinda Greenwood	Community & Economic Development Director
Jared Hall	Community Development Supervisor
Danny Astill	Public Works Director
Ben Ford	Wastewater Superintendent
Brooke Smith	City Recorder
Jon Harris	Fire Chief
Travis Bodtcher	Fire Captain
Craig Burnett	Police Chief
Robert White	IT Director

**Others in Attendance:**

Charles Turner	Jann Cox	Pam Cotter	Eliot Setzer
Ridley Griggs	Steve Jones	Earl Fink	Janice Strobell
Clark Bullen	Camron Kollman	Lawrence Horman	Kathryn Lichfield
Corey Brand	Jesse Allen	Tyler Morris	

## **Opening Ceremonies**

Call to Order – Councilmember Dominguez called the meeting to order at 6:45 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Pamela Cotter.

## **Approval of Minutes**

None scheduled.

## **Special Recognition**

### **1. Murray City Council Employee of the Month, Travis Bodtcher, Captain**

Presenting: Brett Hales, Councilmember and Jon Harris, Fire Chief

Councilmember Hales said the Council started the Employee of the Month Program because they felt it was important to recognize the City's employees. He stated that Captain Bodtcher would receive a certificate, a \$50 gift card and told him that his name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Captain Bodtcher for all he does for the City.

Mr. Bodtcher has worked for the city for the past 11 years and has known Councilmember Hale's family for a long time.

Chief Harris said in July of 2019 a new position was approved for Training Officer. The purpose of this position was to help organize and provide consistency to the training program. Mr. Botcher was promoted to this position and coordinated several classes and drills, many involving several fire departments throughout the valley. During his time as a Training Officer, the new Fire Station 81 was completed. Mr. Botcher helped with the move and was instrumental in helping surplus old equipment from the old station, resulting in thousands of dollars back into the general fund.

Part of the plan for the Training Officer position is that employees only hold this position for 2 years. Mr. Bodtcher has since moved back on shift as a Fire Captain, however, the momentum he has created will ensure the position continues to be successful.

Chief Harris presented Mr. Botcher with a Challenge coin presented from Chief Harris's office.

Captain Bodtcher introduced his family and share how much fun he had in this training position. One of the best things about the position was getting to know other firefighters.

Councilmembers thanked Captain Bodtcher for his service, and they appreciate him being a part of Murray City.

## **Citizen Comments**

No comments were received.

## Consent Agenda

None scheduled.

## Public Hearings

Staff, sponsor presentations, and public comments will be given prior to Council action on the following matter. The Council Meeting Agenda Packet can be found [HERE](#).

### 1. Consider an ordinance on the text amendments to the MCCD, TOD, MU, and new MU Zones.

Presentation: Melinda Greenwood, Director of Community Development and Jared Hall, Community Development Supervisor

PowerPoint Presentation: Attachment A - Land Use Ordinance Text Amendments, Mixed Use Zoning

A Temporary Land Use Restriction (TLUR) was adopted to allow the City to consider amendments to the mixed-use zones to address concerns about required parking, residential densities, commercial requirements, and design considerations like buffering, landscaping design, and open space. The TLUR will expire on August 1, 2021.

Jared Hale presented the three Existing Mixed-Use zones in the area:

- 1) Murray City Center District (MCCD)
- 2) Transit-Oriented Development (T-O-D), and
- 3) Mixed-Use Zone (MU).

Staff is proposing two new zones:

- 1) Center's Mixed-Use Zones (CMU) and
- 2) Village Mixed-Use Zone (VMU).

These two new zones are considered a lighter version of the traditional Mixed-use zones developed near transit and help fill gaps in coverage which would reduce the number of zoning changes the council would need to consider in the future.

#### Center's Mixed-Use Zones (CMU)

- Parking based on bedroom counts, assumption of good joint-use parking availability
- Base residential densities of 35 units per acre, with possible increases to 40 and 45
- Increased density is tied to several factors, including commercial space beyond the required.

#### Village Mixed-Use (VMU)

- Higher parking requirements than CMU
- The base residential density of 25 units per acre, with possible increases to 30 and 35
- Allowable reduction in commercial requirements, tied to additional amenities, affordable housing, and other considerations
  - There could be a possible reduction of commercial requirements if the

developer made a proposal that created more open space and amenities or built more affordable housing.

Both of these new zones would be considered for three-acre sites or greater. In addition, applications for one of these zones would require a Traffic Impact Study, Parking Analysis, Adequate Public Utilities and Facilities Review, and Public Services Review (may be required) for Police, Fire, Parks, Schools, and other services. These requirements must come in with a Master Site Plan Agreement (formerly the Memorandum of Understanding).

#### **Transit-Oriented Development (TOD)**

- Residential parking requirements have been increased, and are based on bedroom counts
- Residential density remains 100 units per acre
- Ground floor commercial is required at a depth of 40' along principal streets

#### **Murray City Center District (MCCD)**

- Residential parking requirements have been increased, and are based on bedroom counts
- Residential density remains 100 units per acre west of State Street, 80 units per acre east of State Street
- Ground floor commercial is required at a depth of 40' along principal streets

The council discussed with staff residential density and parking requirements due to the housing shortage, increased rents, and additional commercial development.

Ms. Greenwood reported that the city did have an independent parking analysis done and the study results recommended the city use the Urban Land Institute Parking ratios as best practices for the downtown area. After several discussions with staff, the city is proposing an increase to the recommended parking recommendation and feel confident in the unified parking recommendations for each of the mixed-use zones being proposed.

Council asking for a brief explanation on how these zones would affect The Point at 53<sup>rd</sup> project?

Mr. Hall responded that this area is currently zoned commercial, and the new zone (CMU) would allow them to develop residential property in the area. With the proposed zoning changes, the residential density would be cut in half, from what could be developed.

#### **Murray Central Mixed-Use (MCMU) (formerly known as Mixed-Use, M-U)**

- Residential parking requirements have been increased, and are based on bedroom counts
- Residential density ranges from 40 units per acre up to 80 units per acre, based on the distance to the station platform
- Ground floor commercial is required at a depth of 40' only along principal streets. Reduction of the required commercial is allowable within a matrix of additional amenities and open space, affordable housing, and reduced density.

This zone would be divided into two sub-zones: East and West Sub-districts, which will allow mixed-use development in the area west of the I-15 corridor, but at a more limited and appropriate scale.

MCMU East Sub-district and MCMU West Sub-district maximum allowed residential density will be allowed based on the distance to Murray Central Station Platform and parking requirements will be allowed based on the number of bedrooms.

In both these zones, there is an optional reduction of commercial requirements if certain factors are hit. For example: reducing residential density per acre, creating more open space and amenities, or building affordable housing.

The Planning Commission reviewed the framework for the proposed amendments and new zones on July 2, 2021, and a public hearing was held on July 15, 2021. The Commission's recommend approval to the City Council.

The small areas plan map from the 2017 General Plan along with several other identifies these areas of potential change. The 2017 General Plan also identifies the future introduction of residential uses to some commercial zones and areas.

Councilmember Turner asked about the "may" requirement language for Public Services Review (Police, Fire, Parks, School, or other services).

Mr. Hall responded this type of information will be required but the "may" language was added to allow flexibility about when a formal Public Service review will be done.

Ms. Greenwood clarifies that when there is a zone change, all the departments are given an opportunity to weigh in. The "may" requirement would be a more formal request depending on the type of proposal and where it is at in the development stage. The department approval process would not be bypassed instead this allows the ability to require additional reviews if required.

Attorney Critchfield clarifies that we do have an internal review process, the "may" requirement is to create additional review options with a developer if needed.

Councilmember Turner would appreciate more encouragement for green or environmental practices.

Attorney Critchfield and Ms. Greenfield reminded the council that Mr. Hall has taken the council's previous request about density, parking, and affordable housing and drafted an ordinance with those specific provisions. However, with each request mentioned tonight, the city has to look at the entire code again to make sure the ordinance still works, and other areas are updated correctly. Due to the time constraint of the memorandum expiring the goal tonight is to pass something and then work on those additional requirements in a future meeting.

The council appreciates how hard staff has worked on this proposal but would like more time to consider the proposal.

## Citizen Comments

Corey Brand, Galleria Project – In person

Mr. Brand addressed in an e-mail a letter that was sent to staff and council. He represents the owners of the Galleria Project. They own almost all of the land described in MCMU West proposed zoning area (approx. 27 acres). He has concerns with the parking ratio being higher than the national standard, the differences between 3 stories and 35 feet, and the defined use of commercial and the educational aspect.

Janice Strobell, - In-person

Ms. Strobell asked if text amendments will also be a public hearing? She would like the citizen comments to continue if no vote is held tonight. She reminded the council that transitioning to a thriving mixed-use area takes years and asked, what is being done to mitigate the empty commercial spaces now? She also has concerns about public parking downtown, to quote Mr. Hall, “Best investment we could make would be in public parking downtown.” We need to look at MCCD as a whole. All mixed-use development downtown, even if under 3 acres, should have a Master Site Plan. Open space should be a requirement in all mixed-use developments. Fine-tuning revisions need to be done quickly.

Tyler Morris – In person

Mr. Morris spoke specifically about the MCMU Westside. He represents Cottonwood Residential and shared with the council that from an operational point of view, one of the worst things a developer can do is under-park a project. It impacts rents, vacancy, and reputation in the rental market. He believes the staff has done a great job dialing in the parking requirements. He also pointed out that one unintended consequence is if parking is heavy, then developers won’t build them.

Lawrence Horman – In person

Mr. Horman requested new development be stacked in layers. For example, first-level business, second-level parking, third-level residential, and fourth-level open space (on top) to help cool the building. Also, low-income housing is in short supply and anything that can help do this would be appreciated.

Jesse Allen, GSBS

Mr. Allen's comments were related to the letter written by Corey Brand regarding the MCCD-West proposed zoning ordinance. His two main concerns were: 1) 100' setback from single-family residential zone allowed to go to 3 stories' when across a public street; and 2) proposed project provides trail connections and open space. Mr. Allen appreciated the hard work and collaboration with Murray's staff during this time.

The public hearing was closed.

## **Discussion**

Councilmember Hales, Martinez, Cox, and Turner agree and do not want to postpone the vote unless the proposed ordinance can be tweaked. Councilmember Martinez says for the sake of time and getting something on the books she recommends the council move forward tonight and then create a wish list and consider specific text amendments later on. The council agrees that the proposal tonight is very reasonable, and they know that this ordinance is a work-in-progress and not set in stone. In addition, this ordinance is a huge improvement from what was allowed before and can always be changed moving forward.

Councilmember Turner would like a better understanding of the text amendment process.

Mr. Hill recommends council work with Jennifer Kennedy to identify the concerns they have. Ms. Kennedy can then work with city staff and after research is conducted, we can schedule a time during the committee of the whole and consider the request.

Councilmember Cox wants to make sure the council pays attention to the developer's needs as well.

Councilmember Dominguez commends staff for all the work that has been put into this ordinance and thanks to the staff for their hard work. In the future, she would like better communication with administrative staff on big projects like this and recommends one-on-one meetings to have a better understanding of projects like this before the council meeting.

## **MOTION**

Councilmember Cox moved to approve the ordinance. The motion was SECONDED by Councilmember Turner. Effective Immediately upon recording.

### *Council roll call vote:*

*Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox, Councilmember Dominguez*

*Nays: None*

*Abstentions: None*

*Motion passed 5-0*

## **Business Item**

1. Consider a Joint Resolution of the Taylorsville-Bennion Improvement District (TBID) and of the Murray City Municipal Council declaring an intent to adjust their common service area boundary.

Presenting: Danny Astill, Director of Public Works

District: Taylorsville-Bennion Improvement District

The City has worked with Taylorsville-Bennion (TBID) Service District to coordinate water and wastewater services. To make sure fees and taxes are applied appropriately, TBID requested

that the common service boundaries be formalized through a joint resolution. On page 552, of the Council Packet ([HERE](#)) there is a map of the affected service area. The white line is Murray City's boundary and won't change. What will change is the service area highlighted in red and green areas. Currently, Murray City is servicing both water and sewer in the red highlighted area. In the green area, Murray is servicing sewer there but because of the land elevations, Murray city cannot provide water. TBID is moving their boundaries to show that they are servicing the area in green.

Mr. Astill did share that the TBID does charge a tax increment for the areas that they service so once a year after the property taxes are paid, the following quarter, the citizens on their water services will get a rebate for the sewer.

Attorney Critchfield clarified that this is a Public Hearing and not a Business Item. The meeting was open for public comment.

### **Citizen Comments**

No comments were made.

### **MOTION**

Councilmember Martinez moved to approve the Joint Resolution. The motion was SECONDED by Councilmember Hales.

*Council roll call vote:*

*Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox, Councilmember Dominguez*

*Nays: None*

*Abstentions: None*

*Motion passed 5-0*

**2. Consider a resolution approving the Wastewater Master Plan.**

Presenting: Danny Astill, Director of Public Works, and Ben Ford, Wastewater Supervisor

Presentation: Wastewater Collection System Master Plan (A copy of the Master Plan can be found on pages 556-615 on July 20, 2021, Council Meeting Packet-Final [HERE](#))

Mr. Ford shared that earlier in the month (on July 6, 2021), during the Committee of the Whole meeting, he presented the Wastewater Master Plan and tonight they are requesting approval of the Plan.

The Wastewater Collection System Master Plan outlines the history of our system, the methodologies deployed to develop the findings, and identifies any help to set priorities for the next five to 10 years. Hansen Allen Luce Engineers helped create the Master Plan.

### **MOTION**

Councilmember Hales moved to approve the ordinance. The motion was SECONDED by Councilmember Turner.

*Council roll call vote:*

*Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez,*

*Councilmember Cox, Councilmember Dominguez*

*Nays: None*

*Abstentions: None*

*Motion passed 5-0*

**Mayor's Report and Questions**

Doug Hill shared the following update:

- Mayor Camp was excused.
- Four of our firefighters and one of our brush trucks were sent to Oregon for approximately 16 days to assist with the firefighting efforts in that state.
- This Friday (July 23), the outdoor pool will have a Movie in the Pool – Soul Surfer. Registration is required in advance at Parks and Rec. office.
- The city offices will be closed on Friday, July 22 in honor of the Pioneer Day holiday.

Councilmember Martinez reminded the citizens that there were no firework-related fires over the 4<sup>th</sup> of July and hope that citizens maintain the same safety measures over the 24<sup>th</sup>.

Councilmembers shared their appreciation to the mayor, staff, and audience.

**Adjournment**

The meeting was adjourned at 8: 47 p.m.

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Brooke Smith, City Recorder

Attachment A: Land Use Ordinance Text Amendments, Mixed Use Zoning

# Attachment A: Land Use Ordinance Text Amendments, Mixed Use Zoning

## Land Use Ordinance Text Amendments, Mixed Use Zoning

Chapter 17.146, Mixed Use Zone; Chapter 17.168, Transit Oriented Development Zone; Chapter 17.170, Murray City Center District Zone;

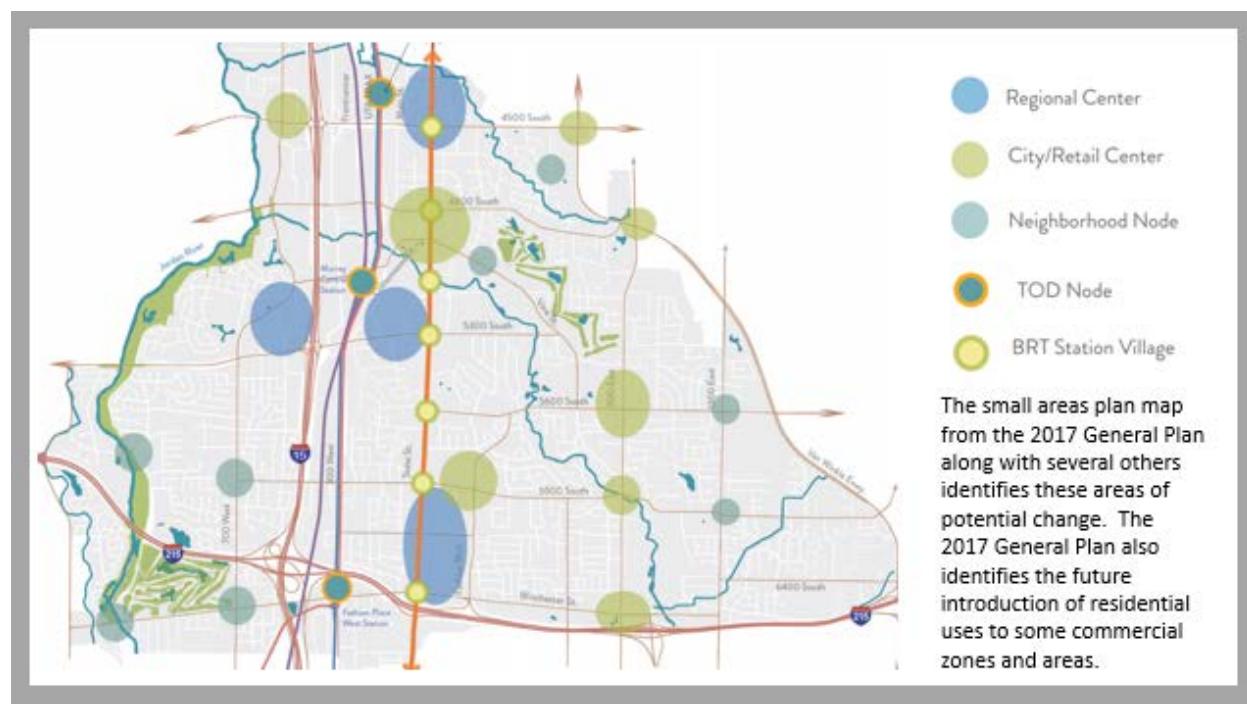
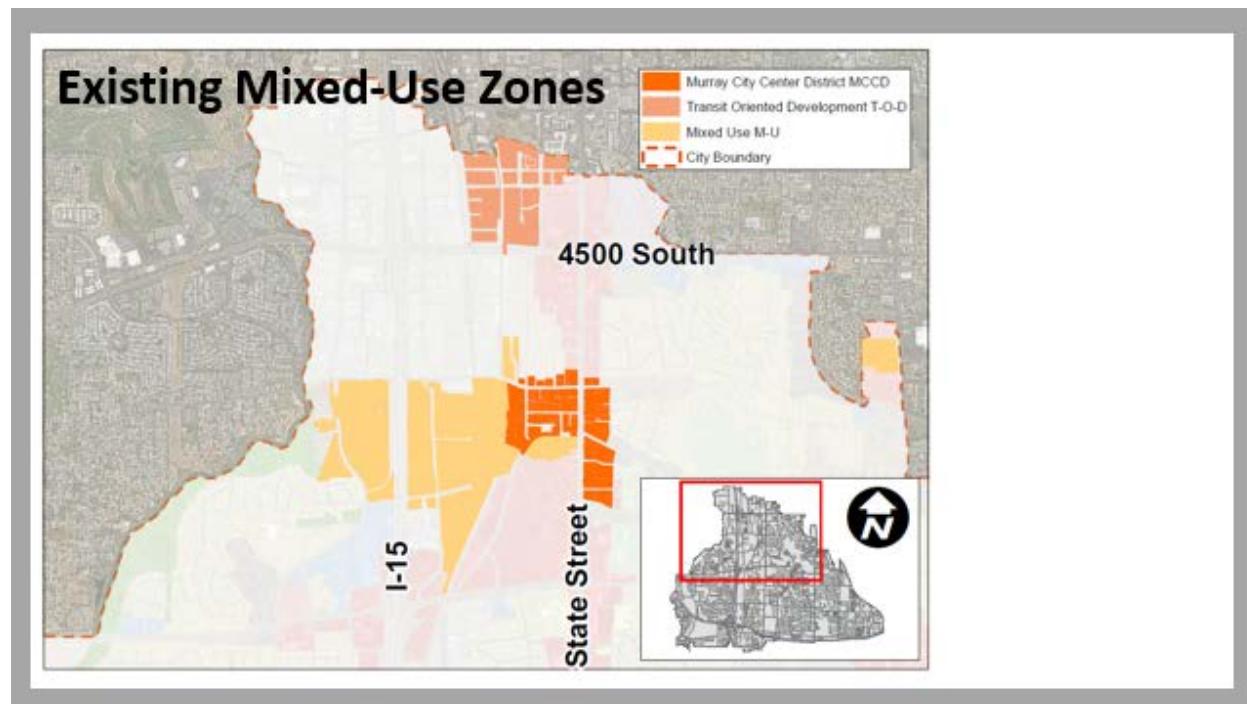
Addition of Chapter 17.162, Centers Mixed-Use and 17.164, Village Mixed Use



## Why are we here?

A Temporary Land Use Restriction (TLUR) was adopted to allow the City to consider amendments to the mixed-use zones to address concerns about required parking, residential densities, commercial requirements, and design considerations like buffering, landscaping, and open space.







## Centers Mixed-Use, CMU

- Parking based on bedroom counts, assumption of good joint-use parking availability
- Base residential densities of 35 units per acre, with possible increases to 40 and 45
- Increased density tied to several factors, including commercial space beyond the required



## Residential Density – CMU Zone

Table C: Residential Density Increase in the CMU Zone

Additional Maximum Residential Density	Open Space & Project Amenities	Affordable Housing	Commercial Space
40 units per acre: meet the requirements for one of the 3 categories	10% increase in total 2 additional project amenities	15% reserved for tenants at <80% AMI (area median income)	13% above required commercial
45 units per acre: meet the requirements for two of the three categories	10% increase in total with public availability of 25% of the total, or: 20% increase in total area 4 additional project amenities	15% reserved for tenants at <80% AMI 10% reserved for tenants at <60% AMI	30% above required commercial



## Village Mixed-Use, VMU

- Higher parking requirements than CMU
- Base residential density of 25 units per acre, with possible increases to 30 and 35
- Allowable reductions in commercial requirements, tied to additional amenities, affordable housing, and other considerations



## Residential Density – VMU Zone

Table C: Residential Density

Additional Maximum Residential Density	Open Space & Amenities	Affordable Housing
30 units per acre: meet the requirements for one of the two categories	2 additional outdoor amenities / 10% increase in total open space	10% of units reserved for household incomes no more than 80% of AMI
35 units per acre: meet the requirements for one of the two categories	4 additional outdoor amenities / 15% increase in total area; or 10% increase with public accessibility of at least 25% of the open space	15% of units reserved for household incomes no more than 80% of AMI



## Reduction of Commercial Requirement, VMU Zone

Table D: Allowance for the Reduction of Required Commercial

Reduction of Required Commercial	Open Space & Amenities	Affordable Housing
80% of required	1 additional outdoor amenity / 5% increase in total open space	10% of units reserved for household incomes no more than 80% of AMI
65% of required	2 additional outdoor amenities / 10% increase in total open space	15% of units reserved for household incomes no more than 80% of AMI
50% of required	3 additional outdoor amenities / 15% increase in total open space – or 10% increase with public availability to 25% or more of the open space	10% of units reserved for household incomes no more than 80% of AMI, 10% of units reserved for household incomes no more than 60% of AMI
40% of required	4 additional outdoor amenities / 20% increase in total open space – or 15% with public availability to 25% or more of the open space	15% of units reserved for household incomes no more than 80% of AMI, 10% of units reserved for household incomes no more than 60% of AMI

## Residential Parking – CMU & VMU

Table D: Required Parking in the CMU Zone

Land Use	Minimum Required Parking
Residential – Studio	1.15 spaces per unit
Residential – 1 bedroom	1.5 spaces per unit
Residential – 2 bedroom	1.85 spaces per unit
Residential – 3+ bedroom	2.5 spaces per dwelling unit

Table E: Required Parking in the VMU Zone

Land Use	Minimum Required Parking
Residential – Studio	1.25 spaces per unit
Residential – 1 bedroom	1.5 spaces per unit
Residential – 2 bedroom	2.15 spaces per unit
Residential – 3+ bedroom	2.65 spaces per dwelling unit



## Where does Mixed-Use Zoning Belong?



## Next? Master Site Plan

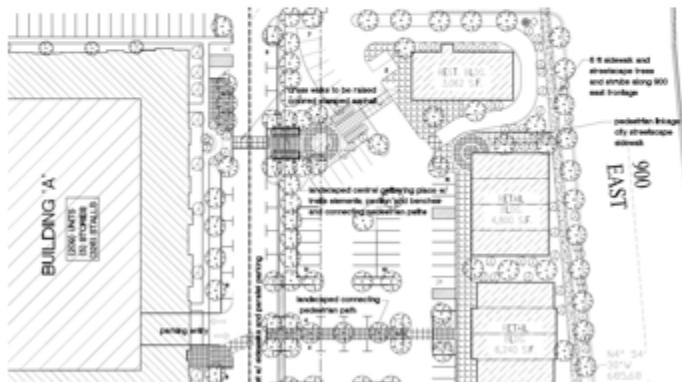
Applicant for Master Site Plan approval **MUST** provide:

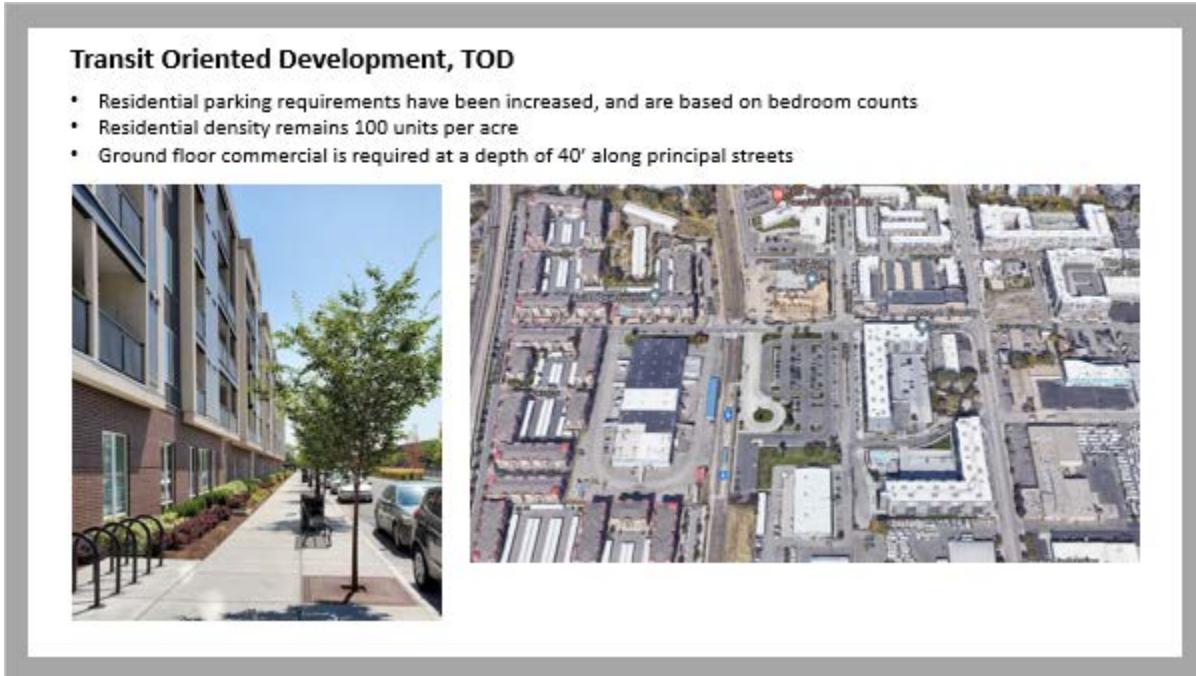
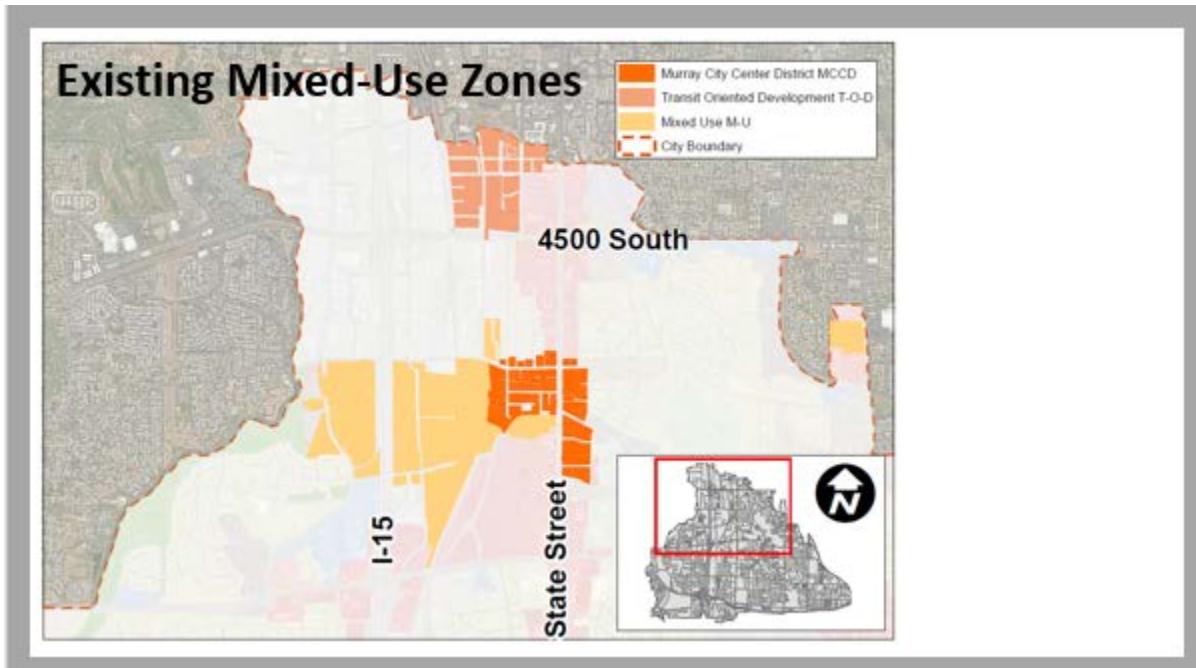
- Traffic Impact Study
- Parking Analysis
- Adequate Public Utilities & Facilities Review
- Public Services Review (may be required) – Police, Fire, Parks, Schools, or other services.



### Master Site Plan, Required Components:

- Building Orientation to private streets and access, not parking lots.
- Provide a Central Feature to unify the commercial and residential.
- Buildings to form outdoor spaces linked by pedestrian walkways.
- Must be approved in conjunction with a Master Site Plan Agreement (formerly the Memorandum of Understanding)





### Murray City Center District, MCCD

- Residential parking requirements have been increased, and are based on bedroom counts
- Residential density remains 100 units per acre west of State Street, 80 units per acre east of State Street
- Ground floor commercial is required at a depth of 40' along principal streets



### Residential Density and Parking – MCCD & TOD

Residential Parking Requirements

	Studio	1 bedroom	2 bedroom	3 bedroom +
TOD	1	1.05	1.5	2.5
MCCD	1	1.05	1.5	2.5

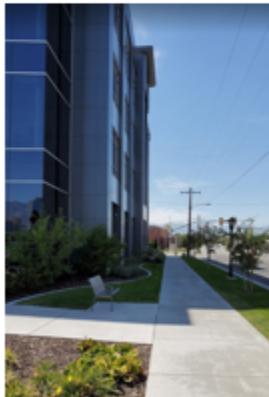
Residential Density in the TOD and MCCD

	TOD	MCCD
Current	unlimited	100 units per acre
Proposed	100 units per acre	100 units per acre west of State Street, 80 units per acre east of State Street



### Murray Central Mixed Use, MCMU (formerly Mixed-Use, M-U)

- Residential parking requirements have been increased, and are based on bedroom counts
- Residential density ranges from 40 units per acre up to 80 units per acre, based on distance to the station platform
- Ground floor commercial is required at a depth of 40' only along principal streets. Reductions of the required commercial are allowable within a matrix of additional amenities and open space, affordable housing, and reduced density



### East and West Subdistricts

All of the area of the current M-U Zone west of Commerce Drive was removed from the "Mixed Use" designation on the Future Land Use Map during the adoption of the 2017 General Plan, recognizing limitations for mixed-use development with strong connections to the TRAX station in that area.

The MCMU Zone is proposed to be divided into East and West Subdistricts, which will still allow mixed-use development in the area west of the I-15 corridor, but at a more limited and appropriate scale.



## Residential Density and Parking – MCMU Zone

Table C: Maximum Allowed Residential Density

Distance to Murray Central Station Platform	1/8 mile	1/4 mile	1/2 mile	>1/2 mile
MCMU East Subdistrict	80	65	50	40
MCMU West Subdistrict	40	40	40	40

\*If the measured walking distance from the project to the station platform is more than 1/2 mile, the maximum allowed residential density is limited to 40 units per acre

Table F: Required Parking in the MCMU Zone

	MCMU East Subdistrict	MCMU West Subdistrict
Residential – Studio	1 spaces per unit	1.25 spaces per unit
Residential – 1 bedroom	1.25 spaces per unit	1.5 spaces per unit
Residential – 2 bedroom	1.5 spaces per unit	2.15 spaces per unit
Residential – 3+ bedroom	2.5 spaces per unit	2.65 spaces per unit

## Reduction of Commercial Requirement, MCMU Zone

Table D: MCMU East Subdistrict, Reduction of Required Commercial

Reduction of Required Commercial	Reduction of Allowed Residential Density per Acre	Open Space & Amenities	Affordable Housing
75% of required commercial: fulfill one (1) option	5-9 units	2 additional outdoor amenities / 5% increase in total open space	10% of units reserved for tenants with household incomes no more than 80% of AMI
60% of required commercial: fulfill two (2) options	10 units	2 additional outdoor amenities / 10% increase in total open space	15% of units reserved for tenants with household incomes no more than 80% of AMI

Table E: MCMU West Subdistrict, Reduction of Required Commercial

Reduction of Required Commercial	Reduction of Allowed Residential Density per Acre	Open Space & Amenities	Affordable Housing
75% of required commercial: fulfill one (1) option	5-9 units	2 additional outdoor amenities / 5% increase in total open space	10% of units reserved for tenants with household incomes no more than 80% of AMI
60% of required commercial: fulfill two (2) options	10-14 units	2 additional amenities / 10% increase in total open space	15% of units reserved for tenants with household incomes no more than 80% of AMI
45% of required commercial: fulfill one (1) option	15-19 units	3 additional outdoor amenities / 15% increase in total open space – or 10% increase with public availability to at least 25% of open space	10% of units reserved for tenants with household incomes no more than 80% of AMI
30% of required commercial: fulfill two (2) options	20 units	4 additional amenities / 20% increase in total open space – or 15% with public availability to 25% or more of the open space	15% of units reserved for tenants with household incomes no more than 80% of AMI

## Planning Commission Recommendation

The Planning Commission held a public hearing on July 15, 2021 and voted 5-0 to forward a recommendation of APPROVAL to the City Council for the requested amendments to Chapters 17.146, Mixed-Use, 17.168 Transit Oriented Development, 17.170, Murray City Center District, and the addition of proposed Chapters 17.162, Centers Mixed Use, and 17.164, Village Mixed Use.

# THANK YOU

