WHEREAS, pursuant to Sections 10-9-401 through 10-9-405 Utah Code Annotated 1953 as amended, the City has the authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land to promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the municipality; and

WHEREAS, on January 2, 2002, the Midvale City Zoning Ordinance (Title 17) became effective and may be subject to amendments from time to time; and

WHEREAS, since this effective date, Midvale City has found a number of areas that require amendments to the text of the ordinance in order to correct errors and omissions, clarify the intent of the language, and/or include new provisions to further the purpose and intent; and

WHEREAS, it was found that some of the existing development standards for unoccupied accessory structures in the City’s residential zone districts put unnecessary constraints on yard areas and required further review and consideration by the City; and

WHEREAS, the Planning Commission held a public hearing on March 14, 2012, to review proposed text amendment language regarding this issue, and the Planning Commission has forwarded a recommendation on such to the City Council, with such meeting being preceded by notice through publication in the Salt Lake Tribune and Deseret News on February 29, 2012; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on April 3, 2012 which meeting was preceded by notice through publication in the Salt Lake Tribune and Deseret News on March 20, 2012; and

WHEREAS, the City Council has taken into consideration citizen testimony, planning and building analysis, and the Planning Commission recommendations, and has determined that this text amendment is appropriate and within the best interests of the City as a whole in protecting and promoting the health, safety, welfare and aesthetic quality of Midvale City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Midvale City, Utah as follows:

Section 1. The following chapters and sections of the Midvale City Zoning and Subdivision Ordinance are hereby amended as included in ATTACHMENT A of this document.

Section 2. If any part of this ordinance or the applications thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be
unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. This ordinance shall be effective upon publication of a summary thereof.

PASSED AND APPROVED this 3rd day of April, 2012.

JoAnn B. Seghini, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Date of first publication: April 9, 2012

Voting by City Council

<table>
<thead>
<tr>
<th>Name</th>
<th>&quot;Aye&quot;</th>
<th>&quot;Nay&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colleen Costello</td>
<td>✓</td>
<td></td>
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<tr>
<td>Paul Glover</td>
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<tr>
<td>Robert Hale</td>
<td>✓</td>
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<tr>
<td>Paul Hunt</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Wayne Sharp</td>
<td>✓</td>
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</tbody>
</table>
ATTACHMENT A
(ORDINANCE 2012-03)

The following changes shall be made to Sections 17-7-9.4.4(D) and 17-7-9.4.6(D) of the Midvale Municipal Code.

**Amended Ordinance Language Additions**

Amended Ordinance Language Deletions

One monument sign for each street frontage allowed per single use development (i.e., pad sites/stand alone buildings). May not be located within 150' of any other monument or pylon sign along the same side of the street. Midvale City Staff may grant a special exception for not more than two single tenant monument signs to be located closer than 150' if the two monument signs are placed parallel with one another across a common driveway serving both projects including the following:

A. The sign type, base, height, width, material, color, style is identical to one another;
B. The signage areas are landscaped with similar plant types, materials, slopes, and etc;
C. Both monument signs will face one another at equal angles and distances from the street to the maximum extent possible taking into consideration finished grades, sight distances, and etc.; and
D. The signs shall serve as part of an integrated driveway entry feature for the developments.
MIDVALE CITY PUBLIC NOTICE Notice is hereby given that during a City Council meeting on April 3, 2012, the Midvale City Council adopted Ordinance No. 2012-03 An Ordinance Allowing Monument Signs to be closer than 150' from one another at an Intersecting Right-of-Way for Multi-Family Residential Projects located in the Junction at Midvale Zone at Bingham Junction.

Published: April 9, 2012
Ron L. Andreason, MMC
City Recorder

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF MIDVALE CITY PUBLIC NOTICE Notice is hereby given that during a City Council meeting on April 3, 2012, the Midvale City Council adopted Ordinance No. 2012-03 A FOR MIDVALE CITY, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY.

VIRGINIA CRAFT Notary Public, State of Utah
My Commission Expires January 12, 2014

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT