PUBLIC NOTICE IS HEREBY GIVEN that the Midvale City Council will hold a regular meeting on the 17th Day of October, 2017 at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

6:30 PM
INFORMATIONAL ITEMS

I. DEPARTMENT REPORTS

II. CITY MANAGER BUSINESS

7:00 PM
REGULAR MEETING

III. GENERAL BUSINESS
A. WELCOME AND PLEDGE OF ALLEGIANCE
B. ROLL CALL

IV. PUBLIC COMMENTS

Any person wishing to comment on any item not otherwise on the Agenda may address the City Council at this point by stepping to the microphone and giving his or her name for the record. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Governing Body. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-hearing, non-Agenda items. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting.

V. COUNCIL REPORTS
A. Councilmember Quinn Sperry
B. Councilmember Wayne Sharp
C. Councilmember Stephen Brown
D. Councilmember Paul Glover
E. Councilmember Paul Hunt

VI. MAYOR REPORT
A. Mayor JoAnn B. Seghini

VII. PUBLIC HEARING(S) - 7:00 PM
A. Jordan Bluffs Subarea 4 Residential Development Ordinance [Phillip Hill, Asst. City Manager/Community Development Director; Lesley Burns, City Planner]
ACTION: Consider Ordinance No. 2017-O-17 Adopting the Jordan Bluffs Subarea 4 Residential Development Ordinance

VIII. CONSENT AGENDA
A. Approve Minutes of October 3 & 10, 2017 [Rori Andreason, H.R. Director/City Recorder]
B. Consider Resolution No. 2017-R-41 Declaring Surplus Property [Jarin Blackham, IT Manager]

IX. ACTION ITEMS
A. Consider Resolution No. 2017-R-38 Amending the General Fund and other funds of the FY2018 Budget [Dalin Hackett, Assistant Finance Director]
B. Consider Ordinance No. 2017-O-16 for a Rezone Request from Single Family Residential to Single Family Residential with a Duplex Overlay (SF-1 to SF1/DO) located at 7410 South 240 East [Lesley Burns, City Planner]
C. Consider Resolution No. 2017-R-42 Expressing Support for Legislation During the 2018 Session Providing Law Enforcement Stronger Tools to Address Crime that Deliberately Targets a Victim because of an Individual’s Ancestry, Disability, Ethnicity, Gender, Gender Identity, National Origin, Race, Religion, or Sexual Orientation [Councilmember Quinn Sperry]

X. DISCUSSION ITEM
A. Discuss Proposed Wireless Communications Ordinance [Lisa Garner, City Attorney & Garrett Wilcox, Deputy Attorney]

XI. ADJOURN

In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the City Recorder at 801-567-7207, providing at least three working days advance notice of the meeting. TTY 711

A copy of the foregoing agenda was provided to the news media by email and/or fax; the agenda was posted in the City Hall Lobby, the 2nd Floor City Hall Lobby, on the City’s website at www.midvalecity.org and the State Public Notice Website at http://pmn.utah.gov. Council Members may participate in the meeting via electronic communications. Council Members’ participation via electronic communication will be broadcast and amplified so other Council Members and all other persons present in the Council Chambers will be able to hear or see the communication.

PLEASE MAKE SURE ALL CELL PHONES ARE TURNED OFF DURING THE MEETING

DATE POSTED: OCTOBER 13, 2017

RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER
SUBJECT:

Public Hearing on proposed text amendment to create a review process and development standards for residential development in Subarea 4 of the Jordan Bluffs Zone

SUBMITTED BY:  Phillip Hill, Asst. City Manager/CD Director

SUMMARY:

The Jordan Bluffs Zone and zoning ordinance were originally adopted in 2004 for the vacant 263-acre property located between 7800 South/8600 South and 700 West/Jordan River. The ordinance includes land uses, densities and common development standards related to parking, utilities, signage, access management and outdoor lighting. The zone allows up to 2,500 residential units as well as non-residential uses on the property. The location of these densities and uses is further refined through a Subarea Plan which is part of the adopted zoning ordinance. The boundaries of the four subareas within the Subarea Plan were recently amended to reflect the consensus of numerous geotechnical studies that have been done since the original plan adoption in 2004. Although the Jordan Bluffs Zone creates the use and density allowed on the property, details related to building architecture, landscaping, setbacks, fencing, etc. were only outlined through intent statements in the current ordinance. These intent statements were envisioned to guide the adoption of future specific development standards to be created with collaboration between the City and a master developer of the Jordan Bluffs property. The City has been working with the Gardner Company and Wasatch Residential Group in creating a viable master plan for the Jordan Bluffs property that recognizes the realities of the site and fits within the parameters of the adopted Jordan Bluffs zoning ordinance. The adoption of specific development standards is the next step.

Attached is a summary of the proposed process and development standards used to draft the proposed ordinance language. The proposed standards reflect the goals of the Midvale City General Plan 2016 including the land use goals for the Jordan Bluffs Area, as well as goals for residential development and transportation.

- Promote consistency and compatibility with the Bingham Junction project to the north.
- Provide connectivity to the Main Street neighborhood, either physically (crosswalks) or by urban design.
- Support redevelopment of the adjacent area to the east to blend and enhance any redevelopment of the Jordan Bluffs Area.
- Maintain and strengthen stable neighborhoods. This includes preserving the quality and character of existing neighborhoods; providing neighborhoods with better connectivity and access to recreational amenities; and ensuring that infill and adjacent development is compatible with the existing neighborhoods.
- Connect Main Street to surrounding neighborhoods and to Bingham Junction and Jordan Bluffs through pedestrian and bicycle pathways and urban design techniques to create a cultural center.

Planning Commission Recommendation

The Planning Commission conducted a public hearing on the proposed text amendment on September 27, 2017 and has extensively reviewed the proposed ordinance language with consideration given to the public comment received and the goals of the General Plan. Based on this, the Planning Commission has forwarded a draft ordinance to the City Council for its consideration (Draft 1.11). Along with the ordinance language, the Planning Commission has also forwarded its findings for this recommendation, as well as the following recommendation regarding a traffic study:

“We acknowledge the community concerns for existing and future traffic in the area, and recommend the City engages a transportation consultant to study the area between 7200 South to 9000 South and Main Street to Bingham Junction Boulevard to provide the City with recommendations on future road connections and improvements before new development occurs to ensure these are incorporated into these plans and the City can plan for needed improvements outside the development area.”

* * *

Wasatch Residential Group has been involved in this process and has some changes to the Planning Commission’s recommended ordinance they would like the City Council to consider. These items will be presented at the meeting.

**FISCAL IMPACT:** N/A

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**STAFF RECOMMENDATION:**

Staff recommends the City Council conducts a public hearing on the proposed concepts, development standards, and draft ordinance. No action is being requested at this meeting.

**RECOMMENDED MOTIONS:** N/A

**Attachments:**

- Summary of Proposed Review Process and Development Standards
- Planning Commission’s recommended ordinance and findings
Summary of Proposed Review Process & Development Standards
Jordan Bluffs Subarea 4 Residential Development

- Applicable to residential development in Subarea 4 only; residential product types include multi-family and single-family attached.

- Review process:
  - Large Scale Master Plan required for entire subarea – reviewed and approved by Planning Commission/public hearing required.
  - Development Agreement required – approved by City Council.
  - Site Plan (preliminary & final) for each phase; must be consistent with approved LSMP – Staff review.

- Multi-family and single-family attached dwellings are “allowed” uses.

- Density: maximum 30 units per acre averaged over subarea.

- Building Height: Depending on area and setback, maximum building height is 4 stories and 50 feet (Areas A & B), or 2 stories of podium parking plus four stories of living space or 75 feet (Area C).

- Setbacks: no minimum setbacks except as required by building code, required residential setback, residential buffers and required landscape setbacks.
  - Residential Setback: minimum setback of 20 feet from structure to property line when adjacent to property with single-family use.
  - Residential Buffer: minimum 15-foot landscaped buffer required adjacent to single-family residential use. Buffer to include large trees and shrubs, and 6 to 8-foot screening wall.
  - Minimum 30-foot landscaped setback along all public and private rights-of-way.

- Build-to line: structures required to be built at 30-foot landscaped setback on Main Street, Ivy Drive and interior public or private road; exception to this in “Area A”.

- Public road improvements include portion of Bingham Junction Blvd and extension of Ivy Drive. Specific road designs, including interior public road, are required to be constructed as shown on road cross sections included in ordinance.

- Recreation Amenities: minimum 15% of subarea to be improved as recreational amenities; averaged over subarea; can be outdoor and indoor areas; counts toward open space/landscaping standard.

- Open Space/Landscaping/Recreational Amenities: minimum 25% of subarea; averaged over subarea; includes landscaped areas greater than 5 feet in width, landscaped setbacks, walkways and recreation amenities.

- Pedestrian and automobile connections to Holden Street, Lennox Street and Main Street.
• **Landscape Standards:**
  o Street trees planted at a rate of 1 tree per 40 feet of road frontage.
  o Building foundation landscaping; minimum 1 tree per 400 square feet of landscaping; combination of deciduous and evergreen plants required.

• **Perimeter Fencing:**
  o Sight obscuring fences prohibited in landscape setback along public and private roads.
  o Non-sight obscuring fences up to 6 feet in height allowed along 7800 South, Le Page Street and Holden Street only.
  o Screening walls up to 8 feet in height allowed along property boundaries adjacent to existing development.
  o No interior fencing except as needed for recreational amenities.

• **Architecture Standards:**
  o Building planes required to have architectural interest through façade shifts, openings, architectural details, etc.
  o Durable materials (brick, masonry, stone, textured/patterned concrete, cement siding, stucco - not EIFS) required on at least 75% of wall area (window & door areas excluded in calculation).
  o At least 25% of front and rear elevations and 15% of side elevations required to be window and door openings.
  o Buildings to have prominent entry feature.
  o Podium-style parking structures require similar architectural features as residential portion of building; stand-alone parking structures prohibited.
The Planning Commission would like the following findings to be made part of the record to explain the considerations and reasons for recommending the proposed Jordan Bluffs Subarea 4 ordinance:

• The Midvale City General Plan 2016 identifies the entire Jordan Bluffs Area as an “opportunity”. It is vacant with no approved master plan for development, and provides an opportunity for a high-quality mix of office, commercial and residential. There are significant environmental and geotechnical issues associated with the area due to the historical use of the property for ore milling operations and the cleanup that occurred through the EPA many years ago. This limits the type of development that can occur, as well as raises the costs to develop, creating additional constraints on the property. We see the proposed Jordan Bluffs Subarea 4 ordinance as a step towards using and creating this opportunity within the confines of the existing conditions of the property.

• We recognize the current Jordan Bluffs Zone District and the uses and densities that were created as part of that zone in 2004, as well as the property rights for current and future property owners of the property.

• We considered both the existing and future development in the surrounding area, specifically considering the adjacent RM-25 zone to the east, and how to best transition from this zone to new development in Subarea 4, as well as start the transition from development in Subarea 4 to the other Subareas of Jordan Bluffs.

• We considered the public comments received in the September 27th public hearing, acknowledging the requests to prohibit more apartments and affordable housing and to downzone the property. We, however, recognize the City has some legal obligations with the current zoning and past decisions made on the property, the existing condition of the property limits the type of development and layout that can occur (including the design and location of the main roads), and the City cannot and should not discriminate against certain housing types and people.

• We acknowledge the community concerns for existing and future traffic in the area.

• The recommended development standards in the proposed ordinance provide the necessary requirements to advance the land use, residential development, transportation, and recreation goals of the General Plan when specific developments are proposed in the future. These include:
  
  o Promoting consistency and compatibility with the Bingham Junction project to the north.
  o Providing connectivity to the Main Street neighborhood, either physically (crosswalks) or by urban design.
  o Supporting redevelopment of the adjacent area to the east to blend and enhance any redevelopment of the Jordan Bluffs Area.
  o Maintaining and strengthening stable neighborhoods, including preserving the quality and character of existing neighborhoods; providing neighborhoods with better connectivity and access to recreational amenities; and ensuring that infill and adjacent development is compatible with the existing neighborhoods.
  o Connecting Main Street to surrounding neighborhoods and to Bingham Junction and Jordan Bluffs through pedestrian and bicycle pathways and urban design techniques to create a cultural center.
  o Extending Bingham Junction Boulevard.
  o Improving pedestrian and bicycle travel through the area.
  o Improving community connections to the Jordan River.
Chapter 17-7-10.11
Jordan Bluffs Subarea 4 Residential Development

Sections:
17-7-10.11.1 Purpose.
17-7-10.11.2 Uses.
17-7-10.11.3 Review Process.
17-7-10.11.4 Residential Development Standards.
17-7-10.11.5 Landscaping Standards.
17-7-10.11.6 Architectural Standards.
17-7-10.11.7 Parking and Access.
17-7-10.11.8 Utilities.
17-7-10.11.9 Signage.
17-7-10.11.10 Home Occupation Standards.
17-7-10.11.11 Institutional Controls.

17-7-10.11.1 Purpose.

The purpose of this Chapter is to create the zoning plan required in Chapter 17-7-10 and the specific development review process for residential development in Subarea 4 of the Jordan Bluffs Zone. This chapter applies to all residential development in the area depicted as Subarea 4 in the Jordan Bluffs Zone and described as Lot 1 in the Jordan Bluffs Subdivision. Provisions of Title 17 of the Midvale Municipal Code shall apply to residential development in Subarea 4 except to the extent that a provision conflicts or is inconsistent with the provisions set forth in this Chapter, in which case the provision of this Chapter shall apply. Figure 1 represents the divisions of Subarea 4 created for the purpose of identifying areas for specific development standards contained herein. The boundaries of these areas may be adjusted based on final interior road location.
17-7-10.11.2 Uses.

A. Use Table. The following uses are allowed with the applicable development permit(s) in Jordan Bluffs Subarea 4. If a use is not specifically designated, then it is prohibited.

Table 17-7-10.11.2
Uses

<table>
<thead>
<tr>
<th>Type</th>
<th>Allowed</th>
<th>Administrative</th>
<th>Conditional</th>
<th>Business License</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assisted Living Facility</td>
<td></td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>
### Child Care, In-Home:

<table>
<thead>
<tr>
<th>Category</th>
<th>≤ 6 children</th>
<th>7 to 12 children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Center</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Facility</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

### Dwellings:

<table>
<thead>
<tr>
<th>Type</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-Family</td>
<td>X</td>
</tr>
<tr>
<td>Single Family, Attached</td>
<td>X</td>
</tr>
</tbody>
</table>

### Home Occupation

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Religious/Educational Institution</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Residential Facility for Elderly Persons</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Residential Facility for Persons with a Disability</th>
<th></th>
</tr>
</thead>
</table>

B. **Conditional use standards of review.** The city shall not issue a conditional use permit unless the community development department, in the case of an administrative conditional use, or the planning commission, for all other conditional uses, concludes that the application mitigates adverse impacts and complies with the following general standards applicable to all conditional uses, as well as the specific standards for the use.

1. **General Review Criteria.** An applicant for a conditional use in Subarea 4 must demonstrate:

   a. The application complies with all applicable provisions of this title, state and federal law;

   b. The structures associated with the use are compatible with surrounding structures in terms of use, scale, mass and circulation;

   c. The use is not detrimental to the public health, safety and welfare;

   d. The use is consistent with the Midvale City General Plan, as amended;
e. Traffic conditions are not adversely affected by the proposed use including the existence of or need for dedicated turn lanes, pedestrian access, and capacity of the existing streets;

f. Sufficient utility capacity;

g. Sufficient emergency vehicle access;

h. Location and design of off-street parking as well as compliance with off-street parking standards provided for in Section 17-7-10.11.7;

i. Fencing, screening, and landscaping to separate the use from adjoining uses and mitigate the potential for conflict in uses;

j. Compatibility of the proposed mass, bulk, design, orientation, and location of the structures on the site, including compatibility with buildings on adjoining lots and to the street;

k. Exterior lighting that complies with the lighting standards of the zone and is designed to minimize conflict and light trespass with surrounding uses; and

l. Within and adjoining the site, impacts on the aquifer, slope retention, flood potential and appropriateness of the proposed structure to the topography of the site.

2. Specific Review Criteria for Certain Conditional Uses. In addition to the foregoing, the community development department or planning commission must review each of the following criteria when considering approving or denying an application for each of the following conditional uses:

   a. Child Care. Each application for a child care facility or center must include:
      i. Proof of a state child care license;
      ii. Compliance with state, federal and local law; and
      iii. A delivery, traffic and parking plan which adequately mitigates the adverse impacts of increased traffic generation.

   b. Assisted Living. Each application for an assisted living use must comply with the following:
      i. The maximum number of residents shall be:
         (A) Eight for structures fronting on public streets smaller than collector streets; and
         (B) Sixteen for structures fronting on public streets considered collector streets or larger.
ii. A complete application shall include:

(A) Proof of state license for assisted living or its equivalent;
(B) A design, residential in character and architecturally compatible with the neighborhood, which adequately screens the use from neighboring lots; complies with Utah Department of Health standards;
(C) An outdoor lighting plan which adequately screens lighting to mitigate its impact on surrounding uses;
(D) A sign plan which includes no more than two square feet of signage for facilities on public streets smaller than collector streets, and monument signs not to exceed thirty-two square feet for facilities on public streets considered collector streets or larger; and
(E) A delivery, traffic and parking plan which adequately mitigates the adverse impacts of increased traffic generation on the neighborhood in which it is located. The parking plan should propose parking appropriate to the proposed use of the facility.

17-7-10.11.3 Development review process.

The following development review process applies to all new development in Jordan Bluffs Subarea 4.

A. Large Scale Master Plan. A large scale master planned development application is required for Subarea 4 as a whole prior to any specific development applications, i.e. subdivision plats, site plans, conditional use permits, building permits. The large scale master plan shall address the following development standards:

1. Environmental Constraints. Due to the limitations of the capped portions of the Jordan Bluffs site all wet utilities and landscaped areas shall be installed as regulated by this title, the Institutional Controls, Site Management Plan (2017) and Site Modification Plan (2004). The capped portion of Subarea 4 is identified as "Area C" in Figure 1 of this Chapter.

2. Residential Density. The maximum residential density is thirty (30) units per acre averaged over Subarea 4.
3. Recreational Amenities. The applicant shall improve a minimum of fifteen (15) percent averaged over the entire Subarea 4 as functional outdoor and indoor recreational amenity areas for residents of the development. These amenities include such improvements as elevated plazas designed for recreation purposes; outdoor recreation spaces such as pools, playgrounds, informal playing fields; and the square footage of buildings and interior spaces devoted to amenity and recreational use. Improved, common recreational amenities shall be located within close proximity or easily accessible to all residential projects within the Subarea 4.

4. Open Space, Landscaping and Recreational Amenities. The applicant shall improve a minimum of twenty-five (25) percent averaged over the entire Subarea 4 as open space, landscaping and recreational amenity areas. These areas include such improvements as landscaped areas not less than five (5) feet wide, landscaped setbacks, walkways, paths, and recreational amenities as described above.

5. Building Height Transition. In “Area A” and “Area B” identified in Figure 1 of this Chapter, the maximum height allowed for structures is four stories, not to exceed fifty (50) feet measured to the top of the highest parapet or the midpoint of a sloped roof, subject to the following exception: when a structure is less than sixty (60) feet from a property with a residential use, the maximum height shall be three stories, not to exceed forty (40) feet measured to the top of the highest parapet or the midpoint of a sloped roof.

6. Public Road Improvements. The applicant shall provide the following public road improvements:

   a. Bingham Junction Boulevard from 7800 South to the intersection of the extension of Ivy Drive as depicted on the Jordan Bluffs Subarea Plan. Bingham Junction Boulevard shall include a public right-of-way of ninety-two (92) feet to include a center raised planter/left turn lane with two traffic lanes, a bike lane, planter area and sidewalk on each side as shown by the cross section below.
b. Extension of Ivy Drive from Main Street to the intersection of Bingham Junction Boulevard as depicted on the Jordan Bluffs Subarea Plan. The extension of Ivy Drive shall include a public right-of-way of seventy (70) feet to include sidewalk, planter area, parking lane, bike lane and traffic lane on each side as shown by the cross section below.

c. Interior Roads. Interior public roads shall be constructed within Subarea 4 to service residential areas. Public roads interior to Subarea 4 shall include public rights-of-way of sixty-six (66) feet to include sidewalk, planter area, parking lane, and traffic lane on each side as shown by the cross section below.
d. 7800 South Right-of-Way Improvements. Curb, gutter, sidewalk and landscape improvements along the south side of 7800 South between Le Page Street and Bingham Junction Boulevard are required.

e. Pedestrian Connections. Walkways of at least five (5) feet in width shall be incorporated within and between developments, and to Holden Street, Lennox Street and Main Street. Where walkways cross roads or driveways, stamped concrete or asphalt, or other distinguishable material, shall be used to construct crosswalks.

7. Private Roads. Private roads shall include a right-of-way width of thirty-five (35) feet, with twenty (20) feet of pavement installed to city specifications and fire code, two and one-half (2.5) feet of curb and gutter on each side and either a five (5) foot sidewalk adjacent to the curb on both sides or a four (4) foot sidewalk and a five (5) foot park strip on one side. On-street parking is not allowed on a private road and the road shall be posted as a no parking area. Private roads shall be owned and maintained by an owners association with an appropriate mechanism in place to ensure its long-term maintenance.

8. Connections to Existing Neighborhood. The applicant shall provide pedestrian and/or automobile connections to Holden Street, Lennox Street and Main Street. Pedestrian connections shall be a minimum of five-foot wide improved walkways tying in with a project interior pedestrian system. Automobile connections shall be made where such connections provide for the orderly flow of traffic both within and outside the development and minimize the concentration of traffic onto any particular city street.

B. Development Agreement. A development agreement, in a form satisfactory to the city attorney and city council, and consistent with law, shall be required to ensure the property owner complies with the provisions applying to Subarea 4 of the zoning district, the large scale master plan and site plan approvals, and allowing the property owner the right to develop in accordance with the approved plan for a period up to, but not exceeding, fifteen (15) years.
C. Subdivision Plats, Site Plans, Conditional Use Permits and Building Permits. Prior to any development occurring in Subarea 4, the applicant shall obtain all applicable development permits as required in Chapter 17-3 and Title 16 of the Midvale Municipal Code. These development permits shall be consistent with the approved large scale master plan, development agreement, this chapter and current building code.

17-7-10.11.4 Residential development standards.

The following development standards apply to all new development:

A. Lot Size. No minimum lot size is required, but the lot size must be sufficient to accomplish the development standards of this chapter and the building code.

B. Setbacks. All setbacks are measured from the property line. There are no minimum setbacks except as required by the building code, required landscape setbacks, residential landscape buffers, and the residential setback.

C. Residential Setback. The minimum setback from the property line to a new residential structure when adjacent to a property with a residential use is twenty (20) feet.

D. Build-to Line. When adjacent to Main Street, Ivy Drive or an interior public or private road, a thirty-foot (30') landscape setback, measured from the property line adjacent to said road, is required. These setbacks shall serve as the build-to line for residential structures. At least fifty (50) percent of the front elevations must be built within five (5) feet of the build-to line. The planning commission may modify this requirement for changes in wall plane due to architectural features or if the site is encumbered by curvilinear roads and/or property lines. Residential structures in “Area A” identified in Figure 1 of this Chapter shall not be subject to the build-to line requirement.

E. Residential Density. The maximum residential density is thirty (30) units per acre averaged over Subarea 4.

17-7-10.11.5 Landscaping standards.

The following landscaping standards apply to all new residential development:

A. Required Open Space, Landscaping and Recreational Amenities. The applicant shall professionally landscape the project property, in accordance with an approved landscape plan. The landscape plan shall include details for the open space, landscape and recreational...
amenity areas required in the approved large scale master plan for the specific development area. The amount of open space, landscaping and recreation amenity area for a specific development within Subarea 4 shall not be less than that included in the approved large scale master plan. Landscape plan approval is a condition precedent to issuance of a building permit for the project property. All landscaping shall be in place prior to issuance of a certificate of occupancy for a structure, unless seasonal conditions make installation unfeasible, in which case the applicant shall provide cash security or its approved alternative for all landscaping, which landscaping shall be installed by the following May 31st.

B. **Landscaped setback from edge of public or private right-of-way.** The landscaped setback from the edge of a public right-of-way or private right-of-way shall be a minimum of thirty (30) feet, with the exception that the landscaped setback from the edge of the Main Street right-of-way shall be forty (40) feet.

C. **Residential Landscape Buffer.** New development adjacent to a property with a single-family use shall provide a minimum fifteen (15) foot landscaped buffer consisting of large trees, shrubs, and a minimum six (6) foot and a maximum eight (8) foot screening wall along the residential property boundary. The screening wall shall be constructed of precast concrete, SimTek Ecostone Plus (or equivalent), brick, masonry or other permanent materials, and shall have a finish that complements the development along all property boundaries adjacent to single family residential use.

D. **Planting Standards.** Landscape plans shall address the following standards:

1. **Building Foundation Landscaping.** The ground adjacent to the building foundation must be landscaped if it is visible from public vantage points. Building foundation landscaping shall consist of a combination of small and medium sized deciduous and evergreen shrubs, grasses and perennials.

2. **Street Frontage Tree Requirements.** An applicant shall provide at least one (1) street tree for each forty lineal feet (40’) of frontage along all public and private roads. Street frontage trees may be clustered or spaced linearly near the sidewalk as provided in an approved landscape plan.

3. **Minimum Number of Trees.** A minimum of one (1) tree for every four hundred (400) square feet of required landscaping is required for all landscaped areas. Street trees may be included in calculations to meet this requirement.

4. **Plant Materials.** Areas requiring landscaping shall be planted with substantial live plant material including: plants, shrubs, trees, sod, etc., for the purpose of buffering,
screening, and improving the visual quality of the site. Plants selected for landscape areas shall consist of plants that are well suited to the microclimate and soil conditions at the project site. Plants with similar water needs shall be grouped together as much as possible. Landscaped areas less than four feet wide shall be landscaped with water conserving plants.

a. Types of Vegetation. At least fifteen (15) percent of the landscaping must be evergreen. Up to twenty-five (25) percent of the landscape area may include specialty paving, street furniture, and outdoor seating areas. Trees that are planted in the park strip shall meet the specifications described in the standard construction specifications of Midvale City.

b. Size of Trees. The following standards apply to the use of plant and tree material.

i. Deciduous Trees. All deciduous trees shall have a minimum caliper size one and one-half (1 ½) inches.

ii. Ornamental Trees. All ornamental trees shall have a minimum caliper size of one and one-half (1 ½) inches.

iii. Evergreen Trees. All evergreen trees shall have a minimum height of six (6) feet.

5. Mulch. After completion of all planting, all irrigated non-turf areas shall be covered with a minimum four-inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature. Nonporous material shall not be placed under the mulch.

6. Soil Preparation. Soil preparation will be suitable to provide healthy growing conditions for the plants and to encourage water infiltration and penetration. Soil preparation shall include scarifying the soil to a minimum depth of six inches and amending the soil with organic material as per specific recommendations of the landscape designer based on the soil conditions.

7. Planting Plan. A detailed planting plan shall be drawn at a scale that clearly identifies the following:

a. Location of all plant materials and ground covers, a legend with botanical and common names, and size of plant materials;

b. Property lines and street names;

c. Existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements;
d. Existing trees and plant materials to be removed or retained;
e. Designation of landscape zones; and
f. Details and specification for tree staking (trees less than a two-inch caliper must be double-staked until the trees mature to two-inch caliper), soil preparation, and other planting work.

8. Crime Prevention Through Environmental Design (CPTED). The plan must demonstrate how CPTED principles will be used in the design and layout of buildings, streets, accesses and open space areas. Design shall promote natural surveillance, access control, territorial reinforcement, sense of ownership, and maintenance. CPTED landscaping guidelines shall be used, including planting shrubs so as not to impede natural surveillance and trees with a proper ground clearance of six feet above walkways and sidewalks and eight feet above vehicular travel and parking lanes. To encourage public safety through natural surveillance, natural access control, and territorial reinforcement, blank walls are discouraged adjacent to streets, pedestrian areas, and open space amenities. Symbolic barriers, such as low-lying fences/walls, landscaping and signage shall be used to discourage crime and to promote safety. Ground floor parking garages are discouraged immediately adjacent to streets. Developments shall have street-side building elevations, with windows, and with balconies, decks or landscape terraces encouraged.

   a. As part of the site plan approval process, a copy of the landscape plan documentation package shall be submitted to the city for review and approval.
   b. Following construction and prior to issuing the approval for occupancy, an inspection shall be scheduled with the planning department to verify compliance with the approved landscape plans.
   c. The city reserves the right to perform site inspections at any time before, during or after the irrigation system and landscape installation, and to require corrective measures if requirements of this chapter are not satisfied.

10. Removal. No required landscaping shall be removed without replacement of equal or better quality. This shall include the installation of healthy plant materials as well as a tree-for-tree replacement as governed by this chapter.
E. **Irrigation Standards.** Irrigation plans shall be designed to accompany the landscape plan and shall address the following standards:

1. A pressure-regulating valve shall be installed and maintained by the consumer if the static service pressure exceeds eighty (80) pounds per square inch (psi). The pressure-regulating valve shall be located between the meter and the first point of water use, or first point of division in the pipe, and shall be set at the manufacturer’s recommended pressure for the sprinklers.

2. All irrigation systems shall include an electric automatic controller with multiple program and multiple repeat cycle capabilities and a flexible calendar program. All controllers shall be equipped with an automatic rain shut-off device, and the ability to adjust run times based on a percentage of maximum ETO.

3. On slopes exceeding thirty-three (33) percent, the irrigation system shall consist of drip emitters, bubblers or sprinklers with a maximum precipitation rate of 0.85 inches per hour and adjusted sprinkler cycle times to eliminate runoff.

4. Each valve shall irrigate a landscape with similar site, slope and soil conditions and plant materials with similar watering needs. Turf and non-turf areas shall be irrigated on separate valve. Drip emitters and sprinklers shall be placed on separate valves.

5. Drip emitters or a bubbler shall be provided for each tree unless located in a turf area. Bubblers shall not exceed 1.5 gallons per minute per device. Bubblers for trees shall be placed on a separate valve unless specifically exempted by the city due to the limited number of trees on the project site.

6. Sprinklers shall have matched precipitation rates with each control valve circuit.

7. Check valves shall be required where elevation differences will cause low-head drainage. Pressure-compensating valves and sprinklers shall be required where a significant variation in water pressure will occur within the irrigation system due to elevation differences.

8. Filters and end flush valves shall be provided as necessary for drip irrigation lines.
9. Valves with spray or stream sprinklers shall be scheduled to operate between six p.m. and ten a.m. to reduce water loss from wind and evaporation.

10. Program valves for multiple repeat cycles where necessary to reduce runoff, particularly on slopes and soils with slow infiltration rates.

11. Spacing of irrigation heads shall not exceed fifty-five percent of coverage diameter.

12. Backflow preventer device is required and shall be located between the water meter and stop and waste valve;

13. Irrigation Plan. A detailed irrigation plan shall be drawn at the same scale as the planting plan and shall contain the following information:

   a. Layout of the irrigation system and a legend summarizing the type and size of all components of the system;
   b. Static water pressure in pounds per square inch (psi) at the point of connection to the public water supply;
   c. Flow rate in gallons per minute and design operating pressure in psi for each valve and precipitation rate in inches per hour for each valve with sprinklers; and
   d. Installation details for irrigation components.

F. Fencing. Fencing shall be part of the landscape plan and shall comply with the following:

   1. Perimeter Fencing.
      a. Fences or walls constructed of sight obscuring solid materials shall not be located within the landscape setback along a public or private right-of-way.
      b. Fences up to six (6) feet in height constructed of non-sight obscuring, open materials, such as wrought iron, picket with gaps greater than the width of the slats, etc., may only be located in the landscape setback along 7800 South, Le Page Street and Holden Street.
      c. Screening walls up to eight (8) feet in height are allowed along property boundaries adjacent to existing development located outside Subarea 4. The screening wall shall be constructed of precast concrete, SimTek Ecostone
Plus (or equivalent), brick, masonry or other permanent materials, and shall have a finish that complements the development.

2. Interior Fencing. Fences shall not be used to delineate individual developments within Subarea 4. Interior fencing shall only be used as needed for recreational amenities.

3. All fencing and screening walls shall be constructed to comply with sight distance requirements at road intersections and driveways.

17-7-10.11.6 Architectural Standards.

All new development must present an attractive streetscape, incorporate architectural and site design elements appropriate to a pedestrian scale, and provide for the safety and convenience of pedestrians. All new development shall comply with the following architectural standards:

A. Height. For purposes of defining the maximum structure height allowed, refer to Figure 1 of this Chapter. In “Area A” and “Area B”, the maximum height allowed for structures is four stories, not to exceed fifty (50) feet measured to the top of the highest parapet or the midpoint of a sloped roof, subject to the following exception: when a structure is less than sixty (60) feet from a property with a residential use, the maximum height shall be three stories, not to exceed forty (40) feet measured to the top of the highest parapet or the midpoint of a sloped roof. The maximum height allowed for structures in “Area C” is four stories of living space and two stories of podium parking, not to exceed seventy-five (75) feet measured to the top of the highest parapet or the midpoint of a sloped roof.

B. Building Orientation and Scale. Residential structures shall be oriented and scaled as follows:

1. Buildings required to be built at a build-to line shall be oriented to the street, with building entrances opening directly onto the public realm of the sidewalk along the corridor.

2. Buildings shall be serviced by a local street, an access drive or an alley, and shall not gain direct access from a collector or arterial street.

3. Ground floor pedestrian entrances shall be oriented toward adjacent streets, plazas, courtyards, sidewalks and walkways.

4. Buildings shall be designed to minimize pedestrian and automobile conflict and provide pedestrians direct access to a sidewalk or walkway.

5. Building planes shall incorporate varying heights, shifts, textures, shapes and colors to provide visual interest from public vantage points. Building plane shifts include
recessed entrances or windows, balconies, cornices, columns, and other similar architectural features. The architectural feature must be either recessed or project a minimum of twenty-four (24) inches.

6. Building design and orientation should consider exposure to sunlight to avoid energy inefficiencies.

C. Proximity. Minimum separation between all habitable structures shall be as follows provided all building code requirements are met: ten (10) feet between one-story structures; fourteen (14) feet between two-story structures; eighteen (18) feet between three-story structures; and twenty (20) feet between four-story structures. The building separation between structures of different heights shall be the distance required by the higher structure.

D. Residential Building Design and Exterior Materials. The following standards shall be applied to all residential structures:

1. Exterior Materials. A minimum of seventy-five (75) percent of the exterior wall area, not to include window and door openings, shall be clad in durable materials. Durable materials include brick, masonry, stucco (not to include exterior insulation and finish system (EIFS)), cement siding textured or patterned concrete, cultured stone, and cut stone, or other material the Planning Commission determines to be durable. Each building elevation shall include at least two types of durable materials. Other materials may be used as accent or trim provided they cover twenty-five (25) percent or less of the exterior wall.

2. Prohibited Materials. Vinyl and aluminum siding products are prohibited as wall materials.

3. Color Scheme. The use of a single-color scheme, minimal detailing, or blank (or largely blank) walls is not permitted. The use of exterior staircases is discouraged.

4. Building Massing. Buildings that are uniformly three stories or more must step the roof form or interrupt it with other roof elements. The building mass of the elevation can be reduced by off-setting dwelling units, and varying building setbacks and heights.

5. Openings. Not less than twenty-five (25) percent of any front or rear building face shall be made up of window or door areas. Not less than fifteen (15) percent of any side building face shall be made up of windows or door areas unless an adjacent building within twenty (20) feet of that side face obscures the majority of that side
face from public view. The front building face is defined as the elevation which includes the primary entrance into the building.

6. Protruding Features. Bay windows and other architectural elements protruding from the facades may be clad in other materials.

7. Roof Form. Roof forms shall be designed in ways and/or used in combinations to break up large, continuous building forms, particularly for cluster and multiple-dwelling structures. Where flat roofs are used, other techniques to provide scale and interest shall be used to refine large, continuous building forms. Long unbroken ridge or parapet lines are prohibited.

8. Entry Feature. All dwelling units or residential buildings shall have an exterior entry that is a prominent, architectural focal point directing people into the unit or building. This feature shall relate to the architecture of the structure and may include porches, stoops, roofs, etc.

9. Garage Doors. Garage doors for individual dwelling units shall not face or directly access Main Street, Ivy Drive or an interior public or private road.

10. Podium Parking. Stand-alone parking structures are prohibited. Podium style parking structures are allowed with the following standards:
   a. No more than two levels of podium style parking above grade are allowed.
   b. Parking structures shall be designed with exterior wall treatments and architectural features similar to the residential portion of the building.
   c. Elevations that face or can be seen from a public or private road shall include openings of similar size and shape to those found on the residential building.

E. Accessory Structures. The style, materials, colors and roofs used in the construction of accessory structures, including garages, carports, sheds and maintenance buildings, shall be architecturally compatible with the primary structures.

F. Screening. Trash collection and recycling areas, service areas, and mechanical equipment shall be screened on all sides so that no portion of such areas is visible from public streets and adjacent properties. Required screening may include new and existing plantings, walls, fences, screen panels, doors, topographic changes, buildings, horizontal separation, or any combination thereof.
1. All building equipment shall be sited to minimize its visibility and impact, or screened and enclosed as to appear to be an integral part of the architectural design of the building. Measures shall be taken to mitigate noise impacts on adjacent properties.

2. Refuse containers shall be screened from view on all sides. Required screening may include new and existing plantings, walls, fences, screen panels, doors, topographic changes, buildings, horizontal separation, or any combination thereof. Screening fences, walls and/or plantings shall be one foot higher than the object to be screened. An opaque gate shall be included where required to complete screening.

17-7-10.11.7 Parking and Access

New development must include improvements for associated parking with an adequate number and design of parking spaces and provisions for independent ingress and egress by automobiles and other motorized vehicles. Off-street parking, on-street parking and development access shall meet the following standards:

A. Parking Ratio Requirements. Required parking must be on-site and shall meet the following standards:

<table>
<thead>
<tr>
<th>Uses</th>
<th>Parking Requirement (Number of Spaces)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assisted Living Facility</td>
<td>1 per 2 bedrooms plus 1 per employee per shift, or 2 per 3 employees per shift, whichever is greater</td>
</tr>
<tr>
<td>Child Care, In-Home</td>
<td>1 per caregiver and 1 per 6 children</td>
</tr>
<tr>
<td>Dwellings:</td>
<td></td>
</tr>
<tr>
<td>Multi-Family</td>
<td></td>
</tr>
<tr>
<td>Studio and 1 Bedroom units</td>
<td>1.5 stalls per unit</td>
</tr>
<tr>
<td>2 Bedroom units</td>
<td>1.75 stalls per unit</td>
</tr>
<tr>
<td>3+ Bedroom units</td>
<td>2.0 stalls per unit</td>
</tr>
<tr>
<td>Guest parking</td>
<td>1.0 stalls per 4 units</td>
</tr>
<tr>
<td>Single Family, Attached</td>
<td>2.0 stalls per unit plus 1 per 4 units for guest parking</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td>Religious/Educational Institution</td>
<td>The greater of: 1 per 5 seats, 2 per 3 employees or 1 per 1,000 s.f. of floor area</td>
</tr>
<tr>
<td>Residential Facility for Elderly Persons/ Persons with a Disability</td>
<td>The greater of: 1 per 2 bedrooms plus 1 per employee per shift or 2 per 3 employees per shift</td>
</tr>
</tbody>
</table>

B. Driveway Widths and Parking Standards. The following driveway width dimensions and parking standards apply to all new development. The city engineer may approve minor variations (equal to or less than ten (10) percent) in driveway width and spacing.

1. Parking. No parking is allowed within required landscape setbacks and residential buffers.
   
a. Required Landscaping. The following landscaping standards apply to new parking areas:
   
i. Parking areas with more than four (4) stalls must have perimeter landscaping of at least five (5) feet in width;

   ii. Parking areas with over fifteen (15) spaces shall provide landscaped islands at the end of each parking row, an island for every sixteen (16) spaces, and perimeter landscaping of at least five (5) feet in width.

2. Driveway Standards. For all new development, driveways shall comply with the following standards:
   
a. No driveway along a public road shall be less than fifty (50) feet from intersecting rights-of-way.

   b. Driveways that exceed thirty (30) feet in total width at the lot frontage along a public road must be separated by a landscaped area of at least twelve (12) feet in width and ten (10) feet in depth.
c. Development Requiring Five or More Parking Spaces. The minimum two-way drive width is twenty-four (24) feet. The maximum two-way drive width is thirty-six (36) feet.

d. Development Requiring Four or Fewer Parking Spaces. The minimum two-way drive width is twenty (20) feet. The maximum two-way drive width is thirty (30) feet.

e. Alleys. Alleys providing a shared vehicle access to the rear of individual units shall be a minimum of twenty feet in width and shall comply with the fire code if needed for emergency vehicle access. Alleys shall be owned and maintained by an owners association with an appropriate mechanism in place to ensure its long-term maintenance.

3. Spacing. New development shall provide the following:

a. A minimum of seventy-five (75) feet spacing between major driveways is recommended. Shared use of drives is strongly recommended.

b. Centerline. The centerline of intersections of the driveways of major traffic generators entering from opposite sides of roadway must either be aligned or offset by a minimum of one hundred fifty (150) feet.

c. Deviations. The city engineer may approve minor spacing deviations (equal to or less than ten (10) percent).

4. Surfacing. Parking areas and driveways must be hard-surfaced, maintained in good condition, and clear of obstructions at all times.

5. Parking Space Dimensions. All new development shall provide parking spaces of the following minimum dimensions. The city engineer may approve minor (equal to or less than ten (10) percent) variations in parking space dimensions.

a. Parking spaces must be nine (9) feet wide by eighteen (18) feet long;

b. Accessible parking space width requirements vary and shall be consistent with current building code standards;
c. Compact spaces with dimensions of eight (8) feet wide by sixteen (16) feet long may be provided and these spaces may be counted towards satisfying up to ten percent (10%) of the overall parking requirement for a project; and

d. Tandem spaces count as two parking spaces, and may only occur in garages or parking structures.

6. Grading and Drainage. Parking shall be graded and constructed as follows:

   a. Parking areas must be graded for proper drainage with surface water diverted to keep the parking area free of accumulated water and ice;

   b. Adequate control curbs must be installed to control drainage and direct vehicle movement; and

   c. Parking area drainage must be detained on-site and otherwise approved by the city engineer.

7. Off-Street Parking. Off-street parking areas must have unobstructed access to a street or alley. The parking area design for five (5) or more vehicles must not encourage cars to back onto adjoining public sidewalks, parking strips, or public roadways. With the exception of permitted tandem parking, parking spaces shall be independently accessible and unobstructed.

8. Guest Parking. In multi-family developments, private driveways can be counted towards the required guest parking if the driveways have a minimum depth of eighteen (18) feet and each driveway is separated with landscaping. Guest parking shall be located within an accessible and reasonable distance from all habitable structures. This may require more than one guest parking area within a development.

C. Parking Structures. Parking structures shall meet the following standards:

1. Pedestrian System. Parking structures shall include a layout that considers safe walking routes to elevators, stairways, doors, and to the sidewalk system.

2. Parking Configuration. Parking structures shall be designed with the following standards:
a. Parking stall dimensions shall be a minimum of nine (9) feet by eighteen (18) feet, provided that up to ten (10) percent of parking stalls may be compact stalls of eight (8) feet by sixteen (16) feet.

b. The minimum aisle width is twenty-four (24) feet.

c. The parking structure must be designed to ensure that each required parking space is readily accessible, usable and safe for automobiles and pedestrians.

d. Parking stalls located adjacent to walls or columns shall be one (1) foot wider than the minimum required width to accommodate door opening clearance and vehicle maneuverability.

D. Access Management. All new development shall comply with the following access management standards:

1. All driveways and curb cuts shall be installed according to the standards and specifications contained in the Midvale City Construction Standards and Specifications handbook. Curb cuts for pedestrian access shall orient toward each street frontage.

2. New development shall not propose parking in such a way that users may be allowed to back onto public rights-of-way.

E. Outdoor Lighting Standards. LED light sources are the only allowed light sources for outdoor lighting. Light levels should be designed with minimum light trespass off-site by using a cut-off luminaire that is fully or partially shielded with little or no light distributed above the horizontal plane of the luminaire or other best practices that are available.

1. Maximum Light Distribution. For uniformity in lighting and prevention of shadows, a four to one (4:1) uniformity ratio shall occur over the site, excluding canopy areas and main building entrances. The maximum allowed average horizontal luminance level and light source shall be as noted in the following table:
<table>
<thead>
<tr>
<th>Use</th>
<th>Maximum Average Foot Candle</th>
<th>Light Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building entrance</td>
<td>5 f.c.</td>
<td>LED</td>
</tr>
<tr>
<td>Residential</td>
<td>2 f.c.</td>
<td>LED</td>
</tr>
</tbody>
</table>

2. Pole Height/Design/Height. Luminaire mounting height is measured from the parking lot or driveway surface, and may range from ten (10) feet to twenty (20) feet, based on:

   a. Review of the site plan;
   
   b. Proposed land uses;
   
   c. Surrounding land uses;
   
   d. Parking area size;
   
   e. Building mass;
   
   f. Location of the site with respect to other lighting sources;
   
   g. Impacts on the adjacent properties;
   
   h. Topography of site; and
   
   i. Other site features.


   a. If metal fixtures or poles are used they shall be black or dark brown;
   
   b. All attempts shall be made to place the base of light poles within landscape areas;
c. Wall-mounted lighting fixtures shall not be located above eighteen (18) feet in height. Fixture styles and finishes shall compliment the building exterior; and

d. Lighting located along pedestrian pathways or in areas primarily dedicated to human activity may not exceed twelve (12) feet in height.

4. Submission Requirements. An application for development with outdoor lighting must contain the following:

   a. Plans indicating the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, installation and electrical details;

   b. Description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices that may include, but is not limited to, manufacturer catalog cuts and drawings, including section where required; and

   c. Photometric data, such as that furnished by manufacturers, or similar showing the angle of the cut off or light emission. A point-by-point light plan may be required to determine the adequacy of the lighting over the site.

F. Snow Removal. A plan for snow removal and/or storage shall be submitted for review by the planning staff.

17-7.10.11.8 Utilities.

All utilities within the proposed development shall be buried and shall comply with City Construction Standards and Specifications.

17-7.10.11.9 Signage.

All signage is subject to Section 17-3-7 of the Midvale Municipal Code. Allowed signage within Subarea 4 is limited to the sign types in Table 17-7.10.11.9 and shall comply with the following sign standards. All signage is subject to Section 17-3-7 of the Midvale Municipal Code.
### Table 17-7-10.11.9
#### Signs

<table>
<thead>
<tr>
<th>Sign type</th>
<th>Sign Area Max.</th>
<th>Sign Height Max.</th>
<th>General Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monument*</td>
<td>32 s.f.</td>
<td>6’ (total)</td>
<td>At least 1 foot of pedestal. May be placed on berm, w/top of sign ≤ 9’; 3’ max. height in clear view triangle; ≥ 3’ from sidewalk on project property</td>
</tr>
<tr>
<td>Wall</td>
<td>40 s.f.</td>
<td>n/a</td>
<td>One blade or wall sign may be used within “Area A”, “Area B” and “Area C”</td>
</tr>
<tr>
<td>Blade</td>
<td>40 s.f.</td>
<td>≥7 feet above pavement or ground level.</td>
<td>One blade or wall sign may be used within “Area A”, “Area B” and “Area C”</td>
</tr>
</tbody>
</table>

### A. Sign Standards.

1. **Monument Signs.** “Area A”, “Area B” and “Area C” identified in Figure 1 of this Chapter is allowed one monument sign for each street frontage. A monument sign shall not exceed thirty-two (32) square feet or six (6) feet in height with a minimum one-foot pedestal, and shall be located in a landscaped area associated with a project entry or focal point. The applicant may forgo the one-foot pedestal if the landscaped area is improved with something other than turf. The sign may be located on a berm provided the top of the sign does not exceed nine (9) feet in height above finished grade. Monument signs shall not be constructed within the clear view area and shall be set back at least three (3) feet from a public sidewalk and property lines. Monument signs shall be constructed with materials similar to that of the surrounding building(s).

2. **Wall Signs.** “Area A”, “Area B” and “Area C” identified in Figure 1 of this Chapter may have one wall sign on one building. The maximum sign area shall be forty (40) square feet. External illumination of the sign may be allowed; internal illumination of
the sign is prohibited. A wall sign cannot be utilized with a blade sign in the same area.

3. Blade Signs. “Area A”, “Area B” and “Area C” identified in Figure 1 of this Chapter may have one blade sign on one building. The maximum sign area shall be forty (40) square feet. The blade sign shall be mounted at least seven (7) feet above the pavement or ground level. External illumination of the sign may be allowed; internal illumination of the sign is prohibited. A blade sign cannot be utilized with a wall sign in the same area.

17-7-10.11.10 Home Occupation Standards.

Each application for a business license for a home occupation shall include the owner's covenant that the proposed use:

A. Shall not include outdoor storage, outdoor display of merchandise, nor parking/storage of any vehicle in excess of twelve thousand pounds gross vehicle weight;
B. Shall not include identifying signage in excess of a two-square foot name plate attached to the dwelling;
C. Is limited to the on-site employment of immediate family who occupy the dwelling (this criteria is not intended to limit the number of employees who are engaged in business for the home occupation but work off-premises);
D. Shall not alter the residential character or appearance of the dwelling or neighborhood;
E. Shall not occupy more than twenty-five percent of the main floor of the dwelling nor more than fifty percent of the floor area of any garage or outbuilding in which the use is conducted;
F. Shall not generate business-related vehicular traffic in excess of three vehicles per hour;
G. Shall not cause a demand for municipal services in excess of that associated with normal residential use;
H. Shall be enclosed within a structure in complete conformity with current building, fire, electrical and plumbing codes;
I. Is not a mortuary, animal hospital, kennel, clinic, hospital, RV storage yard, junkyard, auto repair service, commercial stable or sexually oriented business.
Institutional Controls.

All new development shall be constructed and maintained in accordance with the “Institutional Controls” set forth in Chapter 8.10 of the Midvale City Municipal Code, and the adopted Site Management Plan (2017) and Site Modification Plan (2004).
Mayor Seghini called the meeting to order at 6:34 p.m.

I. INFORMATIONAL ITEMS
   A. DEPARTMENT REPORTS

Lt. Olsen reported on recent police incidents.

Chief McBride reminded everyone of fire prevention month. He announced that he is moving to another battalion that takes him out of the Midvale area so Chief Brad Larson will be taking over this precinct.

Chief Brad Larson said he is excited to return to Midvale.

Laurie Harvey said she received a copy of the Fitch ratings report on local government in Utah. She reviewed the comparisons with other governmental entities in the state as well as the City’s investment performance. She introduced Laura Magness, Communications Specialist. She has over 16 years’ experience in the communications area.

Councilmember Stephen Brown said he received a complaint from a citizen that their water pressure on Fern is low. He asked Larry Wright to check into it. He said the “dead end” sign on Cottonwood looks good, and asked about the status of the “no outlet” sign.
Matt Dahl discussed the repairs to the Bingham Junction Park regarding the removal of the standing water.

II. CITY MANAGER'S REPORT
Kane Loader was excused.

III. GENERAL BUSINESS
A. Welcome and Pledge of Allegiance

B. Roll Call – Council Members Paul Hunt, Wayne Sharp, Stephen Brown, and Paul Glover were present at roll call. Council Member Quinn Sperry was excused.

IV. PUBLIC COMMENTS
Robert Hale thanked Public Works for the curb, gutter and sidewalk on his block.

V. COUNCIL REPORTS
A. Councilmember Quinn Sperry – Excused

B. Councilmember Wayne Sharp – reported that with the colder weather, many of the mosquitoes have been killed but there may be some still lurking. He discussed having action items on public hearings the same night as the hearing. Council Member Stephen Brown said he likes having the discussion on the item when the residents are there to hear the discussion.

C. Councilmember Stephen Brown – A meet the candidate’s night will be held by the Community Council on Wednesday, October 4th evening at 7:00 p.m. in the Dahl Conference room.

Mayor Seghini said she would like to be informed of what the topic will be for the Community Council meetings so it can be put on the schedule at city hall.

D. Councilmember Paul Glover – Had nothing to report.

E. Councilmember Paul Hunt – Had nothing to report.

VI. MAYOR REPORT
Mayor JoAnn B. Seghini – reported on a grant received by the Midvale Middle School, which allowed them to purchase special computers that allows them to type in a word that would then translate into another language or vice versa. This will make a big difference to those people settling in a new country.

MOTION: Councilmember Stephen Brown MOVED to open a public hearing. The motion was SECONDED by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none she called for a vote. The motion passed unanimously.
VII. **PUBLIC HEARINGS**

A. **CONSIDER PROPOSED AMENDMENTS TO THE FY 2018 BUDGET FOR THE GENERAL FUND AND OTHER FUNDS AS NECESSARY**

Laurie Harvey reviewed the following proposed amendments to the FY 2018 budget:

**Proposed Amendments to General Fund FY 2018**

- Proceeds from sale of Right-of-way to UDOT
  - $166,000
  - Capital project – 7200 South Gateway

- Justice Assistance Grant (JAG)
  - FY 2018 - $15,500 for wireless mics and chairs for precinct
  - FY 2017 carryover - $16,600 for ballistic shields, entry ram, car printers

- Community Development Block Grant
  - FY 2017 carryover - $89,200 remaining for Allen Street Project

**Proposed Amendments to General Fund FY 2018**

- EPA Institutional Controls Grant
  - $45,000 for FY 2018 – New FTE salary and benefits

- Contributions from/(to) Fund Balance
  - $30,000 from Fund Balance for specialized legal services – Cell towers
  - $13,800 from Fund Balance for the remaining lobbyist contract
  - $(30,000) to Fund Balance from the CIP to refund Arts Council contribution towards cancelled Amphitheater architectural drawings

**Proposed Amendments to CIP Fund FY 2018**

- Transfers from/(to) General Fund
  - 7200 S. Gateway project - $166,000
  - CDBG project – Allen Street - $89,200
  - Refund of Arts Council contribution - $(30,000)

**Proposed Amendments to CIP Fund FY 2018**

- Transfers from CIP Fund Balance for work in progress
  - Sidewalk/Curb/Gutter replacement - $100,000
  - 7200 S. project – 7th East to Union Park Avenue - $134,800
  - Cemetery improvements - $44,900
  - Splashpad improvements - $55,500
  - Pickleball Court - $30,000
  - 50/50 sidewalk program - $20,000
  - Road bond projects – major roads - $3 million
  - Pavement management - $6,005,000
  - Amphitheater improvements - $30,000
  - Reserve for future projects - $410,000
Proposed Amendments to Enterprise Funds FY 2018

- Sewer Fund
  - From Fund Balance - $30,000 for infrastructure improvements
    - $100,000 total to include choppers for 2 lift stations and electrical work
- Storm Water
  - From Fund Balance – Carryover remaining debt proceeds - $500,000

Mayor Seghini opened the hearing to public comment. There was no one present who desired to speak on this issue.

**MOTION:** Councilmember Stephen Brown MOVED to close the public hearing. The motion was SECONDED by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none she called for a vote. The motion passed unanimously.

Action on this item is scheduled for October 17, 2017.

**MOTION:** Councilmember Stephen Brown MOVED to open a public hearing. The motion was SECONDED by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none she called for a vote. The motion passed unanimously.

**B. CONSIDER PROPOSED TEXT AMENDMENT TO MODIFY THE FRONT YARD SETBACK SIDEWALK IMPROVEMENTS FOR RESIDENTIAL PROJECTS IN THE TRANSIT ORIENTED DEVELOPMENT AND TRANSIT ORIENTED DEVELOPMENT OVERLAY ZONES**

Lesley Burns stated Parley's Partners, LLC has requested a modification be made to the front yard setback sidewalk standard for residential projects in the Transit Oriented Development (TOD) Zone. This request has been made through a Text Amendment Application. This concept was introduced to the Planning Commission during the public hearing for the Midvale Station Townhouse project in July and received favorable comments from the public. The proposed modification would allow 4-5 feet of landscaping within the 15-foot setback adjacent to residential buildings instead of concrete.

For medium and high density residential projects in the TOD and TOD Overlay Zones, the current front yard setback sidewalk standard is as follows (Sections 17-7-8.4 (A)(1) and 17-7-17.3 (A)(1) of Midvale Municipal Code):

Setbacks. New development shall comply with the following setbacks:

1. Front. The minimum front yard setback is fifteen feet, which shall include a sidewalk of ten feet in width and a five-foot park strip, which shall incorporate tree wells, street furniture and planter boxes. The front yard setback is measured from the back of curb.

The proposed text amendment, which includes some recommended language from Staff and the Planning Commission, would make the following changes to this language:
Setbacks. New development shall comply with the following setbacks:

1. Front. The minimum front yard setback is fifteen feet, which shall include a sidewalk of ten feet in width and a five-foot park strip adjacent to the curb, which shall incorporate tree wells, street furniture and planter boxes; a sidewalk of five to six feet (at the discretion of the Planning Commission); and four to five feet of landscaping up to the foundation of the residential structure. With the input from the City Engineer, modification to the sidewalk and park strip standard may be allowed to provide an appropriate tie-in to an adjacent neighborhood sidewalk. The front yard setback is measured from the back of curb.

The intent of this amendment is to soften the streetscape along residential frontages while still providing the expected pedestrian elements for a transit oriented area.

**Planning Commission Recommendation**

The Planning Commission reviewed the proposed text amendment and conducted a public hearing on September 13, 2017. Based on the input received at this meeting and during the discussion in July, the Planning Commission has forwarded the following motion to the City Council for its consideration:

> “Based on creating a better pedestrian residential environment, I move that we forward a positive recommendation to the City Council to approve the text amendment to modify the front yard setback sidewalk improvements for residential projects in the TOD and TOD Overlay Zones as proposed [above].”

Mayor Seghini opened the hearing to public comment.

Sophia Hawes-Tingey said she felt this proposal is an excellent idea. She felt this would encourage more landscape and give the area a good feel.

Hooper Knowlton, Parley’s Partners, said the reason why they want this is if you are a tenant in one of these townhomes, someone could stand outside your window and look right in. It is a much softer design feature. Understanding the ordinance required concrete all the way up and did not allow for softening with landscaping, that is the reason why we chose to go through the process to allow this. He’d like to make it feel more residential rather than commercial.

**MOTION:** Councilmember Wayne Sharp MOVED to close the public hearing. The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none she called for a vote. The motion passed unanimously.

**ACTION:** CONSIDER ORDINANCE NO. 2017-O-15 FOR A PROPOSED TEXT AMENDMENT TO MODIFY THE FRONT YARD SETBACK SIDEWALK IMPROVEMENTS FOR RESIDENTIAL PROJECTS IN THE TRANSIT ORIENTED DEVELOPMENT AND TRANSIT ORIENTED DEVELOPMENT OVERLAY ZONE
MOTION: Councilmember Paul Hunt MOVED to adopt Ordinance No. 2017-O-15 proposed Text Amendment to modify the front yard setback sidewalk improvements for residential projects in the Transit Oriented Development and Transit Oriented Development Overlay Zones. The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:

Council member Stephen Brown Aye
Council member Paul Glover Aye
Council member Paul Hunt Aye
Councilmember Wayne Sharp Aye
Council member Quinn Sperry Absent

The motion passed unanimously.

VIII. CONSENT AGENDA
A. APPROVE MINUTES OF SEPTEMBER 19, 2017

MOTION: Councilmember Wayne Sharp MOVED to approve the consent agenda. The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:

Council member Stephen Brown Aye
Council member Paul Glover Aye
Council member Paul Hunt Aye
Councilmember Wayne Sharp Aye
Council member Quinn Sperry Absent

The motion passed unanimously.

IX. ACTION ITEMS
A. CONSIDER RESOLUTION NO. 2017-R-39 APPOINTING EVAN HANSON AS A FULL MEMBER ON THE PLANNING COMMISSION FOR A FOUR-YEAR TERM

Lesley Burns stated the Midvale Planning Commission is comprised of five full members and two alternate members. With Allen Litster’s second full term ending earlier this year, alternate member Evan Hanson has been filling in. Commissioner Hanson has made significant contributions to the Planning Commission since March 2016 as an alternate member of the Commission. It is the desire of the Mayor to appoint Mr. Hanson as a full member at this time. The Mayor is requesting the Council’s consent for this appointment, which would be for a four-year term beginning immediately.

She said Evan Hanson has done an excellent job as an alternate member of the Planning Commission and recommended he become a full member.

MOTION: Councilmember Stephen Brown MOVED to approve Resolution No. 2017-R-39 appointing Evan Hanson to move from an alternate member to a full member on the Planning Commission for a four-year term. The motion was SECONDED by Councilmember Paul Hunt. Mayor Seghini called for
discussion on the motion. There being none the she called for a roll call vote.
The voting was as follows:

- Council member Stephen Brown  Aye
- Council member Paul Glover   Aye
- Council member Paul Hunt  Aye
- Councilmember Wayne Sharp Aye
- Council member Quinn Sperry Absent

The motion passed unanimously.

B. CONSIDER RESOLUTION NO. 2017-R-40 APPOINTING CANDACE TIPPETTS AND ZACHARY SMALLWOOD FOR ALTERNATE MEMBERS OF THE PLANNING COMMISSION

Lesley Burns stated the Midvale Planning Commission is comprised of five full time members and two alternate members. Currently, there are vacancies for the alternate seats. Following interviews with several applicants, it is the desire of the Mayor to appoint Candace Tippett and Zachary Smallwood as alternate members on the Planning Commission. Ms. Tippetts has lived in Midvale for 16 years and has been active in numerous Midvale programs and boards. She currently resides in District 2. Mr. Smallwood has lived in Midvale for 5.5 years and resides at the south end of Bingham Junction in District 5. The Mayor is requesting the Council’s consent for these appointments, which would be for four-year terms beginning immediately.

Councilmember Sharp said he wanted to make sure the individuals serving on the Planning Commission had positive attitudes.

Zachary Smallwood introduced himself and expressed his excitement and appreciation to sit on the Planning Commission.

MOTION: Councilmember Stephen Brown MOVED that we Approve Resolution No. 2017-R-40 appointing Candace Tippett and Zachary Smallwood for the Alternate Members of the Planning Commission with terms expiring 2021. The motion was SECONDED by Councilmember Paul Hunt. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:

- Council member Stephen Brown  Aye
- Council member Paul Glover   Aye
- Council member Paul Hunt  Aye
- Councilmember Wayne Sharp Aye
- Council member Quinn Sperry Absent

The motion passed unanimously.

IX. DISCUSSION ITEMS
A. DISCUSS JORDAN BLUFFS SUB AREA 4

Phillip Hill said this is an update on the Jordan Bluffs site mainly for the sub area 4. The Planning Commission held the public hearing regarding the broad overview of the zoning ordinance we are working on at this time. The have a special meeting tomorrow to go over all of this. It will go back for action a week from tomorrow night. The following week the City Council will have a public hearing. On November 14th, it will be a potential action and a drop-dead date of November 21st as the property is due to close on the 27th of November. When we are talking about this
ordinance, it is only for sub area 4. He explained the review process and went over the proposal of the ordinance with the council. He reviewed the parking and how it ties in with the surrounding area.

Councilmember Wayne Sharp asked how close the build to line is. Mr. Hill said the 30-foot setback line. Councilmember Wayne Sharp said he doesn’t want to run into a problem like Center Street where the buildings are too close to the road compared to the houses that are in line with Center Street. It appears that the same thing is going to happen with this.

Councilmember Stephen Brown said that four stories next to a residential is too high, he will not approve this. The other issue is the transition from the complex to the single-family homes. He wants it written in the zoning ordinance. There needs to be controls written in the zoning ordinance so that area is not saturated with apartments.

Councilmember Paul Glover said he has already expressed that he doesn’t want anything over three stories next to any residential.

Councilmember Stephen Brown said the transition would work out really well with how they have it laid out now.

Phillip Hill said he would revise the language in the ordinance that would require the transition.

B. DISCUSS PROPOSED RESOLUTION EXPRESSING SUPPORT FOR LEGISLATION DURING THE 2018 SESSION PROVIDING LAW ENFORCEMENT STRONGER TOOLS TO ADDRESS CRIME THAT DELIBERATELY TARGETS A VICTIM BECAUSE OF AN INDIVIDUAL’S ANCESTRY, DISABILITY, ETHNICITY, GENDER, GENDER IDENTITY, NATIONAL ORIGIN, RACE, RELIGION, OR SEXUAL ORIENTATION

Phillip Hill said Councilmember Quinn Sperry has requested the Council consider this resolution for adoption at a future Council meeting. Councilmember Sperry was unable to be in attendance but felt it was a very important issue. The Council discussed this issue and agreed to put it on the agenda for approval at the next meeting.

X. ADJOURN
MOTION: Councilmember Wayne Sharp MOVED to adjourn the meeting. Councilmember Paul Hunt SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.

The meeting adjourned at 8:17 p.m.

Rori L. Andreason, MMC
H.R. DIRECTOR/CITY RECORDER
Approved this 17th day of October, 2017.
Mayor Seghini called the meeting to order at 6:33 p.m.

I. DISCUSSION ITEMS
   A. DISCUSS STATE STREET

Phillip Hill reviewed State Street businesses and discussed the zoning. Councilmember Wayne Sharp said he would like to be able to see the parking lot from the street so he knows there is somewhere for him to park. Mr. Hill said the ordinance is flexible enough to allow parking along the side. Councilmember Wayne Sharp said he felt anyone willing to develop their property along State Street should be able to work with the City to get the development done. Mr. Hill said he would like some kind of standard to measure against so others can do the same thing. A lot of the properties have been encroached upon by the widening of the roadway so that needs to be taken into consideration as well.

Kane Loader suggested a grandfathering clause for those properties that have been impacted by road widening, etc.

Mr. Hill said he would review the ordinance and come back with suggestions.
B. DISCUSS BOYS & GIRLS CLUB REQUEST

Kane Loader said Bob Dunn and LeAnn Saldavar, Executive Director of Boys and Girls Club, were present to discuss their request to waive their building payment. He said they are being overrun by the impacts of the homeless shelter.

LeAnn Saldavar expressed her appreciation to the City for their support of the Boys and Girls Club. They are not the only entity in Midvale City having to figure out how to deal with the impact of the homeless shelter. She said they did present some material to Mr. Loader regarding their annual operating budget and the number of kids they are serving. They realized when the shelter was mandated to be open year-round, there would be some impact. They were initially part of the first grant through the department of workforce services to provide services during the summer time and into the school year to make sure the kids were getting to a safe place and receiving education. The grant was approximately $150,000. They asked for a shelter liaison to help coordinate between the school district staff and the Boys and Girls Club as well as another vehicle to provide transportation and field trips for the kids. They also purchased computers, school supplies, and snacks. The legislature determined the first year of grant monies would be sufficient for another year. That reduced their funding so the grant is not covering their costs. They have made a commitment to serve these kids and they are there. They are currently seeing 40-45 kids a day. The average during the summer was 49 kids. The hours are much more intensive during the summer. They are currently at capacity at that club with the staffing they have and are running at a deficit. If they carve out spots for the kids from the shelter, those on the waiting list will be the kids from Midvale. She didn’t feel this is a permanent problem. However, they will not be able to sustain this over time. They would love to have the City consider increasing the support in the future but have this current issue that needs to be addressed.

Councilmember Paul Glover said other cities need to be paying into these services as well. The legislature needs to step up. It’s not Midvale’s problem, it is a County problem.

Representative Bruce Cutler said he requested a meeting with Speaker Hughes about the funding needed for this issue. Their meeting is at 8:00 that evening and he will bring it up at that meeting.

Laurie Harvey said she looked at Murray City and what they contribute to their Boys and Girls Club. She said the amount would be $40,000 if it was to be the same percentage as Murray City. The City is currently contributing $20,000.

The Council asked Representative Cutler to ask for the funds.

Mayor Seghini said she can write to all the other mayors and ask them for donations as well.

Kane Loader said the Council could increase the City’s contribution this year by $20,000.

Councilmember Paul Hunt said he would be willing to do that but would also like a breakdown of what the costs of the services are.
C. DISCUSS ITEMS FOR SURPLUS
Jarin Blackham said the computer equipment and file cabinets that need to be declared surplus in order to be disposed of. The Council agreed to put this item on the consent agenda for approval at the next meeting.

II. ADJOURN

Mayor Seghini adjourned the meeting at approximately 7:50 p.m.

Rori L. Andreason, MMC
H.R. DIRECTORY/CITY RECORDER

Approved this 17th day of October 2017
SUBJECT: Surplus of old technology, equipment and vehicles

SUBMITTED BY: Jarin Blackham, Information Technology Manager

SUMMARY: As the City replaces vehicles, computers and other technology or office equipment, there is still residual value in some of the retired items. While some items on the list have a minimal resale value, other items have a cost associated with disposal. Items with a higher resale value may be sold or auctioned and less valuable equipment will be disposed through a bulk-disposal or recycling company.

City ordinance requires that the Council declare surplus any property, equipment, etc. before disposal. The equipment shown on the attached list is no longer in use and should be disposed.

FISCAL IMPACT: None

RECOMMENDATION MOTION: I move we approve Resolution No. 2017-R-41 declaring miscellaneous computer and electronic equipment, as listed on Attachment ‘A’, as surplus.

Attachments: Resolution
Attachment “A”
MIDVALE CITY, UTAH

RESOLUTION NO. 2017-R-41

A RESOLUTION DECLARING SURPLUS PROPERTY

WHEREAS, Midvale Municipal Code Section 2.56.100 provides for the surplus and disposal of City property with the consent of the City Council; and

WHEREAS, the Council desires to declare surplus miscellaneous equipment as described in Attachment ‘A’; and

WHEREAS, the surplus equipment will be disposed of through auction, proper bulk-disposal or recycling methods; and

WHEREAS, the Council feels the surplus and disposal of said property would be in the best interest of the City.

NOW THEREFORE BE IT RESOLVED, that based on the foregoing, the Midvale City Council declares the miscellaneous equipment, as described in Attachment ‘A’, as surplus and releases said property for disposal.

APPROVED AND ADOPTED this 17th day of October, 2017.

____________________
JoAnn B. Seghini, Mayor

ATTEST:

Voting by the Council:  “Aye”  “Nay”
Stephen Brown
Paul Glover
Quinn Sperry
Paul Hunt
Wayne Sharp

____________________
Rori L. Andreason, MMC
City Recorder
ATTACHMENT A

Disposal List - PW and IT Equipment
October 2017

Computers

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<th>Serial Number</th>
<th>Device Type</th>
<th>Model</th>
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<td>Surface</td>
<td>Surface Pro 3</td>
</tr>
<tr>
<td>8TVXG51</td>
<td>Desktop</td>
<td>Dell Optiplex 790</td>
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<tr>
<td>8LXVYX1</td>
<td>Desktop</td>
<td>Dell Optiplex 7010</td>
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<tr>
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<td>Desktop</td>
<td>Dell Optiplex 7010</td>
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<td>Dell Optiplex 7010</td>
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<td>D5N0CY269490190</td>
<td>Laptop</td>
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Miscellaneous

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<th>Item Type</th>
<th>Description</th>
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<td>HON 4-door lateral files</td>
<td>Cabinets in Finance</td>
<td>3</td>
</tr>
<tr>
<td>2 door Lateral File Cabinet</td>
<td>cabinet in HR storage</td>
<td>1</td>
</tr>
<tr>
<td>4 door Lateral File Cabinet</td>
<td>cabinet in HR storage</td>
<td>1</td>
</tr>
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</table>
SUBJECT: Midvale City Corporation Resolution No. 2017-R-38
Budget Opening #1 for Fiscal Year 2018

SUBMITTED BY: Dalin Hackett, Assistant Finance Director

SUMMARY: Staff proposes amendments to the FY 2018 Budget for the following funds: General Fund, Capital Improvement Projects Fund, Sewer Utility Fund, and Storm Water Utility Fund. These amendments cover new revenues, carryovers from the FY 2017 budget, and adjustments in current year operations. The resolution and budget detail are attached.

FISCAL IMPACT:

General Fund – Reduction of $13,800 in Fund Balance
Capital Projects Fund – no change to Fund Balance
Sewer Utility Fund – Reduction of $30,000 in Fund Balance
Storm Water Utility Fund – no change to Fund Balance

STAFF RECOMMENDATION (MOTION READY): I move we adopt Resolution 2017-R-38, amending the budgets of the following funds: General Fund, Capital Improvement Projects Fund, Sewer Utility Fund, and Storm Water Utility Fund for the fiscal year ending June 30, 2018.

ATTACHMENTS: Resolution and proposed budget adjustments.
MIDVALE CITY CORPORATION
RESOLUTION 2017-R-38

A Budget Appropriation Resolution of Midvale City, amending the budgets of the following funds: General Fund, Capital Improvement Projects Fund, Sewer Utility Fund, and Storm Water Utility Fund for the Fiscal Year ending June 30, 2018.

Whereas, Utah State Code, Sections 10-6-109, 10-6-127, and 10-6-128 of the Uniform Fiscal Procedures Act for Utah Cities, requires that increases in appropriations for operating budgets of the General Fund and other funds be made by resolution of the governing body; and

Whereas, the required public notice was properly published in newspapers of general circulation in Salt Lake County; and

Whereas, pursuant to notice, the public hearing was held on the 3rd day of October, 2017; and

Whereas, in compliance with statutory requirements, Midvale City amends the revenue and appropriation budgets of the following funds: General Fund, Capital Improvement Projects Fund, Sewer Utility Fund, and Storm Water Utility Fund as detailed on the attached schedule:

Now therefore be it resolved, by the Midvale City Council, that the above budget amendments be made for the appropriate budgets for the Fiscal Year ending June 30, 2018.

This resolution shall become effective immediately upon passage thereof.

Passed and adopted by the City Council of Midvale City, State of Utah, this 17th day of October, 2017.

JoAnn B. Seghini, Mayor

ATTEST:

Rori L. Andreason, MMC
City Recorder

Voting by the City Council: “Aye” “Nay”

Stephen Brown
Paul Glover
Quinn Sperry
Paul Hunt
Wayne Sharp
<table>
<thead>
<tr>
<th>Description</th>
<th>Revenue</th>
<th>A/C #</th>
<th>Expenditure</th>
<th>A/C #</th>
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<td>Proceeds from sale of ROW - UDOT - 7200 S. Gateway</td>
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<td>10-3640-000-002</td>
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<td>10-3312-100-002</td>
<td>$15,500</td>
<td>10-4215-324-000</td>
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<td>Contribution from Fund Balance - lobbyist contract</td>
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<td>Transfer from CIP - refund MAC contrib for amphitheater</td>
<td>$30,000</td>
<td>10-4830-910-100</td>
<td>$30,000</td>
<td>10-3890-000-000</td>
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<td>New EPA grant - Institutional Controls FTE salary/benefits</td>
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<td>$35,000</td>
<td>10-4620-110-000</td>
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<td>Transfer from GF - 7200 S. Gateway</td>
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<td></td>
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<td>Cemetery improvements</td>
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<td>Splashpad improvements</td>
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<td>Transfer to GF - Return MAC contrib for amphitheater</td>
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<td>Reserve for future projects</td>
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<td>TOTAL CAPITAL IMPROVEMENT PROJ FUND</td>
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<td>$10,101,900</td>
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<td>$30,000</td>
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<td>54-3880-000-000</td>
<td>$475,000</td>
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<td>TOTAL STORM WATER UTILITY FUND</td>
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</table>
SUBJECT:

Action Item - Rezone request from Single-Family Residential to Single-Family Residential with a Duplex Overlay (SF-1 to SF1/DO) located at 7410 South 240 East

Proposed Ord. No. 2017-O-16

SUMMARY:

Adam Burak, identified property owner, is proposing to rezone his property in order to make the existing structure compliment for the applicant/property owner’s proposed use. This proposal includes one (1) parcel totaling approximately 0.20 acres (8,712 sq. ft.) and currently has one, existing single-family residence with the following improvements:

- Two, separate living quarters, each containing two (2) bedrooms, one (1) bath, kitchen/eatery area, and living room space totaling 900± square feet;
- Separate entrances for each unit; and
- A one-car garage with a 27-foot wide driveway space.

The applicant is proposing, upon approval of the rezone request, to occupy one living quarters and utilize the second living quarters as a tenant apartment. In order for this development to proceed as proposed, the following approvals are required:

1. A rezone of the entire property from SF-1 to SF1/DO.
2. Approval of a Conditional Use Permit for the duplex use that complies with the requirements of the SF1-DO development standards.

History

Records from the Salt Lake County Assessor’s Office indicate this parcel is part of a recorded subdivision identified as Lot 10 of the Halelani Subdivision. The County identifies this structure as being built in 1953 and currently identifies 4 bedrooms, 2 full bathrooms, 2- ¾ bathrooms, 1 kitchen, a total square footage of 1,788, and 1 attached, 264 sq. foot one-car garage space. Midvale City archive records for this property identifies a code enforcement violation that was addressed in March, 2001 for converting the single-family residence into more than one-dwelling unit. A re-inspection of the property was conducted on July 5, 2001 and the Building Department determined that the basement stove had been removed, thus determining the home had been converted back to a single-family dwelling, and the case had been closed.
General Plan and Rezone

Under Section 17-3-1 of the Zoning Ordinance, the Planning Commission may recommend, and the City Council may grant, a rezoning application if it determines the rezoning is consistent with the goals and policies of the Midvale City General Plan and the following:

1. The proposed rezoning is necessary either to comply with the Midvale City General Plan Proposed Land Use Map, or to provide land for a community need that was not anticipated at the time of the adoption of the Midvale City General Plan;
2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development caused by natural characteristics of the land, including but not limited to steep slopes, floodplain, unstable soils, and inadequate drainage; or
3. Land surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.

With the adoption of the Midvale City General Plan 2016, there is no longer a General Plan Proposed Land Use Map designating future uses of property. Under the new General Plan, these properties are identified as being within a Stability Area. The General Plan states there are relatively stable residential neighborhoods, throughout most areas of Midvale City, where little change internal to the neighborhood itself is expected. New development along major streets and in areas of underutilized properties is expected however; measures to protect and enhance the livability of stable residential neighborhoods should accompany the anticipated change (2016 General Plan, Pg. 45). The General Plan further states the current overall land-use mix is desirable in these Stability Areas and the preservation of these areas character and function is the desired future condition. Some additional future land use goals for these Stability Areas include:

1. Support property maintenance and neighborhood stability.
2. Buffer uses in Stability Areas from more intensive land uses nearby, including adjacent Opportunity Areas.
3. Provide for better pedestrian/bicycle connections through and between neighborhoods.
4. Provide for access to parks, trails and recreation facilities.
5. Provide for appropriate transit opportunities.
6. Provide mechanisms for appropriate home remodeling to occur to accommodate today’s lifestyles and needs.

The General Plan identifies some future goals for Residential Development and Housing development (2016 General Plan, Pg. 56) that includes:

1. Maintain and strengthen stable neighborhoods. The goal includes preserving the quality and character of existing neighborhoods; providing neighborhoods with better connectivity and access to recreational amenities; and ensuring that infill and adjacent development is compatible with the existing neighborhoods.
2. Maintain and improve the quality of the existing housing stock in Midvale, and revitalize the physical and social fabric of neighborhoods that are in decline.
3. Expand the variety of housing opportunities to allow for more choices in types and locations of residences. This includes providing for a mixture of housing sizes, densities, types and affordability in each area of the City.
4. Support the development of more affordable housing in appropriate locations, i.e., near transit, retail commercial, schools and recreational amenities.

Staff believes the existing zone district was not the result of a clerical error or mistake of fact when the zoning designation for this property was created. Building Department records indicate that minimal
changes have occurred within this surrounding neighborhood such as; furnace replacements, service panel changes, solar panel installations, and structural reroofs. The only significant surrounding environ change that has occurred within this area was a single-family dwelling that was built at 247 East 7390 South, back in December, 2006.

This rezone request represents a slight, but important, change to the current zoning and land use on this parcel of property. If the property receives approval of the rezone amendment, the applicant would then be required to receive a Conditional Use Permit approval for the additional dwelling unit, which at the minimum, would require the following development requirements:

- Allocation of two, off-street parking spaces for each dwelling unit; and
- Building permit application submittal for review and inspection of the existing two-unit structure for compliance with existing building codes.

Planning Commission Recommendation

On August 23, 2017, this application was presented before the Planning Commission at their regularly scheduled meeting. During discussion and review of this application, including citizen testimonies, the Commission heard concerns related to; resembles a spot-zone, spot-zone will set a precedence for this area, parking and traffic concerns, and the General Plan identifies this area as a Stability Area. After further discussion and review, the Commission forwarded a negative recommendation concerning the rezone request with the following motion:

“For the following reasons, I move that we forward a negative recommendation to the City Council denying the request to rezone the property located at 7410 South 240 East:

1. None of the criteria for a rezone amendment has been met
2. The property is in a Stability Area as identified in the General Plan for single-family homes and this rezone would go against maintaining the stability of this area.
3. The rezone would create spot-zoning that does not directly tie to the surrounding Duplex Overlay zone.

A roll call vote was taken with a unanimous vote of 4-0.

City Council Public Hearing

On September 19, 2017, this application was presented before the City Council at their regularly scheduled meeting. During discussion and review of this application, including citizen testimonies, the Commission heard concerns related to: spot-zoning, precedence of spot-zoning, and parking and traffic concerns. Adoption of an ordinance is required for all rezones. If the City Council decides to approve the rezone as requested, an ordinance has been prepared to accomplish this, proposed Ordinance No. 2017-O-16

STAFF RECOMMENDATION:

In reviewing this application and the above criteria, the City Council shall consider the appropriateness of this rezone request, consider all appropriate and applicable input received and determine a final decision on this legislative change request.
RECOMMENDED MOTIONS:

Option 1:

“Based on the configuration of the property and anticipated development patterns in this area, I move we adopt Ordinance No. 2017-O-16, rezoning approximately 0.20 acres of located at 7410 South 240 East from Single-Family Residential to Single-Family Residential with a Duplex Overlay (SF-1 to SF1/DO), as specifically described in the ordinance.”

Option 2:

“I move that we deny the request to rezone the properties located at 7410 South 240 East for the following reasons:

1. None of the criteria for a rezone amendment has been met.
2. This property has been designated as being within a Stability Area and a rezone of this property would violate the intent and recommended goals for this area.
3. This rezone would resemble a spot-zone which does not correlate with the surrounding parcels of property.”

Option 3:

“I move that we table a decision on this request to rezone until [November 14, 2017; November 21, 2017] giving the [applicant/staff] an opportunity to bring back the following information:

1. ...
2. ...

Attachments:

- Vicinity Map
- Applicant Submittal
- Floor Plan
- 2016 General Plan
- Zoning Map
- Interior/Exterior Property Pictures
- 2001 Code Violation Letter
- Ordinance No. 2017-O-16
Concept and Reasoning

The home at 7410 South 240 East is currently zoned as single family (SF-1). I am petitioning to have it rezoned to duplex overlay (SF1-DO). A basic drawing of the property has been attached, detailing the interior and exterior layout. The home was purchased in its current layout.

The layout was desirable, initially, because it allowed my sister and I to share a house, while maintaining separate living areas, and thereby privacy. However, my sister has moved out of state, leaving myself as the only permanent occupant in the home. The home has two full living spaces, including separate entrances. Each living space comprises of two bedrooms, one bathroom, kitchen, living room, and is about 900 square feet. I would like to utilize the second living space as a tenanted apartment.

As the home is already arranged thus, no development is required. There is ample off-street parking, accommodating six vehicles. This rezoning proposal supports the general plan in several ways:

- Midvale’s population is projected to increase by over 13,000 by 2030. This proposal increases housing density while maintaining the character and stability of the neighborhood (General Plan, page 14, page 21, etc.)
- To support continued economic growth for Midvale City, housing opportunities should be expanded allowing for more choices in place and type of residence. This proposal increases the variety of housing options. (General Plan, page 11, page 21, etc.)
- Midvale City is home to technical companies, such as FLSmidth, and would like to locate a college campus in Midvale. This proposal provides an attractive, moderately affordable, housing option for a young engineer moving to Utah that wants to get to know the area before purchasing a home. It also provides an attractive housing option for someone attending college nearby, including access to Utopia fiber optic internet. (General Plan, page 11, page 19)
- Pressure for development, specifically for higher density housing, if State Street and 7200 South are redeveloped. This proposal relieves some of that pressure, supporting redevelopment of State Street and 7200 South. (General Plan, Appendices page A-36)
- Broad generalizations, such as poor quality of property maintenance, less community involvement, and increased crime rate, may be concerning. Owner occupancy and a diligent and thorough vetting process minimize the likelihood of these occurrences. (General Plan, page 18)

This proposal supports several of the goals enumerated in the General Plan. In addition, no redevelopment is anticipated. I believe that the numerous benefits of this proposal outweigh the almost nonexistent draw-backs. I look forward to garnering feedback and addressing any remaining concerns when given the chance to defend this proposal.

Sincerely,

[Signature]

Adam Burak
Early in the planning process, the planning team identified fifteen distinct Midvale neighborhoods to acknowledge the City's variety and diversity. The identification of distinct neighborhoods also facilitated conversations about present Midvale and the City's future at a scale that was meaningful to City residents and stakeholders. Maps were prepared for each neighborhood showing current land uses, public facilities, transportation systems and other features that establish the character of each neighborhood. The maps also showed areas in each neighborhood where little change is anticipated in the foreseeable future, and areas where market forces, increased land values and opportunities for redevelopment of under-utilized land are likely to bring about changes in land uses. For the purposes of this Land Use Element, areas of little anticipated change in the City have been characterized as Stability Areas. Areas where changes in land uses are anticipated in the foreseeable future are characterized as Opportunity Areas. Map 8 shows Stability Areas in base colors and nine Opportunity Areas with plum and blue shading.

The planning team sought suggestions and ideas from neighborhood residents and business owners about attributes of the neighborhoods they would like to preserve and enhance, and the kinds of changes they would like to see in under-utilized areas. That input was used to develop descriptions of desired future conditions and land uses in each neighborhood.

Within several of the shaded Opportunity Areas there are relatively stable residential neighborhoods where little change internal to the neighborhood itself is expected. However, new development along major streets and in areas of underutilized properties is expected in the future. In these areas, measures to protect and enhance the livability of stable residential neighborhoods should accompany the anticipated change.

\[1\text{ The plum and blue colors are for illustrative purposes only.}\]
Future Land Use

For most of the areas of Midvale, the current land uses, current zoning and future land uses are substantially similar. In Stability Areas the current overall land-use mix is desirable, and preservation of these areas’ character and function is the desired future condition. These areas are nearly fully developed and have little foreseeable change in the types or intensity of land uses in the future. In Opportunity Areas, minor-to-major changes in current land uses are likely to occur due to market forces, increasing land values and opportunities to optimize land uses to take advantage of transit and other public investments. Projects in Opportunity Areas are anticipated to be at higher levels of density than current land uses and should be carefully planned and designed to integrate into the fabric of the area and minimize impacts on adjacent and nearby existing land uses. Future proposed uses in the Opportunity Areas may or may not be consistent with current zoning, and the desirability of the proposed use and the need for re-zoning should be evaluated on a case by case basis.

STABILITY AREAS

Most of the land in Midvale is in areas of relative stability where little significant change in either the types or intensities of land uses is anticipated in the foreseeable future. Stability Areas are characterized primarily by residential neighborhoods with schools, parks, churches and other public facilities. Many Stability Areas abut existing commercial areas and Opportunity Areas, and some are within the exterior boundaries of Opportunity Areas as shown in Map 8.

Goals:
The land use goals for Stability Areas include:

1. Support property maintenance and neighborhood stability
2. Buffer uses in Stability Areas from more intensive land uses nearby, including adjacent Opportunity Areas
3. Provide for better pedestrian/bicycle connections through and between neighborhoods
4. Provide for access to parks, trails and recreation facilities
5. Provide for appropriate transit opportunities
6. Provide mechanisms for appropriate home remodeling to occur to accommodate today’s lifestyles and needs
Residential Development and Housing

Vision: Midvale provides a variety of diverse, high quality housing stock that incorporates a range of housing forms and densities that appeal to new and existing residents at different income levels and life stages while retaining the character and form of established neighborhoods.

One of Midvale's goals is to ensure its residential development and housing is safe, supports community functions, is efficiently served by infrastructure, provides a diversity of types and affordability, and enhances residents’ quality of life. Much of the quality of life of a community is connected to the character of its housing. The image of the City is to a large degree conveyed by the type, quality, and appearance of its residential developments and neighborhoods. Midvale's housing mix is influenced by many factors, including existing land uses and transportation patterns, market forces, and the City's zoning and land use regulations.

Midvale's housing mix is integrally tied to its economics and influences the jobs and businesses that can be attracted to and sustained by the City. Successful commercial developments depend on the close proximity of enough residents to support them. It is of the utmost importance to Midvale's financial well-being that residential development in the community is attractive, diverse, and desirable. This can be achieved by supporting excellence in design and high quality construction. The value of trees and other landscaping in residential developments cannot be overemphasized.

Goals:
Midvale has a number of stable residential areas and attractive new residential developments. The General Plan goals focus on building on that foundation and encouraging excellence in design and diversity of housing types for new residential development. Residential Development and Housing goals include:

1. Maintain and strengthen stable neighborhoods. This goal includes preserving the quality and character of existing neighborhoods; providing neighborhoods with better connectivity and access to recreational amenities; and ensuring that infill and adjacent development is compatible with the existing neighborhoods.
2. Maintain and improve the quality of the existing housing stock in Midvale, and revitalize the physical and social fabric of neighborhoods that are in decline.
3. Expand the variety of housing opportunities to allow for more choices in types and locations of residences. This includes providing for a mixture of housing sizes, densities, types and affordability in each area of the City.
4. Support the development of more affordable housing in appropriate locations, i.e., near transit, retail commercial, schools and recreational amenities.
5. Encourage higher density residential in appropriate locations in Opportunity Areas to create the market needed for viable commercial development.
6. Continue to encourage a variety of housing types, sizes and pricing with new developments.

Best Practice
Scale and Density Transitions: Transitions in scale and density within residential areas should be gradual. Sharp distinctions in scale and density on different sides of a street typically should be avoided. Identifiable edges should be defined by natural features, transitions in development density, and/or changes in building style, scale, buffering, or massing.
(Salt Lake County Township General Plan: 109)
April 23, 2001

Ms. Luann Spiers  
1907 E. 7325 South  
Salt Lake City, UT 84121

Subject: 7410 South 240 East

Dear Ms. Spiers,

Please accept this letter as a follow-up to our site inspection and various phone conversations these past few weeks. As you are aware, your house at 7410 South 240 East is zoned for a single-family residence only, therefore, the separate living quarters in the basement must be removed. In order to be considered a single-family dwelling, the stove/oven in the basement must be removed and the locks on the interior doors separating the two living areas must be eliminated. As we previously discussed, Midvale City will allow 60 days from the date of this letter for you to make these changes.

We will expect to hear from you within this 60-day period to schedule another inspection to ensure this work has been completed. The Building Official will also do a final inspection of the electrical work at that time. If you have any further questions, please call me at (801) 567-7231. Otherwise, I will wait to hear from you within the specified time frame.

Sincerely,

Lesley Burns  
Associate Planner

/lb

cc: Donna Jackson, Building Official
MIDVALE CITY DEPARTMENT OF BUILDING AND SAFETY
INSPECTION REPORT

PROPERTY ADDRESS ______________________________ DATE 7/5/01

SUBDIVISION NAME 74110 8 240 E TIME 3:10 AM

PERMIT # ______________________________________

BASIC REFERRAL CHECK LIST
(CHECK ONE BOX)

A 1. FOOTINGS 2. FOUND 3. BOND BEAM  B FRAMING:

C ELECTRICAL: D PLUMBING:

E HEATING:  F FINAL:

G BUSINESS LICENSE:  H FIREPLACE:

I MISC.

CORRECTIONS REQUIRED:

Stone has been removed

no longer build and in basement

House has been changed to

single family

☐ BUILDING PASSES INSPECTION CHECKED ABOVE

☐ REINSPECTION REQUIRED

☐ REINSPECTION FEE $ ____________ INSPECTOR
ORDINANCE NO. 2017-O-16

AN ORDINANCE REZONING APPROXIMATELY 0.20 ACRES OF PROPERTY LOCATED AT 7410 SOUTH 240 EAST FROM SINGLE-FAMILY RESIDENTIAL (SF-1) TO SINGLE-FAMILY RESIDENTIAL WITH A DUPLEX OVERLAY (SF1/DO); ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, pursuant to Sections 10-9a-501 through 10-9a-503 Utah Code, the City has 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; and

WHEREAS, a request has been made for a change of zoning on the property described in Exhibit A; and

WHEREAS, the Planning Commission held a public hearing on August 23, 2017, which meeting was preceded by notice of publication in the Salt Lake Tribune and Deseret News, on August 9, 2017, to review the requested information and written public comments, and, after considering all of the information received, made a recommendation thereon to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on September 19, 2017, which meeting was preceded by notice by publication in the Salt Lake Tribune and Deseret News, on September 5, 2017; and

WHEREAS, after taking into consideration citizen testimony, planning and demographic data, and the desires of the owners of the property, the City Council determined the rezoning of said property is appropriate, is consistent with the Midvale City General Plan, promotes the health and general welfare of the City, is compatible with the surrounding neighborhood, and fulfills the needs of the City as a whole.

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

Section 1. The zoning ordinance which sets forth the zone districts within Midvale City which portion of the said zoning ordinance is established by a zoning map, is hereby amended as follows:

The property (Parcel No. 22-30-328-008) described in Exhibit A attached hereto and by this reference made a part hereof, which property is located at 7410 South 240 East, Midvale, Utah, and is currently zoned Single-Family Residential (SF-1) shall be zoned Single-Family Residential with a Duplex Overlay (SF1/DO).
ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

Single-Family Residential (SF-1)

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

Single-Family Residential/Duplex Overlay (SF1/DO)

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 ____ day of ______________, 2017.

________________________________________
JoAnn B. Seghini, Mayor

ATTEST:

__________________________
Rori Andreason, MMC
City Recorder

Date of first publication: ______________

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REZONE APPROXIMATELY 0.20 ACRES OF PROPERTY LOCATED AT 7410 SOUTH 240 EAST FROM SINGLE-FAMILY RESIDENTIAL (SF-1) TO SINGLE-FAMILY RESIDENTIAL WITH A DUPLEX OVERLAY (SF1/DO):

Legal Descriptions

Parcel #22-30-328-008
S 70 FT OF LOT 10 HALELANI SUB 6204-1198 6233-0118 7049-29438394-7378 8592-2823 9756-471
EXPRESSING MIDVALE CITY’S SUPPORT FOR LEGISLATION DURING THE 2018 SESSION PROVIDING LAW ENFORCEMENT STRONGER TOOLS TO ADDRESS CRIME THAT DELIBERATELY TARGETS A VICTIM BECAUSE OF AN INDIVIDUAL’S ANCESTRY, DISABILITY, ETHNICITY, GENDER, GENDER IDENTITY, NATIONAL ORIGIN, RACE, RELIGION, OR SEXUAL ORIENTATION

WHEREAS, the United States of America's Declaration of Independence states that governments are instituted to secure mankind's unalienable rights; and

WHEREAS, in 2017 alone, Christian monuments have been destroyed, Muslim Mosques have been burned, and bomb threats have been made against Jewish Schools, Synagogues, and Community Centers; including here in Utah; and

WHEREAS, when a criminal deliberately targets a victim because of an individual’s ancestry, disability, ethnicity, gender, gender identity, national origin, race, religion, or sexual orientation to deprive them of their unalienable right to life, liberty, property, or to pursue happiness, other members of that community are deeply affected, as is society as a whole; and

WHEREAS, law enforcement has asked for stronger tools to address crime in which the offender targets victims to assist law enforcement in building better relations and trust with communities, and to more appropriately punish these vicious criminal acts,

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF MIDVALE, UTAH:

Section 1. Midvale City joins with the Utah Attorney General, Salt Lake County District Attorney, the Statewide Association of Prosecutors, the Utah Chiefs of Police Association, the Utah Sheriffs’ Association, the Commission on Criminal and Juvenile Justice, the Utah Sentencing Commission, the Utah Counsel on Victims of Crime, the Law Enforcement Legislative Committee, and many other religious and community groups in calling on the Utah State Legislature to act.

Section 2. A signed copy of this Resolution will be sent to all members of the Utah Legislature representing any constituents residing within Midvale City.

Section 3. This Resolution shall take effect immediately.

Adopted by the City Council of Midvale, Utah, this 3rd day of October 2017.

JOANN B. SEGHINI, Mayor

ATTEST: Voting by the City Council “Aye” “Nay”
Quinn Sperry
Paul Glover
Paul Hunt
Wayne Sharp
Stephen Brown

RORI L. ANDREASON, MMC
City Recorder