



7505 S Holden Street
Midvale, UT 84047
801-567-7200
Midvale.Utah.gov

**MIDVALE CITY COUNCIL SPECIAL MEETING
AGENDA
FEBRUARY 27, 2024**

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a special meeting on the **27th day of February 2024** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

Electronic & In-Person City Council Meeting

This meeting will be held electronically and in-person. **Public comments may be submitted electronically to the City Council at Midvale.Utah.gov by 5:00pm on February 26th and will be included in the record.**

The meeting will be broadcast on the following: **You Tube: Midvale.Utah.gov/YouTube**

6:00 PM - SPECIAL MEETING

I. GENERAL BUSINESS

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL

II. PUBLIC COMMENTS

Any person wishing to comment on any item not otherwise scheduled for a public hearing 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.

III. ACTION ITEM

- A. Consideration of **Ordinance No. 2024-O-02** Establishing Temporary Land Use Regulations for Commercial Parking Lots, Parking Lots, Parking Structures, and Private Parking Lots under Midvale Municipal Code Sections 17-2-3 and 17-2-16

IV. 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 Midvale.Utah.gov 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.

DATE POSTED: FEBRUARY 23, 2024

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



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Midvale, UT 84047
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MIDVALE CITY COUNCIL STAFF REPORT 2/27/2024

SUBJECT

Consider Ordinance No. 2024-O-02, establishing temporary land use regulations for Commercial Parking Lots, Parking Lots, Parking Structures, and Private Parking Lots under Midvale Municipal Code Sections 17-2-3 and 17-2-16.

SUBMITTED BY

Adam Olsen, Community Development Director

BACKGROUND AND OVERVIEW

Staff proposes establishing temporary land use regulations that would apply to several types of parking lots in Midvale. The proposed changes would affect parking lot definitions in 17-2-3 and 17-2-16 of the Midvale Municipal Code. The changes would include the following language in each definition: “a vehicle may not be parked in a (commercial parking lot, parking lot, parking structure, private parking lot) for more than a total of 24 hours if the vehicle is inoperable, disassembled, dismantled, or in a state of disrepair”.

The proposed language will enhance the City’s ability to regulate and maintain parking lots by limiting their use for parking of inoperable vehicles. The change is needed to address issues of safety, stormwater contamination, aesthetics and overall property values city-wide.

The proposed temporary land use regulations in the attached ordinance would be in effect for 180 days or until the Council adopts revisions to the Code, whichever occurs first. If approved, staff will begin the standard process of adopting the revisions in Code. This will be initiated by staff providing notice of a public hearing for the Planning Commission to discuss and forward a recommendation to the City Council for final adoption of the proposed ordinance.

STAFF RECOMMENDATION

Approval of the ordinance.

RECOMMENDED MOTION

I move that we approve Ordinance No. 2024-O-02, establishing temporary land use regulations for Commercial Parking Lots, Parking Lots, Parking Structures, and Private Parking Lots under Midvale Municipal Code Sections 17-2-3 and 17-2-16.

ATTACHMENTS

1. Ordinance No. 2024-O-02
2. Definitions Revisions

MIDVALE CITY

ORDINANCE NO. 2024-O-02

AN ORDINANCE ESTABLISHING TEMPORARY LAND USE REGULATIONS FOR COMMERCIAL PARKING LOTS, PARKING LOTS, PARKING STRUCTURES, AND PRIVATE PARKING LOTS UNDER MIDVALE MUNICIPAL CODE SECTIONS 17-2-3 AND 17-2-16.

WHEREAS, pursuant to Utah Code Annotated Section 10-9a-504 and Midvale Municipal Code Section 17-3-1(F), the Midvale City Council may, without prior consideration of or recommendation from the Planning Commission, enact an ordinance establishing a temporary land use regulation for any part or all of the area within the municipality if the City Council makes a finding of compelling, countervailing public interest; and

WHEREAS, pursuant to Utah Code Annotated Section 10-9a-102, the Midvale City Council is authorized to “enact all ordinances, resolutions, and rules and may enter into other forms of land use controls [...] that the municipality considers necessary or appropriate for the use and development of land within the municipality” in order to “(a) provide for the health, safety and welfare; (b) promote the prosperity; (c) improve the morals, peace, good comfort, convenience, and aesthetics of each municipality and each municipality’s present and future inhabitants and businesses; (d) protect the tax base; [...] and (k) protect property values”; and

WHEREAS, the Midvale City Council is concerned with the pervasiveness of inoperable, disassembled, dismantled, and broken vehicles being parked in parking lots and parking structures in the City and the possibility of such behavior increasing; and

WHEREAS, the Midvale City Council finds that the parking of inoperable, disassembled, dismantled, and broken vehicles in parking lots and parking structures is unsafe and unhealthy for the inhabitants and property of the City because of the risk of said vehicles falling on, cutting, or otherwise injuring people or property; and

WHEREAS, the Midvale City Council finds that the parking of inoperable, disassembled, dismantled, and broken vehicles in parking lots and parking structures is unsafe and unhealthy for the inhabitants of the City and injurious to property in the City because of the leakage of hazardous chemicals from said vehicles on parking lots and parking structures and the subsequent mixing of those hazardous chemicals into storm water runoff and the penetration of hazardous chemicals into the soil and groundwater located on the property; and

WHEREAS, the Midvale City Council finds that the parking of inoperable, disassembled, dismantled, and broken vehicles in parking lots and parking structures is injurious to the prosperity and property values of the City and is incompatible for the desired aesthetics of the City because the visibility of said vehicles leads people to believe that the community is distressed and unsafe and causes people to go to other areas where inoperable, disassembled,

dismantled, and broken vehicles are not commonly found in parking lots and parking structures to spend their time and their money; and

WHEREAS, the Midvale City Council finds that the parking of inoperable, disassembled, dismantled, and broken vehicles in parking lots and parking structures is unsafe and is injurious to the prosperity and property values of the City because the parking of inoperable, disassembled, dismantled, and broken vehicles in parking lots and parking structures leads to individuals hiding and parking amongst said vehicles and engaging in illegal or otherwise distasteful behavior because their belief that other people do not frequent or care about those particular locations; and

WHEREAS, the Midvale City Council wishes to regulate inoperable, disassembled, dismantled, and broken vehicles in parking lots and parking structures and mitigate their negative impacts on the City's inhabitants, properties, and businesses by limiting the parking of said vehicles in parking lots and parking structures to 24 hours or less; and

WHEREAS, the Midvale City Council finds that permitting the parking of inoperable, disassembled, dismantled, and broken vehicles in parking lots and parking structures for 24 hours or less provides sufficient time to allow an individual, when a vehicle breaks down or is otherwise damaged, to park their vehicle in a parking lot or parking structure and arrange for the vehicle to be repaired, recovered, or removed to an appropriate location while limiting the negative impacts to inhabitants, properties, and businesses in the City.

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

Section 1. Finding of compelling, countervailing public interest. The City Council incorporates the findings provided in the recitals above. The City Council finds that there is a compelling, countervailing public interest in adopting an ordinance to regulate the parking of inoperable, disassembled, dismantled, and broken vehicles in parking lots and parking structures in the City in order to “(a) provide for the health, safety and welfare; (b) promote the prosperity; (c) improve the morals, peace, good comfort, convenience, and aesthetics of [the] municipality and [the] municipality’s present and future inhabitants and businesses; (d) protect the tax base; [...] and (k) protect property values” of Midvale City.

Section 2. Balancing of Public vs. Private Interests. As outlined in the recitals, the City Council finds that the effect of this temporary land use regulation on owners of private property, whose applications for development projects have not yet vested or who might submit applications for parking lot and parking structure uses after the ordinance’s adoption, is outweighed by the public interest in regulating inoperable, disassembled, dismantled, and broken vehicles in parking lots and parking structures within Midvale City.

Section 3. Temporary Zoning Regulation. From the effective date of this ordinance and during the period of this temporary land use regulation, Midvale Municipal Code Sections 17-2-3

and 17-2-16 are amended as provided in Exhibit A.

Section 4. Duration. This temporary land use regulation shall remain in effect for a period of 180 days from the effective date of this ordinance, until the City Council affirmatively repeals this temporary land use regulation, or until the effective date of a City Council action adopting revisions to Midvale Municipal Code Sections 17-2-3 and 17-2-16, whichever occurs first.

Section 5. Effective date. This ordinance shall become effective immediately upon passage.

PASSED AND APPROVED this 27th day of February, 2024.

Marcus Stevenson, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Voting by City Council
Bonnie Billings
Paul Glover
Heidi Robinson
Bryant Brown
Dustin Gettel

“Aye”

“Nay”

Date of first publication: _____

17-2-3 “C” definitions.

“Cafe” means a coffeehouse or small restaurant where drinks and snacks are sold.

“Campaign sign” means a temporary sign used by candidates running for political and elected offices in the city.

“Camping” means the temporary establishment of living facilities such as tents, RVs, travel trailers, recreational coaches, or any other temporary living or dwelling for any period of time. Camping on public property, including streets, parks and publicly owned lots, is prohibited. Camping on private property is prohibited except as allowed in this title.

“Cannabis production establishment” means the same as that term is defined and amended in Section [4-41a-102](#) of the Utah Code Annotated.

“Canopy” means a roof or awning constructed of non-rigid materials on a supporting framework, architectural metal, or other material and extending outward from a building to provide a protective shield for doors, windows, or other openings with supports extended to the ground directly under the canopy or cantilevered from the building.

“Canopy sign” means a sign affixed or applied to the exterior facing surface or surfaces of a canopy.

“Capital improvements program” means a proposed schedule and description of all proposed public works projects, listed in order of construction priority, together with cost estimates and the anticipated means of financing each project.

“Carport” means a private garage not completely enclosed by walls or doors.

“Car wash” means a facility used to clean the exterior, and sometimes the interior, of automobiles.

“Cemetery” means property used for the interring of the dead.

“Central Midvale neighborhood” is the neighborhood bounded by the State Street corridor to the east, I-15 to the west, Center Street to the north, and Wasatch Avenue to the south.

“Changeable copy sign (automatic)” means a sign on which the copy changes automatically on a lamp bank or through mechanical means, e.g., electrical or electronic time and temperature units.

“Changeable copy sign (manual)” means a sign on which copy is changed manually in the field, e.g., reader boards with changeable letters.

“Channel letter sign” means a sign consisting of fabricated three-dimensional letters mounted individually on a wall surface.

“Check cashing” means cashing a check for consideration or extending a deferred deposit loan and shall include any other similar types of businesses licensed by the state pursuant to the Check Cashing Registration Act. No check cashing or deferred deposit loan business shall be located within six hundred feet of any other check cashing business. Distance requirements defined in this section shall be measured in a straight line, without regard to intervening structures or zoning districts, from the entry door of each business. One check cashing or deferred deposit loan business shall be allowed for every ten thousand citizens living in Midvale City. The term “check cashing” shall not include fully automated stand-alone services located inside of an existing building, so long as the automated service incorporates no signage in the windows or outside of the building.

“Child care” means the provision, day or night, of supplemental parental care, instruction and supervision for a non-related child or children, on a regular basis, and for less than twenty-four hours a day. The term does not include babysitting services on a casual, non-recurring nature or in the child’s own home nor cooperative, reciprocative child care by a group of parents in their respective domiciles.

“Child care center” means the provision of child care for six or fewer children, including the provider’s children who are under the age of eighteen, within a dwelling unit.

“Child care facility” means the provision of child care for seven or more children including the provider’s children who are under the age of eighteen.

“Christmas tree sales” is defined as the sale of Christmas trees and related seasonal merchandise from a temporary location.

Clear view area. See “Sight distance triangle.”

Club, private. See "Private club."

"Collector street" means a street which serves or is designed to serve moderate flows of traffic, such as 700 West Street, that collects from local streets and other collector streets and connects with arterial streets.

"Colocation" means the location of a telecommunication facility on an existing structure, tower, or building in a manner that precludes the need for that telecommunications facility to be located on a freestanding structure of its own.

"Colony" or "hive" means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times many drones, including brood, combs, honey and the receptacle inhabited by the bees.

"Commercial convenience store" means those commercial establishments known as convenience stores, food marts, or c-stores and includes any retail establishment characterized by a rapid turnover of customers and high traffic generation, offering for sale a relatively limited line of prepackaged food products and snacks, household items, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption. Commercial convenience store does not include those uses classified as vehicle filling stations, vehicle-related uses, or twenty-four-hour uses.

"Commercial kennel" means a shelter for or a place where over three dogs or cats are bred, boarded, or trained for monetary gain.

"Commercial mixed-use" means development which incorporates a mix of uses, including retail commercial, and/or offices and residential.

"Commercial nursery" means a business where young plants or trees are raised for experimental horticultural purposes, for transplanting, or for sale.

"Commercial parking lot" means a parking lot or structure primarily used for parking motor vehicles for a fee, for a use that is not located on site, or for intermodal transfer facilities such as park and ride lots or transit stations. A vehicle may not be parked in a commercial parking lot for more than a total of 24 hours if the vehicle is inoperable, disassembled, dismantled, or in a state of disrepair.

“Commercial recreation facilities” means recreation facilities operated as a business on private or public property and open to the public for a fee.

“Commercial repair services” means repair of products, not to include vehicles or heavy equipment. These uses include consumer repair services for individuals and households for items such as household appliances, musical instruments, cameras, household electronic equipment, and similar uses. Any other uses specifically listed within each particular zoning district shall not be construed as falling within this generic definition.

“Commercial use” means an occupation, employment, or enterprise that is carried on to facilitate an exchange of goods, services or ideas.

“Common area” means facilities, open space and yards under common ownership, identified within projects, for the use and enjoyment of the residents.

“Common ownership” means ownership of the same property by different persons.

“Community council” means a neighborhood-based organization created for the purpose of providing citizen input regarding planning and development issues, and other relevant city business and decisions. Officially recognized community councils of the city include the Union community council and the Midvale community council.

“Compatible” means when the characteristics of new development or a change in use integrate with, relate to, and/or enhance the context of a surrounding area or neighborhood. Elements affecting compatibility include, but are not limited to, height, scale, mass and bulk of buildings, pedestrian and vehicular circulation, parking, landscaping and architecture, topography, environmentally sensitive areas, and building patterns.

“Complete application” means a submission which includes all information requested on the appropriate form and full payment of all applicable fees.

“Comprehensive mental health treatment” means a facility used to treat people with mental illnesses of all ages and genders in a comprehensive manner.

“Conditional use” means a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas of a zone district, or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

“Condominium” means any structure or parcel that has been submitted to fractionalize ownership under the provisions of the Utah Condominium Ownership Act.

“Conservation activity” means a process to restore, enhance, protect, and sustain the quality and quantity of ecosystems and natural resources.

“Constitutional taking” means final action by the city to physically take or exact private real property that requires compensation to the owner because of the mandates of the Fifth or Fourteenth Amendments to the Constitution of the United States, or Article [1](#), Section [22](#), of the Utah Constitution.

“Construction activity” means all excavation, construction, mining, or other development activity which disturbs or changes the natural vegetation, grade, or any existing structure, or the act of adding an addition to an existing structure, or the erection of a new principal or accessory structure on a lot or property.

“Construction mitigation plan” means a written description of the method by which an owner will ameliorate the adverse impacts of construction activity to the surrounding area and/or neighborhood.

“Construction plan” means the map and drawings showing the specific location and design of the development.

“Construction sign” means a sign identifying an existing or proposed development project which may contain the name of the project, name and address of construction firms, architect, engineers, developers, etc.

“Coop” means a freestanding building for the sheltering of fowl.

“Copperview neighborhood” is the neighborhood bounded by the State Street corridor to the east, I-15 to the west, Midvale City boundary to the south, and Wasatch Avenue to the north.

“Corner lot” means a lot situated at the intersection of two streets, the interior angle of such intersection does not exceed one hundred thirty-five degrees.

“Cornice” means a horizontal molding projecting along the top of a wall or building.

“Council” means members of the city council of Midvale.

“County” is the unincorporated area of Salt Lake County.

Cover, site. See "Site cover."

"CPTED (Crime Prevention Through Environmental Design)" means guiding design principles for creating safer built environments, incorporating natural surveillance, natural access control, territorial enforcement, management and maintenance. Such principles are published by the National Crime Prevention Council in the CPTED Handbook on file in the office of community and economic development.

"Cul-de-sac" means a dead end street with an area for the safe and convenient reversal of traffic.

"Cutoff-type luminaire" means a luminaire with shields, reflectors, refractors, or other such elements that direct and cut-off emitted light at an angle less than ninety degrees. (Ord. 2020-02 § 1 (Att. A (part))); Ord. 9/22/2009O-15 § 1 (Att. A (part))); Ord. 6/16/2009O-10 § 3 (part); Ord. 5/5/2009O-8 § 1 (Att. A (part))); Ord. 8/22/2006O-14 § 1 (part); Ord. 7/11/2006O-9 § 1 (part); Ord. 3/07/2006O-1 § 1 (part); Ord. 8/10/2004O-25 § 1(6) (part); Ord. 12-11-2001C § 2 (part))

17-2-16 "P" definitions.

"Package agency" means a retail liquor location operated under a contractual agreement with the Utah Department of Alcoholic Beverage Control, by a person other than the state, who is authorized by the commission to sell package liquor for consumption off the premises of the agency.

"Parcel" means an unplatted unit of land described by metes and bounds and designated by the county recorder's office with a unique tax identification number.

"Park neighborhood" means the neighborhood bounded by the State Street corridor to the east, I-15 to the west, 7200 South to the north, and Center Street to the south.

"Park strip" means an area of land usually located within the public right-of-way between the sidewalk and the curb and gutter intended to buffer pedestrian areas from automotive areas.

Parking, public. See "Public parking."

Parking, residential. See "Residential parking."

Parking, shared. See "Shared parking."

"Parking area" means any public or private area, under or outside of a building or structure, designed and used for parking motor vehicles.

Parking area, industrial. See "Industrial parking area."

"Parking area landscaping" means all spaces to be landscaped such as aisles, and drives as defined by the top-back of curb or edge of pavement.

"Parking lot" means an unenclosed area or lot other than a street used or designed for the parking of motor vehicles, under 12,000 pounds GVW, used for transportation of passengers and light goods. A vehicle may not be parked in a parking lot for more than a total of 24 hours if the vehicle is inoperable, disassembled, dismantled, or in a state of disrepair.

Parking lot, commercial. See "Commercial parking lot."

Parking lot, private. See "Private parking lot."

"Parking lot interior landscaping" means planting islands located within the parking area.

"Parking space" means a nine-by-eighteen-foot area maintained for parking or storing an automobile or other vehicle, which is graded for proper drainage and is hard-surfaced or porous paved.

"Parking structure" means a parking area other than a street with at least one level that is partially or fully enclosed, located under a building or partially underground, and is used or designed for the parking of motor vehicles, under 12,000 pounds GVW, used for transportation of passengers and light goods. A vehicle may not be parked in a parking structure for more than a total of 24 hours if the vehicle is inoperable, disassembled, dismantled, or in a state of disrepair.

"Partially shielded luminaire" means a luminaire that is constructed so that no more than ten percent of the light rays are emitted at angles above the horizontal plane, as certified by a photometric test report.

"Pawn shop" means any person, firm, corporation, or business which loans money on deposit of personal property, or deals in the purchase, exchange or possession of personal property on condition of selling the same back again to the pledgor or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property.

“Pedestal sign” means a temporary and/or moveable sign supported by a column(s) and a base so as to allow the sign to stand in an upright position.

“Pedestrian way” means a street designed for the use of pedestrians, restricting vehicular use to service and emergency vehicles, particularly in areas where double-edged retail commercial is desired.

“Pennant” means a triangular tapering flag made of any lightweight fabric or other nonrigid material, whether or not containing a message of any kind, suspended in a series from a rope, wire or string.

“Perimeter landscaping” means planting areas between the property line, structure and parking area.

“Permitted use” means any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

“Person” means an individual, corporation, partnership, or incorporated association of individuals such as a club.

“Personal athletic facility” means athletic equipment or facilities dedicated to the use of the property owners and their nonpaying guests. “Personal athletic facility” does not include any athletic equipment or facilities used by paying customers or for which profit is made or expected.

Planting Plan. A “planting plan” shall clearly and accurately identify and locate new and existing trees, shrubs, ground covers, turf areas, driveways, sidewalks, hardscape features, and fences.

“Plant nursery” means a place or greenhouse where nursery stock is propagated, grown, stored, cultivated, or offered for sale. Not more than two thousand five hundred square feet of any property can be used as a plant nursery.

“Plat” means a map or other graphical representation of lands being laid out and prepared in accordance with Utah Code Section [10-9-804](#).

“Pole banner sign” means a sign made of cloth, canvas or nylon attached vertically to a light pole located on the property where the advertised use is conducted, product or commodity sold, service performed, or business name is located.

"Pole Banner Sign" Diagram

"Porch" means an open-air room appended to the mass of a building with a floor and roof, but no walls on at least two sides.

"Porous paving" means a substantial surfacing material designed and intended to support light vehicular movement. "Porous paving" includes paving systems such as modular pavers which provide at least fifty percent surface exposure suitable for the establishment of plant materials and which substantially abates surface water runoff. Gravel and/or compacted soil are not "porous paving."

"Precipitation rate" means the depth of water applied to a given area, usually measured in inches per hour.

"Pre-existing landscaping" means landscaping, the installation of which preceded January 2, 2002.

"Pre-existing lighting" means outdoor lighting, the installation of which preceded January 2, 2002.

"Pre-existing lot" means a lot which was created prior to January 1, 1980, through a recorded subdivision plat, deed, sales contract, or survey, and a lot which met the zoning regulations in effect at the time of its creation. For the purposes of this title, a pre-existing lot is a nonconforming lot and shall be regulated in the same manner as nonconforming lots.

“Pre-existing structure” means a structure which was legally constructed prior to January 2, 2002. For the purposes of this title, a pre-existing structure is a nonconforming structure and shall be regulated in the same manner as nonconforming structures.

“Pre-existing use” means a use which validly existed prior to January 2, 2002, and has not been abandoned for more than one year. For the purposes of this title, a pre-existing use is a nonconforming use and shall be regulated in the same manner as nonconforming uses.

“Preliminary plat” means the preliminary drawings of a proposed subdivision specifying the layout, uses, and restrictions.

“Primary dwelling” means the same as that term is defined in Section [10-9a-530](#) of the Utah Code Annotated, as amended.

“Primary residence” means the dwelling unit an individual has established domicile pursuant to Utah Administrative Code 884-24P-52, as amended.

“Principal building” means a building within which the principal land use of the lot is conducted. In the SF-1, SF-2, RM-12, RM-25 zoning districts, the largest dwelling is the principal building on the lot on which it is situated.

“Private club” means any nonprofit corporation, or organization, operating as a social club, recreational, fraternal, athletic or kindred association organized primarily for the benefit of its stockholders or members and serving alcoholic beverages and/or food.

“Private kennel” means a shelter for or a place where over three and no more than five dogs and cats are bred, boarded, or trained for no monetary gain.

“Private parking lot” means a parking lot or structure intended for the exclusive use of the owners, tenants, lessees, or occupants of the lot on which the parking area is located or their customers, employees, or whomever else they permit to use the parking area. A vehicle may not be parked in a private parking lot for more than a total of 24 hours if the vehicle is inoperable, disassembled, dismantled, or in a state of disrepair.

“Private street” means a street owned by an individual, association or other nongovernmental group.

“Prohibited use” means a use that is not permitted or allowed to be established in a zone. Any use not specifically listed as an allowed use, an administrative conditional use or a conditional use is prohibited in that zone.

“Projecting sign” means a sign attached to a building or canopy and extending in whole or part more than twenty-four inches beyond any wall of the building or canopy.

“Promotional signboard” means a permanently attached changeable copy sign not exceeding twenty square feet per face with one or two faces back-to-back for the display of promotional items offered for sale on the premises.

“Property” means any parcel, lot, or tract of land, including improvements thereon, in the possession of or owned by, or recorded as the real property of, the same person or persons.

“Property line” means the boundary line of a parcel or lot.

Property line, front. See “Front property line.”

“Property sign” means a sign related to the property upon which it is located and offering such information as address, name of occupant for residential uses, sale or lease of the property, warning against trespassing, any hazard, or other danger on the property.

“Public building” means a building constructed, or intended for use, by the general public such as a library, museum, or building of any political subdivision of the state of Utah or the United States.

“Public improvement” means any building, water system drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking lot, space or structure, lot improvement, or other facility for which the city may ultimately assume responsibility or which may effect a city improvement.

“Public improvement bond” means a one year guarantee to the city that all public improvements have been installed to city specifications and will operate properly.

“Public parking” means a parking area or parking facility to be used by the public for fee or otherwise.

“Public recreation facilities” means recreation facilities operated by a public agency and open to the general public with or without a fee.

“Public street” means a street, including the entire right-of-way, which has been dedicated to and accepted by the city or other governmental agency or which has been devoted to public use by legal mapping, use or other means.

“Public street” means a street that has been dedicated to and accepted by the city council; that the city has acquired and accepted by prescriptive right; or that the city owns in fee.

“Public use” means a use operated exclusively by a public body to serve the public health, safety, or general welfare.

Public utilities, major. See “Major public utilities.”

Public utilities, minor. See “Minor public utilities.”

“Public utility” means an organization and/or operation authorized to provide to the community water, gas, electric, power, telephone and other like services.

“Pylon sign” means a sign affixed in or upon the ground supported by one or more structural members, with air space between the ground and the bottom of the sign face. (Ord. 2021-19 § 1 (Att. A); Ord. 2/2/2010O-1 § 1(1); Ord. 7/11/2006O-9 § 1 (part); Ord. 11/23/2004O-34 § 1(4) (part); Ord. 10/28/2003O-11 § 1(8) (part); Ord. 12/03/2002A § 1 (part); Ord. 12-11-2001C § 2 (part))

The Midvale Municipal Code is current through Ordinance 2023-15, passed November 14, 2023.

Disclaimer: The city clerk’s office has the official version of the Midvale Municipal Code. Users should contact the city clerk’s office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.midvalecity.org](http://www.midvalecity.org)

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