



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

**MIDVALE CITY COUNCIL REGULAR MEETING
AGENDA
APRIL 16, 2024**

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a regular meeting on the **16th day of April 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 www.Midvale.Utah.gov by 5:00pm on April 15th and will be included in the record.**

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

6:00 PM – WORKSHOP

- Discuss Proposed FY2025 Budget
- Drone Demonstration [*Chief Randy Thomas*]

7:00 PM - REGULAR MEETING

I. GENERAL BUSINESS

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Unified Police Department Report
- D. Midvale City Proclamation in Support of the Community Renewable Energy Program
- E. Recognition of the Next Gen Group
- F. Legislative Update

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. MAYOR REPORT

- A. Mayor Marcus Stevenson

IV. COUNCIL REPORTS

- A. Council Member Bonnie Billings
- B. Council Member Paul Glover
- C. Council Member Heidi Robinson
- D. Council Member Bryant Brown
- E. Council Member Dustin Gettel

V. CITY MANAGER REPORT

- A. Matt Dahl

VI. PUBLIC HEARINGS

- A. Consider a Midvale City initiated Text Amendment request to amend Sections 17-7-1.2 and 17-7-1.10 of the Single Family Residential-1 (SF-1) and create Section 17-7-1.2.1 of the Midvale City Municipal Code. This amendment proposes to streamline the review of many uses in the SF-1 zone and reorders portions of the text to make it easier to find the correct information ***[Elizabeth Arnold, Senior Planner]***

ACTION: Consider Ordinance No. 2024-O-06 Amending Sections 17-7-1.2 and 17-7-1.10 of the Single Family Residential-1 (SF-1) and Create Section 17-7-1.2.1 of the Midvale Municipal Code.

- B. Consider a Midvale City initiated Text Amendment request to amend Sections 17-7-2.2 and 17-7-2.10 of the Single Family Residential-2 (SF-2) and create Section 17-7-2.2.1 of the Midvale City Municipal Code. This Amendment proposes to streamline the review of many uses in the SF-2 zone and reorders portions of the text to make it easier to find the correct information ***[Elizabeth Arnold, Senior Planner]***

ACTION: Consider Ordinance No. 2024-O-07 Amending Sections 17-7-2.2 and 17-7-2.10 of the Single Family Residential-2 (SF-2) and Create Section 17-7-2.2.1 of the Midvale City Municipal Code.

- C. Consider Amending Titles 17-2-3 and 17-2-16 of the Midvale Municipal Code related to definitions of Commercial Parking Lots, Parking Lots, Parking Structures, and Private Parking Lots ***[Adam Olsen, Community Development Director]***

ACTION: Consider Ordinance No. 2024-O-08 Amending Titles 17-2-3 and 17-2-16 of the Midvale Municipal Code related to definitions of Commercial Parking Lots, Parking Lots, Parking Structures, and Private Parking Lots and Create Titles 17-2-3 and 17-2-16 of the Midvale City Municipal Code.

VII. CONSENT

- A. Consider Minutes of March 26, 2024, and April 2, 2024 ***[Rori Andreason, H.R. Director/City Recorder]***

VIII. ACTION

- A. Consider ***Resolution No. 2024-R-20*** Establishing the 2024 Firework Restrictions in Midvale ***[Erinn Summers, Project and Policy Manager]***

IX. DISCUSSION ITEMS

- A. Communications Update ***[Laura Magness]***

X. POSSIBLE CLOSED SESSION

The City Council may, by motion, enter into a Closed Session for:

- A. Discussion of the Character, Professional Competence or Physical or Mental Health of an Individual;
- B. Strategy sessions to discuss pending or reasonably imminent litigation;
- C. Strategy sessions to discuss the purchase, exchange, or lease of real property;
- D. Discussion regarding deployment of security personnel, devices, or systems; and
- E. Investigative proceedings regarding allegations of criminal misconduct.

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 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: APRIL 12, 2024

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



MIDVALE CITY

Proclamation

Midvale City Proclamation in Support of the Community Renewable Energy Program

Whereas, House Bill 411, established in 2019 by the Utah State Legislature, saw 18 municipalities join the Community Renewable Energy Program to provide renewable energy options to Utah residents; and

Whereas, Midvale City currently receives its energy from Rocky Mountain Power, the sole provider in this program; and

Whereas, pollution poses environmental, economic, and health threats to the Salt Lake Valley and the use of renewable energy sources decreases those threats; and

Whereas, the rise in air pollutants contributes to greenhouse gas emissions, exacerbating global temperature increases, affecting polar ice, water levels, and ecosystems worldwide; and

Whereas, Midvale seeks a cleaner and more cost-effective energy source for its residents, and the Community Renewable Energy Program would offer Midvale residents the choice to opt-out of the program; and

Whereas, as the NextGen Initiative, the youth advisory group of Midvale City, we are dedicated to providing renewable energy options to combat the environmental degradation caused by current energy practices, safeguarding resources for future generations; and

Whereas, this proclamation submitted by the NextGen Initiative, encourages and requests that Midvale City participate in the Community Renewable Energy Program, which has now opened to new communities due to recently passed legislation, Senate Bill 214, from the 2024 Utah State Legislative Session.

Now, therefore, let it be proclaimed that Midvale City, with support from the NextGen Initiative, Mayor Marcus Stevenson and the Midvale City Council, shall explore how to make the Community Renewable Energy Program available to Midvale City residents.

ADOPTED on this 16th day of April 2024.

Marcus, Stevenson, Mayor

Bonnie Billings, Council Member

Paul Glover, Council Member

Heidi Robinson, Council Member

Bryant Brown, Council Member

Dustin Gettel, Council Member

Attest:

*Rori L. Andreason, MMC
City Recorder*



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MIDVALE CITY COUNCIL STAFF REPORT 4/16/2024

SUBJECT

Midvale City initiated request to amend Sections 17-7-1.2 and 17-7-1.10 of the Single Family Residential-1 (SF-1) and create Section 17-7-1.2.1 of the Midvale City Municipal Code. This amendment proposes to streamline the review of many uses in the SF-1 zone and reorders portions of the text to make it easier to find the correct information.

SUBMITTED BY

Elizabeth Arnold, Senior Planner

BACKGROUND AND ANALYSIS

Midvale City requests an amendment to the above-listed chapter of the Midvale City Municipal Code. The amendments requested are to the Use Table and the Conditional Use Standards of Review sections. Additionally, it creates a section titled Specific Review Criteria for Certain Allowed Uses.

Conditional Uses are required to be approved by the Planning Commission if the applicant has demonstrated that the detrimental effects of the proposed use have been mitigated with the standards that are set forth in the zoning ordinance. Because the standards set forth are objective, staff feels that it would be better if certain uses were no longer conditional uses and instead were allowed uses within the zone provided that the use still meets the same criteria. As such, it is proposed that a new section be created that allows for this and some of the conditional uses are moved to this section. None of the criteria for the uses will change.

Public notice has been sent to affected entities as required in 17-3-9.B of the Municipal Code. No comments have been received as of the writing of this report.

-AMENDMENTS TO THE ZONING CODE OR MAP-

Midvale City Code 17-3-1 outlines the criteria necessary for amendments to the zoning code or map (Staff responses in **bold**):

17-3-1.E Amendments to the Zoning Code or Map.

1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan;

Response: The request is not for a rezone; rather, an amendment that moves some uses from conditional uses to allowed uses with specific review criteria.

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 created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or,

Response: This criterion is not applicable.

3. Land or its 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;

Response: This criterion is not applicable.

STAFF RECOMMENDATION

Staff recommends the City Council approve the text amendment with the following findings:

1. The amendment complies with Midvale City Code 17-3-1(E)(1).
2. The Planning Commission recommends approval.

Planning Commission Recommendation

Recommend Approval.

RECOMMENDED MOTION

“I move that we approve Ordinance 2024-O-06 as provided in the attachments, with the findings noted in the staff report.”

ATTACHMENTS

1. Draft Ordinance

ORDINANCE NO. 2024-O-06

AN ORDINANCE AMENDING SECTIONS 17-7-1.2 AND 17-7-1.10 RELATING TO THE USE TABLE AND CONDITIONAL USES AND CREATING SECTION 17-7-1.2.1 IN THE SF-1 ZONE OF THE MIDVALE CITY MUNICIPAL CODE.

WHEREAS, pursuant to Utah Code Annotated Sections 10-8-84 and 10-9a-501 through 10-9a-503, Midvale City (“the City”) has authority to make and amend any regulation of or within zoning districts or any other provision of the land use ordinance to promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the municipality; and

WHEREAS, on January 2, 2002, the Midvale City Zoning Ordinance, Title 17 of the Midvale City Municipal Code (the “Code”), became effective and is subject to amendments from time to time pursuant to Section 17-3-1 the Code; and

WHEREAS, pursuant to Section 16-04-010 of the Code, the City desires to promote the protection of public health, life and safety; protect the character and social and economic stability of all parts of the city; protect and preserve the value of land throughout the municipality; guide public and private policy and action; establish responsible standards; prevent pollution and degradation of air, streams, and ponds; preserve the natural beauty and topography; and provide for open spaces through the most effect design and layout of the land;

WHEREAS, pursuant to Section 17-1-1 of the Code, the City desires to promote coordinated development, redevelopment, effective use of land, and site planning; protect and promote public safety, health, and general welfare by providing adequate light and air, water and sewage control, police, fire and wetlands protection; and secure economy in governmental expenditures; and

WHEREAS, the City desires to amend Sections 17-7-1.2 and 17-7-1.10, and create Section 17-7-1.2.1 relating to conditional uses in the SF-1 zone; and

WHEREAS, the Planning Commission held a public hearing on March 13, 2024, to review the request for amendments and, after considering all the information received, made a recommendation to approve the amendment request to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on April 2, 2024 and

WHEREAS, after taking into consideration citizen testimony, planning analysis, and the Planning Commission’s recommendation as part of its deliberations, the City Council finds it is appropriate and within the best interest of the City to make changes to the Code.

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

Section 1. The following sections of the Midvale City Municipal Code are hereby amended as included in the following attachments to this document:

- Attachment A: Amending Sections 17-7-1.2 and 17-7-1.10, and Creating Section 17-7-1.2.1 relating to conditional uses in the SF-1 zone

Section 2. This ordinance shall take effect upon the date of first publication.

PASSED AND APPROVED this ____ day of _____, 2024.

Marcus Stevenson, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Voting by City Council	“Aye”	“Nay”
Bonnie Billings	_____	_____
Paul Glover	_____	_____
Heidi Robinson	_____	_____
Bryant Brown	_____	_____
Dustin Gettel	_____	_____

Date of first publication: _____

Attachment A:

Chapter 17-7-1 SINGLE FAMILY RESIDENTIAL ZONE (SF-1)

Sections:

17-7-1.2 Use table.

17-7-1.2.1 Specific Review Criteria for Certain Allowed Uses.

17-7-1.10 Conditional use standards of review.

17-7-1.2 Use table.

If a use is not specifically designated, then it is prohibited. Uses designated with an asterisk (*) have additional use-specific standards included in subsection (A) of this section.

Table 17-7-1.2. Uses

Type	Allowed	Administrative	Conditional	Business License
Accessory Structure, Unoccupied	X			
Agricultural Uses (AO zone only)	X	X		
Apiary	X	X		
Assisted Living Facility, Group Home			X	X
Chickens, Keeping of	X	X		
Child Care Facility (up to 12 children)	X			X

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Type	Allowed	Administrative	Conditional	Business License
Center: 6 children or less		X		X
Facility: 7 to 12 children			X	X
Disabled Care Facility			X	X
Dwellings				
__Single Family	X			
__Duplex (DO zone only)	X			
__External Accessory Dwelling Unit*	X			
__Internal Accessory Dwelling Unit*	X			
Fence	X			
Flag Lot	X		X	
Gated Community	X	X		
Home Occupation	X			X
Internal Accessory Dwelling Unit*	X			
Kennel, Private	X	X		

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Type	Allowed	Administrative	Conditional	Business License
Manufactured Home	X			
Master Planned Development			X	
Municipal Facilities:				
Cemeteries	X			
Parks	X			
Public Safety Facility			X	
Public Utilities:				
Minor	X			
Major			X	
Recreational Facilities	X			
Trails	X			
Neighborhood Commercial NC-1 and NC-2 <ul style="list-style-type: none"> • Commercial Mixed Use • Commercial Use • Financial Institution without Drive-Up Window • Office General 			X	X

Type	Allowed	Administrative	Conditional	Business License
<ul style="list-style-type: none"> • Restaurant (Outdoor Dining) without Drive-Up Window • Vertical Mixed Use 				
Personal Athletic Facility	X	X		
Pre-Existing Lot	X			
Pre-Existing Structure	X			
Quasi-Public Facilities:				
Hospital			X	X
Schools, Private			X	X
Radio Station			X	X
Religious/Educational Institute:				
Permanent	X			
Temporary		X		
Swimming Pool	X	X		
Telecommunications Facility <35' in height		X		

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17-7-1.2.1 Specific Review Criteria for Certain Allowed Uses.

A. —

A. Apiary. The purpose of this subsection is to establish certain requirements of sound beekeeping practices, which are intended to avoid problems that may otherwise be associated with the keeping of bees in populated areas

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1. No more than the following number of colonies may be kept on any tract within the city, based upon the size of the tract upon which the apiary is situated:

a. Less than or equal to one-half acre in size: two colonies;

b. More than one-half acre in size: five colonies.

2. A site plan shall be submitted for review by the community development department addressing the following:

a. Any colony situated within twenty-five feet of a public or private property line shall require the establishment of a flyway barrier at least six feet in height consisting of a solid wall, fence, dense vegetation or combination thereof as approved by the community development department. Said barrier shall be parallel to the property line extending ten feet beyond the colony in each direction, forcing a flight pattern elevation of at least six feet above grade.

b. A water source shall be provided on the property and no nearer than twenty feet to the hive to avoid bees congregating on nearby properties in a search for water.

c. A sign conspicuously posted setting forth the name and phone number or other identifying marks, such as a registration number, of the responsible beekeeper.

3. In addition to the aforementioned conditions, the applicant shall ensure compliance at all times with the following conditions:

a. All honey bee colonies shall be kept in Langstroth-type hives with removable frames, which shall be kept in sound and usable condition.

- b. All honey bee colonies shall be registered with the Utah Department of Agriculture and Consumer Services.
- c. Maintenance shall be such that no bee comb or other materials are left upon the grounds of the apiary site. Upon removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.
- d. All colonies shall be maintained with marked queens. The colony shall be promptly requeened if it exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation or swarming. Regardless of colony behavior, each colony shall be requeened on a yearly basis.
- e. Each Utah apiary shall meet all requirements and inspection schedules deemed necessary by the Utah Department of Agriculture and Consumer Services.
- f. Notwithstanding compliance with the various requirements of this subsection, it shall be unlawful for any beekeepers to keep any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others.

4. Upon receipt of information that any colony situated within the eCity is not being kept in compliance with the conditions pursuant to the approved conditional use permit, an investigation and subsequent hearing before the city's hearing officer per Chapter 8.05 and the appeal authority per Chapter 17-3 may result and may result in the revocation of the conditional use permit. (Ord. 2022-13 § 1 (Att. A); Ord. 2022-03A § 1 (Att. A); Ord. 2021-19 § 1 (Att. A); Ord. 2016-15 § 1 (Att. A (part)); Ord. 2016-01 § 1 (Att. A (part)); Ord. 2015-04 § 1 (Att. (part)); Ord. 7/6/2010O-5 § 1 (Att. A (part)); Ord. 9/22/2009O-15 § 1 (Att. A (part)); Ord. 6/16/2009O-10 § 2 (part); Ord. 7/11/2006O-10 § 1 (Exh. A (part)); Ord. 3/07/2006O-1 § 1 (part); Ord. 5/07/2002A § 1 (part); Ord. 2-5-2002 § 1 (part); Ord. 11-13-2001 § 2 (part). Formerly 17-7-1.11)

B. Chicken, Keeping of. Subject to the requirements of this section and any other applicable provision of this code, hen chickens (and no roosters or other types of fowl)

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regardless of age, in the amount set forth below, may be kept on a lot or parcel of land for the sole purpose of producing eggs.

1. The number of hen chickens which may be kept shall be limited based on the size of the lot or parcel as follows:

- a. Lots with at least one-half acre: up to eight.
- b. Lots with at least ten thousand square feet: up to five.
- c. Lots with at least seven thousand square feet: up to three.
- d. Lots with at least five thousand square feet: up to two.
- e. Lots with less than five thousand square feet: none.

2. The principal use on the lot or parcel shall be a single family dwelling.

3. Chickens shall be confined within a secure enclosure that includes a coop.

- a. The coop shall be covered, weatherproof, and well ventilated.
- b. The enclosure, including the coop, shall be predator-resistant.
- c. The coop shall have a minimum floor area of at least two and one-half square feet per chicken.
- d. If chickens are not allowed to roam within an enclosure outside the coop, the coop shall have a minimum floor area of six square feet per chicken.
- e. The coop shall be structurally sound and located in a rear yard at least thirty feet from any neighboring residential structures and at least ten feet from the primary residential structure on the property. The coop shall also meet the minimum setback for accessory structures within this zoning district. The coop and enclosure shall be hidden from the public view through the use of opaque fencing materials, vegetative screening, or other means allowed within this part. ~~Because for a corner lot technically does not include a rear yard, the owner of a~~

corner lot may choose one of the "side" yards to function as a rear yard for the purposes of keeping chickens and locating the coop.

f. The coop and enclosure shall be maintained in a neat and sanitary condition and shall be cleaned as necessary to prevent any odor detectable at a property line. At a minimum the coop and enclosed area shall be cleaned weekly, although waste may be composted so long as the composting area meets the setback requirements that apply to the coop and prevent any odor detectable at the property line.

g. No chicken shall be permitted to roam outside the coop or enclosure.

4. Chicken feed shall be stored in rodent- and predator-proof containers.

5. Water shall be available to the chickens at all times. A watering device that incorporates a water warming device shall be supplied, used and maintained.

6. Chickens shall not be slaughtered on site.

C. Child Care Facility (up to 12 children). Each application for a child care facility or center must include:

1. Compliance with state, federal and local law;

2. A design which precludes a front yard playground and signage in excess of a two-square-foot nameplate; and

3. A delivery, traffic and parking plan which adequately mitigates the adverse impacts of increased traffic generation on the neighborhood in which it is located.

D. ~~C~~External Accessory Dwelling Unit.

1. An EADU may only be constructed on a lot with one detached single family dwelling. The property owner must occupy one of the dwelling units on the property as their permanent residence for as long as the EADU remains on the property.

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- 2. The EADU must conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. A building permit is required prior to engaging in any construction activity on an EADU.
- 3. Installing separate utility meters or separate addresses for an EADU is prohibited.
- 4. An EADU must comply with the standards in Section 17-7-1.8.
- 5. An EADU must provide off-street parking as described within this chapter.
- 6. An EADU may not be constructed on the same lot as a mobile home or manufactured home.
- 7. An EADU may not be constructed on a lot with a total square footage of six thousand or less.
- 8. Prior to issuance of a certificate of occupancy for an EADU, the property owner must record a notice against the property's title that includes:
 - a. A description of the primary dwelling;
 - b. A statement that the property contains an EADU; and
 - c. A statement that the EADU may only be used in accordance with this title.
- 9. An EADU may not be rented or leased for a period of less than thirty consecutive days.
- 10. Only one EADU is permitted on each property. (Ord. 2022-18 § 1 (Att. A); Ord. 2021-19 § 1 (Att. A); Ord. 2016-15 § 1 (Att. A (part)); Ord. 2015-04 § 1 (Att. (part)); Ord. 7/6/2010O-5 § 1 (Att. A (part)); Ord. 9/22/2009O-15 § 1 (Att. A (part)); Ord. 6/16/2009O-10 § 2 (part); Ord. 5/07/2002A § 1 (part); Ord. 11-13-2001 § 2 (part))

4.E. Internal Accessory Dwelling Unit.

- 1. An IADU may only be constructed on a lot with one detached single family dwelling. The property owner must occupy one of the dwelling units on the property as their permanent residence for as long as the IADU remains on the property.

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2. The IADU must conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. A building permit is required prior to engaging in any construction activity on an IADU.
3. Installing separate utility meters or separate addresses for an IADU is prohibited.
4. Any additions to an existing building must comply with the development standards within this chapter.
5. An IADU must provide off-street parking as described within this chapter.
6. An IADU may not be constructed within a mobile home or manufactured home.
7. An IADU may not be constructed on a lot with a total square footage of six thousand or less.
8. Prior to issuance of a certificate of occupancy for an IADU, the property owner must record a notice against the property's title that includes:
 - a. A description of the primary dwelling;
 - b. A statement that the property contains an IADU; and
 - c. A statement that the IADU may only be used in accordance with this title.
9. An IADU may not be rented or leased for a period of less than thirty consecutive days.
10. Only one IADU is permitted on each property.

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~~B. External Accessory Dwelling Unit.~~

- ~~1. An EADU may only be constructed on a lot with one detached single family dwelling. The property owner must occupy one of the dwelling units on the property as their permanent residence for as long as the EADU remains on the property.~~
- ~~2. The EADU must conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. A building permit is required prior to engaging in any construction activity on an EADU.~~
- ~~3. Installing separate utility meters or separate addresses for an EADU is prohibited.~~

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- 4. ~~An EADU must comply with the standards in Section 17-7-1.8.~~
- 5. ~~An EADU must provide off-street parking as described within this chapter.~~
- 6. ~~An EADU may not be constructed on the same lot as a mobile home or manufactured home.~~
- 7. ~~An EADU may not be constructed on a lot with a total square footage of six thousand or less.~~
- 8. ~~Prior to issuance of a certificate of occupancy for an EADU, the property owner must record a notice against the property's title that includes:~~
 - a. ~~A description of the primary dwelling;~~
 - b. ~~A statement that the property contains an EADU; and~~
 - c. ~~A statement that the EADU may only be used in accordance with this title.~~
- 9. ~~An EADU may not be rented or leased for a period of less than thirty consecutive days.~~
 - 10. ~~Only one EADU is permitted on each property. (Ord. 2022-18 § 1 (Att. A); Ord. 2021-19 § 1 (Att. A); Ord. 2016-15 § 1 (Att. A (part)); Ord. 2015-04 § 1 (Att. (part)); Ord. 7/6/2010O-5 § 1 (Att. A (part)); Ord. 9/22/2009O-15 § 1 (Att. A (part)); Ord. 6/16/2009O-10 § 2 (part); Ord. 5/07/2002A § 1 (part); Ord. 11-13-2001 § 2 (part))~~
- F. ~~Flag Lot. Each application for new subdivision of a flag lot, or for new development on a flag lot shall demonstrate that the application complies with the following criteria:~~
 - ~~i1. Lot Area. The minimum area of the banner portion of the proposed flag lot is seven thousand square feet and the minimum area of the remaining frontage lot is seven thousand square feet;~~
 - ~~ii2. Lot Width and Depth. The minimum banner portion width and depth is seventy-five feet. The minimum lot width and depth of the frontage lot complies with all lot standards for the zone;~~
 - ~~iii3. Setbacks. Setbacks for new development on a flag lot are fifteen feet for each of the front, side and rear yards. New development on a flag lot is entitled to the same yard exceptions as a frontage lot, with the rear yard lot line of the~~

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frontage lot serving as the front yard lot line for the banner portion of the flag lot;

iv4. Height. The maximum proposed height for a structure is twenty-five feet;

v5. Stories. A structure shall not exceed one story;

vi6. Parking/Driveway Access. Each flag lot and each frontage lot shall provide two parking spaces on the side or rear yard of property. The driveway shall have a paved width of twenty feet;

vii7. Fire Department Access and Water Supply. Each dwelling must adhere to the Fire Code; and

viii8. Utilities. Both the flag lot dwelling and the frontage lot dwelling must be serviced by a public water and sewer system.

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Table 17-7-1.3. Minimum Flag Lot Development Standards

		<u>Area</u>	<u>Width</u>	<u>Depth</u>	<u>Frontage</u>	<u>Setbacks</u>	<u>Build-To Line</u>	<u>Height</u>
	<u>Standard for Banner Portion</u>	<u>7,000 s.f.</u>	<u>75'</u>	<u>75'</u>	<u>20'</u>	<u>Front: 15'</u> <u>Side: 15'</u> <u>Rear: 15'</u>	<u>N/A</u>	<u>25' to mid-point</u>
<u>FLAG</u>	<u>Exceptions</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>Projections: ≤ 2½'</u> <u>Front: 5' paved walk</u> <u>Front/Side: 20' paved drive</u> <u>Side/Rear: Stairs and balconies ≤ 3'</u>	<u>N/A</u>	<u>No</u>	

~~G. *Swimming Pool.* Each application for a swimming pool shall include a fence designed to exclude unattended children.~~

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17-7-1.10 Conditional use standards of review.

B. *Specific Review Criteria for Certain Conditional Uses.* In addition to the foregoing, the community and economic development department and planning commission must evaluate the applicant’s compliance with each of the following criteria when considering whether to approve, deny or condition an application for each of the following conditional uses:

1. *Conditional Use.*

~~a. *Child Care Facility/Center.* Each application for a child care facility or center must include:~~

- ~~i. City business license application, to be finalized upon approval;~~
- ~~ii. Compliance with state, federal and local law;~~
- ~~iii. A design which precludes a front yard playground and signage in excess of a two-square-foot nameplate; and~~
- ~~iv. A delivery, traffic and parking plan which adequately mitigates the adverse impacts of increased traffic generation on the neighborhood in which it is located.~~

~~f. *Flag Lots.* Each application for new subdivision of a flag lot, or for new development on a flag lot shall demonstrate that the application complies with the following criteria:~~

- ~~i. *Lot Area.* The minimum area of the banner portion of the proposed flag lot is seven thousand square feet and the minimum area of the remaining frontage lot is seven thousand square feet;~~
- ~~ii. *Lot Width and Depth.* The minimum banner portion width and depth is seventy-five feet. The minimum lot width and depth of the frontage lot complies with all lot standards for the zone;~~

- iii. ~~Setbacks.~~ Setbacks for new development on a flag lot are fifteen feet for each of the front, side and rear yards. New development on a flag lot is entitled to the same yard exceptions as a frontage lot, with the rear yard lot line of the frontage lot serving as the front yard lot line for the banner portion of the flag lot;
- iv. ~~Height.~~ The maximum proposed height for a structure is twenty-five feet;
- v. ~~Stories.~~ A structure shall not exceed one story;
- vi. ~~Parking/Driveway Access.~~ Each flag lot and each frontage lot shall provide two parking spaces on the side or rear yard of property. The driveway shall have a paved width of twenty feet;
- vii. ~~Fire Department Access and Water Supply.~~ Each dwelling must adhere to the Fire Code; and
- viii. ~~Utilities.~~ Both the flag lot dwelling and the frontage lot dwelling must be serviced by a public water and sewer system.

Table 17-7-1.10. Minimum Flag Lot and Development Standards

		Area	Width	Depth	Frontage	Setbacks	Build-To-Line	Height
FLAG	Standard for Banner Portion	7,000 s.f.	75'	75'	20'	Front: 15' Side: 15' Rear: 15'	N/A	25' to mid-point
	Exceptions	No	No	No	No	Projections: ≤ 2½' Front: 5' paved walk Front/Side: 20' paved drive Side/Rear: Stairs-	N/A	No

		Area	Width	Depth	Frontage	Setbacks	Build-To-Line	Height
						and balconies ≤ 3'		

2. Administrative Conditional Use.

a. Reserved.

~~b. Gated Communities. Each application for a gated community must comply with the following:~~

- ~~i. An application for a gated community must demonstrate adequate provision for perpetual access of life safety equipment and personnel.~~
- ~~ii. The minimum width of a one-way access is fifteen feet.~~
- ~~iii. Proposed gate works must include access technology installed and maintained to the reasonable satisfaction of the fire marshal.~~
- ~~iv. Gates shall be located so as to allow appropriate stacking depth for vehicles entering the community so as to not impede vehicular and pedestrian traffic.~~
- ~~v. Gates and fencing associated with a gated community shall reflect the character of the community through appropriate design, materials and colors.~~
- ~~vi. Perimeter fencing for a gated community may include fences up to seven feet in height within the front yard setback provided this fencing complies with the following:~~
 - ~~(A) Higher fencing is required for security;~~
 - ~~(B) Fencing is constructed of nonobscuring open materials, such as wrought iron, picket with gaps no less than the width of the slat, etc.;~~
 - ~~(C) Fencing is integrated into the gated community landscape and entry features, and does not restrict the maintenance of the property; and~~
 - ~~(D) Fencing does not impede the use of sidewalks and driveways outside the gated community property.~~

~~c. *Swimming Pool.* Each application for a swimming pool shall include a fence designed to exclude unattended children.~~

~~d. *Personal Athletic Facility.* Each application for a personal athletic facility shall include a screening plan, which effectively screens the use from adjacent residences.~~

~~f. *Private Kennel.* Each application for a private kennel shall include:~~

~~i. Proof of current vaccination for all animals;~~

~~ii. Proof of current pet licenses with the city for those animals required to be licensed;~~

~~iii. If dogs, a site plan indicating the area in which they are kept is surrounded by a six-foot high fence;~~

~~iv. No validated complaints or violations concerning animals (unlicensed pets, excessive noise, bites, stray) have been recorded against the applicant by the city.~~

~~h. *Chickens.* Subject to the requirements of this section and any other applicable provision of this code, hen chickens (and no roosters or other types of fowl) regardless of age, in the amount set forth below, may be kept on a lot or parcel of land for the sole purpose of producing eggs.~~

~~i. The number of hen chickens which may be kept shall be limited based on the size of the lot or parcel as follows:~~

~~(A) Lots with at least one-half acre: up to eight.~~

~~(B) Lots with at least ten thousand square feet: up to five.~~

~~(C) Lots with at least seven thousand square feet: up to three.~~

~~(D) Lots with at least five thousand square feet: up to two.~~

~~(E) Lots with less than five thousand square feet: none.~~

~~ii. The principal use on the lot or parcel shall be a single family dwelling.~~

~~iii. Chickens shall be confined within a secure enclosure that includes a coop.~~

~~(A) The coop shall be covered, weatherproof, and well ventilated.~~

~~(B) The enclosure, including the coop, shall be predator-resistant.~~

~~(C) The coop shall have a minimum floor area of at least two and one-half square feet per chicken.~~

~~(D) If chickens are not allowed to roam within an enclosure outside the coop, the coop shall have a minimum floor area of six square feet per chicken.~~

~~(E) The coop shall be structurally sound and located in a rear yard at least thirty feet from any neighboring residential structures and at least ten feet from the primary residential structure on the property. The coop shall also meet the minimum setback for accessory structures within this zoning district. The coop and enclosure shall be hidden from the public view through the use of opaque fencing materials, vegetative screening, or other means allowed within this part. Because a corner lot technically does not include a rear yard, the owner of a corner lot may choose one of the "side" yards to function as a rear yard for the purposes of keeping chickens and locating the coop.~~

~~(F) The coop and enclosure shall be maintained in a neat and sanitary condition and shall be cleaned as necessary to prevent any odor detectable at a property line. At a minimum the coop and enclosed area shall be cleaned weekly, although waste may be composted so long as the composting area meets the setback requirements that apply to the coop and prevent any odor detectable at the property line.~~

~~(G) No chicken shall be permitted to roam outside the coop or enclosure.~~

~~iv. Chicken feed shall be stored in rodent- and predator-proof containers.~~

~~v. Water shall be available to the chickens at all times. A watering device that incorporates a water warming device shall be supplied, used and maintained.~~

~~vi. Chickens shall not be slaughtered on site.~~

~~i. *Apiary.* The purpose of this subsection is to establish certain requirements of sound beekeeping practices, which are intended to avoid problems that may otherwise be associated with the keeping of bees in populated areas.~~

~~i. No more than the following number of colonies may be kept on any tract within the city, based upon the size of the tract upon which the apiary is situated:~~

~~(A) Less than or equal to one-half acre in size: two colonies;~~

~~(B) More than one-half acre in size: five colonies.~~

~~ii. A site plan shall be submitted for review by the community development department addressing the following:~~

~~(A) Any colony situated within twenty-five feet of a public or private property line shall require the establishment of a flyway barrier at least six feet in height consisting of a solid wall, fence, dense vegetation or combination thereof as approved by the community development department. Said barrier shall be parallel to the property line extending ten feet beyond the colony in each direction, forcing a flight pattern elevation of at least six feet above grade.~~

~~(B) A water source shall be provided on the property and no nearer than twenty feet to the hive to avoid bees congregating on nearby properties in a search for water.~~

~~(C) A sign conspicuously posted setting forth the name and phone number or other identifying marks, such as a registration number, of the responsible beekeeper.~~

~~iii. In addition to the aforementioned conditions, the applicant shall ensure compliance at all times with the following conditions:~~

~~(A) All honey bee colonies shall be kept in Langstroth-type hives with removable frames, which shall be kept in sound and usable condition.~~

~~(B) All honey bee colonies shall be registered with the Utah Department of Agriculture and Consumer Services.~~

~~(C) Maintenance shall be such that no bee comb or other materials are left upon the grounds of the apiary site. Upon removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.~~

~~(D) All colonies shall be maintained with marked queens. The colony shall be promptly requeened if it exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation or swarming. Regardless of colony behavior, each colony shall be requeened on a yearly basis.~~

~~(E) Each Utah apiary shall meet all requirements and inspection schedules deemed necessary by the Utah Department of Agriculture and Consumer Services.~~

~~(F) Notwithstanding compliance with the various requirements of this subsection, it shall be unlawful for any beekeepers to keep any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others.~~



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MIDVALE CITY COUNCIL STAFF REPORT 4/16/2024

SUBJECT

Midvale City initiated request to amend Sections 17-7-2.2 and 17-7-2.10 of the Single Family Residential-1 (SF-1) and create Section 17-7-2.2.1 of the Midvale City Municipal Code. This amendment proposes to streamline the review of many uses in the SF-2 zone and reorders portions of the text to make it easier to find the correct information.

SUBMITTED BY

Elizabeth Arnold, Senior Planner

BACKGROUND AND ANALYSIS

Midvale City requests an amendment to the above-listed chapter of the Midvale City Municipal Code. The amendments requested are to the Use Table and the Conditional Use Standards of Review sections. Additionally, it creates a section titled Specific Review Criteria for Certain Allowed Uses.

Conditional Uses are required to be approved by the Planning Commission if the applicant has demonstrated that the detrimental effects of the proposed use have been mitigated with the standards that are set forth in the zoning ordinance. Because the standards set forth are objective, staff feels that it would be better if certain uses were no longer conditional uses and instead were allowed uses within the zone provided that the use still meets the same criteria. As such, it is proposed that a new section be created that allows for this and some of the conditional uses are moved to this section. None of the criteria for the uses will change.

Public notice has been sent to affected entities as required in 17-3-9.B of the Municipal Code. No comments have been received as of the writing of this report.

-AMENDMENTS TO THE ZONING CODE OR MAP-

Midvale City Code 17-3-1 outlines the criteria necessary for amendments to the zoning code or map (Staff responses in **bold**):

17-3-1.E Amendments to the Zoning Code or Map.

1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan;

Response: The request is not for a rezone; rather, an amendment that moves some uses from conditional uses to allowed uses with specific review criteria.

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 created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or,

Response: This criterion is not applicable.

3. Land or its 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;

Response: This criterion is not applicable.

STAFF RECOMMENDATION

Staff recommends the City Council approve the text amendment with the following findings:

1. The amendment complies with Midvale City Code 17-3-1(E)(1).
2. The Planning Commission recommends approval.

Planning Commission Recommendation

Recommend Approval.

RECOMMENDED MOTION

“I move that we approve Ordinance 2024-O-07 as provided in the attachments, with the findings noted in the staff report.”

ATTACHMENTS

1. Draft Ordinance

ORDINANCE NO. 2024-O-07

AN ORDINANCE AMENDING SECTIONS 17-7-2.2 AND 17-7-2.10 RELATING TO THE USE TABLE AND CONDITIONAL USES AND CREATING SECTION 17-7-2.2.1 IN THE SF-2 ZONE OF THE MIDVALE CITY MUNICIPAL CODE.

WHEREAS, pursuant to Utah Code Annotated Sections 10-8-84 and 10-9a-501 through 10-9a-503, Midvale City (“the City”) has authority to make and amend any regulation of or within zoning districts or any other provision of the land use ordinance to promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the municipality; and

WHEREAS, on January 2, 2002, the Midvale City Zoning Ordinance, Title 17 of the Midvale City Municipal Code (the “Code”), became effective and is subject to amendments from time to time pursuant to Section 17-3-1 the Code; and

WHEREAS, pursuant to Section 16-04-010 of the Code, the City desires to promote the protection of public health, life and safety; protect the character and social and economic stability of all parts of the city; protect and preserve the value of land throughout the municipality; guide public and private policy and action; establish responsible standards; prevent pollution and degradation of air, streams, and ponds; preserve the natural beauty and topography; and provide for open spaces through the most effect design and layout of the land;

WHEREAS, pursuant to Section 17-1-1 of the Code, the City desires to promote coordinated development, redevelopment, effective use of land, and site planning; protect and promote public safety, health, and general welfare by providing adequate light and air, water and sewage control, police, fire and wetlands protection; and secure economy in governmental expenditures; and

WHEREAS, the City desires to amend Sections 17-7-2.2 and 17-7-2.10, and create Section 17-7-2.2.1 relating to conditional uses in the SF-2 zone; and

WHEREAS, the Planning Commission held a public hearing on March 13, 2024, to review the request for amendments and, after considering all the information received, made a recommendation to approve the amendment request to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on April 2, 2024 and

WHEREAS, after taking into consideration citizen testimony, planning analysis, and the Planning Commission’s recommendation as part of its deliberations, the City Council finds it is appropriate and within the best interest of the City to make changes to the Code.

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

Section 1. The following sections of the Midvale City Municipal Code are hereby amended as included in the following attachments to this document:

- Attachment A: Amending Sections 17-7-2.2 and 17-7-2.10, and Creating Section 17-7-2.2.1 relating to conditional uses in the SF-2 zone

Section 2. This ordinance shall take effect upon the date of first publication.

PASSED AND APPROVED this ____ day of _____, 2024.

Marcus Stevenson, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Voting by City Council	“Aye”	“Nay”
Bonnie Billings	_____	_____
Paul Glover	_____	_____
Heidi Robinson	_____	_____
Bryant Brown	_____	_____
Dustin Gettel	_____	_____

Date of first publication: _____

Attachment A:

Chapter 17-7-2 SINGLE FAMILY RESIDENTIAL ZONE (SF-2)

Sections:

- 17-7-2.2 Use table.**
- 17-7-2.2.1 Specific Review Criteria for Certain Allowed Uses.**
- 17-7-2.10 Conditional use standards of review.**

17-7-2.2 Use table.

If a use is not specifically designated, then it is prohibited. Uses designated with an asterisk (*) have additional use-specific standards included in subsection (A) of this section.

Table 17-7-2.2. Uses

Type	Allowed	Administrative	Conditional	Business License
Accessory Structure, Unoccupied	X			
Apiary	X	X		
Assisted Living Facility, Group Home			X	X
Chickens, Keeping of	X	X		
Child Care Facility (up to 12 children)	X			
Center: 6 children or less		X		X
Facility: 7 to 12 children			X	X
Disabled Care Facility			X	X
Dwellings				
Single Family	X			

<u>External Accessory Dwelling Unit*</u>	X			
<u>Internal Accessory Dwelling Unit*</u>	X			
External Accessory Dwelling Unit*	X			
Fence	X			
Flag Lot	X		X	
<u>Gated Community</u>	X			
Home Occupation	X			X
Internal Accessory Dwelling Unit*	X			
Kennel, Private	X	X		
Manufactured Home	X			
Master Planned Development			X	
Municipal Facilities:				
Cemeteries	X			
Parks	X			
Public Safety Facility			X	
Public Utilities:				
Minor	X			
Major			X	
Recreational facilities	X			
Trails	X			
Neighborhood Commercial NC-1 and NC-2			X	X
• Commercial Mixed Use				

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• Commercial Use				
• Financial Institution without Drive-Up Window				
• Office General				
• Restaurant (Outdoor Dining) without Drive-Up Window				
• Vertical Mixed Use				
Personal Athletic Facility	X	X		
Pre-Existing Lot	X			
Pre-Existing Structure	X			
Quasi-Public Facilities:				
Hospital			X	X
Schools, Private			X	X
Nonprofit Multicultural Center		X		
Radio Station			X	X
Religious/Educational Institute:				
Permanent	X			
Temporary	X	X		
Single Family	X			
Swimming Pool	X	X		
Telecommunications Facility <35' in height		X		

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17-7-2.2.1 Specific Review Criteria for Certain Allowed Uses.

A. Apiary. The purpose of this subsection is to establish certain requirements of sound beekeeping practices, which are intended to avoid problems that may otherwise be associated with the keeping of bees in populated areas

1. No more than the following number of colonies may be kept on any tract within the city, based upon the size of the tract upon which the apiary is situated:

a. Less than or equal to one-half acre in size: two colonies;

b. More than one-half acre in size: five colonies.

2. A site plan shall be submitted for review by the community development department addressing the following:

a. Any colony situated within twenty-five feet of a public or private property line shall require the establishment of a flyway barrier at least six feet in height consisting of a solid wall, fence, dense vegetation or combination thereof as approved by the community development department. Said barrier shall be parallel to the property line extending ten feet beyond the colony in each direction, forcing a flight pattern elevation of at least six feet above grade.

b. A water source shall be provided on the property and no nearer than twenty feet to the hive to avoid bees congregating on nearby properties in a search for water.

c. A sign conspicuously posted setting forth the name and phone number or other identifying marks, such as a registration number, of the responsible beekeeper.

3. In addition to the aforementioned conditions, the applicant shall ensure compliance at all times with the following conditions:

a. All honey bee colonies shall be kept in Langstroth-type hives with removable frames, which shall be kept in sound and usable condition.

b. All honey bee colonies shall be registered with the Utah Department of Agriculture and Consumer Services.

- c. Maintenance shall be such that no bee comb or other materials are left upon the grounds of the apiary site. Upon removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.
- d. All colonies shall be maintained with marked queens. The colony shall be promptly requeened if it exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation or swarming. Regardless of colony behavior, each colony shall be requeened on a yearly basis.
- e. Each Utah apiary shall meet all requirements and inspection schedules deemed necessary by the Utah Department of Agriculture and Consumer Services.
- f. Notwithstanding compliance with the various requirements of this subsection, it shall be unlawful for any beekeepers to keep any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others.

4. Upon receipt of information that any colony situated within the city is not being kept in compliance with the conditions pursuant to the approved conditional use permit, an investigation and subsequent hearing before the city's hearing officer per Chapter 8.05 and the appeal authority per Chapter 17-3 may result and may result in the revocation of the conditional use permit. (Ord. 2022-13 § 1 (Att. A); Ord. 2022-03A § 1 (Att. A); Ord. 2021-19 § 1 (Att. A); Ord. 2016-15 § 1 (Att. A (part)); Ord. 2016-01 § 1 (Att. A (part)); Ord. 2015-04 § 1 (Att. (part)); Ord. 7/6/2010O-5 § 1 (Att. A (part)); Ord. 9/22/2009O-15 § 1 (Att. A (part)); Ord. 6/16/2009O-10 § 2 (part); Ord. 7/11/2006O-10 § 1 (Exh. A (part)); Ord. 3/07/2006O-1 § 1 (part); Ord. 5/07/2002A § 1 (part); Ord. 2-5-2002 § 1 (part); Ord. 11-13-2001 § 2 (part). Formerly 17-7-1.11)

B. *Chicken, Keeping of.* Subject to the requirements of this section and any other applicable provision of this code, hen chickens (and no roosters or other types of fowl) regardless of age, in the amount set forth below, may be kept on a lot or parcel of land for the sole purpose of producing eggs.

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1. The number of hen chickens which may be kept shall be limited based on the size of the lot or parcel as follows:
 - a. Lots with at least one-half acre: up to eight.
 - b. Lots with at least ten thousand square feet: up to five.
 - c. Lots with at least seven thousand square feet: up to three.
 - d. Lots with at least five thousand square feet: up to two.
 - e. Lots with less than five thousand square feet: none.
2. The principal use on the lot or parcel shall be a single family dwelling.
3. Chickens shall be confined within a secure enclosure that includes a coop.
 - a. The coop shall be covered, weatherproof, and well ventilated.
 - b. The enclosure, including the coop, shall be predator-resistant.
 - c. The coop shall have a minimum floor area of at least two and one-half square feet per chicken.
 - d. If chickens are not allowed to roam within an enclosure outside the coop, the coop shall have a minimum floor area of six square feet per chicken.
 - e. The coop shall be structurally sound and located in a rear yard at least thirty feet from any neighboring residential structures and at least ten feet from the primary residential structure on the property. The coop shall also meet the minimum setback for accessory structures within this zoning district. The coop and enclosure shall be hidden from the public view through the use of opaque fencing materials, vegetative screening, or other means allowed within this part. For a corner lot, the owner may choose one of the "side" yards to function as a rear yard for the purposes of keeping chickens and locating the coop.
 - f. The coop and enclosure shall be maintained in a neat and sanitary condition and shall be cleaned as necessary to prevent any odor.

detectable at a property line. At a minimum the coop and enclosed area shall be cleaned weekly, although waste may be composted so long as the composting area meets the setback requirements that apply to the coop and prevent any odor detectable at the property line.

g. No chicken shall be permitted to roam outside the coop or enclosure.

4. Chicken feed shall be stored in rodent- and predator-proof containers.

5. Water shall be available to the chickens at all times. A watering device that incorporates a water warming device shall be supplied, used and maintained.

6. Chickens shall not be slaughtered on site.

C. *Child Care Facility (up to 12 children).* Each application for a child care facility must include:

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1. Compliance with state, federal and local law;

2. A design which precludes a front yard playground and signage in excess of a two-square-foot nameplate; and

3. A delivery, traffic and parking plan which adequately mitigates the adverse impacts of increased traffic generation on the neighborhood in which it is located.

D. *External Accessory Dwelling Unit.*

1. An EADU may only be constructed on a lot with one detached single family dwelling. The property owner must occupy one of the dwelling units on the property as their permanent residence for as long as the EADU remains on the property.

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2. The EADU must conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. A building permit is required prior to engaging in any construction activity on an EADU.

3. Installing separate utility meters or separate addresses for an EADU is prohibited.

4. An EADU must comply with the standards in Section 17-7-1.8.

5. An EADU must provide off-street parking as described within this chapter.

6. An EADU may not be constructed on the same lot as a mobile home or manufactured home.
7. An EADU may not be constructed on a lot with a total square footage of six thousand or less.
8. Prior to issuance of a certificate of occupancy for an EADU, the property owner must record a notice against the property's title that includes:
 - a. A description of the primary dwelling;
 - b. A statement that the property contains an EADU; and
 - c. A statement that the EADU may only be used in accordance with this title.
9. An EADU may not be rented or leased for a period of less than thirty consecutive days.
10. Only one EADU is permitted on each property. (Ord. 2022-18 § 1 (Att. A); Ord. 2021-19 § 1 (Att. A); Ord. 2016-15 § 1 (Att. A (part)); Ord. 2015-04 § 1 (Att. (part)); Ord. 7/6/2010O-5 § 1 (Att. A (part)); Ord. 9/22/2009O-15 § 1 (Att. A (part)); Ord. 6/16/2009O-10 § 2 (part); Ord. 5/07/2002A § 1 (part); Ord. 11-13-2001 § 2 (part))

E. *Internal Accessory Dwelling Unit.*

1. An IADU may only be constructed on a lot with one detached single family dwelling. The property owner must occupy one of the dwelling units on the property as their permanent residence for as long as the IADU remains on the property.
2. The IADU must conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. A building permit is required prior to engaging in any construction activity on an IADU.
3. Installing separate utility meters or separate addresses for an IADU is prohibited.
4. Any additions to an existing building must comply with the development standards within this chapter.
5. An IADU must provide off-street parking as described within this chapter.
6. An IADU may not be constructed within a mobile home or manufactured home.

7. An IADU may not be constructed on a lot with a total square footage of six thousand or less.

8. Prior to issuance of a certificate of occupancy for an IADU, the property owner must record a notice against the property's title that includes:

- a. A description of the primary dwelling;
- b. A statement that the property contains an IADU; and
- c. A statement that the IADU may only be used in accordance with this title.

9. An IADU may not be rented or leased for a period of less than thirty consecutive days.

10. Only one IADU is permitted on each property.

F. *Flag Lot.* Each application for new subdivision of a flag lot, or for new development on a flag lot shall demonstrate that the application complies with the following criteria:

i. Lot Area. The minimum area of the banner portion of the proposed flag lot is seven thousand square feet and the minimum area of the remaining frontage lot is seven thousand square feet;

ii. Lot Width and Depth. The minimum banner portion width and depth is seventy-five feet. The minimum lot width and depth of the frontage lot complies with all lot standards for the zone;

iii. Setbacks. Setbacks for new development on a flag lot are fifteen feet for each of the front, side and rear yards. New development on a flag lot is entitled to the same yard exceptions as a frontage lot, with the rear yard lot line of the frontage lot serving as the front yard lot line for the banner portion of the flag lot;

iv. Height. The maximum proposed height for a structure is twenty-five feet;

v. Stories. A structure shall not exceed one story;

vi. Parking/Driveway Access. Each flag lot and each frontage lot shall provide two parking spaces on the side or rear yard of property. The driveway shall have a paved width of twenty feet;

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vii. Fire Department Access and Water Supply. Each dwelling must adhere to the Fire Code; and

viii. Utilities. Both the flag lot dwelling and the frontage lot dwelling must be serviced by a public water and sewer system.

Table 17-7-1.3. Minimum Flag Lot Development Standards

		Area	Width	Depth	Frontage	Setbacks	Build-To Line	Height
FLAG	Standard for Banner Portion	7,000 s.f.	75'	75'	20'	Front: 15' Side: 15' Rear: 15'	N/A	25' to mid-point
	Exceptions	No	No	No	No	Projections: ≤ 2½' Front: 5' paved walk Front/Side: 20' paved drive Side/Rear: Stairs and balconies ≤ 3'	N/A	No

G. Gated Communities. Each application for a gated community must comply with the following:

1. An application for a gated community must demonstrate adequate provision for perpetual access of life safety equipment and personnel.
2. The minimum width of a one-way access is fifteen feet.

- 3. Proposed gate works must include access technology installed and maintained to the reasonable satisfaction of the fire marshal.
- 4. Gates shall be located so as to allow appropriate stacking depth for vehicles entering the community so as to not impede vehicular and pedestrian traffic.
- 5. Gates and fencing associated with a gated community shall reflect the character of the community through appropriate design, materials and colors.
- 6. Perimeter fencing for a gated community may include fences up to seven feet in height within the front yard setback provided this fencing complies with the following:
 - a. Higher fencing is required for security;
 - b. Fencing is constructed of nonobscuring open materials, such as wrought iron, picket with gaps no less than the width of the slat, etc;
 - c. Fencing is integrated into the gated community landscape and entry features, and does not restrict the maintenance of the property; and
 - d. Fencing does not impede the use of sidewalks and driveways outside the gates community property,

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H. Swimming Pool. Each application for a swimming pool shall include a fence designed to exclude unattended children.

I. Personal Athletic Facility. Each application for a personal athletic facility shall include a screening plan, which effectively screens the use from the adjacent residences.

~~A. Additional Use-Specific Standards.~~

~~1. Internal Accessory Dwelling Unit.~~

- ~~a. An IADU may only be constructed on a lot with one detached single family dwelling. The property owner must occupy one of the dwelling units on the property as their permanent residence for as long as the IADU remains on the property.~~

~~b. The IADU must conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. A building permit is required prior to engaging in any construction activity on an IADU.~~

~~c. Installing separate utility meters or separate addresses for an IADU is prohibited.~~

~~d. Any additions to an existing building must comply with the development standards within this chapter.~~

~~e. An IADU must provide off-street parking as described within this chapter.~~

~~f. An IADU may not be constructed within a mobile home or manufactured home.~~

~~g. An IADU may not be constructed on a lot with a total square footage of six thousand or less.~~

~~h. Prior to issuance of a certificate of occupancy for an IADU, the property owner must record a notice against the property's title that includes:~~

~~i. A description of the primary dwelling;~~

~~ii. A statement that the property contains an IADU; and~~

~~iii. A statement that the IADU may only be used in accordance with this title.~~

~~i. An IADU may not be rented or leased for a period of less than thirty consecutive days.~~

~~j. Only one IADU is permitted on each property.~~

~~2. External Accessory Dwelling Unit.~~

~~a. An EADU may only be constructed on a lot with one detached single family dwelling. The property owner must occupy one of the dwelling units on the property as their permanent residence for as long as the EADU remains on the property.~~

~~b. The EADU must conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. A building permit is required prior to engaging in any construction activity on an EADU.~~

~~c. Installing separate utility meters or separate addresses for an EADU is prohibited.~~

- ~~d. An EADU must comply with the standards in Section 17-7-2.8.~~
- ~~e. An EADU must provide off-street parking as described within this chapter.~~
- ~~f. An EADU may not be constructed on the same lot as a mobile home or manufactured home.~~
- ~~g. An EADU may not be constructed on a lot with a total square footage of six thousand or less.~~
- ~~h. Prior to issuance of a certificate of occupancy for an EADU, the property owner must record a notice against the property's title that includes:
 - ~~i. A description of the primary dwelling;~~
 - ~~ii. A statement that the property contains an EADU; and~~
 - ~~iii. A statement that the EADU may only be used in accordance with this title.~~~~
- ~~i. An EADU may not be rented or leased for a period of less than thirty consecutive days.~~
- ~~j. Only one EADU is permitted on each property. (Ord. 2021-19 § 1 (Att. A); Ord. 2015-04 § 1 (Att. (part)); Ord. 7/6/2010-5 § 1 (Att. A (part)); Ord. 9/22/2009-15 § 1 (Att. A (part)); Ord. 6/16/2009-10 § 2 (part); Ord. 5/07/2002A § 1 (part); Ord. 11-13-2001 § 2 (part))~~

17-7-2.10 Conditional use standards of review.

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

1. *Conditional Use.*

- ~~a. Child Care Facility/Center. Each application for a child care facility or center must include:
 - ~~i. City business license application, to be finalized upon approval;~~~~

~~ii.—Compliance with state, federal and local law;~~

~~iii.—A design which precludes a front yard playground and signage in excess of a two-square-foot nameplate; and~~

~~iv.—A delivery, traffic and parking plan which adequately mitigates the adverse impacts of increased traffic generation on the neighborhood in which it is located.~~

~~f.—Flag Lots. Each application for new subdivision of a flag lot, or for new development on a flag lot shall demonstrate that the application complies with the following criteria:~~

~~i.—Lot Area. The minimum area of the banner portion of the proposed flag lot is five thousand square feet and the minimum area of the remaining frontage lot is five thousand square feet;~~

~~ii.—Lot Width and Depth. The minimum banner portion width and depth is sixty-five feet. The minimum lot width and depth of the frontage lot complies with all lot standards for the zone;~~

~~iii.—Setbacks. Setbacks for new development on a flag lot are ten feet for each of the front, side and rear yards. New development on a flag lot is entitled to the same yard exceptions as a frontage lot, with the rear yard lot line of the frontage lot serving as the front yard lot line for the banner portion of the flag lot;~~

~~iv.—Height. The maximum proposed height for a structure is twenty-five feet;~~

~~v.—Stories. A structure shall not exceed one story;~~

~~vi.—Parking/Driveway Access. Each flag lot and each frontage lot shall provide two parking spaces on the side or rear yard of property. The driveway shall have a paved width of twenty feet;~~

~~vii.—Fire Department Access and Water Supply. Each dwelling must adhere to the Fire Code; and~~

~~viii.—Utilities. Both the flag lot dwelling and the frontage lot dwelling must be serviced by a public water and sewer system.~~

Table 17-7-2.10. Minimum Flag Lot and Development Standards

		Area	Width	Depth	Frontage	Setbacks	Build-To-Line	Height
	Banner Portion	5,000 s.f.	65'	65'	20'	Front: 10' Side: 10' Rear: 10'	N/A	25'-to-mid-point
FLAG	Exceptions	No	No	No	No	Projections: ≤ 2-1/2' Front: 5'-paved-walk Front/Side: 20'-paved-drive Side/Rear: Stairs-and-balconies ≤ 3'	N/A	No

2. *Administrative Conditional Use.*

a. *Reserved.*

~~b. *Gated Communities.* An application for a gated community must demonstrate adequate provision for perpetual access of life safety equipment and personnel. The minimum width of a one-way access is fifteen feet. Proposed gate works must include access technology installed and maintained to the reasonable satisfaction of the fire marshal.~~

~~c. *Swimming Pool.* Each application for a swimming pool shall include a fence designed to exclude unattended children.~~

~~d. *Personal Athletic Facility.* Each application for a personal athletic facility shall include a screening plan, which effectively screens the use from adjacent residences.~~

~~f. *Private Kennel.* Each application for a private kennel shall include:~~

~~i. *Proof of current vaccination for all animals;*~~

~~ii. Proof of current pet licenses with the city for those animals required to be licensed;~~

~~iii. If dogs, a site plan indicating the area in which they are kept is surrounded by a six-foot high fence;~~

~~iv. No validated complaints or violations concerning animals (unlicensed pets, excessive noise, bites, stray) have been recorded against the applicant by the city.~~

~~h. *Chickens.* Subject to the requirements of this section and any other applicable provision of this code, hen chickens (and no roosters or other types of fowl) regardless of age, in the amount set forth below, may be kept on a lot or parcel of land for the sole purpose of producing eggs.~~

~~i. The number of hen chickens which may be kept shall be limited based on the size of the lot or parcel as follows:~~

~~(A) Lots with at least twelve thousand square feet: up to eight.~~

~~(B) Lots with at least ten thousand square feet: up to six.~~

~~(C) Lots with at least six thousand square feet: up to five.~~

~~(D) Lots with less than six thousand square feet: none.~~

~~ii. The principal use on the lot or parcel shall be a single family dwelling.~~

~~iii. Chickens shall be confined within a secure enclosure that includes a coop.~~

~~(A) The coop shall be covered, weatherproof, and well ventilated.~~

~~(B) The enclosure, including the coop, shall be predator-resistant.~~

~~(C) The coop shall have a minimum floor area of at least two and one-half square feet per chicken.~~

~~(D) If chickens are not allowed to roam within an enclosure outside the coop, the coop shall have a minimum floor area of six square feet per chicken.~~

~~(E) The coop shall be structurally sound and located in a rear yard at least thirty feet from any neighboring residential structures and at least ten feet~~

~~from the primary residential structure on the property. The coop shall also meet the minimum setback for accessory structures within this zoning district. The coop and enclosure shall be hidden from the public view through the use of opaque fencing materials, vegetative screening, or other means allowed within this part. Because a corner lot technically does not include a rear yard, the owner of a corner lot may choose one of the "side" yards to function as a rear yard for the purposes of keeping chickens and locating the coop.~~

~~(F) The coop and enclosure shall be maintained in a neat and sanitary condition and shall be cleaned as necessary to prevent any odor detectable at a property line. At a minimum the coop and enclosed area shall be cleaned weekly, although waste may be composted so long as the composting area meets the setback requirements that apply to the coop and prevent any odor detectable at the property line.~~

~~(G) No chicken shall be permitted to roam outside the coop or enclosure.~~

~~iv. Chicken feed shall be stored in rodent- and predator-proof containers.~~

~~v. Water shall be available to the chickens at all times. A watering device that incorporates a water warming device shall be supplied, used and maintained.~~

~~vi. Chickens shall not be slaughtered on site.~~

~~i. *Apiary.* The purpose of this subsection is to establish certain requirements of sound beekeeping practices, which are intended to avoid problems that may otherwise be associated with the keeping of bees in populated areas.~~

~~i. No more than the following number of colonies may be kept on any tract within the city, based upon the size of the tract upon which the apiary is situated:~~

~~(A) Less than or equal to one-half acre in size: two colonies;~~

~~(B) More than one-half acre in size: five colonies.~~

~~ii. A site plan shall be submitted for review by the community development department addressing the following:~~

~~(A) Any colony situated within twenty-five feet of a public or private property line shall require the establishment of a flyway barrier at least six feet in height consisting of a solid wall, fence, dense vegetation or combination thereof as approved by the community development department. Said barrier shall be parallel to the property line extending ten feet beyond the colony in each direction, forcing a flight pattern elevation of at least six feet above grade.~~

~~(B) A water source shall be provided on the property and no nearer than twenty feet to the hive to avoid bees congregating on nearby properties in a search for water.~~

~~(C) A sign conspicuously posted setting forth the name and phone number or other identifying marks, such as a registration number, of the responsible beekeeper.~~

iii. ~~In addition to the aforementioned conditions, the applicant shall ensure compliance at all times with the following conditions:~~

~~(A) All honey bee colonies shall be kept in Langstroth-type hives with removable frames, which shall be kept in sound and usable condition.~~

~~(B) All honey bee colonies shall be registered with the Utah Department of Agriculture and Consumer Services.~~

~~(C) Maintenance shall be such that no bee comb or other materials are left upon the grounds of the apiary site. Upon removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.~~

~~(D) All colonies shall be maintained with marked queens. The colony shall be promptly requeened if it exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation or swarming. Regardless of colony behavior, each colony shall be requeened on a yearly basis.~~

~~(E) Each Utah apiary shall meet all requirements and inspection schedules deemed necessary by the Utah Department of Agriculture and Consumer Services.~~

~~(F) Notwithstanding compliance with the various requirements of this subsection, it shall be unlawful for any beekeepers to keep any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others.~~



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MIDVALE CITY COUNCIL STAFF REPORT 4/16/2024

SUBJECT

Ordinance No. 2024-O-08 amending Midvale Municipal Code Sections 17-2-3 and 17-2-16, related to definitions of: Commercial Parking Lots, Parking Lots, Parking Structures, and Private Parking Lots.

SUBMITTED BY

Adam Olsen, Community Development Director

BACKGROUND AND OVERVIEW

Staff proposes amending definitions applying to several types of parking lots in the City. The proposed changes affect parking lot definitions in 17-2-3 and 17-2-16 of the Midvale Municipal Code; specifically, Commercial Parking Lots, Parking Lots, Parking Structures, and Private Parking Lots. The changes include the addition of 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.

At their February 27th meeting, the City Council approved temporary land use regulations adopting the changes to the above stated parking lot definitions. The temporary land use regulations are in effect for 180 days or until the Council adopts official revisions to the Code, whichever occurs first. Upon approval of the temporary land use regulations, staff initiated public notice for the standard process of adopting revisions, beginning with Planning Commission. The Planning Commission discussed the proposal at their March 13th meeting and forwarded a recommendation of approval to the City Council. An ordinance adopting the amendments is now before City Council for consideration.

STAFF RECOMMENDATION

Approval of the amendments.

RECOMMENDED MOTION

I move that we approve Ordinance No. 2024-O-08 amending the definitions for Commercial Parking Lots, Parking Lots, Parking Structures, and Private Parking Lots under Midvale Municipal Code Sections 17-2-3 and 17-2-16.

ATTACHMENT

Ordinance No. 2024-O-08

ORDINANCE NO. 2024-O-08

AN ORDINANCE AMENDING TITLES 17-2-3 and 17-2-16 OF THE MIDVALE MUNICIPAL CODE RELATED TO DEFINITIONS OF COMMERCIAL PARKING LOTS, PARKING LOTS, PARKING STRUCTURES AND PRIVATE PARKING LOTS.

WHEREAS, pursuant to Utah Code Annotated Sections 10-8-84 and 10-9a-501 through 10-9a-503, Midvale City (“the City”) has authority to make and amend any regulation of or within zoning districts or any other provision of the land use ordinance to promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the municipality; and

WHEREAS, on January 2, 2002, the Midvale City Zoning Ordinance, Title 17 of the Midvale City Municipal Code (the “Code”), became effective and is subject to amendments from time to time pursuant to Section 17-3-1 the Code; and

WHEREAS, pursuant to Section 16-04-010 of the Code, the City desires to promote the protection of public health, life and safety; protect the character and social and economic stability of all parts of the city; protect and preserve the value of land throughout the municipality; guide public and private policy and action; establish responsible standards; prevent pollution and degradation of air, streams, and ponds; preserve the natural beauty and topography; and provide for open spaces through the most effect design and layout of the land;

WHEREAS, pursuant to Section 17-1-1 of the Code, the City desires to promote coordinated development, redevelopment, effective use of land, and site planning; protect and promote public safety, health, and general welfare by providing adequate light and air, water and sewage control, police, fire and wetlands protection; and secure economy in governmental expenditures; and

WHEREAS, the City desires to amend Titles 17-2-3 and 17-2-16 relating to the definitions of Commercial Parking Lots, Parking Lots, Parking Structures, and Private Parking Lots; and

WHEREAS, the Planning Commission held a public hearing on March 13, 2024, to review the request for amendments and, after considering all the information received, made a recommendation to approve the amendment request to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on April 16, 2024 and

WHEREAS, after taking into consideration citizen testimony, planning analysis, and the Planning Commission’s recommendation as part of its deliberations, the City Council finds it is appropriate and within the best interest of the City to make changes to the Code.

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

Section 1. The following sections of the Midvale City Municipal Code are hereby amended as included in the following attachments to this document:

- Attachment A: Amending Titles 17-2-3 and 17-2-16 relating to the definitions of Commercial Parking Lots, Parking Lots, Parking Structures, and Private Parking Lots.

Section 2. This ordinance shall take effect upon the date of first publication.

PASSED AND APPROVED this 16th day of April, 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: _____

Attachment A:

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 I, 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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CITY COUNCIL MEETING *Minutes*

Tuesday March 26, 2024
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Marcus Stevenson

COUNCIL MEMBERS: Council Member Paul Glover
Council Member Bonnie Billings
Council Member Dustin Gettel
Council Member Bryant Brown
Council Member Heidi Robinson

STAFF: Matt Dahl, City Manager; Nate Rockwood, Assistant City Manager; Rori Andreason, HR Director/City Recorder; Garrett Wilcox, City Attorney; Glen Kennedy, Public Works Director; Mariah Hill, Administrative Services Director; Adam Olsen, Community Development Director; Laura Magness, Communications Director; Wendelin Knobloch, Planning Director; Jonathan Anderson, Planner II; Cody Hill, Economic Development Manager; Kate Andrus, RDA Program Manager; Chief Randy Thomas, UPD; Chief Brad Larson, UFA; and Matt Pierce, IT Director.

6:00 PM – WORKSHOP

- Discuss Citizen Survey – **[Nate Rockwood, Assistant City Manager]** Jason Neumeyer, Survey Researcher with Polco, discussed the Midvale Citizen Survey recently conducted for the community.

Key findings:

Economic Health, Overall Feeling of Safety, and Quality of Parks and Recreation Opportunities were the top 3 areas of importance for livability for Midvale residents.

Ease of travel by public transportation system and attracting people of diverse backgrounds were ranked higher in Midvale than across the nation.

Safety is the top priority for Midvale Residents. 8 out of 10 residents felt very or somewhat safe in their neighborhoods during the day and very or somewhat safe in Midvale's Main Street/commercial areas during the day.

[The NCS Presentation Midvale UT 2024.pptx](#)

7:00 PM – REGULAR MEETING

Mayor Marcus Stevenson called the business meeting to order at 7:11 p.m.

I. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE

B. ROLL CALL - Council Members Heidi Robinson, Dustin Gettel, Bryant Brown, Bonnie Billings, and Paul Glover were present at roll call.

C. UNIFIED POLICE AUTHORITY DEPARTMENT REPORT

Chief Randy Thomas began by going over the February staff report since he was only able to deliver a partial report last time. He expressed thanks to UDOT for their response to the under-bridge deck lighting issue; they were able to resolve the problem a lot quicker than they had initially reported.

The Chief gave recognition to Sergeant Aaron Levin for putting together one of the largest multi-agency operations they've had; they expected 70 officers and 133 showed up. The valley wide operation was very successful and resulted in 69 arrests, 10 stolen vehicles recovered, and 33 individuals booked into jail. The goal of these operations is public safety.

Chief Thomas reported on a domestic violence incident that occurred at The Station at Midvale Apartment complex. Due to circumstances, they had to do a limited evacuation. The suspect safely surrendered and has been charged. The Chief wanted to thank the apartment manager, Bianca Lopez, for her willingness to help in the situation.

The department will be assisting in a Special Olympic event at Top Golf this Saturday. Also, this Friday at 10:15 the Catholic church is doing a Good Friday walk.

Chief Thomas provided the Council with a summary of the officer awards as well as the Officer of the Year, Officer Chase Hebert.

Councilmember Dustin Gettel asked for an update on the murder at the massage parlor.

Chief Thomas explained that the suspect is still in California awaiting extradition to Utah, and it could be some time before he is extradited; however, he will report as he gets more information.

D. UNIFIED FIRE AUTHORITY DEPARTMENT REPORT

Chief Brad Larson began by reporting on the UFA Camp 57 for new recruits. The recruits began training on February 1st and are currently entering week eight of training. He reported that the level of fitness required to do this job is eye opening. He encouraged the Council to visit the Fire Departments website and social media accounts to see what the training entails. He said the department is seeing great physical improvements in the short time they've been there, and the recruits have successfully completed PPE and SCBA competence drills, apparatus familiarization, driving, and hose management skills, as well as competence in the confined space maze. They had their first live fire experience

last week in the flash over simulation prop and first interior fire experience during a controlled burn in a construction burn exercise. They are coming together as a group.

Chief Larson reported that Station 125 is getting a new type 1 engine as well as six new ambulances with four-wheel drive. Also, the EMS division is moving CPR certification around to service areas to make the training more available. Individuals can sign up on the UFA website or coordinate through Chief Larson.

He emphasized that the March safety message is on cooking safety, cooking is the most common cause of fires in the home, he encourages everyone to visit UFA's social media site as well as Midvale's website to learn more about fire safety.

The Chief wished Division Chief Steve Ball well in his retirement which began March 1st. Chief Ball has been with UFA since 2000 and was instrumental in high quality arson training at Unified Fire Authority.

Chief Larson recognized Station 126 for a call they responded to in January that they were subsequently presented with a lifesaving award related to their efforts on that call.

Firefighter Trent Martin discussed two cases where fire medics and captains went above and beyond in order to save two individual's lives. Trent expressed that the crew at Station 126 are always looking for ways to go beyond the standard care protocol to meet and exceed the standards already in place.

II. PUBLIC COMMENTS

Olivia Marron from District 1 asked Midvale City Council to pass a cease fire resolution. She expressed that other cities and states have passed a cease fire resolution. She asked for a call for a de-escalation and a cease fire. She said that we are 171 days into the genocide in Gaza, and the bombing is making it difficult to get medical supplies, fuel, food, and water into Gaza. She asked that the City immediately send adequate aid and supplies, pause all military aid to Israel and stop the shipment of weapons to the war zone, and secure the release of hostages and detained Palestinian prisoners.

Sara Anderson also asked for a resolution for cease fire in Gaza. Sara spoke of the stress and hardship mothers in Gaza are experiencing.

Jenna Martin said they are looking for some solidarity from Midvale City Council by passing a cease fire resolution. She believes that the money being sent should stay local instead of sending it elsewhere.

Megan agreed with the others that had spoken before her and asked for a cease fire. She pointed out that Utah was one of the first states to allow women to vote, one of the top states for accepting and resettling refugees within the US, and on the international stage having hosted the 2002 Olympics and with another Olympic bid. With that national exposure, she would like us to be a light on the hill and show our support of Palestine.

Sariah VanderVeur echoes her peers' sentiments. She asked for a declaration for a permanent cease fire and an end of US funding to Israel. She believes the city council has the voice necessary to influence leaders.

Weston Nichols, District 3, is concerned about the ongoing crisis in Gaza. A resolution asking for a ceasefire is imperative, but we must act with urgency to ensure a lasting peace. He is asking the Midvale City Council to pass a resolution asking for a cease fire.

Mayor Stevenson recapped the meeting he had earlier with the group commenting, he didn't feel like it was a good conversation, he doesn't want to misrepresent anything that was said, he is trying to connect how Midvale City making a resolution is going to make a difference for the people in Gaza. The issues surrounding the situation in Gaza aren't his expertise and he feels uncomfortable inserting himself into the subject. He is asking the group presenting the information and asking for the resolution to have a conversation with members of the Jewish community and ask for their help in drafting a joint resolution that can be presented to the different cities.

Council Member Bonnie Billings said she would like to keep an open mind about the conversation.

Council Member Dustin Gettel made it clear that what is going on in Gaza is not condoned. He agrees with the New Mexico Resolution; it is well written and to the point.

III. MAYOR REPORT

Mayor Stevenson said he talked to 70 businesses along 70th South about concerns concerning crime in the area. Some feedback was collected, and any business that is having a challenge involving crime and homeless residents impacting their business should know that the homeless shelter officers will meet with any business owner experiencing issues. If the Council is hearing from these businesses, please put them in touch with the homeless shelter officers.

Mayor Stevenson announced that he has been appointed to the Utah Homeless Services Board representing Midvale City as well as all the other shelter communities in the state.

Mayor Stevenson attended a Unified Fire Authority meeting recently where they were evaluating Chief Burchett. Everyone recognized the recent challenges in the organization and while everyone didn't agree on every point, they did agree that Chief Burchett needs to take more vacation time.

Mayor Stevenson recounted his experiences while on a ride along with UPD on a 10-hour shift. It was a fascinating experience watching the officers enforce the law while treating those they encountered with dignity and respect.

IV. COUNCIL REPORTS

A. Council Member Paul Glover – had nothing to report.

B. Council Member Bonnie Billings – reported that she met with constituents and will be hosting a conversation with the Casa Roja Street neighborhood regarding safety. It will be held April 9, at 6:30 pm here at city hall. Mayor Stevenson and Chief Thomas will be there as well.

C. Council Member Dustin Gettel – received calls from residents behind Top Golf reaching out regarding the trail at Bingham Junction Park wondering if there is a plan to connect to the Jordan River Trail. Further north that trail may be able to connect through Murray. He would like to look into the feasibility of connecting the trails and getting back to the residents. He would also like to see about drafting a resolution supporting a cease fire in Gaza. He is asking if there can be a discussion item added to talk about what that resolution might look like using the language from the resolution recently passed in New Mexico. Possibly a discussion item on April 2nd agenda and adoption at the April 16th meeting.

D. Council Member Bryant Brown – had nothing to report.

E. Council Member Heidi Robinson – thanked Public Works for making sure the streets are taken care of. A resident near Monroe and Princeton said thank you for adding silver lights to stop signs. And the No Parking signs on State Street have made a big difference.

V. CITY MANAGER REPORT

A. Matt Dahl, City Manager – had nothing to report.

VI. PUBLIC HEARINGS

A. CONSIDER A REZONE REQUEST FOR TWO PROPERTIES LOCATED AT 8253 S MAIN ST. IT IS PROPOSED THAT THE PROPERTIES CURRENTLY ZONED REGIONAL COMMERCIAL BE REZONED TO MULTIFAMILY RESIDENTIAL – MEDIUM TO HIGH DENSITY (R-25). INFORMATION REGARDING THE PROPOSED REGULATIONS, PROHIBITIONS, AND PERMITTED USES THAT THE PROPERTY WILL BE SUBJECT TO IF THE REZONE IS ADOPTED CAN BE FOUND IN MIDVALE CITY CODE 17-7-4.

Wendelin Knobloch said the rezone proposal is to change two parcels from RC to RM-25.

Council Member Bryant Brown said he doesn't think the parking map shown makes sense.

Wendelin Knobloch explained that this is just for the rezone, there is no development agreement presented. It's a concept right now.

-REZONE PROCEDURE-

Midvale City Code 17-3-1(E.) outlines the criteria necessary for granting a rezone as follows:

17-3-1 Criteria/Required Findings. ...rezoning of land is to be discouraged and allowed only under the limited circumstances herein described. Therefore, the planning commission may recommend, and the city council may grant, a rezoning application only if it determines, in written findings, that the proposed rezoning is consistent with the policies and goals of the general plan and that the applicant has demonstrated that the:

1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the 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 created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or
3. Land or its 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.

The proposed rezone satisfies Goal #1 and #3 listed above. Please see the Reason for Rezone provided by the applicant in the attachments.

Public notice has been sent to property owners within 500 feet of the subject parcel. No written objections have been received as of the writing of this report.

This proposal has been reviewed by Planning Staff, the City Engineer, the Unified Fire Authority, and Public Works for compliance with the respective guidelines, policies, standards, and codes. Staff finds the proposed rezone complies with requirements outlined in Midvale City Code.

MOTION: Council Member Paul Glover MOVED to open the public comment portion of the public hearing. The motion was SECONDED by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

Mitch Calgreen, McNeill Engineering, said he was representing the owner of the property, Darrell T. Smith Plumbing. His vision for the property is to have all the buildings tie together with a similar look and provide a legacy for the Smith family to the area. It will be called The Legacy Apartments. They considered asking for mixed use zoning, but to keep with the owner's vision of providing housing, they opted for high density residential similar to what is already there. The zoning allows for 1000 square feet of neighborhood commercial space, and they'd like to develop the ground floor of the north unit as

community commercial space. The south building has underground parking, and they'd like to do something similar with the new building. There will be green space between the buildings.

Council Member Bryant Brown said he would like the green space to be usable and not just a retention basin.

Kurt Smith, long time Midvale resident and son of Darrell Smith, said he wanted to assure the Council that they take pride in their buildings and apartments; they are local, and his wife manages the apartments. When they do develop, it will be something the family and city can be proud of.

MOTION: Council Member Dustin Gettel **MOVED** to close the public hearing. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

ACTION: Approve Ordinance No. 2024-O-03 Rezoning Properties located at 8253 S Main Street from Regional Commercial (RC) to Multifamily Residential – Medium to High Density (RM-25).

MOTION: Council Member Dustin Gettel **MOVED** to Approve Ordinance No. 2024-O-3 Rezoning Properties located at 8253 S Main Street from Regional Commercial (RC) to Multifamily Residential – Medium to High Density (RM-25). The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

- Council Member Bonnie Billings **Aye**
- Council Member Paul Glover **Aye**
- Council Member Heidi Robinson **Aye**
- Council Member Bryant Brown **Aye**
- Council Member Dustin Gettel **Aye**

The motion passed unanimously.

B. CONSIDER A MIDVALE CITY INITIATED TEXT AMENDMENT REQUEST TO AMEND SECTION 17-7-4.10(B)(1)(D)(III) F THE MULTIFAMILY RESIDENTIAL – MEDIUM TO HIGH DENSITY (RM-25) ZONE ALLOWING A MAXIMUM OF 5,000 SQUARE FEET OF NEIGHBORHOOD COMMERCIAL IN THE MIDVALE CITY MUNICIPAL CODE.

Wendelin Knobloch said that Midvale City requests an amendment to the above-listed chapter of the Midvale City Municipal Code. This section regulates Neighborhood Commercial in the RM-25 zone. The proposed amendment increases the allowable commercial square footage from 1,500 to 5,000 square feet. No other criteria will be

changed. Staff feels that due to the higher density of the zone, a larger commercial area would be feasible.

Public notice has been sent to affected entities as required in 17-3-9.B of the Municipal Code. No comments have been received as of the writing of this report.

-AMENDMENTS TO THE ZONING CODE OR MAP-

Midvale City Code 17-3-1 outlines the criteria necessary for amendments to the zoning code or map (Staff responses in **bold**):

17-3-1.E Amendments to the Zoning Code or Map.

1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan; **Response: The request is not for a rezone; rather, an amendment that increases the allowable amount of commercial space for Neighborhood Commercial in the RM-25 zone and satisfies ongoing community needs.**

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 created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or, **Response: This criterion is not applicable.**

3. Land or its 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; **Response: This criterion is not applicable.**

Council Member Bryant Brown said he wants to make sure that the developer is tied to using the commercial space for commercial uses.

Wendelin Knobloch said that the developer would have to re-apply if they want the zoning changed.

MOTION: Council Member Paul Glover MOVED to open the public comment portion of the public hearing. The motion was SECONDED by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

Mitch Calgreen said they are looking for a mixed-use type of development for the area. The planning staff suggested that they request mixed use because this is a better fit and benefit for the community.

MOTION: Council Member Dustin Gettel **MOVED** to close the public hearing. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

ACTION: Approve Ordinance No. 2024-O-04 Approving a text Amendment to amend Section 17-7-4. 10(B)(1)(d)(iii) of the Multifamily Residential – Medium to High Density (RM-25) zone allowing a maximum of 5,000 square feet of neighborhood commercial in the Midvale City Municipal Code.

MOTION: Council Member Dustin Gettel **MOVED** to Approve Ordinance No. 2024-O-04 Approving a text Amendment to amend Section 17-7-4. 10(B)(1)(d)(iii) of the Multifamily Residential – Medium to High Density (RM-25) zone allowing a maximum of 5,000 square feet of neighborhood commercial in the Midvale City Municipal Code. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

VII. CONSENT AGENDA

A. CONSIDER MINUTES OF March 12, 2024

MOTION: Council Member Paul Gettel **MOVED** to Approve the Consent Agenda. The motion was **SECONDED** by Council Member Bonnie Billings. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

VIII. ACTION ITEMS

A. CONSIDER RESOLUTION NO. 2024-R-16 AUTHORIZING THE MAYOR TO EXECUTE THE REVISED AND RESTATED INTERLOCAL COOPERATION AGREEMENT BETWEEN PUBLIC ENTITIES

GOVERNNG THE UNIFIED POLICE DEPARTMENT OF GREATER SALT LAKE

Garrett Wilcox said in 2023, the Utah State Legislature passed HB 374. HB 374 repealed statutory language requiring a county sheriff to lead a police interlocal entity in their county effective July 1, 2025. It was communicated by the bill sponsor, Rep. Teuscher, that the Legislature expected the Unified Police Department Board to remove the Salt Lake County Sheriff as its CEO by July 1, 2025. The passage of this bill required the UPD Board to consider changes to its governance structure and, consequently, its foundational interlocal agreement.

Rather than adopting a tenth amendment to UPD's foundational interlocal agreement, the UPD Board decided to draft a revised and restated agreement. During its existence, UPD's interlocal agreement has been amended nine times. UPD has also had members join and leave. Salt Lake County has indicated it will be withdrawing from UPD with the Salt Lake County Sheriff's departure as CEO of UPD. The UPD Board believes, and City staff agrees, that a revised and restated interlocal agreement will improve the accessibility and functionality of the agreement for its members.

Over the last seven months, the UPD Interlocal Committee met regularly to draft the revised and restated interlocal agreement. This Committee was composed of members' elected officials and attorneys. The Committee's goals were to (1) maintain the existing UPD entity, (2) incorporate the previous nine amendments, (3) strengthen UPD governance and organization, and (4) provide the framework for future members to join UPD. The attached Revised and Restated Interlocal Cooperation Agreement Between Public Entities Governing the Unified Police Department of Greater Salt Lake is the culmination of the Committee's efforts. It represents a compromise document that was negotiated among its members. It was formally recommended for adoption by the UPD Board in a special meeting on March 13, 2024.

Many things remain the same under the revised and restated interlocal agreement. The division of precinct and shared services remains the same. Members can expect a continuation of the same police service they have been receiving. Member fees, voting (including weighted voting), the preliminary budget increase maximum, the merit system, and the process for UPD dissolution all remain the same under the revised and restated agreement.

However, the revised and restated interlocal agreement includes some significant differences. Most notable is the governance of UPD. Instead of an independently elected sheriff automatically taking the role as CEO of UPD, the UPD Chief/CEO will be appointed by and will be directly accountable to the UPD Board. Additionally, UPD's executive staff must be approved by and are subject to removal by the UPD Board. They owe an independent duty to report to the Board. Several other notable changes include the recognition of member fund balances, the process to amend the interlocal agreement, the process to admit new members, and the withdrawal formula.

Several members, including Brighton, Copperton, Magna, Kearns, and White City, have already passed resolutions stating that they will remain members of UPD. They and other members are now in the process of adopting and executing the Revised and Restated Interlocal Cooperation Agreement Between Public Entities Governing the Unified Police Department of Greater Salt Lake prior to July 1, 2024.

City staff recommended adoption of the Revised and Restated Interlocal Cooperation Agreement Between Public Entities Governing the Unified Police Department of Greater Salt Lake. After carefully considering the available options, City staff believe that remaining a member of the Unified Police Department is in the best interest of the City. Residents, businesses, and visitors will continue to receive a high level of service by qualified, trained, and experienced officers. The City will receive the support of other member communities and specialized officers during emergencies. The City will financially benefit from economies of scale of sharing services with other member communities. And, with the changes to the governance of the organization, the City will benefit from a UPD Chief/CEO that is solely accountable to the UPD Board

Mayor Stevenson thanked everyone involved with getting to this point in the UPD Interlocal Agreement.

Council Member Paul Glover asked how the assets are divided and how we really know what the costs will be.

Mayor Stevenson explained that the equipment belongs to Midvale. Based on the negotiations, he is confident Midvale can stay within the original budget.

Council Member Dustin Gettel asked for clarification on the role of Chief Jason Mazuran and who he actually works for.

Mayor Stevenson explained that Chief Mazuran is a UPD employee.

MOTION: Council Member Heidi Robinson **MOVED** to Approve the Resolution No. 2024-R-16 Authorizing the Mayor to Execute the Revised and Restated Interlocal Cooperation Agreement Between Public Entities Governing the Unified Police Department of Greater Salt Lake. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

B. CONSIDER RESOLUTION NO. 2024-R-17 APPROVING AN EVENT SPONSORSHIP POLICY

Matt Dahl said that Midvale City has not regularly sought out sponsorships from businesses for city-run events. Currently, Midvale City Code does not prohibit sponsorships, however, Midvale City staff are required to come before the City Council prior to the acceptance of each monetary donation.

This year, the Harvest Days Festival Committee would like to pursue sponsorships to enhance the offerings at the Harvest Days Festival, without additional cost to the taxpayers. This also gives Midvale businesses an opportunity to actively engage in the Harvest Days Festival, of which businesses have requested more ways to participate. The request to sponsor events has been growing for many of Midvale's city-run events, as well as throughout the valley. Many municipalities have adopted policies or procedures to allow for event sponsorships.

After reviewing how sponsorships could be beneficial to Midvale, and researching how other communities have approached sponsorships, Midvale City staff have drafted a sponsorship policy for city-run events. The sponsorship policy authorizes the city manager to consider and accept sponsorships that are under \$5,000 in value. This policy outlines:

- Accepting a proposed sponsorship is at the discretion of the City.
- Proposed sponsorships will not be accepted from entities with business before the City, that have violated State or Local laws, or that violate community standards.
- The City reserves the right to terminate sponsorships that violate the sponsorship policy.
- Other terms, as furthered outlined in the attached Event Sponsorship Policy.

Council Member Dustin Gettel asked Matt Dahl if he is the staff member that would make the final decision on sponsorship.

Matt Dahl explained that he can approve any sponsorship under \$5000. If he feels like there is a conflict, he can take it to the Council. He also said that any appeal can be heard by the Council.

Council Member Dustin Gettel asked about allowing political Sponsorship.

Matt Dahl said that political sponsorship will not be approved.

MOTION: Council Member Bonnie Billings MOVED to Approve Resolution No. 2024-R-17 Approving the Midvale City Event Sponsorship Policy. The motion was SECONDED by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye

Council Member Bryant Brown **Aye**
Council Member Dustin Gettel **Aye**
The motion passed unanimously.

C. CONSIDER RESOLUTION NO. 2024-R-18 MODIFYING THE AUTHORIZATION OF MITIGATION FUNDS FOR THE ROAD HOME

Matt Dahl said that the State Homeless Shelter Cities Mitigation (HSCM) Fund was established in 2018 through legislation (HB 499) with the objective to alleviate the impact of year-round and emergency shelters on the host cities throughout the State. The HSCM Restricted Account is funded through sales tax revenue from cities that do not host eligible shelters and direct funding from the state. Host cities must reapply for HSCM funds each year, and funds awarded must be used within the fiscal year in which they are awarded. The Office of Homeless Services (OHS) is responsible for reviewing the applications from eligible municipalities to ensure funding requests are directed to eligible services (public safety, direct services, or emergency services which mitigate the impacts of the eligible shelter on the municipality) and disbursing funds to eligible entities (municipalities and designated service providers, like shelter operators) from the Homeless Shelter Cities Mitigation Fund, following the guidelines and formula outlined in Utah State Code 35A-16-4.

This fiscal year, Midvale City received \$2,893,318, which was approved to fund the FTE for 6 Shelter Resource Officers, 3 patrol officers, 0.5 victim advocate, insurance and supplies needed for these FTEs, a weekly clean-up of the 7200 S Corridor, and a sidewalk and crosswalk along 700 W (from where the sidewalk ends in front of Pro Storage Midvale to Midvale City Hall).

In December, OHS notified Midvale City that more funds than expected were available in the HSCM Restricted Account and an additional \$228,000 (one-time) would be awarded to Midvale City, which must be used by June 30, 2024. Since Midvale City cannot expect these funds in future fiscal years, Midvale Staff worked with stakeholders and service providers to identify the greatest needs that are non-programmatic (or could be achieved through a one-time funding). Midvale City plans to purchase daily bus passes and Narcan for our patrol and shelter resource officers to assist homeless individuals when they are working in the ½ mile radius surrounding the Midvale Family Resource Center (MFRC).

With the remaining \$205,000, Midvale City Council approved Resolution 2024-R-05 on January 16, 2024, to authorize OHS to work directly with The Road Home (shelter operator for MFRC) to fund specific types of facility improvements and housing programs.

Recently, The Road Home has had an influx of shelter-seeking families who are not eligible to receive services funded by the Federal Temporary Assistance for Needy Families Program (TANF). TANF is the primary source of funding for MFRC operations. The significant number of TANF ineligible families currently receiving services at the MFRC will reduce the overall revenue received by the facility. The Road Home is working with partners throughout Utah to find alternative temporary housing options for the

families that are not eligible for TANF and are seeking to utilize some of the HSCM funding transferred to The Road Home, as directed in Resolution No. 2024-R-05, to help in this effort. The Road Home is able, according to Utah State Code 35A-16-401(4), to use the HSCM funds to cover the costs of temporary housing for these families. To utilize these funds for temporary housing, the Midvale City Council would need to modify the eligible uses listed in Resolution 2024-R-05. Staff is proposing to adopt a new resolution authorizing the transfer of HSCM funds to The Road Home and adding that up to \$100,000 of the transferred funds may be used for any mitigation efforts allowable under 35A16-401(4), Utah Code Ann.

Council Member Paul Glover asked if this, being one-time money, will they see us allocating it for other uses and not grant the money again.

Matt Dahl stated that he doesn't believe it will be viewed that way. The legislative sponsor agrees with how we are using the money.

Mayor Stevenson added that if we can cover other police-related costs, that leaves us with extra funds and we are allowed to use the money for other areas.

MOTION: Council Member Heidi Robinson **MOVED** to Approve Resolution No. 2024-R-18 a Resolution Modifying the Authorization of the Mayor to direct Additional State Homeless Shelter Cities Mitigation Program Funds to The Road Home. The motion was **SECONDED** by Council Member Paul Glover. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

D. CONSIDER RESOLUTION NO. 2024-R-19 AUTHORIZING THE MAYOR TO EXECUTE THE FESTIVAL LIGHTING AND CITY HALL IMPROVEMENT CONSTRUCTION ACCESS AND TRANSFER AGREEMENT WITH THE REDEVELOPMENT AGENCY OF MIDVALE CITY

Kate Andrus said that this spring, the Redevelopment Agency of Midvale City ("Agency") is initiating two significant construction projects within the Main Street Community Development Area (CDA): the City Hall Plaza and the Festival Lighting Project. Although funding for both projects come from the Agency's budget, they provide improvements to property owned and maintained by Midvale City. Therefore, Agency staff are requesting City Council approval to enter into the agreement with the Agency. This agreement will grant the Agency access to improve the designated City-owned properties. Furthermore,

it outlines the transfer of ownership and maintenance responsibility for the improvements back to the City upon completion of construction and the warranty period.

[ACTION ITEM VIII. D AND E.pptx](#)

MOTION: Council Member Heidi Robinson **MOVED** to suspend the rules and Approve Resolution No. 2024-R-19 Authorizing the Mayor to Execute The Festival Lighting and City Hall Improvement Construction Access and Transfer Agreement with The Redevelopment Agency of Midvale. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

E. CONSIDER ORDINANCE NO 2024-O-05 AMENDING CHAPTER 9.32.09 OF THE MIDVALE MUNICIPAL CODE REGARDNG ALCOHOLIC BEVERAGES IN PUBLIC PARKS AND PUBLIC PLACES

Kate Andrus discussed proposed amendments to the Midvale City Municipal Code that modify existing regulations concerning the consumption of alcoholic beverages in public parks and public places. Currently, Code 9.32.090 prohibits the consumption and possession of alcohol on all public property and public right-of-way. The catalyst for this code amendment includes the recent ability for restaurant and entertainment businesses on Midvale Main to enter use agreements for the use of bulb outs and other publicly owned property on Midvale Main to enable outdoor dining. This amendment would allow those businesses with appropriate liquor licenses to serve alcohol in these leased areas. In addition, it will provide the opportunity for events to host beer gardens or other related activities. This will be pivotal in activating Midvale Main through events, creating a controlled environment for the consumption of alcohol when appropriate.

The proposed amendment follows models adopted by similar cities, including Salt Lake City, Ogden, Park City, and Moab. This amendment provides a framework for allowing alcohol consumption in public parks and public places under the following conditions and requirements:

1. Approved Site Plan Requirement: The proposed amendment allows the consumption and possession of alcoholic beverages in specified public areas if the location is included in an approved site plan filed with the City by a licensee.
2. Compliance with State and Local Regulations: The amendment specifies that any licensee wishing to allow alcohol consumption must adhere to all state and local regulations related to the sale and distribution of alcoholic beverages. If

approved, this proposed code amendment will enable certain permitted events and businesses to serve, sell, and allow the consumption of alcohol on City-owned property. This will only be allowed under the conditions and requirements stated above.

City staff believes that the proposed code amendment provides an approach that allows for controlled and regulated alcohol consumption within specific public areas. It offers potential benefits for local businesses and events while maintaining public safety and adherence to both state and city regulations.

Council Member Paul Glover stated that he has heard from citizens who are on board with alcohol on Main Street but not in public parks, and he shares their concerns.

Council Member Dustin Gettel said he is also concerned about alcohol in a city park.

Kate Andrus explained that a business would have to present their plan and liquor license to DABS to obtain a temporary permit.

Garret Wilcox said that there would be a site plan for the event that the business would be getting the temporary permit for, and that site plan would outline where the alcohol would be permitted.

Kate Andrus explained that DABS has strict regulations such as the alcohol service and consumption must be contained in a fenced in area.

Matt Dahl explained that the City also can approve or reject an application.

Council Member Dustin Gettel said he assumed that the request to change the ordinance was so a vendor could have a beer garden at Harvest Days.

Council Member Bryant Brown gave a couple of hypothetical situations of what someone may request a permit for.

Garret Wilcox explained that the DABS has strict rules relating to proximity to schools, churches, and youth clubs and centers.

Council Member Dustin Gettel said he would like to see "parks" removed from the ordinance completely or table the ordinance until later.

Council Member Bonnie Billings suggested that applications be considered on a case-by-case basis since we can't know every single situation before it is requested.

Council Member Dustin Gettel said he doesn't understand the point of the change to the ordinance yet.

Mayor Stevenson said he anticipates alcohol permits being requested as more people use Midvale's open spaces.

Garret Wilcox reminded the Council that any changes to the request as presented cannot be made on the spot, the ordinance will have to be tabled and then changes made. The State Code states any changes have to be presented in writing.

Matt Dahl said that by leaving the parks in the ordinance, the City has more control over what they will and will not allow.

Council Member Heidi Robinson said that the way the ordinance is written, the safeguards are in place so the City is protected.

MOTION: Council Member Dustin Gettel MOVED to Table this Ordinance No. 2024-O-05 pending clarification of questions. The motion was SECONDED by Council Member Paul Glover. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	No
Council Member Paul Glover	Aye
Council Member Heidi Robinson	No
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed 3-2 in favor.

Matt Dahl asked if those that voted to table the ordinance just want parks removed or other adjustments made.

Council Member Paul Glover said he wants parks removed.

Council Member Dustin Gettel said he doesn't feel like his questions were sufficiently answered and wants more discussion. He wants to hear from residents on whether they want alcohol in the park. He also believes that once the City says yes to a group, they won't be able to ever say no.

Garret Wilcox used St. George City as an example, stating that if a group meets all the safety requirements to hold a special event, we don't have grounds to deny the event. The alcohol issue is a grayer area with a little more flexibility, but we still don't have unlimited discretion.

MOTION: Council Member Dustin Gettel MOVED to recess to hold the RDA meeting. The motion was SECONDED by Council Member Bryant Brown. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The Council recessed at 10:06 and reconvened at 10:14 p.m.

IX. CLOSED SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY

MOTION: Council Member Dustin Gettel **MOVED** to go into a closed session to discuss the purchase, exchange, or lease of real property. The motion was **SECONDED** by Council Member Bonnie Billings. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

The Council went into closed session at 10:16 p.m.

MOTION: Council Member Dustin Gettel **MOVED** to reconvene into open session. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The Council reconvened into open session at 11:08 p.m.

X. ADJOURN

MOTION: Council Member Paul Glover **MOVED** to adjourn the meeting and re-enter the Redevelopment Agency meeting. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The meeting adjourned at 11:08 p.m.

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

Approved this 16th day of April, 2024



CITY COUNCIL MEETING *Minutes*

Tuesday April 2, 2024
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Marcus Stevenson

COUNCIL MEMBERS: Council Member Paul Glover
Council Member Bonnie Billings
Council Member Dustin Gettel
Council Member Bryant Brown
Council Member Heidi Robinson

STAFF: Matt Dahl, City Manager; Nate Rockwood, Assistant City Manager; Rori Andreason, HR Director/City Recorder; Garrett Wilcox, City Attorney; Glen Kennedy, Public Works Director; Mariah Hill, Administrative Services Director; Adam Olsen, Community Development Director; Kate Andrus, RDA Program Manager; Lt. Ken Malone, UPD; Chief Brad Larson, UFA; and Josh Short, Junior Network Administrator.

6:00 PM – WORKSHOP

- Discuss FY2025 Budget

Matt Dahl reviewed several projects and funding within the City which included the following:

- Public Works Facility
- 7200 South Corridor Development
- Recreation Center and Community Pool
- Entry Way Signs
- Active Transportation Projects
- Center Street Linear Park
- 2024 Sewer Rehabilitation Projects
- Center Street & High-Tech Drive
- Series 2023 Water Bond Project
- Jordan Bluffs Development
- Midvale Main Street Revitalization

7:00 PM – REGULAR MEETING

Mayor Marcus Stevenson called the business meeting to order at 7:06 p.m.

I. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE

B. ROLL CALL - Council Members Heidi Robinson, Dustin Gettel, Bryant Brown, Bonnie Billings, and Paul Glover were present at roll call.

C. UNIFIED FIRE AUTHORITY DEPARTMENT REPORT

Chief Brad Larson reported that 52 Firefighters applied for the Captain testing process, which represents about 10% of the organization. The written test will be held April 3rd and April 4th. The top 27 candidates will be advanced and moved to an incident exercise. The top 20 candidates will be placed on a waiting list and placed permanently as openings become available.

Chief Larson also said that during the recent legislative session, UFA prioritized 35 bills that could affect Unified Fire Authority, 8 or 9 of those pertained to fireworks, building and fire codes.

The Chief added that the fireworks restriction letters have been sent out to all of the municipalities. Each municipal body must define the area that will be closed to fireworks and provide a map showing the defined restriction area to the county before May 1st, the county must have the map available to the public and vendors before June 1st. Chief Larson is planning to get with the GIS department and take a look at Midvale's current map and present it, with an overlay of suggested new areas, at the meeting on April 16th.

Chief Larson's March Fire Safety Message is to follow safety guidelines for spring cleaning. He wants to remind residents to properly use and store cleaning supplies, paint, and gasoline; inspect grills to make sure they are in good working order; keep debris away from the house; and clean out clothes dryer vents.

The Chief wanted to wish Lynn Egbert a happy retirement. He served as the area Fire Marshal for Herriman and Riverton for 20 years.

Mayor Stevenson added that he was approached by Chief Burchett with a request to over hire by approximately 6 employees to combat the large number of personnel retiring and leaving the department shorthanded. This hasn't been approved yet but is in the process.

II. PUBLIC COMMENTS

Olivia Marron thanked the Council for acknowledging the things the group said to them last week. She reminded everyone that every public statement counts. Olivia gave a recap of the atrocity that happened this last week in Gaza. She specifically spoke about the World Food Kitchen.

Razon Auchaleeb pointed out that she is indigenous to the land of Palestine; she is Smite. Razon gave a background of her family and how they live in Palestine, she is asking everyone to acknowledge the land theft, ethnic cleansing, and brutality done against the Palestinian people. This is not a conflict.

Aziz Abisaid said there are many in Gaza that have been murdered and are homeless. He is from Gaza; he was born there. He knows this information is readily available online; however, he wants to remind everyone that what we do here in the United States matters and makes a difference for those in Gaza. He hopes the Council votes for the resolution.

Jenna Martin pointed out that the medical first responders in Gaza are the same as the medical first responders in the United States. She asked the Council to vote for a cease fire.

Marta DeSilva read an email she sent to the Council. In the email she thanked the Council for holding the meeting to discuss the cease fire resolution. This is opening the door for other cities to do the same. Marta gave a background of Gaza and recapped what is currently going on.

Aimee Klein is representing American Jew's in Utah and is asking for passage of a permanent cease fire resolution.

Abbie Carrol explained that the recent 18 billion dollar aide package that the Biden administration has approved is going to be used to send weapons that will be used against the Palestinian people. She recapped what was going on with the people in Gaza and thanked the Council for considering the resolution.

Cooper Bingham said he appreciates and thanks those that put this resolution on the agenda. He said it cannot be enough and encourages the Council to keep pushing for passage of the resolution. By doing this, Midvale has shown that they are doing more about this than anyone else in Utah.

Sara expressed gratitude to the Council for their willingness to listen and consider the cease fire resolution. She explained that she has spent the last 6 months trying to realize what they are seeing in Palestine.

Weston Nichols said last week after the Council meeting, he argued with his mother. She was against protesting as a means for change, and she didn't want to speak to the council which frustrated him. He thanked Matt for listening and participating in the discussion.

Grey from Glendale began by stating that she is not from Midvale and is misrepresented by Salt Lake City Council District 2. She gave a recap of what is going on in Gaza and she hopes that the resolution recognizes that the people of Midvale wish that the US House of Representatives and Senators will sign onto the US House Resolution 786 which asks for a permanent cease fire. She wants the resolution to state that Midvale does not agree with funding of genocide in Gaza with tax dollars and stated that \$533, 877.00 come from Midvale taxes.

Sariah Vanderveur agreed with her peers and said that the Salt Lake City Council hasn't listened. She thanked the Council for listening and encouraged them to pass the cease fire.

Mayor Stevenson said he wanted to clarify that Midvale city government is not cutting a check for any international aid that would be including weapons or bombs; we all pay federal taxes.

Brent Burgon residing at 7542 Jefferson Street, thanked the Council for the time they spend on behalf of the residents. He is against changing the code regarding alcohol in public parks and public places. He said he shares a property line with the city park and asks that city parks not be included in the initial amendment. He would like to see the amendment start with Main Street and if that is successful, then broaden the scope. He said his neighbors also agree. He would like this amendment to be handled like a zoning change would be, with a public notice published and input from residents. Think big, start small.

Meg Griffiths, resident of Salt Lake City, said she is in support of a cease fire resolution.

III. MAYOR REPORT

Mayor Stevenson said the Salt Lake County free recreation program has officially started, kids ages 5-18 can get into rec centers for free. Also, bulky waste pickup started this week and goes until next week depending on when your trash pickup day is. He reminded residents to please keep debris out of the gutters.

IV. COUNCIL REPORTS

- A. Council Member Paul Glover** – said he talked to businesses on 7200 South and they appreciate UPD listening to their concerns.
- B. Council Member Bonnie Billings** – said she is hosting a community conversation at city hall at 6:30 next Tuesday. They will be talking about community safety and will pass out fliers this week. This conversation is open to anyone but is focused on the Casa Roja streets.
- C. Council Member Dustin Gettel** – thanked those that spoke on Gaza. He also has the trophy for the fantasy football champion. The winner is Jim Walkingshaw in Public Works.
- D. Council Member Bryant Brown** – expressed a thank you for the Arabic speakers. He said he appreciates everyone that comes out to the meetings and sends emails. He appreciates the opportunity to engage.
- E. Council Member Heidi Robinson** – expressed thanks for everyone that came and spoke about the cease fire.

V. CITY MANAGER REPORT

- A. Matt Dahl, City Manager** said he had nothing to add.

VI. ACTION ITEM

A. CONSIDER ORDINANCE NO. 2024-O-05 APPROVING AMENDMENTS TO CHAPTER 9.32.090 OF THE MIDVALE MUNICIPAL CODE REGARDING ALCOHOLIC BEVERAGES IN THE PUBLIC PARKS AND PUBLIC PLACES

Kate Andrus said on March 16, 2024, City Council held a discussion regarding proposed amendments to Chapter 9.32.090. On March 26, 2024, city staff brought back these proposed amendments to City Council for adoption. These amendments modify existing regulations concerning the consumption of alcoholic beverages in public parks and public places. The proposed amendment provides a framework for allowing alcohol consumption in public parks and public places under the following conditions and requirements:

1. **Approved Site Plan Requirement:** The proposed amendment allows the consumption and possession of alcoholic beverages in specified public areas if the location is included in an approved site plan filed with the City by a licensee.
2. **Compliance with State and Local Regulations:** The amendment specifies that any licensee wishing to allow alcohol consumption must adhere to all state and local regulations related to the sale and distribution of alcoholic beverages

Upon further discussion by the Council, it was moved to table this item with a request for staff to bring back this same proposed amendment along with an alternate amendment that would remove Public Parks as an allowable place for the consumption of alcohol.

The catalyst for this code amendment includes the recent ability for restaurant and entertainment businesses on Midvale Main to enter use agreements for the use of bulb outs and other publicly owned property on Midvale Main to enable outdoor dining. This amendment would allow those businesses with appropriate liquor licenses to serve alcohol in these leased areas. Additionally, it will provide the opportunity for events to host beer gardens or other related activities. This will be pivotal in activating Midvale Main and other Midvale locations through events, creating a controlled environment for the consumption of alcohol when appropriate.

City staff believes that the proposed code amendment allowing for alcohol consumption in public parks and public spaces can help to activate city-owned spaces as well as to establish Midvale City as a destination for increased festivals and fairs, in which the community can enjoy. Many festivals ranging from the Salt Lake City Living Traditions Festival, Ogden Twilight Concert Series, Park City Arts Festival, and Moab Music Festival have historically offered the ability to consume alcohol within a controlled environment. This ability is believed to provide an added experience for patrons and can be a significant draw for increased participation. Midvale City has always celebrated its diversity and welcomes a variety of cultural events. This amendment would provide the option to provide this added experience that enhances these events in a way for all to enjoy.

Council Member Paul Glover asked Garret Wilcox to explain about the public intoxication prohibited part of the proposal as well as the part about omitting parks.

Garret Wilcox explained that public intoxication is currently illegal, and it will be illegal for alcohol to be consumed in a place not approved by the Utah Division of Alcohol and Beverage Services (DABS) and also approved by the City in the event site plan application.

Council Member Bryant Brown said he would like a phased approach. Try it on Main Street first.

Mayor Stevenson added that the Paul family is trying to re-start the Cinco De Mayo celebration and was looking for a Bud Light sponsorship. He said it was his assumption that they would want to also sell beer.

Council Member Dustin Gettel pointed out that the new Cactus and Tropicals area and The Plaza would be two decent locations for a beer garden. He would like to hear from law enforcement about their experience with public parks and alcohol.

Council Member Bonnie Billings said she would also like to hear what law enforcement has to say.

Council Member Bryant Brown said he would like to involve Public Works in the decision.

Lt. Ken Malone said responsible consumption of alcohol has no impact on public safety. It's the irresponsible use of alcohol that is the problem. The group asking for the permit should be taken into consideration.

Council Member Bonnie Billings asked if Lt. Malone could remember any problems in the past.

Lt. Ken Malone recalled one isolated incident. He said public intoxication calls usually occur on private property, at a private residence.

Council Member Heidi Robinson said she doesn't want to limit the City's goal of a connected, walkable community by not allowing alcohol at an event in the park.

Mayor Stevenson said he believes that the City would be missing out on event opportunities if alcohol was not allowed.

Council Member Bryant Brown said he grew up back east where there is personal choice involved in attending an event that serves alcohol, but this will be a big change for many residents. Living in proximity to the park seems to be a deciding factor for many residents.

Council Member Bonnie Billings said she would like to take a phased-in approach with a timeline to revisit the subject. She thinks waiting a year is too long, it would impact

planning for future events. Revisiting at the end of the festival season is a better timeline so event promoters have time to plan based on the decision the Council makes.

Matt Dahl pointed out that in the spirit of diversity and inclusion, some of the new events push the limits of what's allowed, and the staff works hard to listen to every point of view.

MOTION: Council Member Heidi Robinson **MOVED** to Approve Ordinance No. 2024-O-05 Approving Amendments to Chapter 9.32.090 of the Midvale Municipal Code Regarding Alcoholic Beverages in the Public Parks and Public Places as provided in Attachment A. The motion was **SECONDED** by Council Member Bonnie Billings. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	No
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	No
Council Member Dustin Gettel	Yes

The motion passed 3-2 in favor.

VII. POSSIBLE CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL

MAYOR: Mayor Marcus Stevenson

COUNCIL MEMBERS: Council Member Paul Glover
Council Member Bonnie Billings
Council Member Dustin Gettel
Council Member Bryant Brown
Council Member Heidi Robinson

STAFF: Matt Dahl, City Manager; and Rori Andreason, HR Director/City Recorder.

MOTION: Council Member Bonnie Billings **MOVED** to go into a closed session to discuss the character, professional competence or physical or mental health of an individual. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

The Council went into closed session at 8:50 p.m.

MOTION: Council Member Dustin Gettel MOVED to reconvene into open session. The motion was SECONDED by Council Member Bryant Brown. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The Council reconvened into open session at 10:22 p.m.

VIII. ADJOURN

MOTION: Council Member Paul Glover MOVED to adjourn the meeting. The motion was SECONDED by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The meeting adjourned at 10:22 p.m.

**Rori L. Andreason, MMC
H.R. DIRECTOR/CITY RECORDER**

Approved this 16th day of April, 2024



MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: April 16, 2024

SUBJECT: Consideration of Resolution No. 2024-R-20 Establishing the 2024 Firework Restriction Map in Midvale

SUBMITTED BY: Erinn Summers, Project and Policy Manager

SUMMARY:

Utah State Code (State Code) limits the authority of cities to prohibit fireworks, requiring that specific conditions and timelines be observed. Midvale City staff and the Unified Fire Authority (UFA) are of the opinion that State Code §15A-5-202.5 and §53-7-225 grant the Midvale City Council the authority to restrict fireworks at this time, based on a finding that “existing conditions” merit the restriction of fireworks in designated areas.

The process for expanding firework restrictions is found in Subsections 202.5(b)(1) and 202.5(b)(2) of State Code §15A-5-202.5, requiring that the legislative body:

- Only restrict fireworks around defined hazardous areas, which include wild land urban interfaces, and mountainous, brush-covered, forest-covered, or dry grass-covered areas; and
- Designate the restricted area along readily identifiable features like major roadways, waterways, or geographic features; and
- Ensure that the boundary of the designated restricted area is as close as is practical to the defined hazardous area, provided that the closed area may include areas outside of the hazardous area to facilitate a readily identifiable line; and
- Identify the restricted area through a written description or map that is readily available to the public.

Midvale City currently has firework restrictions along the Jordan River, over Salt Lake County Parks within Midvale, and covering most of the Jordan Bluffs neighborhood (i.e., Holden Street to the Jordan River, south of 7800 South). This designation was made several years ago based on historic conditions as provided in State Code.

Based on the restrictions in State Code and existing conditions, the UFA Fire Marshal identified hazardous areas in Midvale. Midvale City staff, based on the written recommendation of the UFA Fire Marshal, propose that we expand the areas where fireworks are prohibited as follows:

- Buffer around the Jordan River: Staff proposes that we adjust the current firework restrictions near the Jordan River to run along readily identifiable roadways. As illustrated in the attached map, the proposed boundary extends to Euro Drive, starting on Center Street, heading northbound. It then runs along Tuscany Road eastbound, until Bingham Junction Blvd. The proposed boundary follows along Bingham Junction Blvd northbound until turning west and running along Junction View Drive. The proposed boundary then

runs north along Fl Smidth Drive, across 7200 S, where the Road turns into River Gate Drive, finally turning west, running along River Reserve Ct. The adjustments to the boundaries would create a buffer around the Jordan River, a historical hazardous area, while keeping the restriction as close as is practical to the defined hazardous area.

- **City Parks:** The proposed boundaries extend the firework restrictions to Adams Street Park (a linear park running along I-15, just North of Copperview Recreation Center), Fire Station 126 Park (located behind the station), Fire Station 125 Park (located just East of the station), Constitution Park (Midvale City Hall), Fort Union Park (located in the Shops at Fort Union complex), and to Midvale City Park and Cemetery. Midvale City Staff and UFA find the existing conditions merit the restriction of fireworks in these parks.

The Midvale City Council must make its own determination of the areas where fireworks will be restricted, and pass a resolution or ordinance enacting the restrictions per State Code. Any action by the City Council enacting restrictions would need to make a finding regarding the existing conditions and meet the requirements of 202.5(b).

Staff will be prepared to discuss the options for firework restrictions during the meeting. A proposed fireworks restriction map and resolution are attached for City Council consideration.

Recommended Motion - Approve: I move that we approve Resolution No. 2024-R-20 Establishing the 2024 Firework Restriction Map in Midvale.

Attachments: Resolution 2024-R-20, Proposed Firework Restriction Map

**MIDVALE CITY, UTAH
RESOLUTION NO. 2024-R-20**

**A RESOLUTION ESTABLISHING THE 2024 FIREWORK RESTRICTION MAP IN
MIDVALE**

WHEREAS, Midvale City (City) is a body corporate and politic of the State of Utah; and

WHEREAS, in 2018, the Utah Legislature modified State regulations regarding the authority of local governments to regulate the sale and discharge of fireworks and can primarily be found in Utah Code Ann. §15A-5-202.5 and §53-7-225; and

WHEREAS, Utah Code Ann. §15A-5-202.5 provides that a municipality may restrict ignition sources if its fire code official finds that existing conditions necessitate controlled use of any ignition source, including fireworks;

WHEREAS, the Midvale City Council finds that certain areas of Midvale City present dangerous conditions relating to fire danger; and

WHEREAS, the City's fire code officials have provided an opinion to the City that the above-referenced findings of the City are accurate and the fire danger withing certain areas of the City is significant and that such danger would be reduced by prohibiting the discharge of personal fireworks within those certain areas of the City; and

WHEREAS, this recommendation complies with the requirements of Utah Code Ann. §15A-5-202.5 as it only restricts fireworks around defined hazardous areas, designates the restricted area along readily identifiable features, ensures that the boundary of the designated restricted area is as close as is practical to the defined hazardous area, and identifies the restricted area through a map readily available to the public; and

WHEREAS, the Midvale City Council has determined that the minimal restriction on public convenience which would occur through a restriction on the use of personal fireworks is significantly outweighed by the need to protect public health and safety and to take precautions to guard against the existing fire danger.

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

Section 1. Restriction on Personal Fireworks. Pursuant to the provisions of Utah Code Ann. §15A-5-202.5, and based on the findings as noted above, the use of personal fireworks is hereby prohibited in the areas of Midvale described below and depicted in the attached map:

- a. Along the Jordan River, extending East to the closest identifiable road; and
- b. Midvale City-owned parks and open spaces, excluding rights-of-way not contained in the areas described in subsections (a).

This prohibition shall remain in effect until terminated or superseded by resolution by Midvale City Council. This restriction shall not apply to permitted public fireworks displays authorized by the City and approved by the City's fire code official.

Section 2. This Resolution shall take effect immediately.

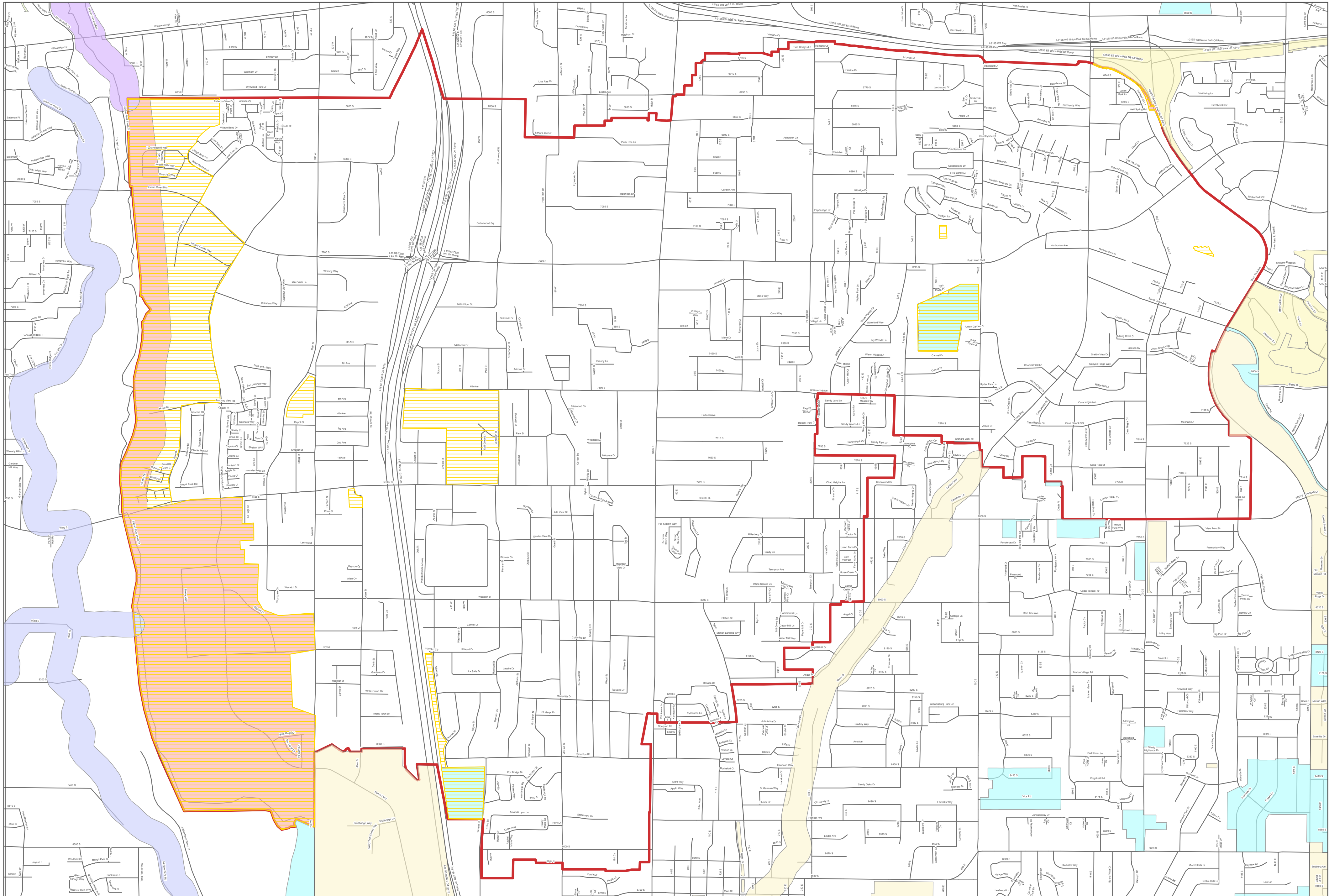
APPROVED AND ADOPTED this 16th day of April, 2024.

Marcus Stevenson, Mayor

ATTEST:

Voting by the City Council	“Aye”	“Nay”
Bonnie Billings	_____	_____
Paul Glover	_____	_____
Heidi Robinson	_____	_____
Bryant Brown	_____	_____
Dustin Gettel	_____	_____

Rori L. Andreason, MMC
City Recorder



- Municipal Boundaries
- Proposed Fireworks Restrictions
- 2023 Fireworks Restrictions
- Cottonwood Heights
- Midvale
- Murray
- Salt Lake County
- Sandy
- Taylorsville
- West Jordan
- Centerlines

Midvale Existing and Proposed Fireworks Restrictions

