



7505 S Holden Street  
Midvale, UT 84047  
801-567-7200 ext. 1022  
Midvale.Utah.gov

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**Midvale Planning Commission  
Workshop Meeting Agenda  
May 22, 2024  
6:00 p.m.**

Public notice is hereby given that the Midvale City Planning Commission will consider the items listed below during their regularly scheduled meeting on Wednesday, May 22, 2024, at 6:00 p.m. This meeting will be held in person at Midvale City Hall, 7505 S Holden Street, Midvale, Utah or electronically with an anchor location at Midvale City Hall, 7505 S Holden Street, Midvale, Utah. The meeting will be broadcast at the following link: [Midvale.Utah.gov/YouTube](https://Midvale.Utah.gov/YouTube).



Midvale City Staff publishes a packet of information containing item specific details one week prior to the meeting at 6:30 p.m. on the [Planning Commission Agendas & Minutes](#) page. The QR code included on the right will also take you to this webpage.

- I. Pledge of Allegiance**
- II. Roll Call**
- III. Minutes**
  - a. Review and Approval of Minutes from the April 24, 2024 Meeting.
- IV. Discussion Items**
  - a. Report and Discussion on the Fort Union Corridor Study.
  - b. Annual Review of the Planning Commission Bylaws.
- V. Staff Update/Other Business**
  - a. Upcoming Meetings and Projects.
- VI. Adjourn**

All meetings are open to the public; however, there is no public participation except during public hearings. Members of the public will be given an opportunity to address the Commission during each public hearing item. The Commission reserves the right to amend the order of the agenda if deemed appropriate. No item will be heard after 9:30 p.m. without unanimous consent of the Commission. Items not heard will be scheduled on the next agenda. In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the Community Development Executive Assistant at (801) 567-7211, providing at least

three working days' notice of the meeting.

A copy of the foregoing agenda was posted in the City Hall Lobby, the 2<sup>nd</sup> Floor City Hall Lobby, on the City's website at [Midvale.Utah.gov](http://Midvale.Utah.gov) and the State Public Notice website at <http://pmn.utah.gov>. Commission Members may participate in the meeting via electronic communication. Commission Members' participation via electronic communication will be broadcast and amplified so all Commission Members and persons present in the Council Chambers will be able to hear or see the communication.



7505 South Holden Street  
Midvale, UT 84047  
Phone (801) 567-7200

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**Midvale City  
PLANNING AND ZONING COMMISSION**

*Minutes*

**24<sup>th</sup> Day of April 2024  
Council Chambers  
7505 South Holden Street  
Midvale, Utah 84047**

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***COMMISSION CHAIR:*** Shane Liedtke

***COMMISSION VICE CHAIR:*** Candice Erickson

***COMMISSION MEMBERS:*** Dustin Snow  
Michael Edwards  
Robyn Anderson  
Candace Tippetts  
Matt Kasparian

***STAFF:*** Adam Olsen, Community Development Director  
Aubrey Ruiz, Community Development Executive Assistant  
Aaron McKnight, Deputy City Attorney  
Wendelin Knobloch, Planning Director  
Elizabeth Arnold, Senior Planner  
Jonny Anderson, Planner II  
Josh Short, Junior Network Administrator

**GENERAL SESSION**

Chair Erickson called the Planning & Zoning Commission meeting to order at 6:00 p.m. She explained how the meeting would proceed. First, the Planning Department would brief the Commission; then the applicant would speak to the Commission; the item will be opened to the public for their comments on public hearing agenda items; the Midvale Deputy City Attorney will then brief the Commission on their role on the given item; and then the Commission would deliberate and decide.

## ROLL CALL

|                        |         |
|------------------------|---------|
| Chair Erickson         | Present |
| Vice Chair Anderson    | Present |
| Commissioner Tippetts  | Present |
| Commissioner Snow      | Present |
| Commissioner Liedtke   | Present |
| Commissioner Edwards   | Excused |
| Commissioner Kasparian | Excused |

## MINUTES

### 1. REVIEW AND APPROVE MINUTES OF APRIL 10, 2024.

**MOTION:** Commissioner Liedtke **MOVED** to approve the minutes of April 10, 2024. **SECONDED** by Commissioner Snow. Chair Erickson called for a voice vote. The motion was passed unanimously with all voting in favor.

\*\*\*

## ACTION ITEMS

1. **Midvale City initiated amendment to Sections 17-7-12.2, 17-7-12.5, and 17-7-12.7 of the Regional Commercial (RC) zone of the Midvale City Municipal Code. These changes remove Manufacturing, Outdoor Storage, and Warehouse/Distribution as uses in the zone and any associated references to them.**

Midvale City requests an amendment to the above-listed sections of the Midvale City Municipal Code. These sections regulate the Use Table, Outdoor Storage regulations, and Parking Standards of the Regional Commercial (RC) zone. The proposed amendment is to remove Manufacturing, Outdoor Storage, and Warehouse/Distribution as uses in the zone and any associated references to them.

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.

Staff recommends approval.

\*\*\*



**APPLICANT:**

No comment.

\*\*\*

**DISCUSSION:**

Commissioner Liedtke brings up the point that the goal to redevelop or encourage manufacturing to come to the area.

Chair Erickson explains that this item was delayed from the last meeting to rediscuss. Grid 6 was brought up and the difficulty they had finding a location.

Commissioner Tippetts brings up that the goal of 7200 South redevelopment would be affected if manufacturing was allowed. The area is surrounded by housing, it would be to the benefit of development to exclude manufacturing new businesses to open in the zone. All existing businesses of that description would be grandfathered by the current zoning regulations. There are also other areas to allow opportunity to manufacturing businesses

Commissioners unanimously agreed.

Adam Olsen, Community Development Director, states that this specific area was included in one of the city’s Station Area Plans, this meaning that long range the hope is for a higher-density, mixed-use area. This would be the first step to guide redevelopment towards the goals outlined in the Station Area Plans.

Commissioner Tippetts agrees that supporting the future for the area is most important.

Commissioner Liedtke points out that this is a very attractive area for manufacturing to open new businesses which could halt the desired development.

Wendelin Knobloch, Planning Director, urges Commissioners to consider their motion if they intend to act on long-term or short-term results.

\*\*\*

**MOTION: Commissioner Snow MOVED that we approval of the text amendment for Sections 17-7-12.2, 17-7-12.5, and 17-7-12.7 as provided in the attachments, with the findings included in the staff report with the. The motion was SECONDED by Commissioner Anderson. Chair Erickson called for a roll call vote. The vote was as follows:**

|                     |     |
|---------------------|-----|
| Chair Erickson      | Yes |
| Vice Chair Anderson | Yes |

|                       |     |
|-----------------------|-----|
| Commissioner Liedtke  | Yes |
| Commissioner Snow     | Yes |
| Commissioner Tippetts | Yes |

**The motion passes unanimously.**

\*\*\*

## **PUBLIC HEARINGS**

- 1. Midvale City initiated Rezone request to change the zoning from Clean Industrial (CI) to Main Street Form Based Code (MS-FBC) on the following parcels: 7413 S Main St, 7409 S Main St, 7407 S Main St, 7397 S Main St, and 669 W Eighth Ave. 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 17-7-11.**

As Midvale Main Street has developed, staff feels that it would be appropriate to continue the MS-FBC zoning further north to include the entirety of Main Street. 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 described herein. 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 consider 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 request satisfies #3 listed above – it recognizes the change in character of the area and will continue the MS-FBC further north so it covers the entirety

of Main Street.

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

Staff recommends approval.

\*\*\*

**APPLICANT:**

No comment.

\*\*\*

**PUBLIC HEARING:**

Chair Erickson opened the public hearing.

William Bustos, Main Street developer, asks the Commissioners what the future is looking like for parking along Main Street and 700 East. He was curious if there would also be possible for consideration of changing 7<sup>th</sup> Avenue to a two-way street.

Adam Olsen states that the city does have parking plans to resolve long-term parking issues. The strategy will begin with a parking structure behind the Salt Lake County Senior Center. He has not heard of any current work to be done on 7<sup>th</sup> Avenue.

Max Jones, Midvale resident, asks the Commissioners to explain the effect the amendment would have on his property.

Elizabeth Arnold, Senior Planner, explains that no effects would be implemented on the property as is. If any remodeling were to be requested, there could be possible limitations with the new form base code. In the future it could allow for larger scale residential or commercial.

Adam Olsen adds that the single-family use would be grandfathered and that the rezone would allow for higher intensity uses to be implemented at this property.

Wendelin Knobloch, Planning Director, adds that the Planners could explain the differences in the two zones and the possible impact it may have on the value of the property.

Tyler Lindsey, property owner, is planning on an interior remodel and wanted to make sure there is no effect on his business.

Aaron McKnight, Deputy City Attorney, clarifies that no expansion would be approved but continued use is grandfathered for a company of the same description.

\*\*\*

**MOTION:** Commissioner Liedtke **MOVED** to close the public hearing. The motion was **SECONDED** by Commissioner Snow. Chair Erickson called for a voice vote. The motion was passed unanimously with all voting in favor.

\*\*\*

**DISCUSSION:**

Mr. McKnight advises that this is an administrative decision made by the Commission tonight.

\*\*\*

**MOTION:** Commissioner Liedtke **MOVED** that we recommend approval of the Rezone request to rezone the following parcels from Clean Industrial (CI) to Main Street Form Based Code (MS-FBC): 7413 S Main St, 7409 S Main St, 7407 S Main St, 7397 S Main St, and 669 W Eighth Ave consistent with the findings included in the staff report with the. The motion was **SECONDED** by Commissioner Tippetts. Chair Erickson called for a roll call vote. The vote was as follows:

|                       |     |
|-----------------------|-----|
| Chair Erickson        | Yes |
| Vice Chair Anderson   | Yes |
| Commissioner Liedtke  | Yes |
| Commissioner Snow     | Yes |
| Commissioner Tippetts | Yes |

**The motion passes unanimously.**

\*\*\*

**PUBLIC HEARINGS**

2. Midvale City initiated amendment to Midvale City Municipal Code Sections 17-7-7.6, 17-7-10.12.12(D), and 17-7-13.5 to amend and remove outdoor storage regulations from the State Street Zone (SSC), Jordan Bluffs Subareas 1-3 Development, and Clean Industrial (CI) zones and relocate said amended regulations to Section 17-6-3 (Supplementary Regulations) of the Midvale City Municipal Code.

Midvale City requests an amendment to the above-listed sections of the Midvale City Municipal Code. The amendments requested are to remove the outdoor storage standards from the individual zones and relocate the amended regulations into the Supplementary Regulations under Section 17-6 for simplicity across all of Title 17 in the Midvale City Municipal Code.

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.

Staff recommends approval.

\*\*\*

**APPLICANT:**

No comment.

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**PUBLIC HEARING:**

Chair Erickson opened the public hearing.

No comment.

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**MOTION: Commissioner Tippetts MOVED to close the public hearing. The motion was SECONDED by Vice Chair Anderson. Chair Erickson called for a voice vote. The motion was passed unanimously with all voting in favor.**

\*\*\*

**DISCUSSION:**

No comment.

\*\*\*

**MOTION: Commissioner Snow MOVED that we recommend approval of the text amendment to remove Sections 17-7-7.6, 17-7-10.12.12(D), and 17-7-13.5 and relocate amended outdoor storage and storage yard regulations to Section 17-**

**6-3 as provided in the attachments, with the findings included in the staff report with the. The motion was SECONDED by Commissioner Anderson. Chair Erickson called for a roll call vote. The vote was as follows:**

|                       |     |
|-----------------------|-----|
| Chair Erickson        | Yes |
| Vice Chair Anderson   | Yes |
| Commissioner Liedtke  | Yes |
| Commissioner Snow     | Yes |
| Commissioner Tippetts | Yes |

**The motion passes unanimously.**

\*\*\*

### **PUBLIC HEARINGS**

- 3. Midvale City initiated amendment to Midvale City Municipal Code Sections 17-7-7.6, 17-7-10.12.12(D), and 17-7-13.5 to amend and remove outdoor storage regulations from the State Street Zone (SSC), Jordan Bluffs Subareas 1-3 Development, and Clean Industrial (CI) zones and relocate said amended regulations to Section 17-6-3 (Supplementary Regulations) of the Midvale City Municipal Code.**

Midvale City requests an amendment to the above-listed sections of the Midvale City Municipal Code. The amendments requested are to remove the outdoor storage standards from the individual zones and relocate the amended regulations into the Supplementary Regulations under Section 17-6 for simplicity across all of Title 17 in the Midvale City Municipal Code.

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.

Staff recommends approval.

\*\*\*

### **APPLICANT:**

No comment.

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**PUBLIC HEARING:**

Chair Erickson opened the public hearing.

No comment.

\*\*\*

**MOTION: Commissioner Tippetts MOVED to close the public hearing. The motion was SECONDED by Commissioner Snow. Chair Erickson called for a voice vote. The motion was passed unanimously with all voting in favor.**

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**DISCUSSION:**

No comment.

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**MOTION: Commissioner Liedtke MOVED that we recommend approval of the text amendment to remove Sections 17-7-7.6, 17-7-10.12.12(D), and 17-7-13.5 and relocate amended outdoor storage and storage yard regulations to Section 17-6-3 as provided in the attachments, with the findings included in the staff report with the. The motion was SECONDED by Commissioner Tippetts. Chair Erickson called for a roll call vote. The vote was as follows:**

|                       |     |
|-----------------------|-----|
| Chair Erickson        | Yes |
| Vice Chair Anderson   | Yes |
| Commissioner Liedtke  | Yes |
| Commissioner Snow     | Yes |
| Commissioner Tippetts | Yes |

**The motion passes unanimously.**

\*\*\*

**PUBLIC HEARINGS**

**4. Midvale City initiated amendment to Midvale City Municipal Code Sections 17-7-9.12.1.8(E) and 17-7-12.4(F) to remove references to storage yard architectural standards in the Riverwalk Overlay and Regional Commercial (RC) zones.**

Midvale City requests an amendment to the above-listed sections of the Midvale City Municipal Code. The amendments requested are to remove the outdoor storage standards from the individual zones and relocate the amended regulations into the Supplementary Regulations under Section 17-6 for simplicity across all of Title 17 in the Midvale City Municipal Code.

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.

Staff recommends approval.

\*\*\*

**APPLICANT:**

No comment.

\*\*\*

**PUBLIC HEARING:**

Chair Erickson opened the public hearing.

No comment.

\*\*\*

**MOTION: Commissioner Anderson MOVED to close the public hearing. The motion was SECONDED by Vice Chair Erickson. Chair Erickson called for a voice vote. The motion was passed unanimously with all voting in favor.**

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**DISCUSSION:**

No comment.



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**MOTION: Vice Chair Anderson MOVED that we recommend approval of the text amendment for Sections 17-7-9.12.1.8(E) and 17-7-12.4(F) as provided in the attachments, with the findings included in the staff report with the. The motion was SECONDED by Commissioner Liedtke. Chair Erickson called for a roll call vote. The vote was as follows:**

|                       |     |
|-----------------------|-----|
| Chair Erickson        | Yes |
| Vice Chair Anderson   | Yes |
| Commissioner Liedtke  | Yes |
| Commissioner Snow     | Yes |
| Commissioner Tippetts | Yes |

**The motion passes unanimously.**

\*\*\*

## **PUBLIC HEARINGS**

- 5. Midvale City initiated amendment to Midvale City Municipal Code Section 17-7-11.3(B)(4)(g) to reduce the distance between an outdoor dining area and an existing residential use from one hundred feet to twenty feet in the Main Street Form Based Code (MS-FBC) zone.**

The current one-hundred-foot distance between an outdoor dining area and an existing residential use in the Main Street Form Based Code prohibits the construction of outdoor dining areas that are not within the exceptions mentioned in 17-7-11.3(B)(4)(g). The proposal to reduce that requirement down to twenty feet matches the proposed amendments to the State Street Commercial Zone, heard before the Planning Commission on April 10, 2024.

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.

Staff recommends approval.

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**APPLICANT:**

No comment.

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**PUBLIC HEARING:**

Chair Erickson opened the public hearing.

No comment.

\*\*\*

**MOTION: Commissioner Anderson MOVED to close the public hearing. The motion was SECONDED by Commissioner Snow. Chair Erickson called for a voice vote. The motion was passed unanimously with all voting in favor.**

\*\*\*

**DISCUSSION:**

No comment.

\*\*\*

**MOTION: Vice Chair Liedtke MOVED that we recommend approval of the text amendment for Section 17-7-11.3(B)(4)(g) as provided in the attachments, with the findings included in the staff report with the. The motion was SECONDED by Commissioner Tippetts. Chair Erickson called for a roll call vote. The vote was as follows:**

|                       |     |
|-----------------------|-----|
| Chair Erickson        | Yes |
| Vice Chair Anderson   | Yes |
| Commissioner Liedtke  | Yes |
| Commissioner Snow     | Yes |
| Commissioner Tippetts | Yes |

**The motion passes unanimously.**

\*\*\*

**STAFF UPDATE/OTHER BUSINESS**

- 1) Upcoming meetings and Projects
  - i. Zions Park – Grand Opening May 1<sup>st</sup>

**ADJOURN**

Vice Chair Anderson made the motion to adjourn 6:44 p.m. No one opposed. The meeting adjourned 6:44 p.m.

\_\_\_\_\_  
Aubrey Ruiz, CD Executive Assistant

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2024.



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## **MIDVALE CITY PLANNING COMMISSION STAFF REPORT 05/22/2024**

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### **SUBJECT**

Report and Discussion on the Fort Union Corridor Study.

### **SUBMITTED BY**

Wendelin Knobloch

### **BACKGROUND AND ANALYSIS**

The consultant team for the Fort Union Corridor Study will report on the project, introduce the Planning Commission to any preliminary findings, recommendations, demonstration sites, place making, and planned active transportation facilities. Please be prepared to give feedback and engage the consultant in a conversation regarding topics that are important to you.

In addition to that, we invite you to attend the open house on 5/23 at 5:30 p.m. in the Dahl Conference Room to develop additional ideas and hear the opinions of other community members.

### **STAFF RECOMMENDATION**

This is a discussion item only.

### **RECOMMENDED MOTION**

This is a discussion item and does not include a motion.

### **ATTACHMENTS**

1. Planning Commission Update

# Midvale City Fort Union Corridor Study

# PLANNING COMMISSION UPDATE

MAY 22, 2024

PREPARED FOR



City of  
Midvale





An aerial photograph of a city, likely Salt Lake City, Utah, showing a large parking lot with many cars, a commercial building with a 'Smith's' sign, and a multi-lane highway in the foreground. In the background, there are large, rugged mountains with patches of snow under a clear sky. The image is split vertically into two color schemes: the left half is in shades of blue, and the right half is in shades of light green/teal.

# AGENDA

Public Engagement Summary  
Transportation Alternative Summary  
Land Use & Transportation Scenarios  
Preliminary Demonstration Sites  
Best Practices & Case Studies  
Next Steps

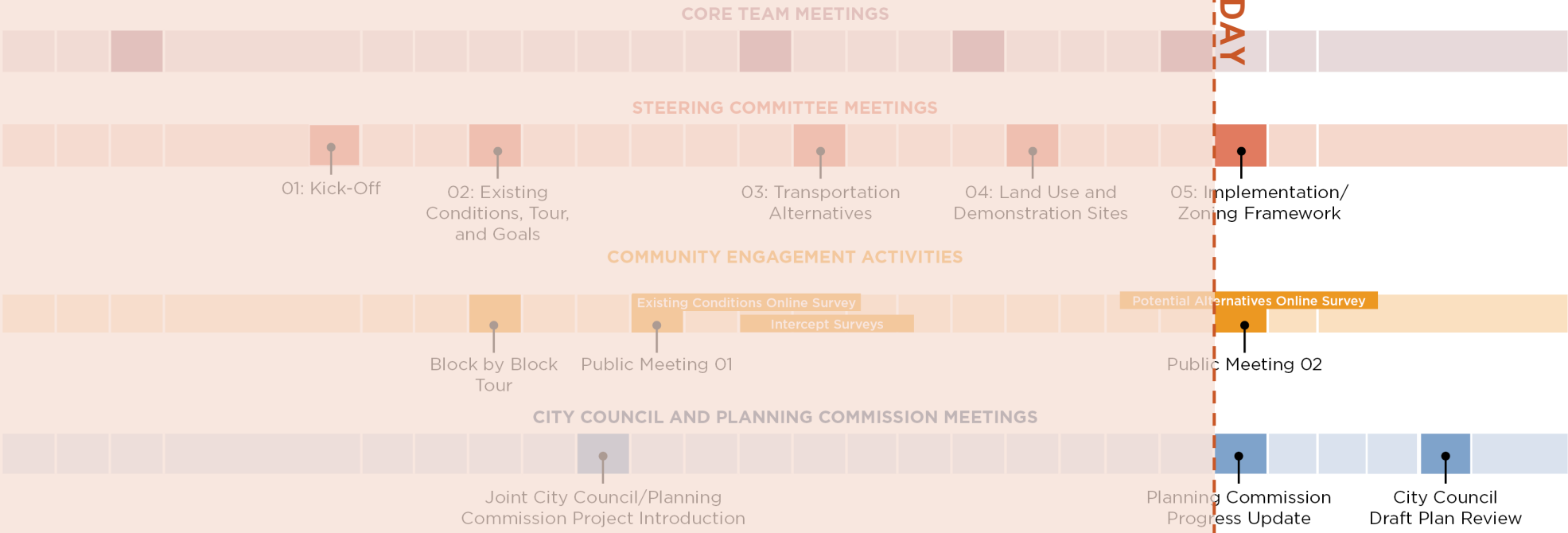
| DISCOVERY + VISION |  |  |  |  | CONCEPTUAL OPTIONS |  |  |  |  |  |  |  |  |  |  |  | PLAN DOCUMENTATION |  |  |  |  |
|--------------------|--|--|--|--|--------------------|--|--|--|--|--|--|--|--|--|--|--|--------------------|--|--|--|--|
|--------------------|--|--|--|--|--------------------|--|--|--|--|--|--|--|--|--|--|--|--------------------|--|--|--|--|

| JANUARY |   |    |               |    | FEBRUARY |    |    |    | MARCH |    |    |    | APRIL |   |    |    |    | MAY |    |    |    |                          |
|---------|---|----|---------------|----|----------|----|----|----|-------|----|----|----|-------|---|----|----|----|-----|----|----|----|--------------------------|
| 1       | 8 | 15 | 17 - Kick Off | 29 | 5        | 12 | 19 | 26 | 4     | 11 | 18 | 25 | 1     | 8 | 15 | 22 | 29 | 6   | 13 | 20 | 27 | 29 - Deliverable in June |

- Establish project goals, vision, and objectives
- Gather existing data and begin analysis
- Compile existing conditions report.
- Introduce to Planning Commission and City Council

- Generate multiple concepts with bold corridor-wide ideas, multi-modal approaches, and smaller high-impact projects.
- Land use plan to include organizing the location of commercial, housing, public spaces along the corridor.
- Engage stakeholders along the corridor - block by block meetings.
- Preliminary phasing scenarios for implementation

- Develop the preferred plan concept and describe and illustrate proposed projects, programs, and policies.
- Full consultant team will provide recommendations for their disciplines.
- Present Draft Plan to Planning Commission and City Council.
- Deliver Corridor Master Plan document in digital and physical format.



# PUBLIC ENGAGEMENT UPDATE



**INTERCEPT SURVEYS  
ON THE CORRIDOR**  
*MID-MARCH*

- Engage users of the corridor who don't typically participate in public processes
- Collect feedback about the site and community values



**PUBLIC MEETING**  
MIDVALE CITY HALL  
*MAY 23rd*

- Engage users of the corridor who don't typically participate in public processes
- Collect feedback about the site and community values



**DEMONSTRATION SITES  
ONLINE SURVEY**  
*May 20th to June 3rd*

- Share survey via City website and social media, intended to engage all members of the community to understand residents' preferences and concerns



**CITY OFFICIALS SESSIONS**  
MIDVALE CITY HALL  
*May 22nd & June 18th*

- Review demonstration sites and community feedback with City Council and Planning Commission



# WHAT WE HEARD

## PUBLIC MEETING

Ganesh Indian Restaurants on March 6<sup>th</sup>

27+ Attendees

**Overall Comments:** Green/Community Space, Parking, Corridor Cohesion, Housing, Neighborhood Preservation

**Segment 01:** Speeding/Congestion, Crossing Safety, Visual Interest, Crime

**Segment 02:** Speeding, Crossings, Cohesive Facilities and Amenities

**Segment 03:** Intersections, Pedestrian Network, Parking Utilization



## INTERCEPT SURVEY

Fort Union Boulevard on April 2nd from 8:30 am to 12:30 pm

26 Interactions

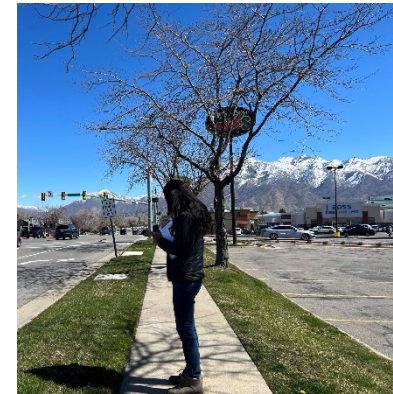
**Overall Themes:** Public Community/Green Space, Corridor Cohesion, Neighborhood Preservation, Stores with varied hours, Affordable Housing, Transit works well (with a few exceptions)

**Top 3 Transportation Issues:** 1) Traffic, 2) Safety, and 3) Walking/Biking Options

**Segment 01:** Speeding/Congestion, Turning Conflicts, Crossing Safety, Lack of Visual Interest and Noise, Crime, Safety, and Lighting, Lack of green space/ trees

**Segment 02:** Speeding, Lack of quality crossings and crossing frequency, Cohesive Facilities and Amenities, Neighborhood preservation

**Segment 03:** Long intersection crossings, Limited Pedestrian Network, Parking Utilization, Turning Conflicts/Traffic



# VISION & GOALS

## CORRIDOR VISION STATEMENT

*Fort Union Boulevard is a thriving corridor that empowers mobility choice, cultivates economic growth, provides housing options, and establishes a unique corridor identity that reflects the spirit, goals, and heritage of Midvale.*



### MOBILITY

#### STRENGTHEN MOBILITY CHOICE

Increase opportunities for all modes of travel including walking, biking, and transit while maintaining vehicular mobility along this vital arterial boulevard. Improving pedestrian crossings and providing traffic calming strategies in key locations will help promote a variety of transportation options.



### HOUSING

#### ENCOURAGE HOUSING OPTIONS

The location and access makes it a highly desirable place to live. The corridor plays a vital role in meeting the City's housing needs for renters and buyers. Land use recommendations will promote the development of diverse and affordable housing options to address the range of needs and preferences of the community to foster inclusive and equitable neighborhoods.



### OPPORTUNITY

#### ENHANCE ECONOMIC OPPORTUNITIES

An analysis of land-uses adjacent to this corridor will identify areas with potential for enhanced economic development. New land-use recommendations will consider opportunities to increase housing services, and small and local businesses growth.



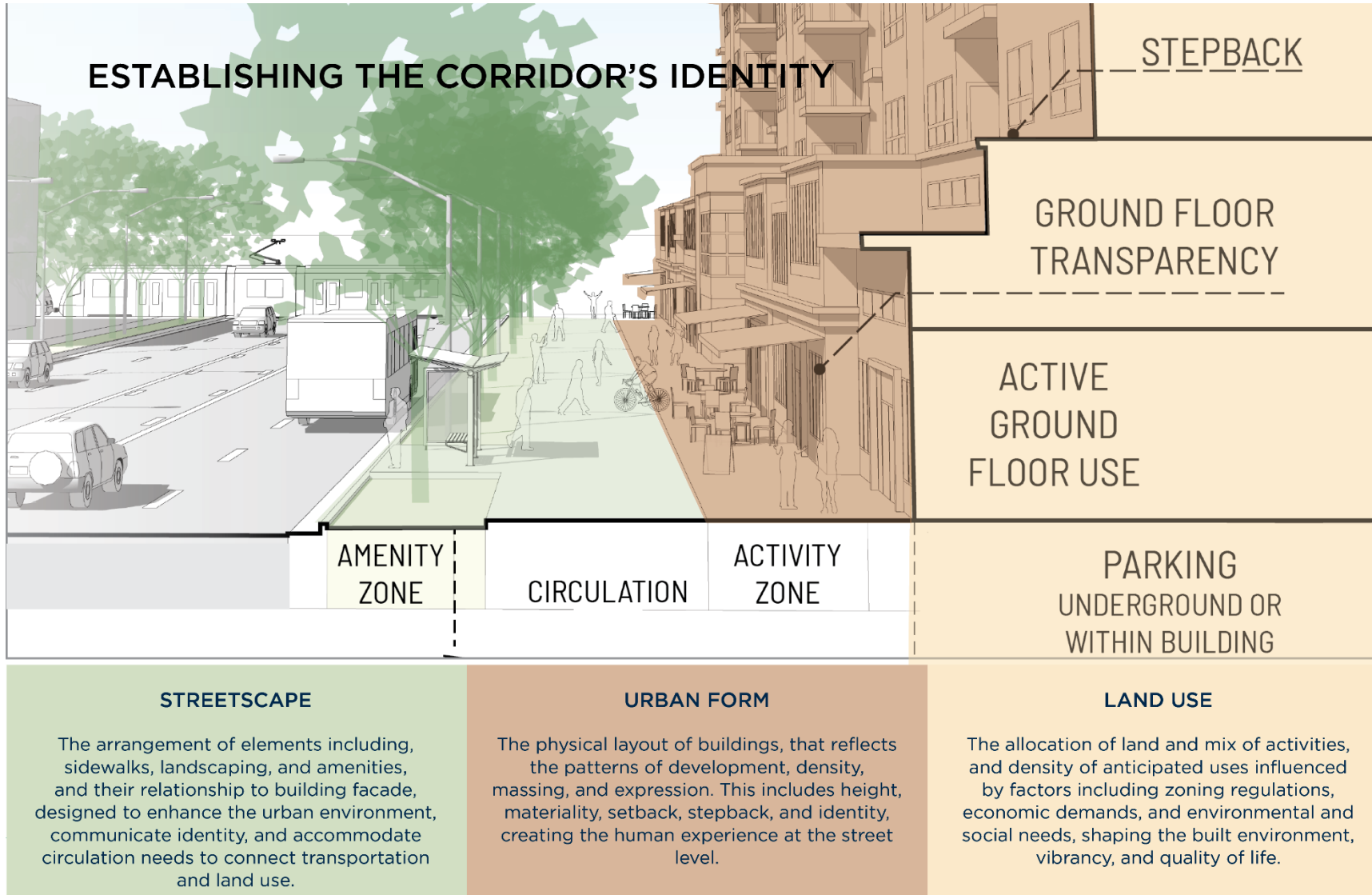
### IDENTITY

#### CREATE CORRIDOR IDENTITY

The corridor's high visibility is an opportunity to highlight and strength Midvale City's identity. Establishing gateways, adding intuitive and consistent signage, enhancing green space, and adding public art will ensure Fort Union is memorable and welcoming.



# ESTABLISHING THE CORRIDOR'S IDENTITY





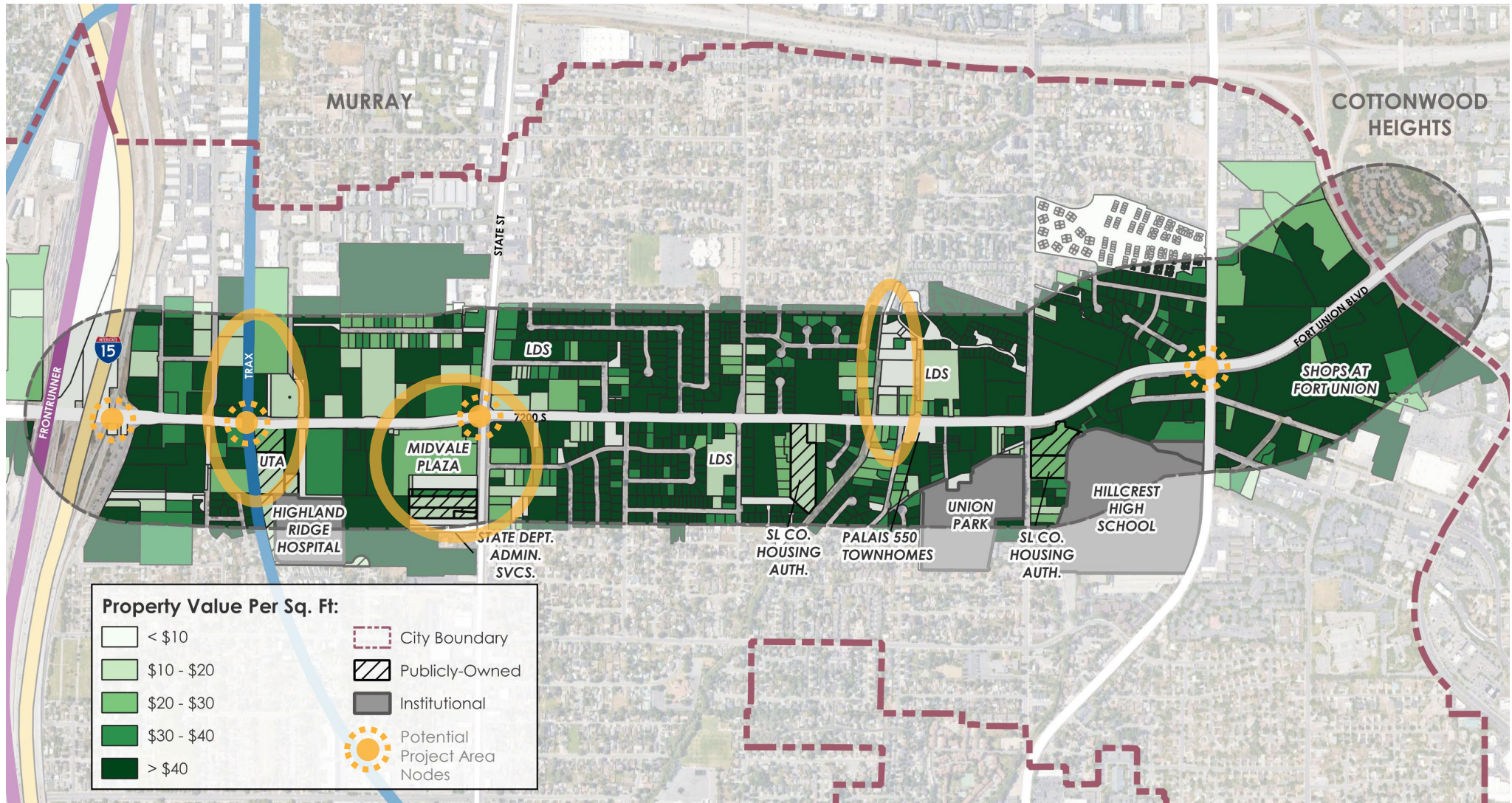


# OPPORTUNITY SITES BASED ON PROPERTY VALUE

**Opportunity Sites** for redevelopment include areas near the **Fort Union TRAX station**, the **State Street intersection**, and the **Jordan/Salt Lake City canal**.

**Property value**—measured in terms of total (building and land) value per square foot—is a **key determining factor** for the redevelopment potential of land.

Properties with **lower land values** (in the under \$20 per square foot range) are **nearer-term opportunities for infill development**, though development types with higher returns can open up more expensive areas for redevelopment.

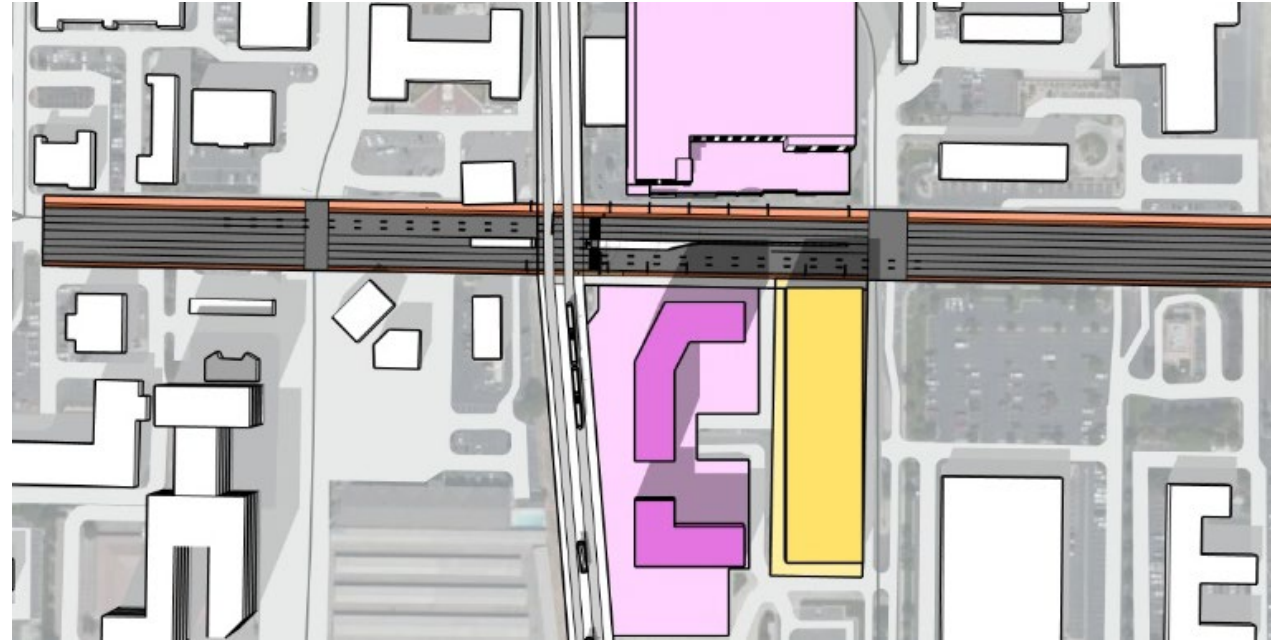
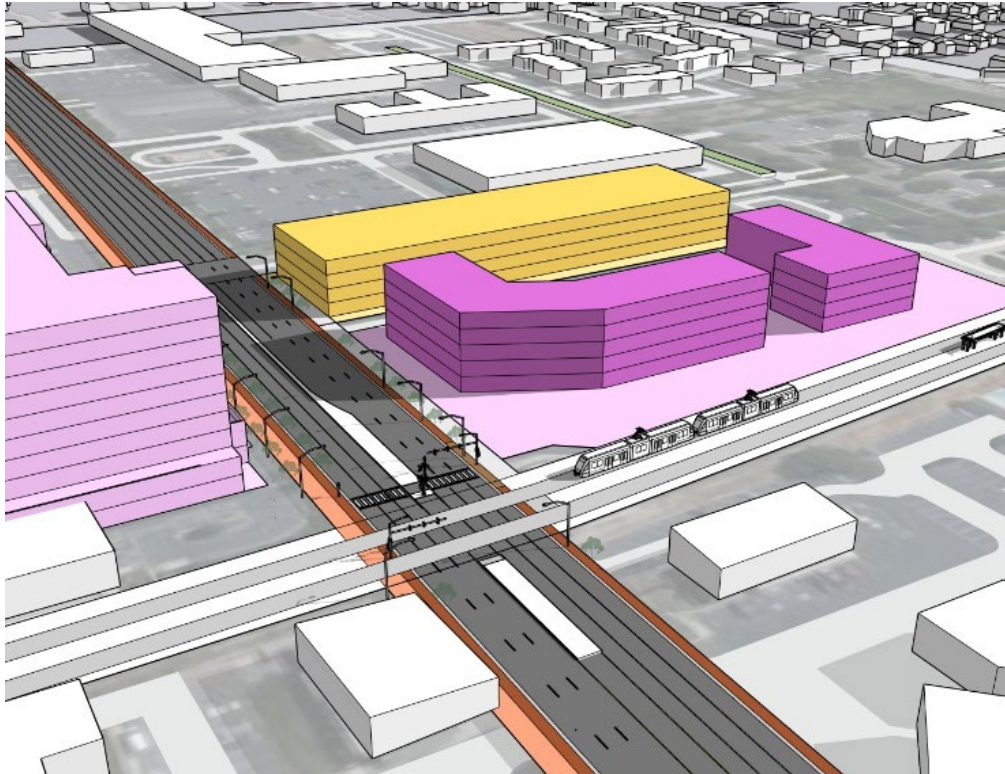


Source: Salt Lake County Assessor, LCG.





# DEMONSTRATION SITE SEGMENT 01



## Land Use

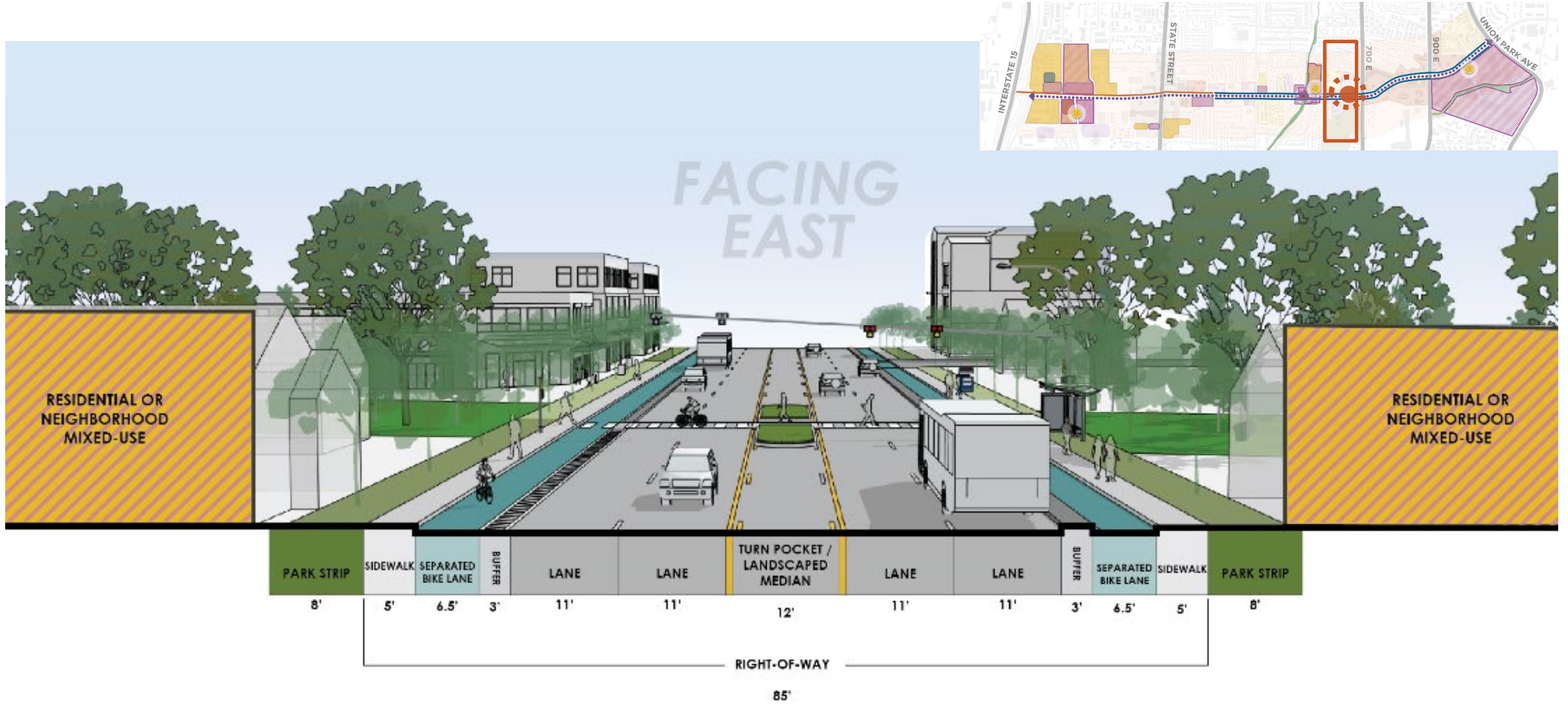


- Mixed Use ■ Retail
- Residential ■

|             | <b>Total</b> | <b>4.16 acres</b> | <b>181,279 sq ft</b> |
|-------------|--------------|-------------------|----------------------|
| Residential | 36%          |                   | 64,455 sq ft         |
| Retail      | 11%          |                   | 19,129 sq ft         |
| Mixed Use   | 53%          |                   | 97,695 sq ft         |
| Parking     |              |                   | TBD                  |
| Green Space |              |                   | TBD                  |



# CROSS SECTION SEGMENT 02





# TOUCAN CROSSING SEGMENT 02

TOUCAN CROSSINGS provide crossing improvements for bicyclists and pedestrians so that “two can” cross without a full signal that could lead to more vehicular Byway traffic.

On a Neighborhood Byway, Toucan crossings are usually placed where side-street volumes do not justify a full signal, and are accompanied by turn restrictions to reduce vehicular conflicts and prioritize pedestrian and bicycle crossings.

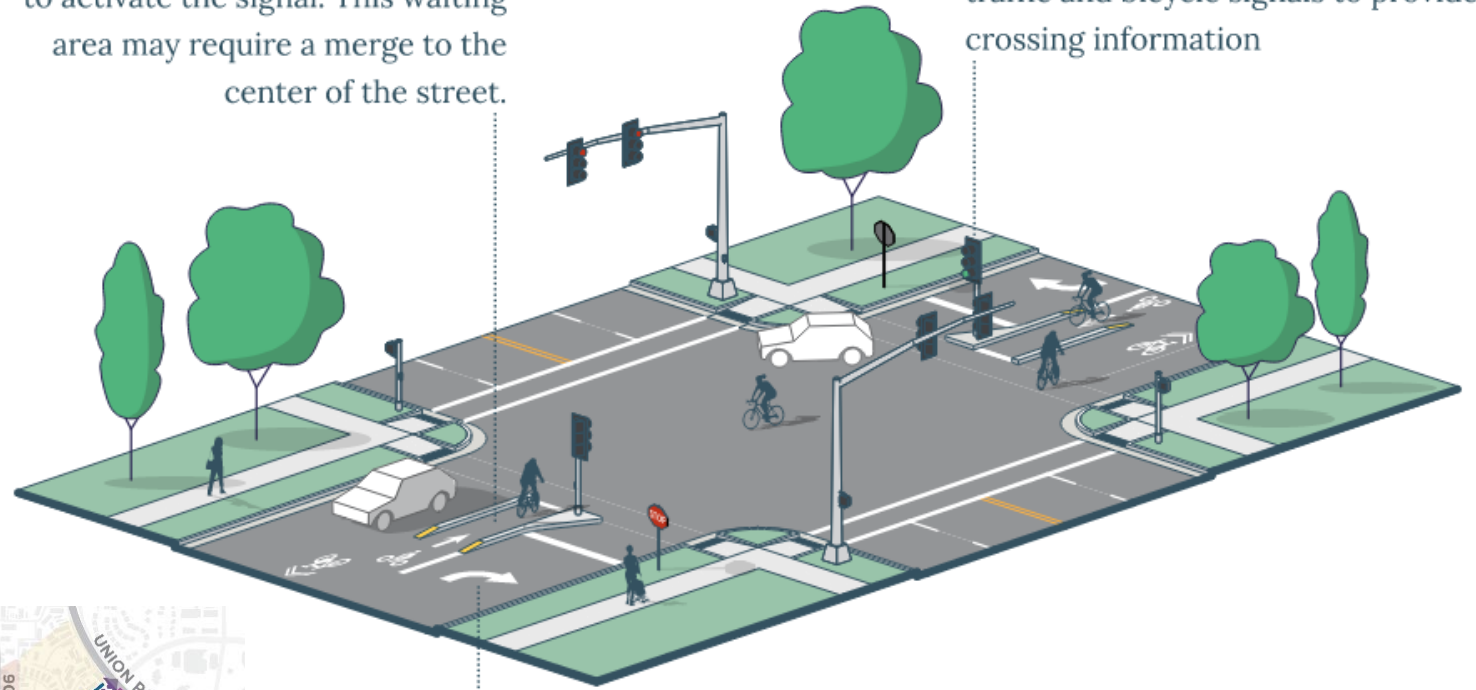


## PROTECTED WAITING AREA

Toucan crossings provide a protected waiting area for bicyclists to activate the signal. This waiting area may require a merge to the center of the street.

## BIKE SIGNAL

Toucan crossings make use of conventional traffic signals to stop traffic and bicycle signals to provide crossing information.



## MOTOR VEHICLE RESTRICTIONS

Most Toucan crossings restrict motor vehicle through and left turning movements, further reducing conflicts and lowering Byway vehicle volumes.

# TOUCAN CROSSING SEGMENT 02

## DESIGN GUIDELINES

### TYPICAL USES

- As modification to an existing signal or as a new build signal
- At intersections where traffic diversion off of the Byway is a desirable outcome to avoid attracting additional motor vehicle traffic
- To improve intersection safety by prohibiting left and through movements which contribute to more severe right angle collisions
- At an intersection within a school zone on a walking route

### DESIGN FEATURES

- Toucan crossings most often feature a single direction protected area; however, if space allows, a bi-directional protected area can be provided
- Pedestrian crossings can be on the corners or may also utilize the center area if space allows



Toucan crossing at 1300 S & 600 E in Salt Lake City, UT. Source: Google Earth



Toucan in Palo Alto, CA



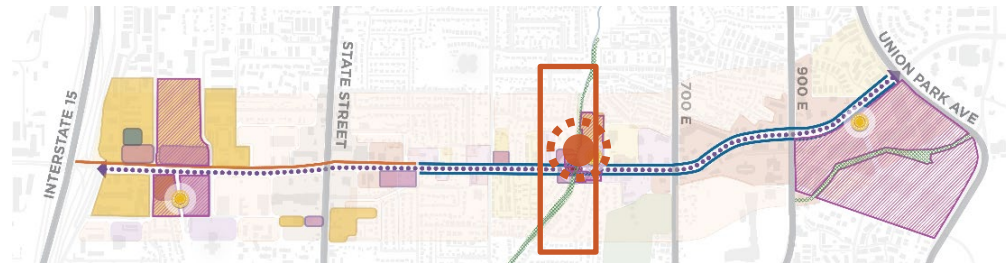
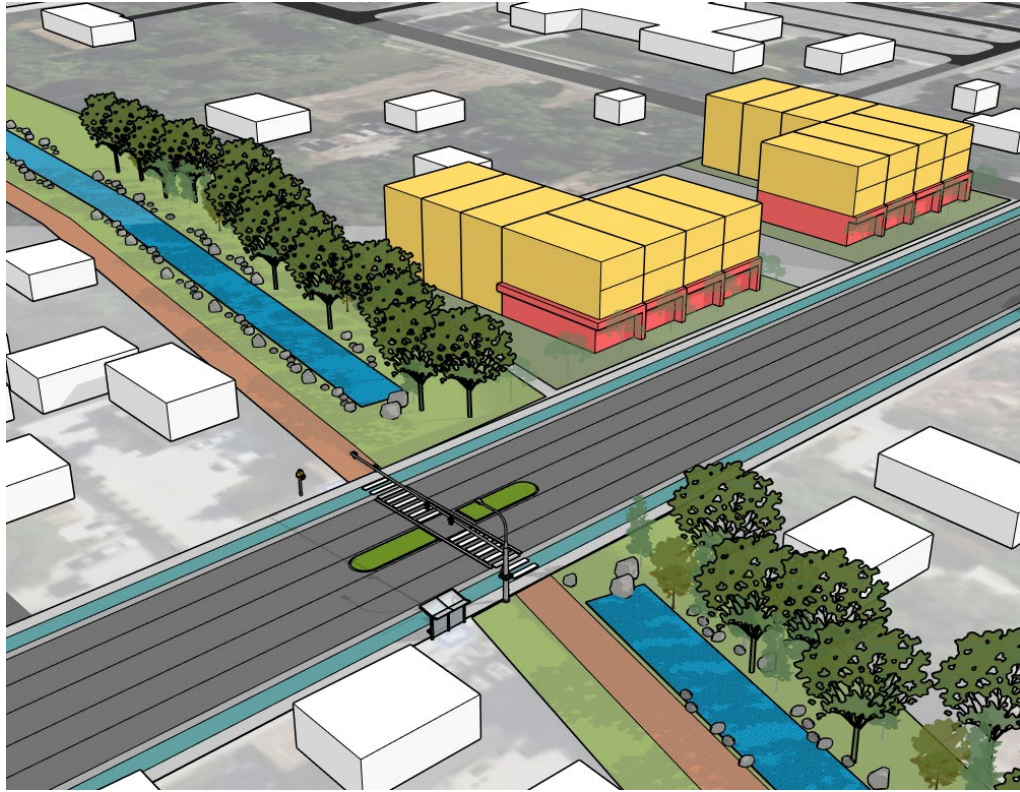
600 E toucan in Salt Lake City, UT



Bi-directional toucan in Tucson, AZ



# DEMONSTRATION SITE SEGMENT 02



## Land Use



- Residential
- Retail
- Parking
- Green Space

|             | <b>Total</b> | <b>1.09 acres</b> | <b>47,750 sq ft</b> |
|-------------|--------------|-------------------|---------------------|
| Residential | 16%          |                   | 7,850 sq ft         |
| Retail      | 22%          |                   | 10,610 sq ft        |
| Parking     | 32%          |                   | 15,097 sq ft        |
| Green Space | 30%          |                   | 14,193 sq ft        |

# CROSS SECTION AT FORT UNION PARK BOULEVARD SEGMENT 03



FACING EAST

|                   |            |          |                     |            |      |      |      |           |      |      |      |            |                     |          |            |               |
|-------------------|------------|----------|---------------------|------------|------|------|------|-----------|------|------|------|------------|---------------------|----------|------------|---------------|
| ACTIVITY ZONE     | PARK STRIP | SIDEWALK | SEPARATED BIKE LANE | PARK STRIP | LANE | LANE | LANE | TURN LANE | LANE | LANE | LANE | PARK STRIP | SEPARATED BIKE LANE | SIDEWALK | PARK STRIP | ACTIVITY ZONE |
| 10'               | 15'        | 6'       | 7'                  | 5'         | 11'  | 11'  | 11'  | 15'       | 11'  | 11'  | 11'  | 5'         | 7'                  | 6'       | 8'         | 17'           |
| RIGHT-OF-WAY 122' |            |          |                     |            |      |      |      |           |      |      |      |            |                     |          |            |               |

\*Note: Where right turn pockets are required, additional Right-of-Way may be needed.



# DEMONSTRATION SITE SEGMENT 03

### Phase 1



### Phase 2



### Phase 3



- Existing Buildings
- Building Urban Infill
- Big Box Retrofit

- Open Gathering Space
- Green Space
- Canal Trail/Protected Bike Lane
- Internal Road Network

# INTERNAL GRID NETWORK CROSS SECTION SEGMENT 03





# NEXT STEPS

**Draft Document Chapters**

**Refine Demonstration Sites**

**Public Open House:** May 23<sup>rd</sup>

**Demonstration Site Survey:** May 20<sup>th</sup> – June 3<sup>rd</sup>



7505 S Holden Street  
Midvale, UT 84047  
801-567-7200  
www.MidvaleCity.org

## **MIDVALE CITY PLANNING COMMISSION STAFF REPORT 05/22/2024**

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### **SUBJECT**

Annual Review of the Planning Commission Bylaws.

### **SUBMITTED BY**

Wendelin Knobloch

### **BACKGROUND AND ANALYSIS**

Section 8.A. of the Planning Commission Bylaws recommends an annual review in which the Commission can discuss any type of aspect of its operation. Last year this discussion resulted in changing when regular meetings (every 2<sup>nd</sup> and 4<sup>th</sup> Wednesday) and workshop meetings (as noticed or in conjunction with regular meetings) are held.

Section 17-4 in the Midvale Municipal Code is the key ordinance that governs the Planning Commission. If you have any questions or ideas for change and optimization in these chapters, please bring that up as well.

You could consider the following topics:

- Do you like your term length, compensation, term limits, and attendance requirements?
- Do you like the way the commission is organized with 5 members and 2 alternates, a chair, a vice chair, and chair pro-tem? Do you like the term limit for a chair?
- What is your opinion on the training requirements?
- Do you have any comments on Section 3 of the Bylaws, which focuses on conduct, conflicts of interest, ex parte communications, statements of personal bias?
- Do you have any comments on meeting organization or ways to optimize how we conduct meetings (Section 5)?
- Do you have any comments on motions and voting requirements or suggestions for optimizations (Sections 6 and 7)?



## **STAFF RECOMMENDATION**

This is a discussion item and does not have any staff recommendation. The discussion may result in future agenda items that may include action.

## **RECOMMENDED MOTION**

There is no recommended motion.

## **ATTACHMENTS**

1. Bylaws and MMC 17-4



**Midvale City**

**Planning Commission**

**Bylaws & Rules of Procedure**

Last Amended: May 2023

# **MIDVALE CITY PLANNING COMMISSION BYLAWS AND RULES OF PROCEDURE**

## **SECTION 1. GENERAL PROVISIONS**

- 1.1 Authority
- 1.2 Applicable State Law, City Ordinances, and Policies
- 1.3 Familiarity with State Law, City Ordinances and Resolutions, and Rules Affecting the Commission

## **SECTION 2. APPOINTMENT AND TERMS OF MEMBERS**

- 2.1 Membership, Appointment, Compensation, Rights, Attendance & Training
- 2.2 Cause for Dismissal of Members

## **SECTION 3. CONDUCT OF COMMISSION MEMBERS**

- 3.1 Serve the Public Interest
- 3.2 Support Citizen Participation in Planning
- 3.3 Conflict of Interest
- 3.4 Ex Parte Communication
- 3.5 Personal Bias
- 3.6 Disclosure Required
- 3.7 Social Media
- 3.8 Media
- 3.9 Maintain Public Impartiality

## **SECTION 4. ORGANIZATION**

- 4.1 Chair, Vice Chair and Chair Pro-Tem
- 4.2 Duties of the Chair
- 4.3 Duties of the Vice Chair
- 4.4 Duties of the Chair Pro-Temp
- 4.5 Secretary

## **SECTION 5. MEETINGS**

- 5.1 Open and Public Meetings Act
- 5.2 Location
- 5.3 Types of Meetings
- 5.4 Notice Requirements
- 5.5 Quorum and Voting Requirements
- 5.6 Rules and Order of Business for Regular, Special and Workshop Meetings
- 5.7 Order of Business for Individual Agenda Items
- 5.8 Electronic Meetings

**SECTION 6. MOTIONS**

6.1 Making Motions

**SECTION 7. VOTING**

**SECTION 8. AMENDMENTS**



## SECTION 1. GENERAL PROVISIONS

### 1.1 Authority

*The Midvale City Planning Commission (hereinafter “Commission”) is authorized by Utah Code Annotated §§10-9a-301 and 10-9a-302 and by Midvale City Municipal Code (hereinafter “Municipal Code”) Chapter 17-4. The Commission exercises authority and assumes responsibilities delegated to it under these authorities.*

### 1.2 Applicable State Law, City Ordinances, and Policies

*The Commission is governed by State Law and City Ordinances and Policies, including the following:*

- A. State statutes generally applicable to public boards, members, and officials;*
- B. State statutes governing the activities of City Planning Commissions;*
- C. Midvale City Ordinances and Resolutions, including the Subdivision and Zoning Ordinances; and*
- D. The bylaws of the Commission as set forth herein. These bylaws are not adopted by ordinance and do not have the force of law. Should the Commission waive, suspend, or otherwise deviate from these bylaws during the course of a meeting, such deviation is not grounds for invalidating a hearing held during such meeting or any decisions made at such meeting.*

### 1.3 Familiarity with State Law, City Ordinance and Resolutions, and Rules Affecting the Commission

*Upon taking office, all members of the Commission must familiarize themselves with applicable statutes, rules, ordinances, and resolutions; while in office must maintain such knowledge, including knowledge of amendments and additions; and is strictly governed in the conduct of Commission affairs.*

## SECTION 2. APPOINTMENT AND TERMS OF MEMBERS

### 2.1 Membership, Appointment, Compensation, Rights, Attendance & Training

A. Membership. *The Commission is comprised of Members and Alternate Members (hereinafter “Commissioner” or “Commissioners”) appointed according to the process outlined in Chapter 17-4 of the Municipal Code.*

Member. *A Commissioner with full voting rights on Commission decisions and actions.*

Alternate Member. *A Commissioner intended to temporarily fill in for a Member when the Member is not in attendance. Alternate Members are expected to attend and participate in meetings in the same manner as a Member, with the exception of voting when all Members are present. Alternate Members shall hold a first or second alternate position within the Commission, with the first alternate filling in for the first vacancy.*

B. Appointment. *Commissioners are appointed for term lengths following the process outlined in Chapter 17-4 of the Municipal Code.*

C. Compensation. *Commissioners may, within budgetary constraints, be paid per diem compensation for necessary and reasonable expenses for each meeting attended; payment is to be made quarterly.*

D. Rights.

Explaining the Vote. *After a vote is taken, Commissioners desiring to explain their vote are allowed an opportunity to do so.*

Not to Vote Unless Participating in Meeting. *Commissioners are not permitted to vote on any question unless they are physically present or through appropriate electronic communication for the duration of the item, including when the vote is taken, and the result announced.*

Resources. *Commissioners may have access to the adopted Midvale City land use regulations, the Midvale City General Plan, and other approved land use documents. Community Development Department staff (hereinafter “Staff”) must provide a paper copy, electronic file, or electronic link of such document upon the request of a Commissioner.*

E. Attendance. *Commissioners, including Alternate Members, are expected to attend all meetings of the Commission to the best of their ability. In the case of an anticipated absence from a meeting, the Commissioner must advise the Planning Director or Chair. A leave of absence for an extended period of time may be granted by the consent of a majority of the*

*Commission.*

F. **Training.** *All new Commissioners must attend a land use training session for planning commissioners within the first six months of their appointment or show they have prior land use training. All Commissioners must thereafter attend a land use training session at least one time every two years while serving on the Commission. All Commissioners are further encouraged to attend land use training, planning related workshops and presentations, and other similar educational opportunities. Staff will provide the Commission information on opportunities for attending local events. The City will cover, within budgetary constraints, registration fees for such events.*

## **2.2 Cause for Dismissal of Members**

*A Commissioner may be dismissed from the Commission by action of the Mayor and City Council for cause regarding the following:*

- *Absence from three consecutive regular meetings or four regular meetings within a calendar year without being excused by the Planning Director or Chair;*
- *Conduct in violation of the City's Standards of Conduct in the Midvale City Policies and Procedures Manual; or*
- *Conduct in violation of the Midvale City Planning Commission Bylaws.*

## SECTION 3. CONDUCT OF COMMISSION MEMBERS

*The following principles guide the actions of the Commission and its members.*

### **3.1 Serve the Public Interest**

*The primary obligation of the Commission and each member is to serve the public interest.*

### **3.2 Support Citizen Participation in Planning**

*The Commission is responsible for ensuring a forum for meaningful citizen participation and expression in the planning process and assist in the clarification of community goals, objectives, and policies pursuant to State Law.*

### **3.3 Conflict of Interest**

*Commissioners must abide by Utah's and Midvale City's conflict of interest provisions found in Utah Code Annotated §10-3-13 and Chapter 2.16 of the Municipal Code. In the event of any conflict between the two provisions, the more restrictive provision controls.*

*A conflict of interest is generally defined as gaining a private benefit either directly or indirectly, or material personal gain or advantage for one's self and to relatives, friends, employers, businesses, investments, or groups and associations which hold some share of a person's loyalty. Mere membership itself, in a group or organization, is not considered a conflict of interest as to Commission action concerning such group or association unless it is concluded such membership in itself would prevent an objective consideration of the matter.*

### **3.4 Ex Parte Communication**

*Commissioners are prohibited from engaging in ex parte communication about any agenda item by an interested party including, but not limited to, an applicant or party affected by an application. If a party attempts to engage in ex parte communication, the Commissioner should encourage the party to attend the public hearing for the agenda item and provide their comments on the record. This provides all parties an opportunity to voice concerns and suggestions and have such concerns and suggestions addressed. When making a decision about an agenda item, Commissioners may only consider the information placed on the record prior to the Commission's decision.*

### **3.5 Personal Bias**

*Commissioners should at all times avoid stating personal biases and preferences as justification for conditions imposed. Conditions of approval must be related to a legitimate governmental purpose as outlined in the land use regulations of Midvale City.*

### **3.6 Disclosure Required**

*Every Commissioner must disclose if they receive compensation for assisting a transaction involving the City, have an interest in a business entity regulated by the City, have an interest in a business entity doing Business with the City, or have an investment that creates a conflict between the Commissioner's personal interest and his/her public duties. Interest is defined as being an officer, director, agent, employer, or employee of a business entity or the owner of a substantial interest in a business entity. The Commissioner must disclose any such position or employment and the nature and value of such position or employment. This disclosure must be made in a sworn written statement on a form provided by the City Recorder within 10 days after appointment. Commissioners have an ongoing obligation to update their sworn statement and disclose any identified conflicts as they arise. Disclosure statements are considered public records and are available for inspection by members of the City Council and the public upon request.*

*Commissioners must declare ex parte communication or a conflict of interest for a specific agenda item at the beginning of a meeting in which the agenda item will be discussed. A Commissioner who feels they or any other Commissioner may have an actual, apparent, or reasonably foreseeable conflict of interest or have engaged in ex parte communication on any matter on the Commission agenda must disclose the apparent conflict or communication to the Commission. If a conflict of interest or ex parte communication is determined, the Commissioner must recuse him or herself by leaving the room for that agenda item. The Commissioner may not participate in the discussion or vote on the matter, nor attempt to use their influence with other Commissioners before, during, or after the meeting.*

### **3.7 Social Media**

*Commissioners agree to not comment or otherwise communicate on the City's social media sites. City social media sites include social media sites established and maintained by Midvale City, and over which the City has control over postings, except for advertisements or hyperlinks by the social media site's owners, vendors, or partners. Participating in online discussions may constitute a meeting under the Open and Public Meetings Act.*

### **3.8 Media**

*As an impartial, apolitical Commission whose will is expressed as a whole, Commissioners agree not to comment on agenda items to the media. If a Commissioner is approached by the media for a comment on an agenda item prior to the agenda item being heard by the Commission, the Commissioner should encourage the media to attend and observe the meeting in which the agenda item is addressed. If a Commissioner is approached by the media for a comment on an agenda item that has been heard by the Commission, the Commissioner should encourage the media to review the meeting minutes in which the agenda item was heard. For all other media requests, Commissioners should refer the media to the City's Public Information Officer.*



### **3.9 Maintain Public Impartiality**

*Each Commissioner has an ethical duty to avoid making public statements for or against the merits of any agenda item before consideration of the agenda item in a public meeting.*

## SECTION 4. ORGANIZATION

### 4.1 Chair, Vice Chair and Chair Pro-Temp

*The Commission, at its first regular meeting in March of each year, selects a Chair and Vice Chair. These positions must be held by a Member. The Chair presides at all Commission meetings and provides general direction. No Member may serve as Chair for more than two consecutive years. In the absence of the Chair, the Vice Chair presides over the meeting. In the absence of the Chair and the Vice Chair, a Member by a majority vote of the Commission present serves as Chair Pro-Tem. The Chair Pro-Tem performs all of the duties of the Chair for that particular meeting only.*

### 4.2 Duties of the Chair

1. *To call the Commission to order on the day and the hour scheduled and proceed with the order of business.*
2. *To announce the business before the Commission in the order in which it is to be acted upon.*
3. *When necessary, inquire regarding potential conflicts of interest and ex parte communication regarding agenda items.*
4. *To receive and submit in the proper manner, all motions and propositions presented by Commissioners.*
5. *To put to vote all questions which are properly moved, or necessarily arise in the course of proceedings, and to announce the results of the motions.*
6. *To inform the Commission, when necessary, on any point of order or practice. In the course of discharge of this duty, the Chair has the right to call upon legal counsel for advice.*
7. *To move the agenda along, hold down redundancy by limiting time allowed for comments if necessary, set guidelines for public input, and reference handouts and procedures during meetings.*
8. *To recognize speakers and Commissioners prior to receiving comments and presentations.*
9. *To recognize Commissioners leaving before the meeting is adjourned or participating in the meeting after the formal roll call is taken.*
10. *To maintain order at the meetings.*
11. *To authenticate by signature, when necessary, or when directed by the Commission, all of the acts, findings and orders, and proceedings of the Commission, including subdivision plats following approval by the City Council.*

### 4.3 Duties of the Vice Chair

*The Vice Chair performs all of the duties of the Chair in his/her absence.*

#### **4.4 Duties of the Chair Pro-Tem**

*The Chair Pro-Tem performs all of the duties of the Chair in the absence of the Chair and Vice Chair for that particular meeting only.*

#### **4.5 Secretary**

*Staff serves as the secretary of the Commission. The secretary assures the construction and maintenance of the public record; record the proceedings of all hearings and meetings; prepare the Commission minutes; and perform other duties as specified by the Commission.*

## SECTION 5. MEETINGS

### 5.1 Open and Public Meetings Act

- A. *All meetings must comply with Utah Code Annotated Title 52, Chapter 4 regarding rules and procedures for open and public meetings.*
- B. *Training. All Commissioners must annually attend a training session regarding open and public meetings.*
- C. *Meeting Minutes. Written minutes are reviewed and approved by the Commission within 30 days after holding the meeting that is the subject of the minutes, with the following exceptions in which case the time will be extended as approved by the Chair:*
  - 1. *The Commission does not have a scheduled meeting within the next 30 days following the meeting that is the subject of the minutes;*
  - 2. *The Commission requests revisions be made to the minutes prior to approval;*
  - 3. *When sufficient Members who attended the meeting are not present to approve the minutes; or*
  - 4. *There is a complex meeting requiring more time to prepare the written minutes.*

### 5.2 Location

*All Commission meetings shall be held in the Midvale City Hall or at such other place as the Commission or Staff may designate. A meeting having convened at the place designated, may be reconvened by the Commission to any other place within Midvale City for the sole purpose of investigating some particular matter of business which may be more conveniently investigated at such other place, or may be adjourned to any other room more convenient for conducting the business of the Commission, so long as proper notice of the meeting location is posted for the general public.*

### 5.3 Types of Meetings

- A. *Regular Meetings. A regular meeting is a meeting where business of the Commission is conducted, and decisions made. Regular meetings of the Commission are held on the second and fourth Wednesday of each month at 6:00 p.m. unless otherwise noticed in the annual adoption of a meeting calendar or by decision by the Commission. A regular meeting is open to the public. Proceedings are recorded and minutes are taken.*
- B. *Workshop Meetings. A workshop meeting is a meeting where the Commission can discuss issues and other topics. Workshop meetings of the Commission may be held as noticed or in conjunction with a regular meeting. This is a work meeting only and no decisions may be made regarding any item or issue. The workshop meeting is open to the public; however, no public comments will be taken. Proceedings are recorded and minutes are taken.*



C. Special Meetings. *A special meeting is a meeting where business of the Commission is conducted outside the regular meeting schedule. The secretary must give notice of the time and purpose of a special meeting at least 24 hours prior to such meeting. Such notice must be delivered to each member of the Commission personally, electronically, or by telephone. Special meetings are open to the public and are conducted in a manner consistent with the type of meeting posted, i.e. public hearing, actions to be rendered, discussion, training, etc. Proceedings are recorded and minutes are taken.*

D. Closed Meetings. *Closed meetings of the Commission may be held as part of a regular meeting or as part of a special meeting to discuss matters of a confidential nature. The Commission must have a roll call vote to enter into and out of a closed meeting. The closed meeting is not open to the public. Proceedings of this meeting must be recorded. Closed meetings must strictly comply with Utah Code Annotated Title 52, Chapter 4, Sections 204-206.*

E. Field Trips. *On occasions when site inspections are deemed advisable, field trips may be held prior to a Commission meeting or other agreed upon date and time. The date and time of the field trip must be posted on an agenda with notice given as any other Commission meeting. Only Commissioners and pertinent Staff are allowed to attend the field trip in a City-owned vehicle. The public is allowed at the sites of the field trip but may not present comments during the field trip. The public is encouraged to present their comments at a regular Commission meeting. Field trips shall be for the purpose of gathering information, not for discussing or making decisions.*

#### **5.4 Notice Requirements**

*Staff must notice all meetings and public hearings through meeting agendas, legal notices, property owner mailings, and property posting as required by Utah Code Annotated Title 10 Chapter 9a Part 2 and Chapter 17-3 of the Municipal Code.*

#### **5.5 Quorum and Voting Requirements**

*Quorum and voting requirements shall be determined according to the process described in Municipal Code Chapter 17-4.*

#### **5.6 Rules and Order of Business for Regular, Special and Workshop Meetings**

A. Order of Business. *The order of business is as follows:*

- 1. Call meeting to order.*
- 2. Pledge of Allegiance.*
- 3. Roll call.*
- 4. Approval of previous meeting minutes.*
- 5. Discussion of meeting format.*
- 6. Consideration of agenda items.*

7. *Other business as necessary.*
8. *Adjourn.*

*The Commission may amend the order of the agenda if deemed appropriate with the unanimous consent of the Commission. No new item will be heard after 9:30 p.m. without the consent of two-thirds of the entire Commission (Alternate Members included) present. Items not heard will be scheduled on the next agenda.*

**B. Agenda for Meetings.** *Staff will prepare a written agenda for each meeting at least five days prior to the scheduled meeting and deliver the agenda and corresponding staff reports to each member of the Commission via hand delivery, mail, or email. The Chair or a majority of Commissioners attending a meeting may request an item be added to a future meeting agenda. Requests requiring the expenditure of City resources may, at Staff's discretion, be limited by budgetary constraints or require City Council approval.*

**C. Staff Reports.** *All major issues presented to the Commission for its consideration are accompanied by a staff report detailing the overview, background, analysis and staff recommendation(s) which include findings of fact and conditions of approval. Staff reports must include the land use regulations applicable to the petitioner's request and how the request fits within the guidelines of these regulations and the General Plan, where applicable. Staff reports should be as concise as possible while allowing for adequate coverage of the subject matter. Said reports will be made available to anyone requesting a copy.*

## **5.7 Order of Business for Individual Agenda Items**

**A. Public Hearing.** *The order of business for public hearings is as follows:*

1. *Introduction of item by Chair.*
2. *Presentation by Staff.*
3. *Presentation by applicant.*
4. *Open public hearing by Chair.*
5. *Testimony by proponents and opponents of the request.*
6. *Concluding comments from applicant.*
7. *Concluding comments from Staff.*
8. *Close public hearing by Commission motion.*
9. *Commission discussion.*
10. *Chair asks for Commission action.*
11. *Motion for action made pursuant to Section 6 herein.*
12. *Vote taken pursuant to Section 7 herein.*
13. *Decision announced by Chair.*

**B. Other Items.** *The order of business for other items is as follows:*

1. *Introduction of item by Chair.*

2. *Presentation by Staff.*
3. *Presentation by applicant.*
4. *Commission discussion.*
5. *Chair asks for Commission action, if required.*
6. *Motion for action made pursuant to Section 6 herein, if required.*
7. *Vote taken pursuant to Section 7 herein, if required.*
8. *Decision announced by Chair, if required.*

## **5.8 Electronic Meetings**

*The Commission may hold electronic meetings in accordance with Municipal Code Section 2.36.040 and Utah Code Annotated §52-4-207. An electronic meeting is defined as a public meeting convened or conducted by means of electronic communications. In order to participate, Commissioners must have the ability to communicate with all other participating Commissioners, either verbally or electronically, so that each participating Commissioner can hear or see the communication. Public hearings are allowed as part of the electronic meeting. An electronic meeting may only be held for a declared City emergency, to accommodate Commissioners who are traveling outside the City, or other unique circumstances that make such a meeting in the public interest. The Chair may make adjustments to the Commission's Order of Business to better facilitate an effective electronic meeting, improve Commission communication, and encourage public input.*

## SECTION 6. MOTIONS

### 6.1 Making Motions

- A. Making Motions. *Any Member, but the Chair or an Alternate Member, except when the Alternate Member is filling in for an absent Member, may make a motion or second a motion.*
- B. Second Required. *Each motion must be seconded with the exception of motions to amend a motion and motions to adjourn the Commission meeting.*
- C. Motions. *Motions should state findings at the beginning of the motion followed by the recommendation to the appropriate body or decision, and should be concluded with the conditions of approval, if any. The motion may refer to the staff report for the detail of the findings of fact and conditions for approval if the author of the motion finds them acceptable. The staff summary should be sufficient in detail to assist the Commission in stating findings and conditions.*
- D. Repeat of Motion. *Motions may be repeated for clarification following discussion and prior to the vote at the request of any Commissioner.*
- E. Legal Advice. *Commissioners may request legal advice from the City Attorney in the preparation, discussion, and deliberation of motions.*
- F. Withdrawing a Motion. *After a motion is stated, the motion is in the possession of the Commission but may be withdrawn by the author of the motion prior to the vote. Withdrawal of a second is not necessary.*
- G. Motion to Table or Continue. *A motion to table or continue an agenda item for further study should be accompanied by specific reasons for continuing the matter, and, whenever possible, a specific date to rehear the matter should be made known to those at the meeting.*
- H. Amending Motions. *When a motion is pending before the Commission, any member may suggest an amendment without a second, at any time prior to the Chair putting the motion to a vote. The amendment must be accepted by the author and the second of the motion in order for it to amend the stated motion. The author and the second may choose not to accept the amendment.*
- I. Amending Amendments to Motions. *An amendment to a motion may be amended, no second required, at any time prior to the Chair putting the motion to a vote. The amendment to the amendment must be accepted by the author and the second of the motion in order for it to amend the stated motion. The author and the second may choose not to accept the additional amendment.*
- J. Substitute Motions. *A substitute motion, which will replace the original motion, may be*



*made prior to a vote on the original motion.*

K. To Reconsider a Motion. *To recall a previous motion for further evaluation and/or action, a motion for reconsideration may be made by a Commissioner who voted with the majority. The motion to reconsider must pass with a majority vote. If the former motion is to be amended or made void, the new motion shall be put to a formal vote of the Commission. Motions to reconsider a previous motion must take place during the same meeting the motion was made or when the minutes containing that particular item are approved.*

L. Motion to Close Public Hearings. *A motion must be made to close the public portion of each public hearing prior to Commission discussion and vote on the matter.*

M. Motion to Recess. *A motion must be made to break for a specific purpose while also stipulating a specific time to reconvene the meeting. The time to reconvene must be during the same day as the meeting in which the motion to recess was made.*

N. Motion to Adjourn. *A motion to adjourn the meeting is made at the end of each Commission meeting with a consensus of the Commission. No second is required to the motion to adjourn.*

## SECTION 7. VOTING

A. Roll Call Vote. *A roll call vote shall be taken on all actions by the Commission, with the following exceptions:*

1. *Closing public hearings.*
2. *Recessing a meeting.*
3. *Approval of meeting minutes.*
4. *Adjourning meeting.*

B. Changing a Vote. *No Commissioner is permitted to change their vote after the decision is announced by the Chair.*

C. Abstention. *Unless required to recuse oneself from an agenda item under Section 3.6 or permitted to abstain from voting under this section, Members must vote on every agenda item requiring a vote that is brought before the Commission. Any member abstaining from a vote must state his/her reason for abstaining and may remain seated and participate in the discussion. Members may abstain from voting if (1) the Member does not believe that they can make an impartial decision regarding the agenda item before the Commission and the reason does not constitute a conflict of interest or ex parte communication under Sections 3.3 and 3.4 or (2) to avoid the perception of conflict of interest that does not meet the definition of a conflict of interest under Section 3.3. In way of illustrating this principle and not as an exhaustive list, a Member may abstain from a vote under the following circumstances: if a family member or a friend expresses support or opposition to an agenda item; the applicant is an extended family member or former employer; the applicant has a religious, fraternal, political, or similar position of influence over a Member; or the applicant is the employer of a Member's family member.*

## SECTION 8. AMENDMENTS

A. Amending Bylaws. *These Bylaws may be amended by a majority vote of the entire Commission (Alternates included) except where such amendment would be contrary to the requirements or limitations set forth by State Law or City Ordinance. An amendment may be proposed at any regular meeting of the Commission. Members must receive a copy of the proposed or amended Bylaws not less than five days prior to the meeting at which said proposed changes will be heard.*

B. Annual Review. *The Bylaws will be reviewed annually by the Commission, typically during March of each year.*

Originally adopted July 11, 2001.

**Amendments and Reviews:**

| <b>Date</b>                             | <b>Action</b>   |
|---|---|
| July 11, 2007<br>Amendments adopted     |   |
| July 9, 2008<br>Amendments adopted      | Addition of Pledge of Allegiance (Section 4.6); authorizing chair to sign subdivision plats after City Council approval (Section 3.2)   |
| Nov 2011-Jan 2012<br>Review of Bylaws   | Discussion – no changes   |
| February 8, 2012<br>Amendments adopted  | Updated code and ordinance references and language throughout; modification to order of business to reflect actual (Sections 5.6 and 5.7); language clarification throughout, including input from City Attorney.   |
| Oct. 2013-Feb. 2014<br>Review of Bylaws | Discussion – no changes   |
| June 25, 2014<br>Amendments adopted     | Clarifying language in 2.1 (E), 5.4 (3), 6.1 (G); update name in 4.5; fix format errors   |
| March 11, 2015                          | Discussion – no changes   |
| April 8, 2015<br>Amendments adopted     | Revised conflict of interest language, updated City Hall address; changed policy regarding items heard after 10 p.m. (Section 5.6 A)  |
| October 12, 2016<br>Amendments adopted  | Addition to Duties of Chair (Section 4.2 (8)); addition of time frame to approve meeting minutes (Section 5.1); revised Section 5.4 to reference notice requirements in Municipal Code instead of providing details in Bylaws; clarifying language in Section 5.5 (B) regarding quorum and electronic communication   |
| April 10, 2019<br>Amendments adopted    | Updated Statute language; added land use training and social media sections; modified regular and workshop meeting dates and order of business; Chair to open public hearing; clarified language  |
| December 9, 2019<br>Amendments adopted  | Revised General Provisions (Section 1); replaced language duplicating Municipal Code with references (2.1 & 5.5); updated City Planner to Planning Director (throughout); revised training frequency (2.1); updated conduct language to clarify expectations, prohibit ex parte communication, improve disclosure requirements, and clarify media relationship (2.2 & 3); removed building address (5.2); revised order of business (5.6); added language regarding agenda (5.6); added electronic meeting language (5.8); clarified abstention policy (7); and technical revisions (throughout). |
| June 22, 2022                           | Amended the annual review of bylaws (8.B) and election of officers (4.1). Dates for both were changed from January to March   |

|              |   |
|--------------|---|
| May 24, 2023 | Amended Section 5.3 (A) to allow regular meetings on the second and fourth Wednesday of each month. Section 5.3 (B) was also amended to allow flexibility for workshop meetings so that they can be held “as noticed or in conjunction with a regular meeting”. |
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## Chapter 17-4

### PLANNING COMMISSION

Sections:

- 17-4-1**      **Establishment of the commission.**
- 17-4-2**      **Appointment—Term.**
- 17-4-3**      **Powers and duties.**
- 17-4-4**      **Organization.**
- 17-4-5**      **Utah Retirement Systems (URS) classification.**

#### **17-4-1 Establishment of the commission.**

There is created a planning commission to be composed of five members and two alternates, appointed by the mayor with the advice and consent of the city council from among qualified electors of the city in a manner providing balanced geographic, professional, neighborhood and community interest representation. Members of the planning commission to include alternates may, within budgetary constraints, be paid a stipend of twenty dollars for each meeting attended, payment to be made quarterly. (Ord. 12-11-2001C § 2 (part))

#### **17-4-2 Appointment—Term.**

The terms of the planning commission shall be staggered. Each member of the planning commission shall serve for a term of four years and until their successor is appointed, provided that the term of the first members shall be such that the terms of one member shall expire each year. Members may serve a maximum of two consecutive terms. Terms of members of the planning commission shall begin on or before the first Monday in February of each year. The governing body may remove any member of the planning commission for cause and after public hearing, if one is requested. Vacancies shall be promptly filled in the same manner as the original appointment for the remainder of the unexpired term. An unexpired term shall not be counted toward the maximum number of terms.

The mayor, with the advice and consent of the city council, may appoint up to two alternate members to the planning commission for a term not to exceed four years. The prior term of an alternate member who subsequently becomes a full time member shall not prevent that member from serving two consecutive terms. (Ord. 12-11-2001C § 2 (part))

### **17-4-3 Powers and duties.**

The planning commission shall:

- A. *General Plan.* Prepare and recommend a general plan and amendments to the general plan to the city council;
- B. *Zoning.* Recommend zoning ordinances and maps, and amendments to zoning ordinances and maps, to the city council;
- C. *Subdivision Regulation.* Recommend subdivision regulations and amendments to those regulations to the city council;
- D. *Subdivision Applications.* Recommend approval or denial of subdivision applications as provided in this chapter;
- E. *Conditional Use Permits.* Approve or deny conditional use permits applications; and
- F. *Other Duties.* The planning commission shall have all of the powers and duties explicitly or impliedly given planning commissions by the laws of the state. (Ord. 12-11-2001C § 2 (part))

### **17-4-4 Organization.**

The planning commission shall elect a chair and may adopt such rules for its own proceedings as are deemed necessary. Meetings of the commission shall be held at the call of the chair and at such other times as the commission may determine. The planning commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the recorder/clerk, which shall be the office of the planning commission, and shall be a public record.

- A. *Meetings.* The planning commission shall meet as necessary and at such other times as the planning commission may determine.
- B. *Quorum.* Three members of the planning commission shall constitute a quorum. An alternate member may be counted as part of the membership for a quorum.

A majority of the voting members present at a meeting at which a quorum is present shall be required for any action. No less than three yes votes are required for passage of any action. (Ord. 12-11-2001C § 2 (part))

### **17-4-5 Utah Retirement Systems (URS) classification.**

For purposes of Utah Retirement Systems (URS) coverage, the city classifies all Tier 2 appointed planning commission members as part-time. Eligibility for retirement coverage under Utah Retirement Systems shall be

administered in accordance with the statutory rules governing Utah Retirement Systems. (Ord. 2016-02 § 1 (Exh. A (part)))

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**The Midvale Municipal Code is current through Ordinance 2024-05, passed April 2, 2024.**

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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