



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

**Midvale Planning Commission
Meeting Notice and Agenda
October 9, 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, October 9, 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.

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.



Public comments for Public Hearing items may be done in person on the scheduled meeting date, submitted electronically on the Agendas & Minutes webpage, or by emailing planning@midvaleut.gov by 5:00 p.m. on October 8, 2024 to be included in the record.

I. Pledge of Allegiance

II. Roll Call

III. Minutes

- a. Review and Approval of Minutes from the September 11, 2024 Meeting.

IV. Public Hearing

*Items with ** if forwarded, the Planning Commission recommendation on this item will be considered by the City Council as the Legislative Body, at a Public Hearing on November 12, 2024, 2024 at 7 p.m.*

- a. Brandie Naylor requests Conditional Use Permit approval for Intensive Office for Raise the Future located at 7414 S State Street, Suite #101 in the State Street Commercial (SSC) zone. *[Elizabeth Arnold, Senior Planner]*
- b. **Midvale City initiated request to amend Sections of Title 17 of the Midvale City Municipal Code. This amendment moves Home Occupation Standards from individual zones to Section 17-6-4 and clarifies in the use section of each zone that some uses are

subject to standards in Chapter 17-6 Supplementary Regulations. *[Jonathan Anderson, Planner II]*

- c. **Midvale City initiated request to amend Sections of Chapter 17-7-11 of the Midvale City Municipal Code. This amendment is to replace Figures 1.01., 2.01., 4.01., and 5.01. to be consistent with recent rezones to the Main Street Form Based Code (MS-FBC) Zone. *[Jonathan Anderson, Planner II]*

V. Staff Update/Other Business

- a. Land Use Training.
- b. Planning Department Report.

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 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>. 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.



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MIDVALE CITY PLANNING COMMISSION STAFF REPORT 10/09/2024

SUBJECT

Brandie Naylor requests Conditional Use Permit approval for Intensive Office for Raise the Future located at 7414 S State Street, Suite #101 in the State Street Commercial (SSC) zone.

SUBMITTED BY

Elizabeth Arnold, Senior Planner

BACKGROUND AND ANALYSIS

Raise the Future is a private non-profit providing services under contracts for Utah's Division of Child and Family Services for children in the foster care system. The proposal is to allow for an expansion of the existing office use to allow for mental health services to be offered. This changes the classification of use to Intensive Office and is an allowed use through a Conditional Use Permit

Midvale Municipal Code 17-7-7.11(A) outlines the criteria necessary for a conditional use permit as follows (Staff responses in **bold**):

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

Response: The application complies with the above-listed criteria.

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

Response: The application complies with the above-listed criteria. No exterior changes are proposed.

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

Response: The application complies with the above-listed criteria.

4. The use is consistent with the general plan, as amended;

Response: The use is consistent with Midvale's General Plan.

5. Traffic conditions are not adversely affected by the proposed use including the existence of or need for dedicated turn lanes, pedestrian access, and capacity of the existing streets;

Response: The application was reviewed by Midvale City's Engineering Department and complies with the above-listed criteria.

6. Sufficient utility capacity;

Response: The application complies with the above-listed criteria.

7. Sufficient emergency vehicle access;

Response: The application complies with the above-listed criteria.

8. Location and design of off-street parking as well as compliance with off-street parking standards provided for in Section 17-7-7.8;

Response: The application complies with the above-listed criteria. Given the number of employees and net leasable area, 18 parking stalls are required. The project shares a parking lot with one other business, and more than enough parking has been provided for both. For a more detailed parking breakdown, see the Total Site Parking attachment.

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

Response: The application complies with the above-listed criteria.

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

Response: The application complies with the above-listed criteria.

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

Response: The application complies with the above-listed criteria.

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

Response: The application complies with the above-listed criteria.

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 RECOMMENDATION

Staff recommends the Planning Commission approve the Conditional Use Permit with the following findings:

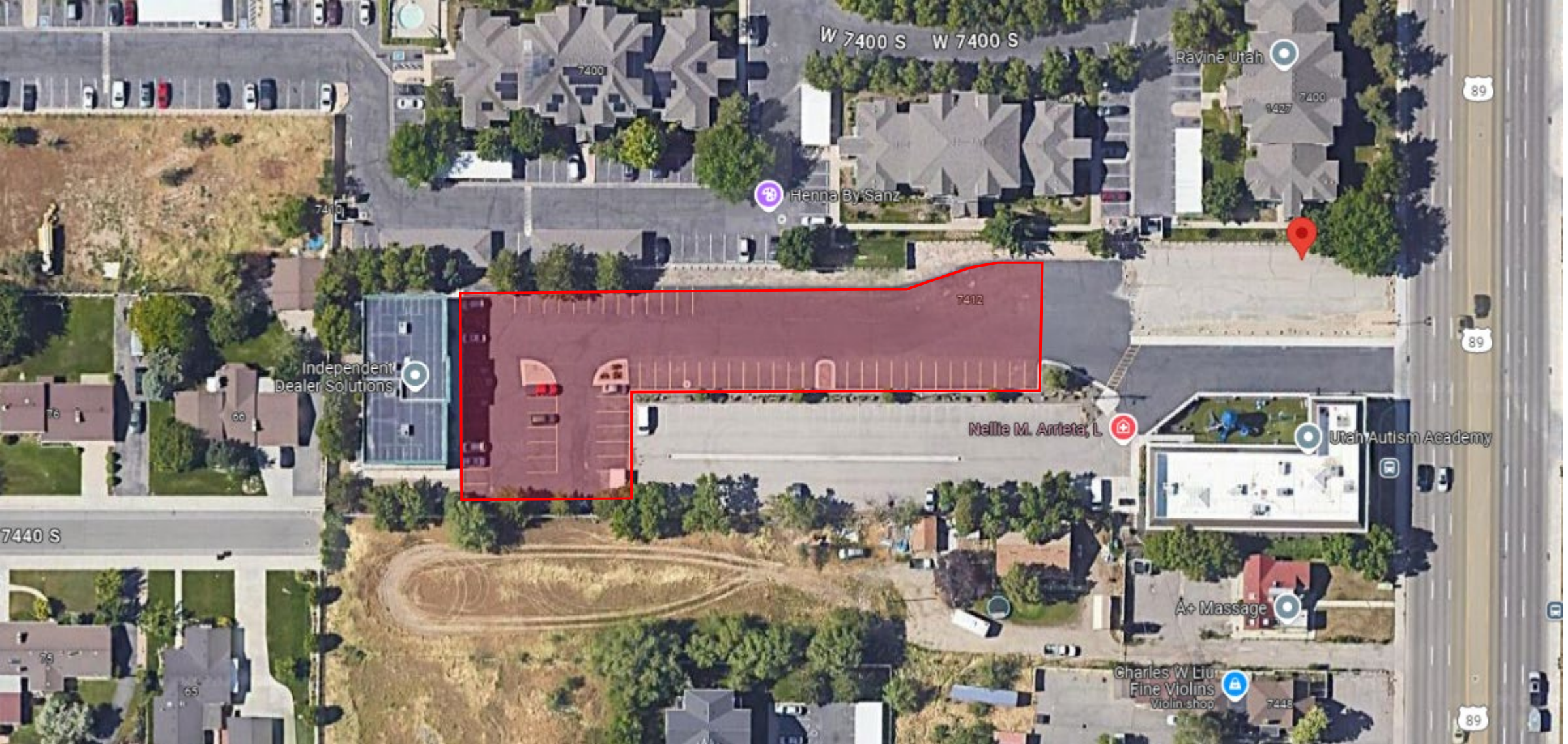
1. The request complies with the conditional use permit procedure outlined in Midvale City Code 17-7-7.11(A)

RECOMMENDED MOTION

"I move that we approve the Conditional Use Permit for Intensive Office use for Raise the Future located at 7414 S State Street, Suite #101 in the State Street Commercial (SSC) zone."

ATTACHMENTS

1. Total Site Parking



Total Parking Provided: 62 stalls

Raise the Future (Suite #101); 25 employees, 3600 s.f. net leasable: Required 18 stalls (Offices, Intensive & Clinic, Medical: 5 stalls per 1,000 s.f. of net leasable building area)

Other Businesses:

- *Paradigm Consulting; 9 employees, 4,000 square footage: Required 20 stalls (Retail & Service Commercial, Major 5 for each 1, 000 s.f. net leasable building area)*



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MIDVALE CITY PLANNING COMMISSION STAFF REPORT 10/9/2024

SUBJECT

Midvale City initiated request to amend Sections of Title 17 of the Midvale City Municipal Code. This amendment moves Home Occupation Standards from individual zones to Section 17-6-4 and clarifies in the use section of each zone that some uses are subject to standards in Chapter 17-6 Supplementary Regulations.

SUBMITTED BY

Jonathan Anderson, Planner II

BACKGROUND AND ANALYSIS

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.

-ZONING CODE AMENDMENT CRITERIA-

Midvale City Code 17-3-1(F) outlines the criteria necessary for amendments to the zoning code. An proposal may only be approved if it demonstrates one or more of the following:

1. The proposed amendment promotes the objectives of the general plan and purposes of this title;
2. The proposed amendment promotes the purposes outlined in Utah State Code 10-9a-102;
3. The proposed amendment more clearly explains the intent of the original language or has been amended to make interpretation more straightforward; or
4. Existing zoning code was the result of a clerical error or a mistake of fact.

Staff finds that this proposal meets the third criteria listed above by identifying Home Occupation Standards as a Supplementary Regulation that can be applied to all zones

STAFF RECOMMENDATION

Staff recommends the Planning Commission forward the text amendment on to the City Council with a recommendation of approval with the following finding:

1. The amendment complies with Midvale City Code 17-3-1(F)(3).

RECOMMENDED MOTION

“I move that we recommend approval of the text amendment to sections of Title 17 of the Midvale City Municipal Code as provided in the attachments, with the finding noted in the staff report.”

ATTACHMENTS

1. Draft Ordinance

17-6-4 Home occupation standards.

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

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

17-7-1.11**Reserved.Home occupation standards.****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 Section [17-7-1.2.1. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.](#)

17-7-1.11 Home occupation standards.Reserved.

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

~~A. Shall not include outdoor storage, outdoor display of merchandise, nor parking/storage of any vehicle in excess of twelve thousand pounds gross vehicle weight;~~

~~B. Shall not include identifying signage in excess of a two square foot name plate attached to the dwelling;~~

~~C. Is limited to the on-site employment of immediate family who occupy the dwelling (this criteria is not intended to limit the number of employees who are engaged in business for the home occupation but work off-premises);~~

~~D. Shall not alter the residential character or appearance of the dwelling or neighborhood;~~

~~E. Shall not occupy more than twenty-five percent of the main floor of the dwelling nor more than fifty percent of the floor area of any garage or outbuilding in which the use is conducted;~~

~~F. Shall not generate business-related vehicular traffic in excess of three vehicles per hour;~~

~~G. Shall not cause a demand for municipal services in excess of that associated with normal residential use;~~

~~H. Shall be enclosed within a structure in complete conformity with current building, fire, electrical and plumbing codes;~~

~~I. Is not a mortuary, animal hospital, kennel, clinic, hospital, RV storage yard, junkyard, auto repair service, commercial stable or sexually oriented business. (Ord. 2022-03A § 1 (Att. A); Ord. 11-13-2001 § 2 (part). Formerly 17-7-1.12)~~

17-7-2.11**Reserved.Home occupation standards.****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 Section [17-7-2.2.1](#). Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-2.11 Home occupation standards.Reserved.

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

~~A. Shall not include outdoor storage, outdoor display of merchandise, nor parking/storage of any vehicle in excess of twelve thousand pounds gross vehicle weight;~~

~~B. Shall not include identifying signage in excess of a two square foot name plate, attached to the dwelling;~~

~~C. Is limited to the on-site employment of immediate family who occupy the dwelling (this criteria is not intended to limit the number of employees who are engaged in business for the home occupation but work off-premises);~~

~~D. Shall not alter the residential character or appearance of the dwelling or neighborhood;~~

~~E. Shall not occupy more than twenty-five percent of the main floor of the dwelling nor more than fifty percent of the floor area of any garage or outbuilding in which the use is conducted;~~

~~F. Shall not generate business-related vehicular traffic in excess of three vehicles per hour;~~

~~G. Shall not cause a demand for municipal services in excess of that associated with normal residential use;~~

~~H. Shall be enclosed within a structure in complete conformity with current building, fire, electrical and plumbing codes; and~~

~~I. Is not a mortuary, animal hospital, kennel, clinic, hospital, RV storage yard, junkyard, auto repair service, commercial stable or sexually oriented business. (Ord. 2022-03A § 1 (Att. B); Ord. 11-13-2001 § 2 (part). Formerly 17-7-2.12)~~

17-7-3.11**Reserved.Home occupation standards.****17-7-3.2 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. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-3.11 Home occupation standards.Reserved.

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

~~A. Shall not include outdoor storage, outdoor display of merchandise, nor parking/storage of any vehicle in excess of twelve thousand pounds gross vehicle weight;~~

~~B. Shall not include identifying signage in excess of a two square foot name plate attached to the dwelling;~~

~~C. Is limited to the on-site employment of immediate family who occupy the dwelling (this criteria is not intended to limit the number of employees who are engaged in business for the home occupation but work off-premises);~~

~~D. Shall not alter the residential character or appearance of the dwelling or neighborhood;~~

~~E. Shall not occupy more than twenty-five percent of the main floor of the dwelling nor more than fifty percent of the floor area of any garage or outbuilding in which the use is conducted;~~

~~F. Shall not generate business-related vehicular traffic in excess of three vehicles per hour;~~

~~G. Shall not cause a demand for municipal services in excess of that associated with normal residential use;~~

~~H. Shall be enclosed within a structure in complete conformity with current building, fire, electrical and plumbing codes; and~~

~~I. Is not a mortuary, animal hospital, kennel, clinic, hospital, RV storage yard, junkyard, auto-repair service, commercial stable or sexually oriented business. (Ord. 11-13-2001 § 2 (part))~~

17-7-4.11**Reserved.Home occupation standards.****17-7-4.2 Use table.**

If a use is not specifically designated, it is prohibited. Uses designated with an asterisk (*) have additional use-specific standards included in subsection [\(A\)](#) of this section. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-4.11 Home occupation standards.Reserved.

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

~~A. Shall not include outdoor storage, outdoor display of merchandise, nor parking/storage of any vehicle in excess of twelve thousand pounds gross vehicle weight;~~

~~B. Shall not include identifying signage in excess of a two square foot name plate attached to the dwelling;~~

~~C. Is limited to the on-site employment of immediate family who occupy the dwelling (this criteria is not intended to limit the number of employees who are engaged in business for the home occupation but work off-premises);~~

~~D. Shall not alter the residential character or appearance of the dwelling or neighborhood;~~

~~E. Shall not occupy more than twenty-five percent of the main floor of the dwelling nor more than fifty percent of the floor area of any garage or outbuilding in which the use is conducted;~~

~~F. Shall not generate business-related vehicular traffic in excess of three vehicles per hour;~~

~~G. Shall not cause a demand for municipal services in excess of that associated with normal residential use;~~

~~H. Shall be enclosed within a structure in complete conformity with current building, fire, electrical and plumbing codes; and~~

~~I. Is not a mortuary, animal hospital, kennel, clinic, hospital, RV storage yard, junkyard, auto-repair service, commercial stable or sexually oriented business. (Ord. 11-13-2001 § 2 (part))~~

17-7-5.2 Uses.

If a use is not specifically designated, it is prohibited. Uses designated with an asterisk (*) have additional use-specific standards included in subsection [\(A\)](#) of this section. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-7.2 Uses.

If a use is not specifically designated, it is prohibited. Uses designated with an asterisk (*) have additional use-specific standards included in subsection [\(A\)](#) of this section. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-8.2 Uses.

If a use is not specifically designated, it is prohibited. Uses designated with an asterisk (*) have additional use-specific standards included in subsection [\(A\)](#) of this section. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-9.3 Uses.

If a use is not specifically designated, it is prohibited. Some uses may be prohibited from certain areas of the zone due to environmental constraints. Uses designated with an asterisk (*) have additional use-specific standards included in subsection [\(A\)](#) of this section. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-9.12.1.3 Use.

Uses are categorized by subarea and land use designation as defined in the large scale master plan for Bingham Junction. If a use is not specifically designated, it is prohibited. Uses designated with an asterisk (*) have additional use-specific standards included in subsection (A) of this section. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-9.12.2.3 Use.

Uses are categorized by subarea and land use designation as defined in the large-scale master plan for Bingham Junction. If a use is not specifically designated, it is prohibited. Uses designated with an asterisk (*) have additional use-specific standards included in subsection (A) of this section. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-9.12.3.19 ~~Reserved.~~**Home occupation standards.****17-7-9.12.3.4** **Use.**

If a use is not specifically designated, it is prohibited. Uses designated with an asterisk (*) have additional use-specific standards included in subsection [\(A\)](#) of this section. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-9.12.3.19 ~~Home occupation standards.~~**Reserved.**

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

~~A. Shall not include outdoor storage, outdoor display of merchandise, nor parking/storage of any vehicle in excess of twelve thousand pounds gross vehicle weight;~~

~~B. Shall not include identifying signage in excess of a two-square-foot name plate attached to the dwelling;~~

~~C. Is limited to the on-site employment of immediate family who occupy the dwelling (this criteria is not intended to limit the number of employees who are engaged in business for the home occupation but work off premises);~~

~~D. Shall not alter the residential character or appearance of the dwelling or neighborhood;~~

~~E. Shall not occupy more than twenty-five percent of the main floor of the dwelling nor more than fifty percent of the floor area of any garage or outbuilding in which the use is conducted;~~

~~F. Shall not generate business-related vehicular traffic in excess of three vehicles per hour;~~

~~G. Shall not cause a demand for municipal services in excess of that associated with normal residential use;~~

~~H. Shall be enclosed within a structure in complete conformity with current building, fire, electrical and plumbing codes;~~

~~I. Is not a mortuary, animal hospital, kennel, clinic, hospital, RV storage yard, junkyard, auto-repair service, commercial stable or sexually oriented business. (Ord. 2013-04 § 1 (Att. A (part)))~~

17-7-10.11.10 ~~Reserved.~~**Home occupation standards.****17-7-10.11.2 Uses.**

A. *Use Table.* The following uses are allowed with the applicable development permit(s) in Jordan Bluffs Subarea 4. If a use is not specifically designated, then it is prohibited. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-10.11.10 ~~Home occupation standards.~~**Reserved.**

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

~~A. Shall not include outdoor storage, outdoor display of merchandise, nor parking/storage of any vehicle in excess of twelve thousand pounds gross vehicle weight;~~

~~B. Shall not include identifying signage in excess of a two-square-foot name plate attached to the dwelling;~~

~~C. Is limited to the on-site employment of immediate family who occupy the dwelling (this criteria is not intended to limit the number of employees who are engaged in business for the home occupation but work off-premises);~~

~~D. Shall not alter the residential character or appearance of the dwelling or neighborhood;~~

~~E. Shall not occupy more than twenty-five percent of the main floor of the dwelling nor more than fifty percent of the floor area of any garage or outbuilding in which the use is conducted;~~

~~F. Shall not generate business-related vehicular traffic in excess of three vehicles per hour;~~

~~G. Shall not cause a demand for municipal services in excess of that associated with normal residential use;~~

~~H. Shall be enclosed within a structure in complete conformity with current building, fire, electrical and plumbing codes;~~

~~I. Is not a mortuary, animal hospital, kennel, clinic, hospital, RV storage yard, junkyard, auto-repair service, commercial stable or sexually oriented business. (Ord. 2017-17 § 1 (Att. A (part)))~~

17-7-10.12.3 Use table.

The following uses are allowed with the applicable development permit(s) in Jordan Bluffs Subareas 1-3. If a use is not specifically designated, then it is prohibited. Uses designated with asterisk (*) require specific additional standards included in Section [17-7-10.12.12](#). Unless otherwise specified, all buildings and uses shall comply with all city development requirements. The size, location, appearance, and method of operation shall be specified to the extent necessary to insure compliance with the requirements in this title. [Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.](#)

Table 17-7-10.12.2. Uses

Use Type
Accessory Structure
Animal Clinic/Hospital
Assembly Hall
Assisted Living
Child Care
Data Center/Data Storage Facility
Disabled Care Facility
Dwellings:
Townhomes (single-family attached units)

Use Type
Condominiums
Multifamily (stacked units)
Entertainment Center
Financial Institution:
W/o drive-up window
W/drive-up window*
Food Truck Court*
Home Occupation*
Hotel
Manufacturing
Medical Cannabis Pharmacy*
Mixed Use
Mortuary/Funeral Home
Municipal Facilities
Office
Outdoor Dining*

Use Type
Outdoor Storage*
Parking Lot/Structure
Public and Quasi-Public Facility
Recreation Facility, Commercial
Religious/Educational Institution
Research and Development
Residential Facility for Elderly Persons*
Residential Facility for Persons with a Disability*
Restaurant:
W/o drive-up window
W/drive-up window*
Retail and Service Commercial:
W/o drive-up window
W/drive-up window*
Telecommunications Facility*, including wireless
Warehouse/Distribution/Flex

17-7-10.12.12 Additional standards for specific uses.

G. ~~*Reserved Home Occupations.*~~ Home occupations are allowed in all residential units subject to the following standards. Each application for a business license for a home occupation shall include the business owner's covenant that the proposed use complies with these standards.

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- ~~1. Shall not include outdoor storage, outdoor display of merchandise, nor parking/storage of any vehicle in excess of twelve thousand pounds gross vehicle weight;~~
- ~~2. Shall not include identifying signage in excess of a two-square-foot name plate attached to the dwelling;~~
- ~~3. Is limited to the on-site employment of immediate family who occupy the dwelling (this criterion is not intended to limit the number of employees who are engaged in business for the home occupation but work off premises);~~
- ~~4. Shall not alter the residential character or appearance of the dwelling or neighborhood;~~
- ~~5. Shall not occupy more than twenty-five percent of the main floor of the dwelling nor more than fifty percent of the floor area of any garage or outbuilding in which the use is conducted;~~
- ~~6. Shall not generate business-related vehicular traffic in excess of three vehicles per hour;~~
- ~~7. Shall not cause a demand for municipal services in excess of that associated with normal residential use;~~
- ~~8. Shall be enclosed within a structure in complete conformity with current building, fire, electrical and plumbing codes;~~
- ~~9. Shall not include a mortuary, animal hospital, kennel, clinic, hospital, RV storage yard, junkyard, auto repair service, commercial stable or sexually oriented business.~~

17-7-11.3 Uses.

Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

B. *Specific Use Provisions.*

7. ~~*Reserved. Home Occupation.*~~ Each application for a business license for a home occupation shall include the owner's covenant that the proposed use:

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- a. ~~Shall not include outdoor storage, outdoor display of merchandise, nor parking/storage of any vehicle in excess of twelve thousand pounds gross vehicle weight;~~
- b. ~~Shall not include identifying signage in excess of a two-square-foot nameplate attached to the dwelling;~~
- c. ~~Is limited to the on-site employment of immediate family who occupy the dwelling (this criterion is not intended to limit the number of employees who are engaged in business for the home occupation but work off premises);~~
- d. ~~Shall not alter the residential character or appearance of the dwelling;~~
- e. ~~Shall not occupy more than twenty-five percent of the main floor of the dwelling nor any portion of any garage or outbuilding located on the property in which the use is conducted;~~
- f. ~~Shall not generate business-related vehicular traffic in excess of three vehicles per hour;~~
- g. ~~Shall not cause a demand for municipal services in excess of that associated with normal residential use;~~
- h. ~~Shall be enclosed within a structure in complete conformity with current building, fire, electrical and plumbing codes; and~~
- i. ~~Is not a mortuary, animal hospital, kennel, clinic, hospital, RV storage yard, junkyard, auto repair service, commercial stable or sexually oriented business.~~

17-7-12.2 Uses.

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. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-12.1.2 Use table.

If a use is not specifically designated, then it is prohibited. [Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.](#)

Table 17-7-12.1.2. Uses

Type	Allowed	Administrative	Conditional	Business License
Home occupation	X			X
Multifamily			X	
Mixed-Use*			X	

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* Allowed commercial uses within a mixed-use building shall be subject to the use list in Table 17-7-12.2 and conditional use standards in Section [17-7-12.9](#) where applicable.

17-7-13.2 Uses.

If a use is not specifically designated, it is prohibited. Uses designated with an asterisk (*) have additional use-specific standards included in subsection [\(A\)](#) of this section. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-15.13**Reserved.Home occupation standards.****17-7-15.3 Use tables.**

Due to the special circumstances of this overlay zone area, given that this overlay zone is intended to allow for the redevelopment of certain larger parcels on and adjacent to the State Street corridor, the following uses are the only uses allowed in the State Street overlay zone. If a use is not specifically designated, it is prohibited. Uses designated with an asterisk (*) have additional use-specific standards included in subsection (A) of this section. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.

17-7-15.13 Reserved.Home occupation standards.

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

~~A. Shall not include outdoor storage, outdoor display of merchandise, or parking/storage of any vehicle in excess of twelve thousand pounds gross vehicle weight;~~

~~B. Shall not include identifying signage in excess of a two-square-foot name plate attached to the dwelling;~~

~~C. Is limited to the on-site employment of immediate family who occupy the dwelling (this criteria is not intended to limit the number of employees who are engaged in business for the home occupation but work off-premises);~~

~~D. Shall not alter the residential character or appearance of the dwelling or neighborhood;~~

~~E. Shall not occupy more than twenty-five percent of the main floor of the dwelling nor more than fifty percent of the floor area of any garage or outbuilding in which the use is conducted;~~

~~F. Shall not generate business-related vehicular traffic in excess of three vehicles per hour;~~

~~G. Shall not cause a demand for municipal services in excess of that associated with normal residential use;~~

~~H. Shall be enclosed within a structure in complete conformity with current building, fire, electrical and plumbing codes; and~~

~~I. Is not a mortuary, animal hospital, kennel, clinic, hospital, RV storage yard, junkyard, auto-repair service, commercial stable or sexually oriented business. (Ord. 6/6/2006 O-6 § 1 (part))~~

17-7-17.2 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. Some uses have additional standards included in Chapter 17-6 Supplementary Regulations.



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MIDVALE CITY PLANNING COMMISSION STAFF REPORT 10/09/2024

SUBJECT

Midvale City initiated request to amend Sections of Chapter 17-7-11 of the Midvale City Municipal Code. This amendment is to replace Figures 1.01., 2.01., 4.01., and 5.01. to be consistent with recent rezones to the Main Street Form Based Code (MS-FBC) Zone.

SUBMITTED BY

Jonathan Anderson, Planner II

BACKGROUND AND ANALYSIS

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.

-ZONING CODE AMENDMENT CRITERIA-

Midvale City Code 17-3-1(F) outlines the criteria necessary for amendments to the zoning code. An proposal may only be approved if it demonstrates one or more of the following:

1. The proposed amendment promotes the objectives of the general plan and purposes of this title;
2. The proposed amendment promotes the purposes outlined in Utah State Code 10-9a-102;
3. The proposed amendment more clearly explains the intent of the original language or has been amended to make interpretation more straightforward; or
4. Existing zoning code was the result of a clerical error or a mistake of fact.

Staff finds that this proposal meets the third criteria listed above as the amendment is related to recent rezones to the Main Street Form-Based Code area, and the Figures need updated to remain consistent with the current boundary.

STAFF RECOMMENDATION

Staff recommends the Planning Commission forward the text amendment on to the City Council with a recommendation of approval with the following finding:

1. The amendment complies with Midvale City Code 17-3-1(F)(3).

RECOMMENDED MOTION

"I move that we recommend approval of the text amendment to sections of Chapter 17-7-11 of the Midvale City Municipal Code as provided in the attachments, with the finding noted in the staff report."

ATTACHMENTS

1. Draft Ordinance

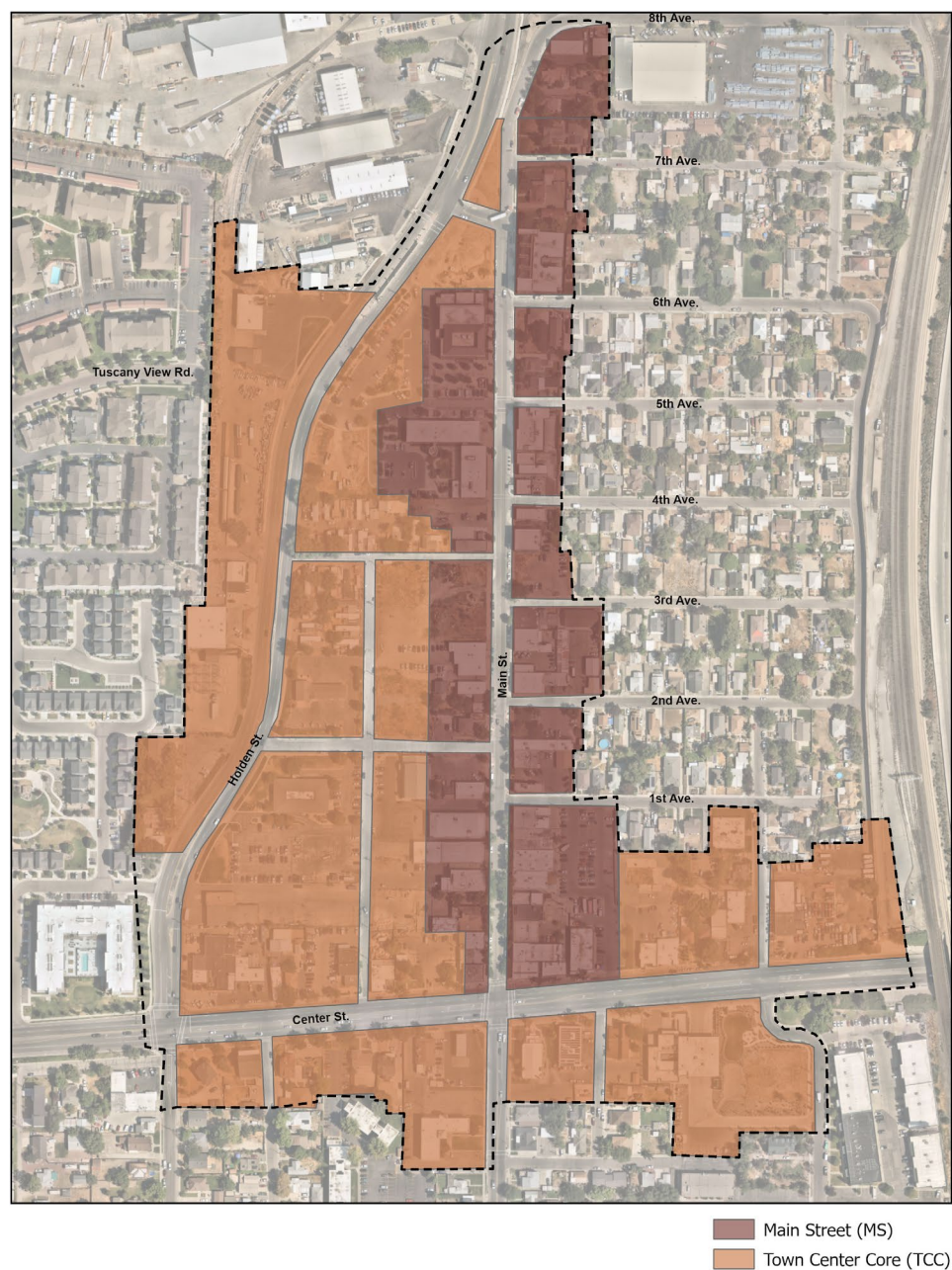
17-7-11.1 The Main Street neighborhood.

Figure 1.01. Main Street Form-Based Code District Boundary



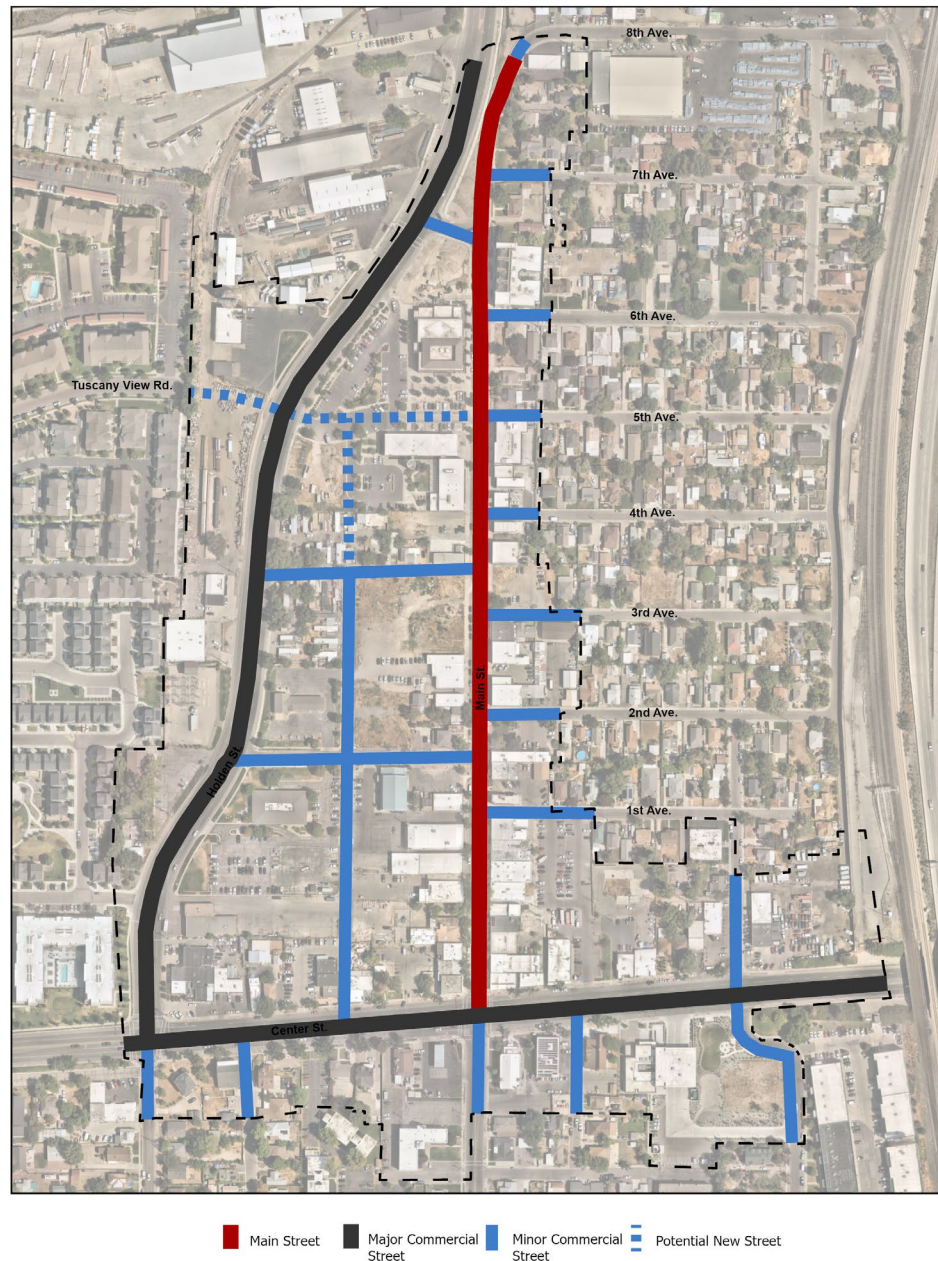
17-7-11.2 Form districts.

Figure 2.01. Form District Map



17-7-11.4 Street types.

Figure 4.01. Street Type Map



17-7-11.5 Frontages.

Figure 5.01. Frontage Map

